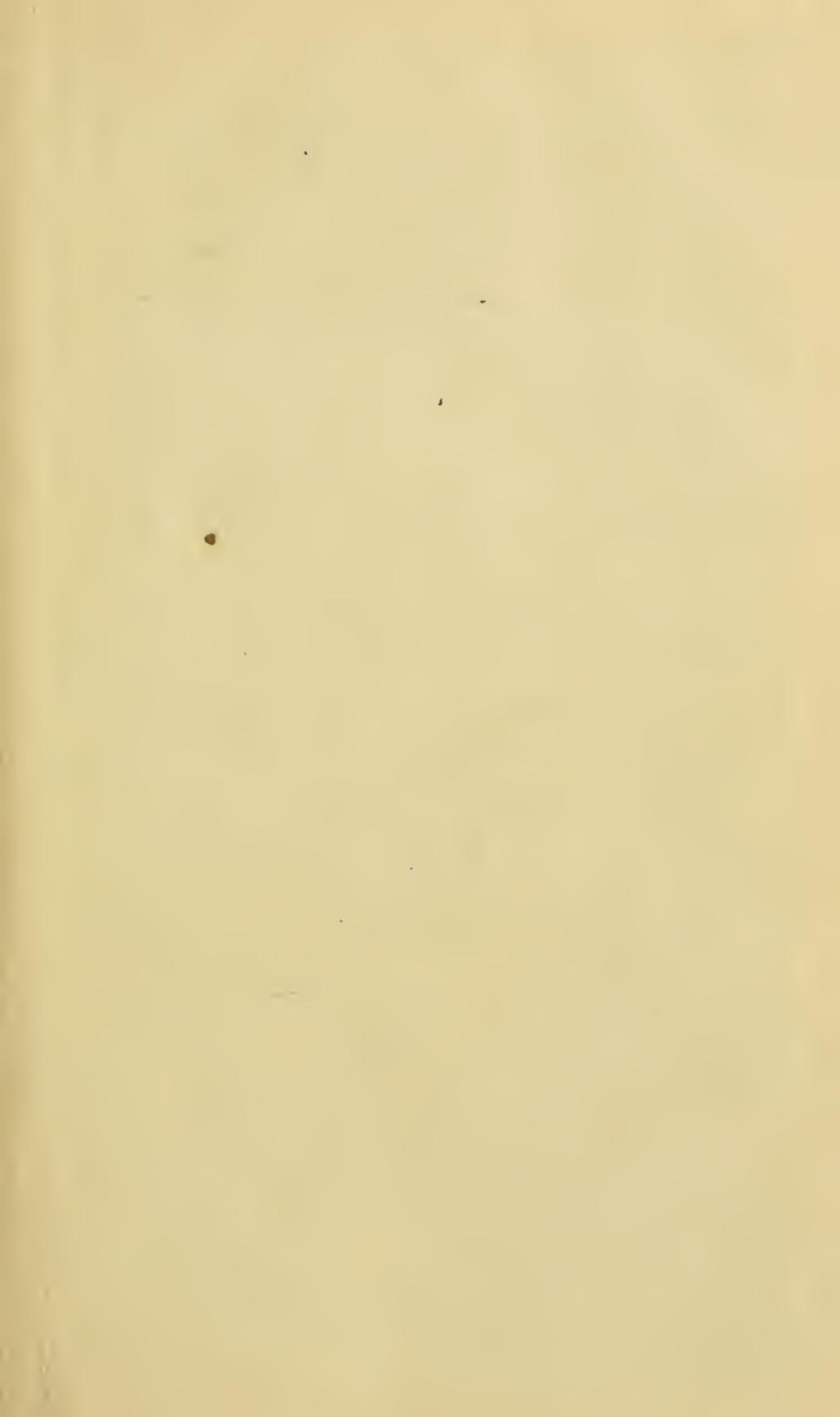


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PURCHASED FROM



THE KATYN FOREST MASSACRE

HEARINGS

BEFORE THE

SELECT COMMITTEE TO CONDUCT AN
INVESTIGATION OF THE FACTS, EVIDENCE,
AND CIRCUMSTANCES OF THE
KATYN FOREST MASSACRE

EIGHTY-SECOND CONGRESS

SECOND SESSION

ON

INVESTIGATION OF THE MURDER OF THOUSANDS OF
POLISH OFFICERS IN THE KATYN FOREST
NEAR SMOLENSK, RUSSIA

PART 7

Printed for the use of the Select Committee To Conduct an Investigation
of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre

JUNE 3, 4, AND NOVEMBER 11, 12, 13, 14, 1952



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SELECT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE FACTS,
EVIDENCE, AND CIRCUMSTANCES OF THE KATYN FOREST
MASSACRE

RAY J. MADDEN, Indiana, *Chairman*

DANIEL J. FLOOD, Pennsylvania GEORGE A. DONDERO, Michigan
FOSTER FURCOLO, Massachusetts ALVIN E. O'KONSKI, Wisconsin
THADDEUS M. MACHROWICZ, Michigan TIMOTHY P. SHEEHAN, Illinois

JOHN J. MITCHELL, *Chief Counsel*
ROMAN C. PUCINSKI, *Chief Investigator*

Amended
Jan 2, 1953
(See)

Page 8, 1953

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THE KATYN FOREST MASSACRE

TUESDAY, JUNE 3, 1952

HOUSE OF REPRESENTATIVES,
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,
Washington, D. C.

The select committee met at 10 a. m., pursuant to call, in room 336, House Office Building, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Furcolo, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee.

Chairman MADDEN. The select committee will come to order.

I might say for the record that this meeting of the Select Committee on the Katyn Forest Massacre is the sixth in a series of hearings which the committee has held. The committee returned a few weeks ago from hearings in England, where it heard the testimony of 32 witnesses, and also from Germany, where it heard the testimony of 28 witnesses.

As far as the testimony is concerned, the proceedings of the committee to determine the responsibility as to who committed the Katyn massacre are practically concluded. The testimony today will lead up to the committee's desire to try and determine what happened to certain reports that were submitted to the Government departments regarding the Katyn massacre.

The record may also show that all members of the committee are present.

Counsel may now proceed. Have you a statement that you wish to make?

Mr. MITCHELL. Yes, sir.

You will recall that sometime ago you requested the Army Department Counselor, Mr. Francis Shackelford, to obtain a statement from General of the Army J. Lawton Collins, the Chief of Staff, relative to his interview with Col. John H. Van Vliet, Jr. Yesterday afternoon, at approximately 5:15 p. m., I received that statement, which is addressed to you, and I herewith hand it to you.

Chairman MADDEN. This is a letter dated June 2, 1952, addressed to the chairman of this committee and signed by J. Lawton Collins, Chief of Staff of the United States Army.

Will the counsel please read the letter for the record?

Mr. MITCHELL. The letter is headed "United States Army, the Chief of Staff." The letter is dated June 2, 1952. [Reading:]

DEAR MR. MADDEN: Referring to your conversation with Mr. F. Shackelford, Department Counselor, Department of the Army, I am submitting herewith my recollection of the facts concerning Lt. Col. John H. Van Vliet's passing visit to my headquarters early in May 1945. At that time I was the commanding general of the Seventh Corps, with headquarters at Leipzig, Germany. My corps was still in action and in contact with the enemy along the Elbe River.

Colonel Van Vliet had been released or had escaped from a German prison camp and happened to reach our lines on the front of one of my divisions. I had known him when he was a boy at Fort Benning. When he heard that I was in command of the Seventh Corps, he asked to see me.

Colonel Van Vliet showed me his pictures of Katyn and told me in a broad way the conclusions he had come to as a result of his visit to the graves of Polish officers at Katyn. As I recall it, he told me he was anxious to get home and report to the War Department. I suggested that he proceed at once to Headquarters, First Army, so that he could make appropriate reports. Accordingly, I made the necessary arrangements to send Colonel Van Vliet back to First Army Headquarters, which was then at Weimar, Germany.

Colonel Van Vliet at no time made any written or formal statement to me, and I have no personal knowledge of any report he made in Washington.

Sincerely yours,

J. LAWTON COLLINS.

The letter is addressed "Hon. Ray J. Madden, House of Representatives."

Chairman MADDEN. Hand it to the reporter and have it marked "Exhibit 1."

(The document referred to above was marked "Exhibit 1" and made a part of the record. Exhibit 1 is as follows:)

EXHIBIT 1

UNITED STATES ARMY,
THE CHIEF OF STAFF,
June 2, 1952.

Hon. RAY J. MADDEN,
House of Representatives.

DEAR MR. MADDEN: Referring to your conversation with Mr. F. Shackelford, Department Counselor, Department of the Army, I am submitting herewith my recollection of the facts concerning Lt. Col. John H. Van Vliet's passing visit to my headquarters early in May 1945. At that time I was the commanding general of the Seventh Corps, with headquarters at Leipzig, Germany. My corps was still in action and in contact with the enemy along the Elbe River.

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Colonel Van Vliet at no time made any written or formal statement to me, and I have no personal knowledge of any report he made in Washington.

Sincerely yours,

J. LAWTON COLLINS.

Mr. MITCHELL. Mr. Chairman, the first witness this morning is Hon. William C. Lantaff, a Representative in Congress from the Fourth District of Florida.

Chairman MADDEN. Congressman, do you solemnly swear the testimony you will give here in the hearing now being conducted will be the truth, the whole truth, and nothing but the truth, so help you God?

Congressman LANTAFF. I do.

STATEMENT OF HON. WILLIAM C. LANTAFF, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF FLORIDA

Mr. MITCHELL. Congressman, will you state your full name for the record, please?

Congressman LANTAFF. William C. Lantaff.

Mr. MITCHELL. And your present address?

Congressman LANTAFF. House Office Building, Washington, D. C.

Mr. MITCHELL. Will you tell the committee what your official position was in the Office of the Assistant Chief of Staff, G-2, during the years 1944 and 1945, to the best of your knowledge?

Congressman LANTAFF. I was assigned as Chief of the G-2 Secretariat in the Office of the Assistant Chief of Staff, G-2, War Department, General Staff. I was on duty as Chief of the Secretariat in May of 1945.

My duties there in that office were essentially administrative in nature, to administer the administrative Office of the Assistant Chief of Staff, G-2, and to comply with certain other missions which had been assigned to me in that office. As such, I was on duty when Colonel Van Vliet reported to the office of the Assistant Chief of Staff, G-2, in May of 1945.

Of course, it is rather difficult at this time, some 7 years later, to recall everything that transpired; but, as I recall it, and to the best of my recollection, Colonel Van Vliet wanted to report to General Bissell, and upon inquiry as to the nature of his visit and why he wanted to see General Bissell—

Mr. MITCHELL. Congressman Lantaff, may I interrupt you for a moment?

Congressman LANTAFF. Yes.

Mr. MITCHELL. Mr. Chairman, in part 2 of the hearings held in Washington, D. C. on February 4, 5, 6, and 7, I refer you to page 48.

Mr. Lantaff, I would like to read something here for the record now. Mr. Flood is asking the question. [Reading:]

Mr. FLOOD. Were you directed by anybody overseas to report to the office of G-2 or did you from your Army experience decide that was where you should report?

Colonel VAN VLIET. That is where I decided to go. I went to the Office of G-2 and told enough of my story to convince—

Mr. O'KONSKI. To whom?

Colonel VAN VLIET. Sir, I don't remember. It was in one of the outer offices of G-2. I don't know whom I spoke to. It was one or two down from the G-2.

Mr. O'KONSKI. What was his rank, a colonel?

Colonel VAN VLIET. I believe it was a lieutenant colonel, sir; but I am unable to say who or what. They said I should see General Bissell—

Mr. O'KONSKI. You mean to tell me when you came in there he did not introduce himself to you or tell who he was? He did not tell you what his position was, nor did you inquire?

Colonel VAN VLIET. His position was known to me at the time, sir; but that has been 7 years ago, and it wasn't at the time important to me to remember whom I talked to in that office. I am sorry I don't remember.

Mr. O'KONSKI. Isn't it customary in military—

Congressman, I would like to ask you at this time: Were you that lieutenant colonel?

Congressman LANTAFF. I believe I was; yes.

Mr. MITCHELL. Could you proceed with your statement from there, please?

Congressman LANTAFF. As well as I recall it, Colonel Van Vliet told me enough of the incident that he had observed while a prisoner of war that I determined that he should see General Bissell and, accordingly, took him in to see General Bissell. I don't recall whether General Bissell was in the office at that time; but, as well as I recall it, it was the same day that he reported that I took him in there.

After some time—exactly how long I don't recall—General Bissell told me to arrange for a stenographer to take down the testimony of Colonel Van Vliet and to arrange for quarters for him to do it in. Accordingly, I arranged for stenographic assistance and for a space for him to dictate his statement about the Katyn Massacre.

After that was completed, the report was taken by the secretary to General Bissell.

As I recall, Colonel Van Vliet and General Bissell had a further conference on that report, and that is about all I remember about the incident about which Colonel Van Vliet has testified.

Mr. MITCHELL. Do you recall the name of the stenographer?

Congressman LANTAFF. I do now. It was Mrs. Meeres.

Mr. MITCHELL. Do you recall if Colonel Van Vliet showed you any photographs that he had of Katyn?

Congressman LANTAFF. I recall seeing one or two photographs, to the best of my memory.

Mr. MITCHELL. Do you know if they were attached to his report or not?

Congressman LANTAFF. I do not recall for a certainty, but I believe they were.

Mr. MITCHELL. Did you personally see such a report and read it?

Congressman LANTAFF. I personally saw the report.

Mr. MITCHELL. Did you read it?

Congressman LANTAFF. As well as I recall, I read the report or I had seen it, because I think the notes were returned to me for safe-keeping prior to the time Colonel Van Vliet had planned such a report.

Mr. MITCHELL. Then there was such a report?

Congressman LANTAFF. I recall the report.

Mr. MITCHELL. At the time that the secretary returned the report, did she return it to you or did she return it to Colonel Van Vliet and you and General Bissell? Do you recall the details?

Congressman LANTAFF. I don't recall specifically. To the best of my recollection, when the report was finished, Colonel Van Vliet reviewed it. Whether he did it in my office or the office that I had made available for him, I don't recall; but, to the best of my memory, after the report was transcribed, he took it in to General Bissell.

Mr. MITCHELL. He personally delivered it to General Bissell?

Congressman LANTAFF. As well as I recall. I think that he was to review the report and, as I recall, sign it.

Mr. MITCHELL. Do you recall who was in the immediate office of General Bissell at that time?

Congressman LANTAFF. I know who was assigned in the immediate office.

Mr. MITCHELL. Will you give the committee the names of those individuals.

Congressman LANTAFF. Yes. There was a Lt. Col. Jack Earman.

Mr. MITCHELL. How do you spell it?

Congressman LANTAFF. E-a-r-m-a-n.

There was General Bissell's secretary, Mrs. Doris Jepson. There was a warrant officer, Carulli. Then there were several other personnel assigned to the office but who were not in the immediate office next to the general, and the other personnel would have no knowledge of this incident.

Mr. MITCHELL. Do you recall if General Bissell had a safe in his office?

Congressman LANTAFF. Yes. There was a safe just outside of General Bissell's office, alongside of Mrs. Jepson's desk. Then, of course, there were numerous combination file cabinets, with combination locks.

Mr. MITCHELL. Then Mrs. Jepson was not located in the office with General Bissell, nor was the safe?

Congressman LANTAFF. No.

I say "safe." I don't recall. I think it was one of these combination lock safes, three combination safes, which were prescribed for the storage of "Top secret" papers.

Mr. MITCHELL. Was this document or report of Colonel Van Vliet's labeled "Top secret," to your knowledge?

Congressman LANTAFF. As well as I recall it, it was. I could not swear to that, though.

Mr. MITCHELL. Is there any other individual who was connected with the Office of the Assistant Chief of Staff, G-2, at that time, from whom a statement should be taken by this committee?

Congressman LANTAFF. I think those are the only people in the office who would have had any knowledge of this incident.

Mr. MITCHELL. To your personal knowledge, do you know if anybody had access to this safe or combination safe which was the property of General Bissell, other than his secretary and himself?

Congressman LANTAFF. Everyone in the immediate office did.

Mr. MITCHELL. The individuals you have named?

Congressman LANTAFF. That is correct.

Mr. MITCHELL. Earman, Jepson and Carulli?

Congressman LANTAFF. That is correct, and myself.

Mr. MITCHELL. Did you see this report at any time after Colonel Van Vliet had signed it?

Congressman LANTAFF. I don't recall that.

Mr. MITCHELL. Was it customary for General Bissell's office to keep a log of all documents that were sent out of that office?

Congressman LANTAFF. All documents that came in through the mailroom or cable section, which were retained in the office, were signed for by either Colonel Earman or myself, including Joint Chiefs of Staff papers and Combined Chiefs of Staff papers. All those papers were logged in and recorded; and, of course, if they left the office, were logged out?

Mr. MITCHELL. Who did the logging out?

Congressman LANTAFF. That was done by various personnel assigned to the office under a captain.

Mr. MITCHELL. Do you recall the captain's name?

Congressman LANTAFF. I don't recall his name.

Mr. MITCHELL. Do you recall ever having logged out the Van Vliet report to any other division of G-2 or to any other governmental agency or department?

Congressman LANTAFF. No. It was not logged in because, actually, the report originated in the office of Assistant Chief of Staff, G-2, and I don't recall ever having logged it out.

Mr. MITCHELL. But the report, even though it originated in General Bissell's office, if it had left the office, the standard procedure was for it to be logged out?

Congressman LANTAFF. Not necessarily; no. General Bissell could have originated a "Top secret" paper and could have taken that paper to another office or to an authorized recipient, and have left that paper with that particular individual.

Mr. MITCHELL. Do you recall whether there was one copy, or just the original, or several copies of this Van Vliet report?

Congressman LANTAFF. I only recall an original.

Mr. MITCHELL. That is all, Mr. Chairman.

Chairman MADDEN. Did I understand you to say that this original report was placed in this safe in Bissell's office?

Congressman LANTAFF. As well as I recall it. I don't recall having seen this particular report after Colonel Van Vliet reported in to General Bissell with the report to review it with him and to sign it. But it could very well have been placed in that particular safe.

Chairman MADDEN. Did the other employees in the office, including those that you named in your testimony, have access to the safe where the secret files were kept?

Congressman LANTAFF. Those four people had access to all documents in the office of the Assistant Chief of Staff, G-2, because it was our function, of course, to work there whenever General Bissell was there; and General Bissell would be there from early in the morning until late at night. Many times there would be only one of us there in the office with him. So, the people that were assigned to his immediate office had the combinations of all the safes.

Chairman MADDEN. Are there any questions?

Mr. DONDERO. Can you fix the time, Congressman, when Van Vliet came into the office to dictate that report?

Congressman LANTAFF. I think it was in the morning, but that is as well as I remember.

Mr. DONDERO. I mean, the day, the month, and year.

Congressman LANTAFF. No, I cannot.

Mr. DONDERO. Was it in 1945?

Congressman LANTAFF. May of 1945, as well as I recall it.

Mr. SHEEHAN. Congressman, did I understand you correctly to say that you did review Van Vliet's report before he signed it.

Congressman LANTAFF. No. Colonel Van Vliet came into the office and wanted to see General Bissell. Before I would let him see the general I wanted to know what he wanted to see him about.

Mr. SHEEHAN. After he dictated it to Mrs. Meeres, did you see the report?

Congressman LANTAFF. I don't recall. I believe that I did, but I don't remember.

Mr. SHEEHAN. There was something said about his turning over some notes to you.

Congressman LANTAFF. As I recall, I had Mrs. Meeres bring back her stenographic notes and the portion she transcribed, to me, to put in the G-2 safe that night.

Mr. SHEEHAN. But were they put in separate from the original report, or were they put in with the general's report?

Congressman LANTAFF. That was before the original report was completed. It is a security measure. I had Mrs. Meeres bring them back and kept them under our control.

Mr. SHEEHAN. Congressman, I have another thought. You mentioned before they had a system of logging out reports in the office, and you said it could be possible for General Bissell to take the top-secret report out of the office, to your knowledge, over to some other department or some other Government agency.

Congressman LANTAFF. It would be very possible. I did not say other Government agencies.

Mr. SHEEHAN. Or some other department of the Army, say. Well, let us say that he could take it out of the office, as you understood.

Congressman LANTAFF. Yes.

Mr. SHEEHAN. Was there anything in the Army regulations that required him to get a receipt under such a procedure, or could he just take it out under his own free will?

Congressman LANTAFF. Under the ARCs, the file receipts were, of course, to be taken for top-secret documents.

Mr. SHEEHAN. That is what I mean. In other words, if General Bissell had taken out the report and turned it over to someone else, he should have a receipt, under Army regulations?

Congressman LANTAFF. I think you will find considerable dispute about that even today in the Department of the Army, as to what is required with reference to the handling of top-secret documents.

Mr. O'KONSKI. Congressman, when this report came into your division and General Bissell's, there was pretty good evidence that here was a case that involved the murder of almost 15,000 Allied soldiers. Could you give us any hint as to what discussion or what impression that created? Was there any discussion about that ghastly crime after the report was made, or was it just passed off as another report?

Congressman LANTAFF. I don't know. If there would have been such, it was beyond the scope of my duties in that office to evaluate it or to discuss it.

Mr. O'KONSKI. I understand.

Mr. MITCHELL. Congressman, you were not in any way connected with the evaluation of intelligence reports or responsible for the evaluation of intelligence reports in that assignment that you had, were you?

Congressman LANTAFF. No. I would say that my assignment there was comparable to that of an administrative assistant in one of our offices.

Mr. MITCHELL. Congressman, were you there during the entire period of General Bissell's regime as Assistant Chief of Staff for G-2?

Congressman LANTAFF. No, I was not. I was ordered to duty there after he had been designated as ACofS, G-2, and I was discharged from the service prior to the time that he was succeeded.

Mr. MITCHELL. In other words, you left before he was relieved of the responsibility of the G-2 assignment?

Congressman LANTAFF. That is correct.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Mr. Furcolo.

Mr. FURCOLO. Where was the report physically, the last time you ever saw it, if you remember who had it and where it was?

Congressman LANTAFF. Congressman Furcolo, it is hard for me to say for a certainty. As I recall—I am trying to remember what happened 7 years ago—the last time I saw the report was when it went in with Colonel Van Vliet to General Bissell's office. If there was some way I could refresh my memory, it could very well have been that that report was in the safe there in General Bissell's office. But I am not certain about it.

Mr. FURCOLO. In your best recollection, have you ever seen the report itself since that time?

Congressman LANTAFF. No. Since May of 1945 I have not seen it.

Mr. FURCOLO. In other words, your best recollection would be that the last time you saw that report physically was in the hands of Colonel Van Vliet walking into the office of General Bissell?

Congressman LANTAFF. As well as I can recall—the reason why I have some reservation is that I know that I saw the report and read the report, and I don't recall whether I did it before he took it in, or afterward.

Mr. FURCOLO. Would it be safe to say that the last time you physically saw that report, it was in the G-2 offices there?

Congressman LANTAFF. That is correct.

Mr. FURCOLO. With reference to the notes, the shorthand notes, where were they the last time that you saw them, if you did see them?

Congressman LANTAFF. I don't recall that. With reference to the notes, Mrs. Meeres can testify better than I can, but I would presume that they were destroyed.

Mr. FURCOLO. And from that time on, your best recollection is that you have not physically seen the report or the notes?

Congressman LANTAFF. No. There were many documents which were in possession of the G-2, which were kept in his personal possession.

Mr. FURCOLO. At any time, did you ever discuss the report with General Bissell in any way, or with any superior of yours there?

Congressman LANTAFF. No.

Mr. FURCOLO. That is all I have.

Chairman MADDEN. Congressman Lantaff, on behalf of the committee, we wish to thank you for coming here this morning to testify.

Congressman LANTAFF. Is that all?

Chairman MADDEN. That is all.

Mrs. Mildred Meeres.

Mrs. Meeres, will you just stand and be sworn, please?

Do you solemnly swear that in the hearing now being held you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MEERES. Yes, I do.

TESTIMONY OF MILDRED MEERES, WASHINGTON, D. C., ACCOMPANIED BY F. SHACKELFORD, COUNSELOR, DEPARTMENT OF THE ARMY

Chairman MADDEN. Just state your name to the reporter.

Mrs. MEERES. Mrs. Mildred Meeres.

Chairman MADDEN. And your address?

Mrs. MEERES. 2012 O Street NW, Washington.

Mr. MITCHELL. Mrs. Meeres, how long were you assigned in G-2 of the Army? When did the period begin, and how long were you connected with G-2 of the Army?

Mrs. MEERES. From 1941 to 1948.

Mr. MITCHELL. Will you tell the committee what your position was in the Army during 1944 and 1945 in the G-2 division?

Mrs. MEERES. I worked for Captured Personnel and Material. I was secretary to Col. J. Edward Johnston, who was Chief of the X section in that division.

Mr. MITCHELL. Could you describe to the committee what the X section's duties were?

Mrs. MEERES. The X section was a secret committee, and I did secretarial work along with the secret work that I did for Colonel Johnston.

Mr. MACHROWICZ. Mr. Chairman, if it was a secret committee, I think she probably should be excused from any further answers to that question.

Mr. MITCHELL. Will you tell the committee what connection you had with the report given by Lt. Col. John H. Van Vliet, Jr., in May 1945?

Mrs. MEERES. Colonel Van Vliet dictated the report to me.

Mr. MITCHELL. Will you describe in detail to the committee how you were selected, where your office was physically located, as connected with General Bissell's office?

Mrs. MEERES. We were about two corridors down the hall from General Bissell's office, and it was Captured Personnel and Material, which has to do with prisoners of war. So General Bissell's office called to have a girl come up to take a statement from a returning prisoner of war, and I was asked to go up and take the statement.

Mr. MITCHELL. Who did you first see when you went to General Bissell's office?

Mrs. MEERES. I saw Colonel Lantaff.

Mr. MITCHELL. What did Colonel Lantaff say to you?

Mrs. MEERES. He briefed me on security and told me I was to take a top-secret report.

Mr. MITCHELL. Will you tell the committee what happened after you were briefed.

Mrs. MEERES. Then he took me into General Bissell's office and introduced me to Colonel Van Vliet, and then Colonel Van Vliet and Colonel Lantaff and I went across the hall, and Colonel Lantaff left us there alone and locked the door and Colonel Van Vliet dictated the statement to me. Then I took the report back to my own office and typed it up. And then—my memory is a little hazy on it—I believe I took the report back, and I believe that both General Bissell and Colonel Van Vliet dictated to me further, in General Bissell's office. But I

specifically remember taking the report and a letter up to General Bissell's office.

But, apparently, I hadn't completed the job, because I remember locking the papers up, or giving them to Colonel Lantaff to lock in his safe at night, and got them again the next morning. So I can't remember exactly whether I finished the report that night, that afternoon, or the next morning.

Mr. MITCHELL. Does the committee desire to ask any questions at this point?

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Did you make any copies?

Mrs. MEERES. I have been trying to remember. I don't recall making any copies, and I don't think I did, because I did it in draft and it was top secret, and usually a top secret is only one copy, until its final form.

Chairman MADDEN. Until what?

Mrs. MEERES. Until it is typed in its final form.

Mr. DONDERO. What did you do with your stenographic notes?

Mrs. MEERES. I put them in double envelopes, and all my mistakes and everything, the paper that had to be destroyed, and returned everything to Colonel Lantaff when I was finished with the job, the notes and everything.

Mr. DONDERO. To whom did you hand the report after it was written?

Mrs. MEERES. I think I handed it to Colonel Lantaff, but I am not exactly sure, sir, whether I took it into General Bissell's office, or not.

Mr. DONDERO. Did you see it after that?

Mrs. MEERES. The report?

Mr. DONDERO. Did you see it?

Mrs. MEERES. No; I never saw the report after that.

Mr. DONDERO. You were not present when it was signed?

Mrs. MEERES. I don't remember that.

Mr. MITCHELL. Did you take any other dictation from either Colonel Van Vliet or General Bissell, or Colonel Lantaff?

Mrs. MEERES. From General Bissell, I believe, and Colonel Van Vliet.

Mr. MITCHELL. I show you an exhibit on page 51 of the part 2 hearings of the committee of February 4. There is a letter of the War Department General Staff, Military Intelligence Division, G-2, Washington. Could you identify this letter for the committee, please?

Mrs. MEERES. Yes, sir. I believe I typed that memorandum. It was dictated to me by General Bissell in his office.

Mr. MITCHELL. Mr. Chairman, I would like to point out that this letter is the letter that Colonel Van Vliet specifically requested from General Bissell relative to his keeping silent in connection with the report he had rendered to G-2. The witness this morning has said that General Bissell dictated this letter. And also the part 2 of the hearings held on February 4 will reveal that Colonel Van Vliet himself specifically requested such a letter.

That is to clarify the record.

Chairman MADDEN. On what page of part 2 is that?

Mr. MITCHELL. Page 51.

Mr. FURCOLO. What did the witness say that General Bissell dictated?

Mr. MITCHELL. Mrs. Meeres just stated that General Bissell dictated this letter to her.

Mr. O'KONSKI. Mrs. Meeres, you typed other top-secret reports, did you not?

Mrs. MEERES. Yes, sir.

Mr. O'KONSKI. Was there anything unusual about this particular report? Was there more furore or was there more of a tendency to create an impression on you, as to this particular report, that it must be top secret? Was it handled with a little more flush and flurry than any other top-secret report that was made?

Mrs. MEERES. Yes, sir.

Mr. O'KONSKI. In other words, it sort of struck you that here was a report that had great significance because it was impressed upon you more than any other top-secret report that you typed that this was something unusual, something different, that really must be top secret; was that the impression that you got?

Mrs. MEERES. Yes, sir.

Mr. SHEEHAN. Mrs. Meeres, you stated before that in a top-secret document, you only typed one copy, and you said something about "until it is typed for final form." What did you mean by "final form"?

Mrs. MEERES. Well, this was a statement that I took verbatim from Colonel Van Vliet, and usually a statement of that type is corrected and written in final form after it is corrected.

Mr. SHEEHAN. Do you mean that usually your procedure was that it was corrected, to do it over?

Mrs. MEERES. Yes, sir.

Mr. SHEEHAN. And in this particular instance you never got it back to do it over?

Mrs. MEERES. That is right.

Mr. SHEEHAN. And in previous documents that you had typed and returned to you with corrections, what was the procedure on the number of copies that you would make?

Mrs. MEERES. It would depend on the report and how many were needed.

Mr. SHEEHAN. Did you ever before make a single copy and never any more?

Mrs. MEERES. Oh, yes, sir.

Mr. DONDERO. Mr. Chairman.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Whatever became of your stenographic notes? What was the procedure in the office?

Mrs. MEERES. On this particular job, I returned my stenographic notes to Colonel Lantaff. But when I was working in my own office, we had our own security there, where it was burned by our own security officer.

Mr. MITCHELL. Will you explain to the committee what the security procedure was in your office relative to stenographic notes?

Mrs. MEERES. Well, after our notes were finished, we saved them in the top-secret safe for a little while in case we would have to refer to them, and then they were burned. We had a regular procedure for that. The security officers took care of it.

Chairman MADDEN. Are there any further questions?

Mr. FURCOLO. Mrs. Meeres, you said, as I understood you, that after Colonel Van Vliet had dictated to you, you took the report and a letter up to General Bissell's office. Did I understand that correctly?

Mrs. MEERES. Yes, sir.

Mr. FURCOLO. Then I understood you to say that you did not know if it was finished or not. Is that right?

Mrs. MEERES. That is right, sir.

Mr. FURCOLO. Ordinarily, if any person dictated something to you, would you, after it had been completed, not show it to that person, or would the ordinary procedure be to take it to General Bissell?

Mrs. MEERES. Well, I never did a job just like this before. This was out of my regular routine. So I took it back to General Bissell's office.

Mr. FURCOLO. Was Colonel Van Vliet in the office at that time?

Mr. MEERES. Well, that is what I can't remember.

Mr. FURCOLO. You brought the report physically, the typed report, to the best of your knowledge, the only copy; is that right.

Mrs. MEERES. Yes, sir; to the best of my knowledge.

Mr. FURCOLO. You brought that sole report to General Bissell's office?

Mrs. MEERES. I don't know whether I gave it to Colonel Lantaff and he brought it in, or whether I brought it in.

Mr. FURCOLO. Your best recollection is that the last you saw of that report, where was it?

Mrs. MEERES. I can't recall where it was, because I am not sure whether I gave it to Colonel Lantaff or——

Mr. FURCOLO. Would your best recollection be that the last you saw of that report, it was either in the hands of Colonel Lantaff or in the hands of General Bissell?

You see, what we are trying to do is trace this report down as best we can.

Mrs. MEERES. Yes, I know.

Mr. FURCOLO. And we do not want any more than your best recollection.

Mrs. MEERES. Yes, sir.

I am positive it was in that office. I am positive I left it up there.

Mr. FURCOLO. Where, and with whom?

Mrs. MEERES. I gave it to either Colonel Lantaff or Colonel Van Vliet, or General Bissell.

Mr. FURCOLO. In other words, you are reasonably certain that the last you saw of that report, you left it with one of those three men, Colonel Lantaff, Colonel Van Vliet, or General Bissell?

Mrs. MEERES. Yes, sir; that is right.

Mr. FURCOLO. Did you ever, at any time from that day to this, see that report again?

Mrs. MEERES. No, sir.

Mr. FURCOLO. With reference to your notes, I understood you to say that your best recollection is that you left those with Colonel Lantaff or someone there; is that right?

Mrs. MEERES. That is right.

Mr. FURCOLO. At the present time are you employed by any department or agency of the United States Government?

Mrs. MEERES. Yes, sir; I am; the Interior Department.

Mr. FURCOLO. I just want to ask you one more question.

I gather from your testimony that apparently this was the first time you had been called in for a job or some work for General Bissell, or that office.

Mrs. MEERES. Yes, sir.

Mr. FURCOLO. Was there any reason for that, that you know of?

Mrs. MEERES. The only reason was that we were the prisoner of war branch, and it had to do with our branch. We handled all the work in connection with prisoners of war.

Mr. FURCOLO. In other words, do I understand that Colonel Van Vliet was returning as a former prisoner of war?

Mrs. MEERES. That is what I understood at the time.

Mr. FURCOLO. Let me ask you this question: Assuming that Colonel Van Vliet did return as a prisoner of war, would there be anything unusual about your department's handling it rather than some other department?

Mrs. MEERES. I believe that usually our department would have handled it, except that he went to General Bissell instead.

Mr. FURCOLO. I think you partially answered this in answer to a question of Congressman O'Konski, but I would be interested in getting your general opinion as to whether there was anything at all about this case, right from the very beginning, that impressed itself upon your mind as being handled any differently than the ordinary top-secret case would be handled?

Mrs. MEERES. No, sir. I don't think it was handled any differently, except that I was the one to do it. I wouldn't ordinarily do a job for General Bissell.

Mr. FURCOLO. This committee is extremely interested and we intend to track down, of course, any evidence that there may be indicating that there was some sort of a cover-up or a hushing up of any facts in connection with this entire case. Are you aware, in any way at all, of any acts or statements on the part of anyone to try and cover up or hush up something in connection with this?

Mrs. MEERES. No, sir. In fact, ever since the investigation, I have been told to tell everything I can remember about the report. The only thing that was top secret was the content of the report, at the time.

Mr. FURCOLO. That is all.

Chairman MADDEN. Do you have any questions, Mr. Machrowicz?

Mr. MACHROWICZ. Yes, sir.

I believe you said you had been working for the G-2 since 1941?

Mrs. MEERES. Yes, sir.

Mr. MACHROWICZ. And you were working in a secret section of that G-2?

Mrs. MEERES. Yes, sir.

Mr. MACHROWICZ. Had you taken quite a number of secret reports prior to this one?

Mrs. MEERES. I took several.

Mr. MACHROWICZ. Were you briefed before you went upon your duties, as to the security precautions?

Mrs. MEERES. Well, in that particular division, they are very security-conscious. We were constantly being told and briefed, but not for a particular job like that, because—

Mr. MACHROWICZ. Not for the particular job?

Were you always briefed particularly before every secret report that you took?

Mrs. MEERES. No, sir.

Mr. MACHROWICZ. You were not?

Mrs. MEERES. No.

Mr. MACHROWICZ. In this case, I believe you testified that you were briefed specially?

Mrs. MEERES. Yes, sir.

Mr. MACHROWICZ. Did that impress upon you the particular importance given to these reports, as compared to the others in which you were never briefed separately?

Mrs. MEERES. No, sir. I didn't think much of that.

Mr. MACHROWICZ. Were there any special security precautions given to you on this report that were not given to you in the others?

Mrs. MEERES. No. It was just the same as the others.

Mr. MACHROWICZ. But this is the only report that you know of, from the time you were in the G-2, where you were given special, particular security precautions?

Mrs. MEERES. For a particular job.

Mr. MACHROWICZ. This is the only particular job in the course of your experience at G-2 where you were given the special, particular precautions?

Mrs. MEERES. No.

May I take that back, sir, because I told you I worked with the X section, and I did some jobs there also that I was specially briefed on. I just forgot. You just recalled it to my mind.

Mr. MACHROWICZ. Can you recall any special precautions that were given to you in this case that were not given in other cases?

Mrs. MEERES. No, sir; I can't.

Mr. MACHROWICZ. That is all.

Mr. DONDERO. When you returned your stenographic notes, were they in the form of the ordinary stenographer's notebook?

Mrs. MEERES. Yes, sir.

Mr. DONDERO. And you simply handed the book over?

Mrs. MEERES. I believe I tore my notes out of the book.

Mr. DONDERO. And then they were put into an envelope?

Mrs. MEERES. I put them in a double envelope.

Mr. DONDERO. They were put in an envelope?

Mrs. MEERES. That is right.

Mr. DONDERO. Did you ever see those notes again?

Mrs. MEERES. No, sir.

Mr. DONDERO. Do you know what was done with them?

Mrs. MEERES. I assume that they were burned; but I don't know.

Mr. DONDERO. Was that the procedure?

Mrs. MEERES. Yes, sir.

Mr. DONDERO. To burn the notes?

Mrs. MEERES. Yes, sir.

Chairman MADDEN. Are there any further questions? Mrs. Meeres, on behalf of the committee, I thank you for coming here to testify.

Mrs. MEERES. Thank you.

Chairman MADDEN. Major General Bissell.

General Bissell, do you solemnly swear that in the hearing now being held you will tell the truth, the whole truth, and nothing but the truth, so help you God?

General BISSELL. I do.

TESTIMONY OF CLAYTON L. BISSELL, MAJOR GENERAL, USAF (RETIRED), ACCOMPANIED BY F. SHACKELFORD, COUNSELOR, DEPARTMENT OF THE ARMY

Chairman MADDEN. Just state your full name to the reporter, General.

General BISSELL. Maj. Gen. Clayton L. Bissell, Air Force, United States, retired.

Chairman MADDEN. And your present address?

General BISSELL. Signal Mountain, Tenn.; 102 River Point Road.

Chairman MADDEN. Will counsel proceed?

General BISSELL. With your permission, I would like to hand you two letters at this time. I am handing the counsel two letters at this time because I think I should do it at this moment. You judge whether you want them, or not.

Chairman MADDEN. Yes.

I have here a letter dated May 21, 1952, written by Clayton L. Bissell, major general, USAF, retired, to the Chief of Staff, United States Air Force.

Will you have the reporter mark it "Exhibit 2"?

(The document referred to was marked "Exhibit 2" and made a part of the record as follows:)

EXHIBIT 2

SIGNAL MOUNTAIN, TENN., *May 21, 1952.*

Memorandum to the Secretary of Defense.

Through: Chief of Staff, United States Air Force.

Subject: Testimony for Select Committee of the House Investigating Katyn Massacre.

The United Press about May 16, 1952, stated that Chairman Roy J. Madden of the select committee of the House currently investigating the Katyn massacre announced that I would be the first witness before the committee on June 3, 1952, at a public hearing in Washington.

I will be very glad to cooperate fully with the committee. Published reports of the committee hearings indicate that not only the Katyn matter itself but matters directly or indirectly related to Katyn may become the subject of questioning. There are many aspects of the matter that, as of the date of my retirement, were still classified. Since my separation from the service, I have had no means of knowing which, if any, of these matters have been declassified.

Written instructions are requested as to what matters I may and may not testify about in connection with the Katyn affair, and what action it is desired I should take in answering questions relating to State or Defense Department material the classification of which I am no longer aware.

If called, and the committee follows its usual procedure, it is expected they will ask me if I have received any instructions from National Defense or other sources as to what I should or should not testify. If such a question is asked, and there is no objection, I should like to lay before the committee a copy of this letter and its reply. If no instructions are received, I will have no alternative

but to lay this letter before the committee and so state, thereafter, answering any questions asked without regard to security classification of material of which I naturally cannot now be aware.

CLAYTON L. BISSELL,
Major General, USAF (Retired).

A certified true copy:

FREDERIC H. MILLER, Jr.,
Colonel, USAF.

Chairman MADDEN. I have here a letter headed "Memorandum for Clayton L. Bissell, major general, USAF (retired)" written by Roger Kent, general counsel for Charles A. Coolidge, in the Office of the Secretary of Defense. This letter is dated June 2, 1952, and is in answer to the letter set out as exhibit 2.

Will you have the reporter mark this "Exhibit 3"?

(The document referred to was marked "Exhibit 3" and made a part of the record as follows:)

EXHIBIT 3

OFFICE OF THE SECRETARY OF DEFENSE,
Washington, D. C., June 2, 1952.

Memorandum for Clayton L. Bissell, major general, USAF (retired).

Subject: Testimony for Select Committee of the House Investigating Katyn Massacre.

In answer to your memorandum of May 21, 1952, to the Secretary of Defense, I can advise you, after consultation with the Department of State, that neither the Department of State nor the Department of Defense knows of any matters connected with the Katyn massacre which now need to remain classified. These Departments, therefore, know of no reason why you should not testify freely as to all matters connected with the Katyn affair. In doing so, you should not disclose sources of intelligence which from your general experience you will realize would thereby be jeopardized.

Testimony concerning official matters not connected with the Katyn massacre, the current security classification of which you may not be aware, will be withheld pending determination of its current classification status.

ROGER KENT,
General Counsel for Charles A. Coolidge.

Chairman MADDEN. Proceed, Mr. Mitchell.

Mr. MITCHELL. General, where were you born?

General BISSELL. In Kane, Pa.

Mr. MITCHELL. When were you born?

General BISSELL. July 29, 1896.

Mr. MITCHELL. Will you tell the committee your educational background, please?

General BISSELL. Regular grammar school, high school, law school.

Mr. MITCHELL. Where did you go to grammar school and high school?

General BISSELL. Grammar school in Kane, Pa., and high school in Kane, Pa., and Olean, N. Y.

Mr. MITCHELL. Where did you go to law school?

General BISSELL. Valparaiso University, Indiana.

Mr. MITCHELL. Did you attend the United States Military Academy?

General BISSELL. I never attended Military Academy.

Mr. MITCHELL. What did you do after law school?

General BISSELL. I left law school prior to graduation, a few months before graduation, to enter the first officers training camp.

Mr. MITCHELL. When was this?

General BISSELL. 1917, very early.

Mr. MITCHELL. Were you later admitted to the bar of Indiana?

General BISSELL. I was.

I was criticized for leaving the school without finishing the course so close to the end, but my grades were good and they asked me to come back and receive my diploma in uniform.

Mr. MITCHELL. Did you receive your diploma?

General BISSELL. I did, sir.

Mr. MITCHELL. When?

General BISSELL. At the graduation of the class in 1917.

Mr. MITCHELL. Were you admitted to the bar of Indiana?

General BISSELL. That is right, sir.

Mr. MITCHELL. When?

General BISSELL. I couldn't give you the date because I was back in training camp, but it went through the usual procedure. It would have occurred sometime during the next few months after that, the papers being completed and my admission certified.

Mr. MITCHELL. Were you discharged from the Army after your service in World War I?

General BISSELL. I stayed on until the 1920 Reorganization Act went into effect, and at that time left the service for a brief period and went to work for the Galludet Aircraft Corp., then located in Connecticut.

Mr. MITCHELL. What date was that approximately?

General BISSELL. Sometime in the summer of 1920, probably the date that the law became effective, which was sometime in June, as I recall, 1920; probably June 30 at the end of the fiscal year, would have been the most normal period.

Mr. MITCHELL. When did you return to Army service?

General BISSELL. Sometime late that fall. I had met General Mitchell by coincidence in New York, and he asked me to come back and do a specific job.

Mr. MITCHELL. Were you an aviator in World War I?

General BISSELL. I was an aviator in World War I on the British front, as a fighter pilot, for about 5½ months.

Mr. MITCHELL. You stated to the committee that you returned to military service approximately the fall of 1920; is that right?

General BISSELL. I was out just a few months, and I think it was either the fall of 1920 or just after the first of the new year. I think I met General Mitchell at the Armistice Day dinner in New York, and he wanted me to come back and do a certain job, and I did go back.

Mr. MITCHELL. On this next question you may refer to notes if you would like to.

Could you tell the committee the various assignments you have had from 1920 until September 1, 1939? What was your rank in the fall of 1920?

General BISSELL. I was a captain at the time I left the service. I had been recommended for a majority, but the promotions were frozen at a certain period when the winning of the war was certain. There was no use commissioning additional officers. Under the reorganization, not being a West Pointer, I would have had to accept a first lieutenantcy. I did not want to do that because I did not see that it was in the national interest at that time. I didn't think I knew

enough of the military. I knew enough of the civilian side to go into that.

After I came back in the service, the job that I was brought in for was to assist in the setting up of a school that became known as the Air Service Field Officers' School, subsequently the Air Corps Field Officers' School, now the Air War College.

No such thing had ever existed. I had recommended it prior to my separation from the service; and General Mitchell, following through, wanted me to come back and assist in getting it going. The purpose of it was to give those considerable number of Regular officers who did not get overseas because of their training—they were kept over here; that is, training others, the West Pointers—they had missed the combat side of the war and it seemed to me that a school was the only opportunity to pass it on to them while the information was fresh.

I went to Langley Field for that purpose.

Mr. MITCHELL. How long were you there?

General BISSELL. I was connected with that school, with short breaks, a good deal of time. I started in, I think, in 1920 or early 1921. I was with it through the formation period of the school.

I was then selected by General Mitchell as an aide to go to Europe and visit all European countries, testing and examining aircraft. We visited most of the countries of Europe that had any air forces. Our relationship became very close during that period; and when I got back—shortly after that—I was ordered away from the school and made his aide and was his aide for the following 4 years, and also as a direct assistant as Assistant Chief, Army Air Service, as it was called in those days.

Mr. MITCHELL. When was your first assignment in the Army in connection with Military Intelligence?

General BISSELL. When I returned from World War II, after 2 years in India with Stilwell.

Mr. MITCHELL. Did you have any Military Intelligence background at any period of time from 1917 until your return from Stilwell's theater?

General BISSELL. Yes; a rather considerable amount.

Mr. MITCHELL. Could you tell the committee about it?

General BISSELL. Before setting up this school, it was necessary to determine what the courses should be; and, naturally, there had to be Intelligence in it. My specialty was operations. I didn't deal much with Intelligence, but I knew the relationship of Intelligence to Operations, and learned more as the years passed.

When I left the Air Corps school, I attended Leavenworth, where there was a 2-year course. There was a considerable amount of emphasis on Intelligence. And I believe Colonel Van Vliet's father taught the class out there. I am not sure of that.

Mr. MITCHELL. But you yourself never had a specific assignment in the capacity as Military Intelligence officer until your assignment after that with General Stilwell?

General BISSELL. Yes; I did. I had one in Air Force immediately after my return, with the idea of expanding and reorganizing the Air Corps Intelligence. It was the Air Corps Intelligence at that time.

Mr. MITCHELL. When you say "Air Corps Intelligence," at that time—

General BISSELL. It is Air Force Intelligence now.

Mr. MITCHELL (continuing). It was then part of the Department of the Army?

General BISSELL. That is correct, part of the Department of the Army.

Mr. MITCHELL. When was that assignment?

General BISSELL. I left India on the 1st day of September, with instructions to visit various fronts.

Mr. MITCHELL. What year?

General BISSELL. 1943.

And after visiting various fronts and England, I arrived back here, and probably within 30 days took over the duties as A-2, it was called, or Air-2 section of the staff, under General Arnold.

Now, you understand, I had Intelligence officers working under me, numerous ones, in India, where I commanded the Tenth Air Force and all American aviation for a considerable period, as well as initiating the first work on crossing the Hump. I had been with the Chinese theater in charge at Stilwell's headquarters during the time he was cut off in Burma, and I knew much of intelligence from the practical user's end, and I had a little of the school or academic background on the Intelligence side.

Mr. MITCHELL. What was the exact date on which you took over the position to which you have referred, in A-2?

General BISSELL. I would have to refer to orders. But I would say within 30 to 45 days after my departure from India, which was on the 1st of September 1943.

Mr. MITCHELL. You say "30 or 45 days." That would make it approximately October 15, 1943; would it?

General BISSELL. Yes.

Mr. MITCHELL. When did you become Assistant Chief of Staff for G-2, or was there any assignment in between this A-2 assignment and your assignment as Assistant Chief of Staff?

General BISSELL. No. It was effective, I think, by order on 5 or 4 January 1944. The thing that led up to it was that I had worked under General Strong, my G-2 predecessor. When he was head of the Army War Plans Division, I handled the Air Force plans in that office at that time.

Mr. MITCHELL. Who is General Strong?

General BISSELL. Gen. G. V. Strong, deceased, my predecessor in G-2 and a former head of the War Plans Division, the War Department General Staff.

Mr. MITCHELL. Then you are telling the committee that you assumed the duties and responsibilities of the Assistant Chief of Staff of G-2 on the 4th of January 1944; is that correct?

General BISSELL. Yes; I think that is correct. I would have to verify it if I have gone wrong, but I don't think I have. I left India in 1943 in September, and the following January the order came out.

I would like to make that clear, because I think you want something—and I know what it is—but I would like to cover the whole field.

Mr. MITCHELL. Mr. Chairman, I would like to have the record show that I have never talked to General Bissell, and I don't believe any member of the committee has talked to him before.

General BISSELL. That is correct.

Mr. MITCHELL. I have never asked him a question before this particular time.

Chairman MADDEN. Proceed.

General BISSELL. The reason for my interruption—and I want to apologize—is not any implication whatever, except that I am trying to give you everything, and we are moving rapidly over a lot of territory.

General Strong was ill. I was in the A-2 receiving a considerable amount of Intelligence through G-2.

Chairman MADDEN. What time are you referring to now?

General BISSELL. Between the period I returned from India, in 1943, and the time I took over as head of G-2, in January 1944.

In that period I was convinced we would never get, during the war, an effective Intelligence organization in Air Forces. It started too late; it did not have sufficient experienced personnel in Intelligence, and it wasn't going to work too well, and it was going to be very costly and we would get a good set-up, but the war would be over by the time we got it. So I told General Arnold exactly how I felt about it and told him I thought a better working arrangement could be made with G-2 whereby we would send Air Force officers down there in some numbers and they would specialize on the Air Force end of it and we wouldn't have to.

He took that thought to General Marshall. General Marshall had some contacts with General Strong. I think I made the suggestion on a Saturday morning. I think that afternoon I was informed that I would be the next G-2 and go see General Strong. I think physically I took over G-2 the next Monday morning because of General Strong's condition and that he promptly went to the hospital at Walter Reed.

That was not what I had originally intended at all. I had no thought of any such thing and expected to go back to operations, which was my specialty.

The order confirming me in G-2, I think, is dated January, but I think I actually went to work there nearly a month earlier, because I don't think General Strong was relieved until they had given him a thorough check at Walter Reed and determined it was not expedient to send him back to G-2. His physical condition would not stand it.

Mr. MITCHELL. What was your rank at that time, General?

General BISSELL. Major general.

Mr. MITCHELL. You stated that from the time you left the China-Burma-India theater you made several visits to other stations. Could you briefly sketch for the committee some of those visits, because it covered the period—

Mr. MACIROWICZ. Just a minute, if you will pardon me.

Mr. Chairman, I understand some of the committee have unavoidable appointments this afternoon. We probably have other matters to discuss. I think we should leave Burma to some other investigation. Let us get to the Katyn matter. I do not think it is particularly important to us what his other assignments were.

Mr. MITCHELL. Katyn happened in April 1943, it was disclosed, and he evidently came from the Near East area.

Chairman MADDEN. Does this have some connection with Katyn?

Mr. MITCHELL. Yes, sir; my line of questions has.

I will make the questions more direct if the committee so desires.

In April 1943, the Katyn affair was disclosed to the world by the Germans. The general left the China-Burma-India theater. I believe, on September 1, 1943. The Katyn affair had become known to the world then. I do not know how the general returned to the States, but he did state here this morning that he came through certain areas. I would like to have him now tell the committee if he had heard about the Katyn affair, at what stations. Colonel Szymanski was military attaché in Cairo, Egypt, at the time.

Chairman MADDEN. Proceed.

General BISSELL. I flew from India, departing from Karachi, in an airplane which was furnished to me to proceed as far as Casablanca. I was directed to proceed by the usual transport route to Cairo, with some diversions authorized to see strategic points en route. I landed at Cairo and had a few days there.

I knew something of Katyn while on duty in India and loaned Polish-speaking personnel in my command for use of the British in India. There they had families, I think, of some of the Polish Army housed somewhere outside of Karachi under pretty terrible conditions. It was nobody's fault; just there they were. Food was scarce in India; Englishmen were scarce, and English, Indian, or American people who spoke any Polish were still more scarce. So, we were very glad to help. It was a tricky thing to do. It was not my job to take care of Polish refugees but to fight the Japanese. But I felt that the small number of Polish people we had who could be of assistance wouldn't hurt us and could be of great assistance. So that was done.

I knew where they were camped and saw it from the air. While I don't recall it too much in detail, I remember talking to one or two of my people who were there, and they painted a picture of distress and privation and poverty and suffering and broken families and lives and lack of homes and everything that was pathetic. They didn't know where they were going. They were worn out, and the British couldn't move them any farther because they couldn't then stand more travel.

Yes; I knew something of Katyn, but not the detail probably that was available in America, because our messages were pretty short. I had heard of it.

When I got to Egypt, I was much more concerned with the Poleski operation, which had just been finished. It was one of the brilliant Air Force operations of the war. I was very much concerned with lend-lease and supply arrangements because we in India were supposed to get certain supplies to that theater, I wanted to help Stilwell every way I could.

Mr. MITCHELL. Did you see Colonel Szymanski while you were in Cairo?

General BISSELL. I saw a lot of people in Cairo. I could have seen him. I have no recollection of him. While I have heard his name, I have never met the man to remember who he was. I may have met him in Cairo. He would be the best judge of that. He would remember me much better than I would remember him, because there were not many Air Force people passing through there who had been much interested in Intelligence, and I was.

Mr. MITCHELL. You are now telling the committee that you had no specific discussions in Cairo with anyone in direct connection with the Katyn affair?

General BISSELL. Only that I knew from discussions at headquarters there that there were Poles in that area and that formation of a Polish Army was progressing—not too rapidly, but progressing—and that problems of every nature were involved.

Mr. MITCHELL. The problems of the forming of the Polish Army had no connection with the Katyn affair.

General BISSELL. No.

Mr. MITCHELL. What I would like to know is this: You had no discussions at all with anyone at the headquarters at Cairo relative to Katyn; is that correct?

General BISSELL. Not specifically.

Mr. MITCHELL. You do not recall anyone?

General BISSELL. No, sir; not to my recollection. It could have happened, but I don't think so.

Mr. MITCHELL. You have just stated to the committee that you assumed the position of Assistant Chief of Staff as a major general for G-2 on or about the 4th of January 1944. Will you now relate to the committee what happened when a Lt. Col. John H. Van Vliet, Jr., was brought to your office in May 1945?

General BISSELL. Yes.

I was told, probably on Monday, the 21st of May, that Colonel Van Vliet wished to see me but that, for some reason, probably because of my schedule that day, he was not set up for that day. I had a hearing up here, I think, in this House, with some committee, at about that time, and I was preparing for that, and there were many urgent things. I had been away from the 16th, the day before Colonel Van Vliet arrived in Washington, and was away on official business until the Sunday, which would have been the 20th, as I recall, when I returned dead-tired from a very long, hard trip.

I used Monday on very urgent things that had piled up during my absence, and on Tuesday I saw Colonel Van Vliet. I cannot tell you who brought him into my office. I heard Colonel Lantaff's statement. He could well have done it. It would have been normal.

I have prepared some notes which will give in a little more chronological order what happened after Colonel Van Vliet came in. I will talk from them, if you wish, or I will talk in answer to your questions as you present them.

Chairman MADDEN. If you care to refer to your notes, that is satisfactory.

General BISSELL. I think it will be quicker.

Chairman MADDEN. That is all right.

General BISSELL. If I digress or comment on things that you are not interested in, please stop me, because I don't want to take the committee's time unnecessarily.

Mr. FURCOLO. Before you start: When did you prepare those notes?

General BISSELL. I have been working on them since I heard I was to come up here, to get the things down so I would get the chronology of the thing and arranged the details that way.

Mr. FURCOLO. In other words, these are not notes that you prepared then?

General BISSELL. No; only penciled notes being revised from day to day and as I recall things.

Mr. FURCOLO. They are not notes made at that time?

General BISSELL. No, sir.

Mr. FURCOLO. They are notes you made in the last 2 or 3 weeks?

General BISSELL. Some of them were made a little earlier than that. All were prepared since your committee was formed. There was no part prepared prior to that time that is in those notes at all.

You are interested in 1945. I have it right here. I think it will be quicker to read it.

Colonel Van Vliet, who had been liberated from a German prisoner-of-war camp south of Berlin when it was overrun by the Russians, reached the American lines about May 5, 1945. He reported to me in Washington on May 22, 1945. In my office, with only Colonel Van Vliet and myself present, he told me the story of the POW visit—that is, prisoner-of-war visit—to Katyn. Although he showed the effects of his years of imprisonment less than many officers, he was tired, tense, and thin. Nevertheless, he told the story of the assembly of the American-British prisoner-of-war group and of the visit to Kaytan in such a calm, direct, and conservative manner that there was no doubt in my mind that he was telling the truth about these events exactly as he remembered what had occurred 2 years earlier.

As was to be expected in such a case, a few of his oral statements conveyed a somewhat different meaning after a few questions were asked than as originally made. This is not the slightest implication he was not completely honest and straightforward. It was probably because he had lived with the story and his reaction to the unpleasant experiences so long that he assumed more background detail was known to me than actually was the case.

As I recall, this interview lasted about half an hour. Very early in his interview I realized Colonel Van Vliet must be given an opportunity to put his report in writing in a way that would be easiest for him and that he should be afforded an opportunity to make such corrections, additions, or deletions as he considered essential for complete accuracy. I so informed him near the end of our first conference.

With Colonel Van Vliet's complete agreement, I arranged at once for a Mrs. Mildred Meeres, a competent, experienced and trustworthy secretary, to take his dictation and type his report. I also arranged for a private security room where they could work undisturbed, to be at Colonel Van Vliet's disposal. Either with Colonel Van Vliet present or promptly after my first conference with Colonel Van Vliet, I insured that Mrs. Meeres knew the security classification of her work, would be available exclusively to Colonel Van Vliet, and would receive no instructions from anyone that would conflict with these arrangements.

Thereafter, the preparation of the report was handled entirely by Colonel Van Vliet without suggestion or influence by me or by anyone else.

I then have a reference here in my notes which I think will not fit here. I talked to someone in State at that point.

Do you want it as it came?

Mr. MACHROWICZ. Do you mean you talked to someone in the State Department?

General BISSELL. Yes. On May 23 I talked to Mr. Fred Lyon, of the State Department, about another matter in the State Department's interest. G-2 works in very close cooperation with the State Department on all matters of joint interest.

General Holmes and Mr. Lyon were my closest State Department contact at this particular time. I am not positive, but it is my impression that on May 23, 1945, I told Mr. Lyon of Colonel Van Vliet's arrival, that the Colonel Van Vliet report was being prepared, and that I requested Mr. Lyon to inform General Holmes, and assured General Holmes he would receive the report promptly.

Mr. MACHROWICZ. Pardon me, but could you tell the committee who General Holmes was, what his position was?

General BISSELL. General Holmes, you will have him identified very accurately on the letter that I wrote him, which describes his position by its exact name. But he went over there to head the Intelligence of the State Department, and then they gave him other jobs, and he became an Assistant Secretary. I think he probably was one at that moment, but I am not sure just when his appointment came through.

Mr. MACHROWICZ. What is his first name?

General BISSELL. Julius.

He had been a general with General Eisenhower. When I went over to England, I met him there.

I may have passed the information direct to General Holmes on the 24th of May 1945, when I had one or two conversations with General Holmes. But 7 years have passed since the occurrence of these events, and I cannot say with certainty which procedure I used to inform General Holmes. I feel certain I took the steps to inform him.

I understand General Holmes has denied any recollection of the Van Vliet report. It would be quite understandable. The volume and pressure of work in General Holmes' State Department office had greatly increased by the ending of the German war a very short time before that and no man in his position could be expected to remember everything that passed through his office. It is possible that the matter slipped Mr. Lyon's mind and that General Holmes was not informed. Mr. Lyon was also pushed to the limit in those days.

I have known both General Holmes and Mr. Lyon over a period of years and am confident they are both loyal, honest, and able Americans. In my opinion, any implication that either of them would knowingly take any action inimical to the United States interests to assist communism or Russia is absurd.

The Alger Hiss-Chambers incident makes it appear that classified papers considered of interest to the Communists could and did leave the State Department without authority, record, or knowledge of responsible State Department authorities. Disappearance of the Colonel Van Vliet report would have been of interest to the Russians whether or not they were responsible for the Katyn killings. As far as I know, the State Department has made no statement that Colonel Van Vliet's report was ever received, but only that G-2 had no receipt from the State Department for it.

I am not fully informed on State Department actions in this respect because there is lots going on that I don't know anything about.

When Colonel Van Vliet's report was completed, he again came to my office. He assured me that he had read over his report carefully and that he was satisfied that it represented, to the best of his recollection, what he knew of the Katyn matter and his connection with it. With Colonel Van Vliet seated in a comfortable chair in my office, I read Colonel Van Vliet's completed report. It was a good report, which I thought presented the picture more clearly than his previous oral report. Colonel Van Vliet's typed report did not differ in any fundamental, however, from the previous story told to me.

I directed the report be classified top secret. Colonel Van Vliet signed it, and it was authenticated by him so that no substitution of pages would be possible.

Mr. FURCOLO. By "authenticate," do you mean he initialed it?

General BISSELL. Initialed every page with his own initials. There is nothing unusual about that. That is prescribed in the regulations some place. It is routine.

But he hadn't done it, and I understood why he was a prisoner of war. He wasn't very fresh on his regulations, and I saw to it that he went through that procedure. I remember him initialing the pages.

The classification "top secret" had been authorized by the United States Joint Chiefs of Staff in February 1944 for use in the United States Armed Forces. It became effective March 15, 1944, while I was in G-2.

Mr. MITCHELL. Do you have a definition of that phrase, "top secret"?

General BISSELL. Yes. It is in the Army regulations.

Mr. MITCHELL. Is it the same one in existence today?

General BISSELL. I will show you a copy of the one in effect, then, if I may, if you will just make a note and have me come back to it.

Mr. MITCHELL. Surely.

General BISSELL. It was more than a year after Colonel Van Vliet was captured by the Germans in Tunisia, in February 1943, before the United States Armed Forces used the top secret classification for American military material or documents.

After his liberation from POW camp, Colonel Van Vliet had been returned to the United States with dispatch. I was not certain he understood the top secret classification in its accepted sense in our service, due to lack of opportunity for much, if any, experience in its use. As he had been cut off from much information for 2 years in a prisoner-of-war camp, I could not expect him to know the possible political significance of his report, even though he recognized it had political implications and was of State Department as well as War Department interest.

It is my recollection that at our first contact, Colonel Van Vliet asked me what he should do if questioned about Katyn, and I told him to say nothing, that I considered the matter very important and top secret.

I cannot recall exactly when or to whom I dictated my memorandum to Colonel Van Vliet. I have heard the testimony of Mrs. Meeres. I wish the committee would see if your copy has on it a number 920. If so, it was done in her section; if not, I would be interested to know. You will find that papers done by her bear the number 920.

Mr. MITCHELL. It is 907.

General BISSELL. Someone else wrote it, or someone else copied it, or something.

Mr. MITCHELL. It is an exhibit on page 51 of the part 2 hearings.

General BISSELL. Her work was 920, if my memory serves me correctly. I am sure she is mixing something up, and I will be glad to answer your questions on that, if you want it, and I am sure it was inadvertent on her part.

I cannot now recall exactly when or to whom I dictated my memorandum to Colonel Van Vliet. It was not dictated before our first conference. It was probably dictated after our conference as it bears the date of May 22, 1945. It could have been typed on the 23d and still bear the date of May 22, 1945, as it was to confirm verbal orders of that date and to be binding therefrom.

I believe either that I dictated this memo in Colonel Van Vliet's presence or asked if he suggested any changes before he signed it, because my recollection is clear that Colonel Van Vliet was entirely satisfied and happy about the memorandum.

For the various reasons I have stated, it appeared to me proper, prudent, and expedient to furnish Colonel Van Vliet with the brief memorandum referring to his report in language that would be clear and specific to him but meaningless to anyone into whose hands it might fall inadvertently. The memo sets forth the restrictions imposed on Colonel Van Vliet for the security of the information contained in his report. It also stated clearly the procedure to be followed subsequently should he desire to have the restriction removed. The reason for imposing the restriction was included.

After reading the memorandum and indicating he understood it, he signed the memorandum to make his understanding a matter of record. He has complied with the letter and spirit of his instructions.

Also, I may possibly have been influenced to be particularly careful with the security of the Colonel Van Vliet report by the fact that at that time I was preparing for testimony before the House Military Affairs Committee investigating subversive activities within the Army, before which I appeared on the morning of May 24, 1945. Also, at that time, United States security agencies were threatened with a security leak on another unrelated matter which was important. I do not know how many copies, if any, other than the original, were made of the Colonel Van Vliet report. Mrs. Meeres, who typed the report, informed me in 1950 she did not know positively, but she believed she had made only an original. I hope that you will secure—well, you have done it—her first-hand statement.

I didn't know whether you would have her come. If you hadn't, I would want you to.

She gave her reasons for believing she made only an original. Since you didn't ask her why, I will tell you what reasons she gave me. She said if she had made copies she would have remembered putting carbons in the envelope for destruction, because carbons for top-secret things had to be destroyed as well as stenographer's notes, and she said she had no such recollection.

Mr. MITCHELL. You say that was in 1950. On what occasion was it that you were talking about that? You were retired then, were you not?

General BISSELL. I had not then yet retired. I was assisting Mr. Shackelford.

I can give that to you in detail, if you like. I have notes on that, on whom I contacted and why I saw Mrs. Meeres and what I said and more of it.

Mr. MITCHELL. We can come back to that later, unless the committee decides otherwise.

General BISSELL. All right; any time you want to break in, go ahead.

She gave me her reasons for believing why she made only an original. And there were several other reasons. She said she didn't remember that her hands got dirty on the job, and they would have if she had been handling carbons. That was one of the reasons the original came out so clean, that she never corrected any carbons, and some very minor corrections were made by Colonel Van Vliet on the report—made, as I recall, in ink and initialed. Those, of course, would have to be made on the carbons had there been any.

Mr. FURCOLO. When did she tell you these things?

General BISSELL. She told me those in 1950 when I was assisting Mr. Shackelford, trying to help him get in touch with everybody who might know anything about the Van Vliet report.

And those were repeated in his office, as I recall. They were told to me upstairs when I contacted her. I saw her in the section she was then working and then recommended to Mr. Shackelford that she appear at his office, which she did. I sat in when he questioned her.

Chairman MADDEN. We can come back to that later, if you will complete your statement.

General BISSELL. Right, sir.

Normally at least one copy, plus the original, would have been made of a report. There were good reasons why, in this case, this might not have been done.

My recollection is that Colonel Van Vliet's report was dated May 24, 1945, and that it was on May 23 or 24, 1945, when he submitted it and when I last saw him. I know I saw Mrs. Meeres about the report and a directly related matter on the afternoon of May 24, 1945. My recollection is that Mrs. Meeres was in my office for part of the time Colonel Van Vliet was with me for our second conference.

My normal procedure would have been to afford an opportunity for Colonel Van Vliet to speak to me alone if he wished and subsequently have a secretary present for the period she might be needed.

Then I have a paragraph: Capt. Donald B. Stewart, a Regular Army Artillery officer, did not report to me in person or make any report to me on his participation in the prisoner-of-war visit to Katyn with Colonel Van Vliet. I did not direct Captain Stewart to make a written report. Colonel Van Vliet's report covered the part taken by Captain Stewart because Colonel Van Vliet stated Captain Stewart was in complete agreement with Colonel Van Vliet's statements and conclusion, because Colonel Van Vliet stated that he and Captain Stewart had talked about Katyn and Captain Stewart possessed no information unknown to Colonel Van Vliet, and because if the State Department or any other United States Government agency wanted a statement from or a conference with Captain Stewart, the War Department could make him available.

I had complete confidence in Colonel Van Vliet's integrity and honesty. Had Captain Stewart reported to me in Washington, as I expected he would do, I would have had him prepare a written report.

One best learns from experience. I now believe it would have been preferable had I directed Captain Stewart to report to me in Washington upon his return to the United States from World War II.

I do not remember positively many details of the Colonel Van Vliet report. I do not recall whether it was on long or short sheets, single- or double-spaced, how many pages it contained; whether or not there were carbon copies, whether Colonel Van Vliet or Mrs. Meeres personally carried the report into my office, or specifically in whose hands the report was after Colonel Van Vliet signed it. Neither does he or Mrs. Meeres. All of us at that time were primarily interested in its contents and security rather than in its format or in its physical details. I can assure you its importance was fully recognized by me, and my intent was its prompt transmittal through a secure channel either to the activity handling war crimes data, or to the State Department.

G-2 had been sending anything received in connection with war crimes or atrocities to the agency holding it for the War Crimes Commission. I do not remember definitely to which agency we sent such material for them. I know we had some definite verbal instructions from my predecessor, General Strong, which we carried out implicitly.

I have a distinct recollection of having seen previously the photographs which are exhibits 3 to 7, both inclusive, of Colonel Stewart's testimony; but if such photographs were attached to the Colonel Van Vliet report, the Captain Gilder report, or other reports of Katyn I handled, I do not remember.

Chairman MADDEN. You speak of Colonel Stewart's testimony. What do you mean by that?

General BISSELL. I read what is in the book when he talked to you, and he gave you the pictures and I had a chance to see what the pictures were.

Chairman MADDEN. Proceed.

General BISSELL. I believe I had previously seen the photographs also that are exhibits 1 and 2, both inclusive, of Captain Stewart's testimony, but I do not have as distinct a recollection of those.

Mr. MITCHELL. May I interrupt a minute?

Mr. Chairman, those exhibits are in part 1. The hearing was held October 11, 1951.

Mr. SHEEHAN. Counsel, the general mentioned the Captain Gilder report. What was that?

General BISSELL. If it come to it, if you want me to, and other reports I mentioned, if you would like to, on Katyn.

I cannot be positive what happened to the Colonel Van Vliet report, but it is my recollection, confirmed by some available documentary material, which I believe has been made available to this committee, that the letter of transmittal for the Colonel Van Vliet report was dated May 25, 1945, and that it, the Colonel Van Vliet report, and the related matter were transmitted to the State Department representative, Brig. Gen. Julius C. Holmes, on May 25, 1945.

The available documentary material confirming transmission of the first Colonel Van Vliet report—[addressing Mr. Shackelford] and I say first as counterdistinguished from the one that was secured by your auspices—the one that I remember as the first one—

Mr. MACROWICZ. Pardon me, but might I just interrupt.

You referred now to a letter of transmittal from your department to the Department of State, which you say also disappeared. If I

remember your statement a few moments before that, you, I believe, said that you were not sure whether you transmitted it orally or by letter.

General BISSELL. No. I said I didn't know where it had gone. In other words, State says they didn't receive it. I can't say they did receive it.

Mr. MACHROWICZ. I think if you will refer to the notes from which you read, you previously said you are not sure whether you referred to it orally or by transmittal; is that right?

General BISSELL. Of course; it is in the record. I would like to give it to you again.

Mr. O'KONSKI. General, I have just one question.

In your experience in that particular position, do you know of any reports besides this one disappearing?

General BISSELL. I don't know that this one disappeared, frankly; but, specifically, what you are after is another case.

Mr. O'KONSKI. I use that term advisedly.

General BISSELL. No; I don't believe I do.

Mr. O'KONSKI. As far as you know, to your knowledge, in your experience in that department, this is the only report that you know of that cannot be located?

General BISSELL. No. That is not so. There are thousands of them that can't be located, that have been destroyed; thousands of them.

Mr. O'KONSKI. But there is a record of them that they have been destroyed.

General BISSELL. Sometimes there will be and sometimes there will not.

And I have that covered in my notes here some place and the reason for it. There was good reason for it.

Chairman MADDEN. I think we will make better progress if you complete your statement and then the members of the committee can cross-examine.

General BISSELL. As you wish it, sir.

The available documentary confirming transmittal of the first Colonel Van Vliet report is my secret letter dated August 21, 1945, to Frederick Lyon, Acting Director, Office of Controls, room 115, Department of State, Washington, D. C., which reads:

DEAR MR. LYON: Transmitted for the information of the State Department is a report on Katyn by Stanley S. B. Gilder, captain, EAMC (Medical Corps), British officer. This report supplements the statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes 25 May 1945, and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report.

Sincerely,

CLAYTON BISSELL,
Major General, G-2,
Assistant Chief of Staff.

The identifying reference on this letter is 700,00061WBA.CSLE. This is a decimal identification and a decimal file date.

The letter also carried the identification MIL920, which was a G-2 identification. The G-2 identification was for the section in which Mrs. Meeres worked.

This communication shows, by State Department stamps, that it was in their Office of Controls August 23, 1945, in their Division of Foreign Activities Correlation on the same date, in their Special War

Problems Division on October 2, 1945, and in the Office of European Affairs on October 5, 1945.

Other entries on the letter indicate that it was probably seen or processed by the individuals or activities in the State Department identified thereon as F131.ETB.WHM.WMF.SWP.CE.EE, and that the letter was received in State Department confidential file October 16, 1945, after only 5 days less than 2 months of processing in the State Department.

During this entire period, I continued as G-2. Had the Colonel Van Vliet report not been available in the State Department, I would have received a letter or a telephone call asking for it, because, obviously, it would have been impossible to compare the Gilder report with the Van Vliet report had knowledge of the Colonel Van Vliet report not been available in the State Department.

The Captain Gilder secret report referred to in my August 21, 1945, letter, and its enclosure was a British War Office document identified by the reference MI-9/BM/973. MI-9 means British Military Intelligence Office, section 9, and the BM/973 was a reference for British identification and file location.

The Captain Gilder report was a history of a visit made to Katyn in 1943, consisting of three standard-sized typed pages, written very full, and divided into only two paragraphs. It is my understanding that the Captain Gilder report has been made available to the committee. If not, it should be in State Department files.

There is also a notation placed in the letter by the State Department. It is 711.62114-A, just written on it. This was the decimal file reference number to the matter related to Colonel Van Vliet's report, to which I previously referred and will refer again. This shows that State had gone into the Katyn report carefully and thoroughly enough to locate the related matter also. It was tied together.

It has been possible for me to be so specific on details about the August 21, 1945, letter because in the fall of 1950, Mr. Shackelford, then and now Department Counselor, Department of the Army, was conducting an investigation into the Katyn affair, showed me my letter which he had secured from the State Department files.

He questioned me about it and authorized me to make a longhand copy of the letter to facilitate the location of the file copy which should have been back in the G-2 files.

Chairman MADDEN. Pardon me. Your letter that you referred to was the letter that accompanied the Gilder report, was it?

General BISSELL. The one that carried the Gilder report, referring to the Van Vliet report, and asked them to compare the two and telling them there was no fundamental difference.

I was able to locate the file copy of my letter on the Gilder report—it was an identical carbon copy—that is, it was in the G-2 files—of the text, but, of course, it did not show the State Department processing, because it had never been away from G-2.

Mr. MITCHELL. When did you locate that? This is 1950, is it?

General BISSELL. 1950, yes. I went down, and Mr. Shackelford had the original letter, the one that I sent to State.

Mr. MITCHELL. He got it from State?

General BISSELL. He got it from State.

Mr. MITCHELL. You say now that you found the identical copy of it?

General BISSELL. Yes.

Mr. MITCHELL. This was September, 1950?

General BISSELL. Yes.

Mr. MITCHELL. Where did you find it?

General BISSELL. In G-2.

Mr. MITCHELL. Where in G-2? Maybe we can find the Van Vliet report there yet.

General BISSELL. I hope so, but I don't think you will, because I think we have tried every way we could to locate it.

A young man who was a captain was acting as a sort of liaison officer between you (addressing Mr. Shackelford) and G-2 at that time. I gave it to him and then he said it had not enough importance. The war was going on in Korea at that time, I went to General Weckering at that time, who had been my deputy in G-2, during the war and asked him to put some pressure on it. General Bolling came in while we were talking and I asked him to put some pressure on it. It came up.

When it came up, it carried the following file information, that had not been on the original letter to the State Department. It read: "AC of S, G-2/72577, General Bissell. MM. CPM."

The 72577 was a reference number. The rest meant that the letter originated in my office, that I dictated it personally to MM, who was Mrs. Meeres. The (CPM,) meant the "Captured Personnel and Material Section" to which she belonged.

Mr. MITCHELL. What was the date on that?

General BISSELL. 21 August, 1945.

Mr. MITCHELL. Thank you.

General BISSELL. It also contained an entry "Courier Service, senders Number C-601, date 22 August, 1945". This meant the letter was hand-carried to the State Department.

There is also a self-explanatory note on the file copy, which reads, "Received back in MIS Administrative Records, August 24, 1945".

The significance of that is to keep people informed when the file copy was sent to somebody sometime, and then they got it back and made the record.

Mr. MACHROWICZ. Was there any acknowledgement of receipt by the Department of State?

General BISSELL. That particular copy we are talking about, this file copy, never got out of G-2, so there would be no receipt any place.

Mr. MACHROWICZ. Was there any indication in the Gilder report that the letter of transmittal was received?

General BISSELL. It wouldn't be on the letter. All that was on the file copy in G-2 was an indication how it had been sent.

Mr. MACHROWICZ. Have you found any acknowledgment of receipt by the Department of State of the Gilder Report? I am talking about the Gilder Report.

General BISSELL. I didn't look for a copy of a receipt from State of the Gilder Report.

Mr. MITCHELL. Why not?

General BISSELL. Because they answered to that.

Mr. SHEEHAN. But you did see the letter from the State Department?

General BISSELL. I saw the letter I sent to State, my own personally signed letter, which Mr. Shackelford had gotten from them. That

was a clue how we might have gotten some more Katyn data, maybe put in our files. For one thing, that would be the right place. So I took a copy in longhand and checked the files on it through G-2. I didn't do it physically. Up came the copy, and it showed you how the letter was sent off.

Mr. MACHROWICZ. What do you mean, it was the right place? You know we had to go to the warehouse in Alexandria to find the right place on the Szymanski report.

General BISSELL. Yes; I imagine you would have to go a lot farther, to Kansas City and other places, to find a lot of stuff that happened in the war. The paper work got too big and they needed the offices for something else. They had either to destroy it or send it away.

Mr. MACHROWICZ. On important documents?

General BISSELL. What becomes important is a matter of history and development. No one suspected that this one would be of anything like international significance.

Mr. MACHROWICZ. Did you say you recognized the importance of the document?

General BISSELL. Yes; I did, you bet—but not the kind of significance it has in today's world, because nobody could have foreseen the situation that we have today. I did recognize it.

I have told you what the mention of the entries on the paper meant, and what was on it. I now refer to the related matter previously mentioned, which was dated and directed to the State Department May 25, 1945, the same date. I believe as Colonel Van Vliet's report. It is my letter to Brig. Gen. Julius C. Holmes, Assistant Secretary, Department of State, and reads:

DEAR GENERAL HOLMES: A Lt. Col. John H. Van Vliet, Jr., Infantry, and a Captain Stewart, while prisoners of war at Oflag No. 684, are reported to have been given a letter by the Swiss Protecting Power, dated about October 1943, which asked them to reply to certain questions. These questions were:

1. Had Captain Stewart and Lieutenant Colonel Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they made a statement?

Colonel Van Vliet believes that a copy of this letter, together with his reply, are in State Department files. It is requested that this be verified, and if the records referred to are in the files of the State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

CLAYTON BISSELL,
Major General GSC,
Assistant Chief of Staff, G-2.

Mr. MACHROWICZ. Can we get the date of that letter?

General BISSELL. The date of that letter was May 25.

Mr. FURCOLO. 1945?

General BISSELL. Yes.

Mr. FURCOLO. May I interrupt just a minute to ask a question, Mr. Chairman?

Chairman MADDEN. Yes.

Mr. FURCOLO. On page 67 of the hearings, at the bottom of the page, it refers that the only letter sent on May 25, 1945, from General Bissell to General Holmes, was on another phase of this subject, and it contains no reference to transmitting the Van Vliet memorandum.

Mr. MITCHELL. That is in part II.

Mr. FURCOLO. Now, is it your testimony that you did transmit the Van Vliet memorandum in that?

General BISSELL. No. I say that this letter tends to indicate that I did one of the two things I intended to do with it. Now, I didn't personally ever take any—well, yes, sometimes I did take papers and deliver them myself. But all I did in my position there was to make decisions, establish policies, and had procedures set up so that I didn't do the things myself. Other people did them.

Mr. FURCOLO. What I am anxious to find out if I can is: From the letter that you have read, and having in mind this comment that was made on the bottom of page 67, would you be willing to say that you did not transmit the Van Vliet memorandum in that letter?

General BISSELL. Well, nomenclature is causing a lot of trouble. I think we better get straight.

Mr. FURCOLO. All right.

General BISSELL. The thing that has caused most of the trouble with most of the people that have talked to the committee, in the small amount of testimony made available to me in sections 1 and 2, have not known that there were two Van Vliet reports written at the same time of the first visit.

The result is they are going in big circles. Now, one of them will call a report a letter, another will call it a report.

Mr. FURCOLO. What I want to find out on this is: Did you transmit any enclosure with this letter of May 25, 1945, whether it is called Report No. 1 or 2, or something else?

General BISSELL. This letter is part of what Colonel Van Vliet said occurred, but I don't think it was put in his report of Katyn, because it wasn't part of the description of Katyn.

Mr. FURCOLO. Here is what I am getting at, General—and I do not mean to be technical about it. But I understand that you sent a letter of May 25, 1945. Now, was anything enclosed in that letter? I am not referring to the words and body of that letter of May 25, but did you send any enclosure of any kind in that letter?

General BISSELL. I don't believe so because, had it been done, there would be written on the lower left-hand corner what the enclosure was. And the Van Vliet big report of his story of Katyn wouldn't be attached to that thing, because the purpose of this was different, which I will explain as I go along.

Mr. FURCOLO. That is the point I was getting to. In your letter transmitting the Captain Gilder report, I notice as you read it, that at the bottom you mentioned "one enclosure."

General BISSELL. Which was the Gilder report.

Mr. FURCOLO. You also mentioned it in the letter.

General BISSELL. That is right.

Mr. FURCOLO. I notice in the letter of May 25, 1945, there apparently is no reference made to an enclosure, and also no reference made at the bottom of the letter to an enclosure.

General BISSELL. There shouldn't have been, because it doesn't mention an enclosure in the text.

Mr. FURCOLO. Your testimony now, as I understand it, with reference to this letter of May 25, 1945, from you, General Bissell, to General Holmes is, to the best of your knowledge, that there was no enclosure of any kind in that letter?

General BISSELL. To the best of my knowledge, there was not. You have put a thought in my mind that had never entered it before, and that is whether by accident or mistake, the Van Vliet report could have been put there, but I don't think it is possible.

But this is the thing some people speak of as the Van Vliet report, in good faith, and think they are talking about the thing that you have been investigating.

Mr. MITCHELL. You say what people think—you are referring here to the letter concerning the Swiss protecting power, are you not?

General BISSELL. Well, that is the deal, yes.

Mr. MITCHELL. In other words, I never knew, to my personal knowledge since I have been on this investigation, that there were two reports by Van Vliet concerning Katyn. I would not phrase it that way. I would say there was a report specifically concerning Katyn, which was rendered to you by Colonel Van Vliet. This is a subsequent request, as I get it, which may have occurred at the same time, which concerned a request by the Swiss protecting power, which he is merely reporting for your record, that he was asked these questions, about going to Katyn, and so forth. This does not refer in any way to what happened at Katyn other than there were photographs taken; is that correct?

General BISSELL. There is quite a lot to it more than that. I would like to make my point clear, that people have said it. Mrs. Meeres, in her testimony this morning, said, "I took two Van Vliet reports." Well, this is the other one. She took this letter, too.

Mr. MITCHELL. I don't recall her having said that—maybe she did.

General BISSELL. It is in there—I think it is—that is the way I understood it.

Mr. SHEEHAN. For the benefit of us members here, I am confused on this idea of the two Van Vliet reports. I wish counsel would question him on it and get it straight.

Mr. MITCHELL. All right.

General, there was a report, as I understand it, written by Colonel Van Vliet, at your request, which concerned his visit to Katyn when he was accompanied by Captain Stewart and several other Allied officers. Is that correct?

General BISSELL. There was such a report, and this is also the same incident.

Mr. MITCHELL. But there was such a report?

General BISSELL. That is right.

Mr. MITCHELL. That was specific?

General BISSELL. That is right.

Mr. MITCHELL. There was no mention in that report, was there, of anything received from the Swiss protecting power?

General BISSELL. I cannot recall Colonel Van Vliet's original report well enough to tell you whether this was also mentioned in it, or whether we handled it separately. I think we handled it separately, and I have the reasons in my notes here, if you want them.

Mr. MITCHELL. All right, we have it fixed, then, Mr. Sheehan, that there was only one real report at this stage of the investigation, namely, the Katyn affair, and the visit by Captain Stewart and Colonel Van Vliet. What he did at Katyn has been related to the committee by both Captain Stewart and Colonel Van Vliet, and it has always been

my impression that that was the report that General Bissell ordered him to document for the record, as a top-secret document.

Mr. SHEEHAN. As of May 21 or May 22, 1945?

Mr. MITCHELL. Right.

Now, the general is bringing forth another item which specifically concerns the Department of State, because it refers to the Swiss protecting power, which was then the power in control of the German prison camps where Captain Stewart and Colonel Van Vliet were, and I believe that a subsequent conversation—the general is trying to tell the committee now that Colonel Van Vliet reported this item of being called in by the Swiss protecting power. And we have never considered that as being a report.

Mr. SHEEHAN. Did the Army ever release that report to us? It should be in their files.

General BISSELL. I think you have it.

Mr. MITCHELL. I don't believe we have it.

General BISSELL. If you haven't, I can tell you where to get it.

Mr. MACHROWICZ. Do you mean the Gilder report?

General BISSELL. No; this is not the Gilder report we are discussing now.

Mr. MACHROWICZ. Does the Swiss report have anything to do with Katyn?

General BISSELL. Yes, sir.

Mr. MITCHELL. Yes, sir.

Could we have for the record—will the general report for the record the letter, and what the letter specifically refers to? I am sure it will clear it up to the committee.

When Van Vliet and Stewart returned from Katyn, about 4 or 5 months later, the Swiss protecting power asked them for some data in connection with it.

General BISSELL. That is correct.

Mr. FLOOD. Let me make this observation—this is all very interesting, the Swiss report and the inquiries the Swiss made of Van Vliet and Stewart, but, nevertheless, it has nothing to do with the thing we all know we are talking about. There may be something here we do not know we are talking about, but this investigation is concerned with the Katyn massacre. The one thing we do know that we are talking about is the Van Vliet report.

Now, we have heard Van Vliet, we have heard everybody else that we know about.

At this point I want to read into the record, from part II of our hearings, page 67, this statement:

The Department of State has no record of having received the memorandum of Lieutenant Colonel Van Vliet on May 25, 1945.

I want to insert this in parentheses: That refers to the Van Vliet report that we all know we are talking about.

General BISSELL. That is right.

Mr. FLOOD. And the Department of the Army has so far found no receipt for it and no covering letter of transmittal. Now, that refers to the Van Vliet report that we all know we are talking about. The only letter sent on May 25, 1945, from General Bissell to General Holmes, was on another phase of this subject, and it contains no reference to transmitting the Van Vliet memorandum.

General Holmes has been contacted with reference to the matter, and does not recall having ever seen Lieutenant Colonel Van Vliet's memorandum.

My parentheses again at this point is Van Vliet's memorandum is the report that we all know we are talking about, although General Bissell remembers having sent it to him.

My understanding is—I know exactly what everybody means by Colonel Van Vliet's memorandum or Colonel Van Vliet's report. This thing that just came in here now about a second Van Vliet report has to do with this inquiry by the Swiss. It is very interesting, but it is not concerned with any mystery about the disappearance of the Van Vliet report that we all know about.

I do not see why anybody has to be mixed up or concerned or confused about two Van Vliet reports. The one we are talking about is the one that we all know about—which is my phrase of identity here.

Mr. SHEEHAN. The Army did not turn it over to us; that is what I am looking for.

Mr. FLOOD. For the record, I am having no colloquy with any of my friends in the committee.

If you have any statements to make, make them on the record. I understand what I understand. If anybody else is uncertain about what is going on, say so.

Mr. SHEEHAN. I asked a question.

Chairman MADDEN. All right, Mr. Sheehan.

Mr. SHEEHAN. I merely want to state that I asked the question for the simple reason that it is my understanding the Army has turned over all the files they have on Katyn, and if they have not turned over this report, apparently they have not turned over all the files.

Mr. MITCHELL. Mr. Sheehan, they have not turned over what is referred to in the quotation Congressman Flood has just made for the record, which appears on page 67 of part II, under the title "Another Phase." I have never seen such a document. It has never been received from the Army, to the best of my knowledge, and I don't believe any member of the committee, you or I or anybody else, has seen such a document.

Mr. MACHROWICZ. Has the committee requested it?

Mr. MITCHELL. I believe we requested many times of Mr. Shackelford and everybody else, any paper connected with Katyn.

Mr. FLOOD. Let me say this again:

General, when I say "the Van Vliet report," I am not talking about this Swiss business. You know what I am talking about—the Van Vliet report that we all know about.

To your best recollection, a letter was dictated by you to the State Department, a letter of transmittal to them, enclosing or attaching thereto the Van Vliet report; is that correct? Did you dictate such a letter to the State Department?

General BISSELL. I don't know.

Mr. FLOOD. Will you say you did?

General BISSELL. No.

Mr. FLOOD. Will you say you did not?

General BISSELL. No.

Mr. FLOOD. Then, at this point you do not know whether or not you ever dictated a letter of transmittal to the State Department, having to do with the Van Vliet report?

Mr. FURCOLO. Let us get your answer on the record. You shook your head.

Mr. FLOOD. Just a moment. I will yield to you in about 30 minutes.

Now, just a minute, General. You answered my question that you do not know; did you not?

General BISSELL. I previously answered also the same thing.

Mr. FLOOD. My colleagues are concerned only that your answer does not appear on the record, and that you merely shook your head in the negative.

General BISSELL. I am sorry.

Mr. FLOOD. The answer is: You do not remember whether you did or not?

General BISSELL. That is correct.

Mr. FLOOD. If General Holmes said or says that he does not recall ever having seen a letter from you or the Van Vliet report, you will not say that General Holmes is making a misstatement?

General BISSELL. I have previously made the answer to that question in the record.

Mr. FLOOD. This is out of an abundance of caution and for repetition and for an emphatic purpose.

General BISSELL. All right, sir. I consider General Holmes an honorable, forthright, honest man, and he would say what he believed to be the truth, under any circumstances.

Mr. FLOOD. That is very interesting, and we are glad to have your estimate of General Holmes, but what is the answer to my question?

Well, I will repeat it for you:

If General Holmes said or says that he does not recall ever having seen Lieutenant Colonel Van Vliet's report, and if General Holmes says that he does not recall ever having seen a letter of transmittal from you, you will not say that he is wrong, will you?

General BISSELL. I will say that I am convinced he is right or thinks he is right.

Mr. FLOOD. Now, there are a number of other things along this very detail I want to ask you, but my brothers here are very anxious on that point, so I yield to them, only for the purpose of examining on that point, on what I am leading to.

Chairman MADDEN. Before we proceed on cross-examination, let me ask the general:

Have you completed your statement yet?

General BISSELL. No, sir.

Chairman MADDEN. You proceed with your statement, and then we will proceed.

Mr. FLOOD. Just a moment, Mr. Chairman. I prefer, if there is no violent objection, to clearing up this detail at this moment, and I want to yield to any member of the committee who wants to examine him on what I just introduced.

Chairman MADDEN. We will dispose of this detail.

Mr. FLOOD. I will yield to the gentleman from Massachusetts, Mr. Furcolo.

Mr. FURCOLO. General, perhaps I was confused, or did not hear your answer correctly, but I understood you just a moment ago, in answer to a question by Congressman Flood, to leave your testimony, in effect, that you could not say whether or not any enclosure had been sent in the letter of transmittal—referring to the letter of May 25, 1945—from General Bissell, from you, to General Holmes.

When I was questioning you about 5 or 10 minutes ago, I was under the impression that you very definitely told me that your best recollection was that you did not send any enclosure of any kind in that letter. My recollection is that you and I had some discussion about it, and during the discussion I pointed out that your letter did not contain any reference in the body of the letter to a transmittal, and also there was no notation at the bottom of the letter referring to an enclosure. We discussed the fact that in your letter of transmittal of the Gilder report, there had been a reference in the body of the letter, and also the end of the letter referred to an enclosure. After going over that, I thought that we had concluded the matter.

Could you finally leave it that your best recollection is that there was no enclosure of any kind in the letter of May 25, 1945?

Now, I also thought that your answer to Congressman Flood was somewhat at variance. I do not want to be unfair or confusing to either you or me. My mind is not clear now on whether your final answer was that you do not know whether there was an enclosure or not, or whether your final answer is that there was no enclosure. I wonder if you could clear that up for us?

General BISSELL. My best recollection is that there was no enclosure in the letter, and none listed on it, and there seems, in the body of the letter, no reason for an enclosure to have been with it.

Mr. FLOOD. I will not yield any further now, but I will in a moment, to Mr. Machrowicz.

Pursuing Congressman Furcolo's interrogation on the letter of May 25, and enclosure, that has to do with another phase of the subject, that is, the Swiss thing. I am not talking about that.

I am concerned only with two or three very simple details on this report and your connection with it.

We know the whole story about Van Vliet preparing the report in your office and that you got it, and all that kind of business—everybody understands that.

Now, I ask you if you ever dictated a letter to the State Department transmitting this Van Vliet report to them, to the State Department? You said you do not remember whether you did or not. I presume you made a search to find out if there was such a letter of transmittal, did you not?

General BISSELL. I asked G-2 to do so. That was in 1950.

Mr. FLOOD. In 1950 you asked G-2 to see whether or not there was any such a letter of transmittal from you? Did G-2 ever find it, so far as you know?

General BISSELL. No, sir.

Mr. FLOOD. State so, one way or the other.

General BISSELL. No, sir.

Mr. FLOOD. So G-2 produced no copy of such a letter; is that correct, General?

General BISSELL. That is correct, sir.

Mr. FLOOD. General Holmes said that he never saw such a letter from you and that he never saw a copy of the report. I asked you about that and you said that if he says so, you would not say he is wrong?

General BISSELL. That is correct.

Mr. MACHROWICZ. Mr. Chairman, in connection with that, I have only one question that I have been trying to ask, that I think will clear up this whole point.

Mr. FLOOD. I will yield to you on it.

Mr. MACHROWICZ. Just one question: Are you prepared now to tell this committee definitely that the Van Vliet report we were discussing all the time was transmitted by you to the Department of State?

General BISSELL. No, sir.

Mr. MACHROWICZ. You are not?

That is all.

Mr. SHEEHAN. Will the gentleman yield?

Mr. FLOOD. If you want to follow that up I will yield.

Mr. SHEEHAN. Mr. Machrowicz asked him whether or not the State Department had it. The general said "No." But a little while ago, if you go into the record, you will see that from the exchange of correspondence on other matters, that they must have had it; otherwise they would have written him asking where was this report.

Mr. MACHROWICZ. That is correct.

Mr. SHEEHAN. Did you not say that, General.

General BISSELL. I did say that.

Mr. FLOOD. Just a minute. I am yielding to Mr. Sheehan for a question. Will you ask the question?

Mr. SHEEHAN. In response to Congressman Machrowicz's question as to whether or not he thought the State Department had the Van Vliet report, the general just said "No." Is that right or wrong?

Mr. FLOOD. That is right.

Chairman MADDEN. Who is testifying here now?

Mr. SHEEHAN. Is that true?

General BISSELL. I didn't know you were asking me. I thought you were asking Mr. Flood. I am sorry.

Chairman MADDEN. Gentlemen, can we have a little order?

Mr. FLOOD. I have just yielded to Mr. Sheehan for a question, or any other observation he wants to make in connection with it.

Will you start from this point?

Mr. SHEEHAN. Thank you.

Following up from the last question Congressman Machrowicz asked you, if my memory is right, he asked you your opinion as to whether or not the State Department received the Van Vliet report, and you just answered "No." Am I right or wrong?

General BISSELL. He didn't ask my opinion.

Mr. MACHROWICZ. I did not ask his opinion.

Mr. SHEEHAN. What did he ask you?

General BISSELL. You can get it out of the record; it was an opinion, he asked.

Mr. FLOOD. Just a minute; I still have this witness.

Mr. Sheehan, if you want the record read after what Mr. Machrowicz said and what the general said, let us have it read.

Chairman MADDEN. Mr. Reporter, can you get the question asked by Congressman Machrowicz?

(The record was read by the reporter as follows:)

Mr. MACHROWICZ. Just one question: Are you prepared now to tell this committee definitely that the Van Vliet report we were discussing all the time was transmitted by you to the Department of State?

General BISSELL. No, sir.

Mr. SHEEHAN. Your understanding, then, General, is that you did not know that this report was transmitted directly to the Department of State?

Congressman Machrowicz did ask the general whether or not this Van Vliet report was transmitted to the Department of State. That was his original question; to which he said "No, sir."

Now, I am pointing out, General, if my memory is right, previously in your statements, when you were reading from your notes, you definitely came to the conclusion that the State Department, because of various exchange of correspondence, if they did not have it they would have asked you where it was?

General BISSELL. I believe—and I can answer quickly and clearly—I stated I did not know whether I had sent the paper to the war-crimes people or the State Department, but I was inclined to believe I had sent it to State, because of the supporting documentary evidence which I have subsequently presented.

Mr. SHEEHAN. That is all.

Mr. FLOOD. That is your deduction.

General BISSELL. That is just that way. I think it happened for that reason. That is what I said.

Mr. FLOOD. That is all, Mr. Chairman.

Chairman MADDEN. Does anybody else have anything on this particular point?

All right. Now, proceed with your statement, General.

General BISSELL. Thank you, sir.

I had just completed reading the signature on the letter.

Chairman MADDEN. We will reconvene at 2 o'clock.

(Whereupon, at 12:30 p. m., the committee recessed, to reconvene at 2 p. m. of the same day.)

AFTER RECESS

Chairman MADDEN. The committee will come to order.

General Bissell.

TESTIMONY OF CLAYTON L. BISSELL, MAJOR GENERAL, USAF (RETIRED), ACCOMPANIED BY F. SHACKELFORD, COUNSELOR, DEPARTMENT OF THE ARMY—Resumed

Chairman MADDEN. Before we recessed for lunch I think you were going to proceed and complete your statement. Now if you will proceed, unless some of the members have some particular question they would like to ask regarding some particular point in your statement, I would like to have you complete your statement.

General BISSELL. Thank you very much.

For continuity, I had just completed reading a letter. The letter was also shown to me in the fall of 1950 by Mr. Shackelford, who had secured it from the State Department files. I believe its contents have been available to the committee.

Mr. MITCHELL. May the record show that the contents have not been made available to the committee.

General BISSELL. It bears the following notation: 711.62114A, 5-25-45, which was its decimal file number and date, to which I have previously referred. It also bears the reference number 81998.

Mr. MACHROWICZ. What report are you referring to?

General BISSELL. The letter I had just read when the questions started. I had just read the signature of the letter and then the committee started asking questions.

Mr. MACHROWICZ. The letter of May 25?

General BISSELL. That is right.

Mr. MACHROWICZ. Since there has been a dispute between the two on whether it has or has not been made available, has it or has it not been made available to the committee?

General BISSELL. I said I believe it had, but Mr. Shackelford had a copy right here at the table this morning.

Mr. MITCHELL. That was the one I showed you a copy of and the reply by the Department of State.

Mr. MACHROWICZ. Can you tell us whether the letter of May 25, which the general referred to has been made available to the committee?

Mr. SHACKELFORD. I believe it was made available to the committee through the Inspector General's report.

Mr. MITCHELL. That is incorrect, because there were no exhibits connected with the Inspector General's report. That is where it is mentioned. It is referred to in there by date. Mr. Sheeham has the Inspector General's report. I will have to wait until he returns to get it.

Mr. SHACKELFORD. That can easily be checked. Mr. Machrowicz and Mr. Mitchell remember the details. It was referenced in the press memorandum that was put out.

Mr. MACHROWICZ. You will see it is made available?

Mr. SHACKELFORD. Yes, sir.

Mr. DONDERO. So there will be no break in the continuity of thought, General Bissell, the letter of May 25, 1945, to which you referred was the letter of transmittal to General Holmes? Is that the one you referred to?

General BISSELL. No, sir. It is the letter asking the State Department to verify whether they have received a letter Van Vliet said had been forwarded to him by the Swiss at our State Department's request.

Shall I proceed, sir?

Chairman MADDEN. Proceed.

General BISSELL. It also bears the reference numbers 81998. State Department stamps indicate it was in the office of the Assistant Secretary, Mr. Holmes, May 30, 1945; in State Department Special War Probes Division May 31, 1945; and there was on it an almost illegible stamp mark, apparently of the OCE-UR Unit. There is written in longhand on the letter "SWP May 31, 1945, AH/ABF." This would indicate someone in the Special War Plans Division handled the matter for Mr. Holmes.

This is confirmed by another written notation written on the letter reading "Answered 6-5-45, W. H. McCahon/EKG." This meant Mr. McCahon dictated the reply to EKG, the secretary, on June 5, 1945,

for Mr. Holmes' signature, which was typed on the letter. I do not know if General Holmes personally signed this letter. If the original is in G-2 files, this point can be clarified.

State Department's reply under date of June 9, 1945, was addressed to me as "G-2, War Department."

Mr. Shackelford also showed me the State Department copy of their reply, and I understand a copy has been made available to the committee.

Mr. MITCHELL. One moment. This committee has never seen either the original or the copy of the letter you are referring to now, namely, the State Department reply which is dated what date, June 6, 1945?

General BISSELL. June 9, 1945.

Mr. MITCHELL. The committee or no member of its staff had seen the original or a copy of it until this morning when Mr. Shackelford handed me a copy.

Mr. SHACKELFORD. We will be glad to supply it.

Chairman MADDEN. I wish you would supply it for the record.

Mr. SHACKELFORD. Yes, sir.

General BISSELL. The reply read, "Confidential. In reply refer to SWP 711.62114A/5-25/45." It is dated June 9, 1945. It follows:

MY DEAR GENERAL BISSELL: The receipt is acknowledged of your letter of May 25, 1945, concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64, received from the protecting power a letter dated about October 1943, seeking information whether these officers had been required by the German authorities to visit Katyn. You ask the Department to verify whether a copy of such a letter together with Colonel Van Vliet's reply thereto is of record in the Department of State.

The records of the Department reveal that in September 1943, and again in December of the same year, the American Legation at Bern was informed that reports reaching the Department indicated that Lt. Col. J. H. Van Vliet and Capt. D. B. Stewart, both of whom at that time were apparently detained at Oflag 9-A/Z, were being taken to Katyn. The Legation was instructed to request the Swiss to determine whether these officers actually had made the journey and if so to learn what kind of treatment was accorded them, whether they made any statement with regard to the Katyn affair and what use had been made of any statements made or any photographs taken at the time.

In February 1944, the Department was informed that Colonel Van Vliet and Captain Stewart had been transferred to Oflag 64, and that the Swiss inspector at the time of the next visit to that camp would endeavor to obtain the information desired. No further communication regarding the matter has ever been received in the Department. In the circumstances it is considered likely that Colonel Van Vliet's reply may have been intercepted by the German authorities and never forwarded to the appropriate officials of the Swiss Government.

Mr. MACHROWICZ. I do not know whether this is intended or not to confuse us. Again you are not referring to the original Colonel Van Vliet report?

General BISSELL. No, sir.

Mr. MACHROWICZ. Your answer to me is not changed at all by the statement made so far?

General BISSELL. No, sir; but you would notice in the language used that they call this second one the report.

Mr. MACHROWICZ. Yes, but that is not the report we are talking about.

General BISSELL. Yes, that is right. That is my point. I have caught it.

Chairman MADDEN. You are confusing me a little here. What has this got to do with Colonel Van Vliet's original report?

General BISSELL. A great deal, sir, because the State Department had considerable knowledge apparently of this matter before Van Vliet ever left Germany. They wrote these letters before I ever took over G-2.

Mr. MACHROWICZ. Are you inferring now that the State Department had information about the Van Vliet report before Van Vliet came to your office?

General BISSELL. About the Van Vliet visit. They had asked that long ago, whether there was a report, and Colonel Van Vliet had made a reply to State. That is the status as I read it. There is a little bit more to be given to you on it, if you want it.

Chairman MADDEN. This is a preliminary report that they are referring to in this letter when they say, "Concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64?" That has nothing to do with the original Van Vliet report? That is not referring to the original report that he signed?

General BISSELL. That is not the report that Van Vliet dictated in Washington.

Mr. MITCHELL. May I put that in as an exhibit?

Chairman MADDEN. Mark that as an exhibit.

Mr. MITCHELL. Exhibit No. 4.

(The document referred to was marked "Exhibit No. 4" and made a part of the record as follows:)

EXHIBIT 4

[Confidential]

JUNE 9, 1945.

MY DEAR GENERAL BISSELL: The receipt is acknowledged of your letter of May 25, 1945, concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64, received from the protecting power a letter dated about October 1943, seeking information whether these officers had been required by the German authorities to visit Katyn. You ask the Department to verify whether a copy of such a letter together with Colonel Van Vliet's reply thereto is of record in the Department of State.

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Sincerely yours,

JULIUS C. HOLMES, *Assistant Secretary.*

Mr. MITCHELL. I would like to have the Army supply the original, if they have it, please. This is a copy.

Chairman MADDEN. Yes, we would like to have the original.

Mr. SHACKELFORD. Yes, sir; we will be glad to supply you with whatever we can.

Mr. DONDERO. General, did you in your official capacity receive any information from any source affecting the credibility of Colonel Van Vliet or Captain Stewart?

General BISSELL. That is in the next paragraph or two, and that is the reason for my action, in order to get some basis on which to evaluate the report they made to me by the only thing I could pin down as a yardstick to measure the accuracy of his memory which I thought was splendid.

Mr. DONDERO. I want you to know of my personal interest in this man, because Captain Stewart was my personal appointee to West Point.

General BISSELL. I am glad to know of your interest.

The State Department reply was very significant. It made it very clear as early as September 1943, months before I was appointed G-2, the State Department had reports of the visit of Colonel Van Vliet and Captain Stewart to Katyn. They say so.

Mr. MACHROWICZ. That should not be very surprising to you. The whole world knew it. The Germans broadcast it.

General BISSELL. They never broadcast the thing about the Van Vliet visit. They said that American and British personnel, I think, had been taken there or would be taken there, but no names were mentioned in anything I ever saw or know about. I can be wrong on this. There is an awful lot of stuff that did not reach G-2 on this matter.

Mr. MITCHELL. To clarify that point, sir; Colonel Van Vliet in his testimony in part 2 specifically set forth, and so did Captain Stewart when he testified, that to their knowledge their names had never been revealed by the Germans about their visit to Katyn.

General BISSELL. It is also clear that the instructions from our State Department to the American Legation at Bern was responsible for the letter Colonel Van Vliet stated he had been given by the Swiss protecting power about October 1943, because the questions Colonel Van Vliet said were in the letter he received are almost exactly the questions our State Department had directed our Bern Embassy to submit. The slight difference in phraseology was probably due to the requirement for paraphrasing anything that had been sent classified, so that your code cannot be touched by putting it out afterward for somebody who had copied the code.

The channel through which the questions reached Colonel Van Vliet was the one our State Department had directed to be used by our Bern Legation, and the time factors fitted perfectly. Our State Department instructions issued in September 1943 apparently had resulted in the delivery to Colonel Van Vliet while he was a prisoner at Oflag 64 of the questions our State Department wanted answered. Colonel Van Vliet stated that he replied to them. Unless Colonel Van Vliet was in error, either as to the date he gave, about October 1943, or about where he was then held prisoner at Oflag 64, the information that our State Department received in February 1944 reporting his transfer to Oflag 64 could have had no possible bearing on the delivery of Colonel Van Vliet's reply, as he had actually received the letter at Oflag No. 64 and answered it 4 months earlier.

Also significant is the State Department's conclusion that the reason no reply was received from Colonel Van Vliet was that it was con-

sidered likely Colonel Van Vliet's reply may have been intercepted by the Germans.

Mr. MACHROWICZ. I am going to have to interrupt you again, because I am interested in this whole situation, and I think the members of the committee are. I am trying to tell you I am very much confused. What was the significance of that letter?

General BISSELL. I read this part of it here.

Mr. MACHROWICZ. What was the significance?

General BISSELL. State was proceeding on the theory he had never received their letter.

Mr. MACHROWICZ. Whose letter?

General BISSELL. This letter sponsored by the Bern Legation. State had sent word to Bern to have the Swiss Protecting Power get a letter to Van Vliet asking questions.

Mr. MACHROWICZ. What has that got to do with the matter we are investigating?

General BISSELL. If Colonel Van Vliet had answered that at the time, and I could get my hands on the answers then, I could compare all or part of them with the statement he made to me 2 years later to measure his memory, his veracity, or anything else. I did not question them, but I had that job as a responsibility to do.

Mr. MACHROWICZ. What is the significance?

General BISSELL. The significance is that the answer State gave me that he had changed prison camps had nothing to do with it because the letter had reached him and he had replied, according to his statement, so the change of prison camps had nothing to do with it.

Mr. MACHROWICZ. I frankly say I am as much confused as I was in the beginning.

Mr. DONDERO. Perhaps I can answer my colleague from Michigan by saying I think the significance is that the State Department and the Government here knew about this thing long before Colonel Van Vliet's report.

Mr. MACHROWICZ. Certainly. So did the Department of Defense in 1943.

General BISSELL. But we didn't know Van Vliet's part in it.

Mr. MACHROWICZ. Neither did the Department of State, as you say.

General BISSELL. They did.

Mr. MACHROWICZ. They didn't know what he had to say.

General BISSELL. No; but they knew he had been there.

Mr. MACHROWICZ. That is right. It is up to the Department of Defense to get a statement.

General BISSELL. We didn't know about it. We were not asked to get such a statement. This is the State Department's job in time of war?

Mr. DONDERO. They were contacting these two prisoners through the delegation in Switzerland.

General BISSELL. Yes. They acted as American Government representatives as a neutral close to Germany.

Also significant is the conclusion that the reason no reply was received from Colonel Van Vliet was that it was considered likely Colonel Van Vliet's reply may have been intercepted by the Germans. Assuming that the Germans had intercepted the Van Vliet reply that Russia was guilty of the Katyn massacre, as Germany had stated to the world, and assume that Germany was innocent, is it reasonable

that, if innocent, Germany, who had gone to such trouble to take Colonel Van Vliet and a sizable party to Katyn for the very purpose of having them report German innocence to the world, would not allow a letter from Colonel Van Vliet accomplishing such purpose to reach the United States?

Mr. MACHROWICZ. Do you claim the letter was received by the Swiss; that it was not intercepted?

General BISSELL. I don't know. It is a funny reason to give.

Mr. MACHROWICZ. You don't claim it was received; do you?

General BISSELL. No; I don't claim State got any answer back.

Mr. MACHROWICZ. You don't claim that Department of State received this information?

General BISSELL. No.

Mr. MACHROWICZ. What is it you claim?

General BISSELL. I don't believe that the reason they gave for not receiving it—that Germany intercepted it—was sound.

Mr. MACHROWICZ. What has that got to do with this?

General BISSELL. Because I am still trying to get Van Vliet's report to check it.

When the June 9, 1945, reply to my May 25, 1945, letter to State Department was received, the question naturally occurred: Why had State not made further effort to secure reply from Van Vliet? State knew about the Katyn massacre. The State Department did not say specifically that the September and December 1943 attempts were the only attempts they made. They might have made other attempts without tangible results. I considered it purposeless to follow this aspect of the matter further because I believe that State had been furnished Colonel Van Vliet's report on May 25, 1945.

Mr. MACHROWICZ. Because what?

General BISSELL. I believe that State had been furnished the Colonel Van Vliet report on May 25, 1945.

Mr. MACHROWICZ. Which report are you referring to?

General BISSELL. The one made in my office.

Mr. MACHROWICZ. Did you not tell me this morning you cannot state they received it?

General BISSELL. But I believe they did.

Mr. MACHROWICZ. You believe they did?

General BISSELL. Let us get straight. What I believe is one thing, and my positive knowledge is another. I believe that they had received it because it was my intention to get it there or to another place.

Mr. MITCHELL. Where was the other place?

General BISSELL. The other place was the War Crimes people.

Mr. MITCHELL. You stated this morning that you had discussed this matter with Mr. Frederick Lyon. Is that correct?

General BISSELL. I said I either mentioned it to Mr. Lyon or Mr. Holmes.

Mr. MITCHELL. Over the telephone or in person?

General BISSELL. I spoke to Mr. Lyon only on the phone. On the other hand, I saw or talked to Mr. Holmes twice at approximately the same day. We had a very hot matter in the Argentine, and I was dealing with both of them at the same time on it.

This is off the Katyn thing a little bit, but I think it is all right, because it is not classified any more.

Mr. MITCHELL. I would like to know what were the names of the people designated by State to be liaison with the G-2 when you were the Assistant Chief of Staff, G-2. What were the names of those individuals from the Department of State?

General BISSELL. The two that worked with me most closely were Mr. Holmes and Mr. Lyon.

Mr. MITCHELL. Anybody else at this time that you care to mention? Are there any other names?

General BISSELL. Not that have a bearing of any nature in connection with Katyn.

Mr. MITCHELL. In other words, you are now saying for the record at this time that there were no other individuals in the Department of State to your knowledge that had any bearing on the Van Vliet Katyn report?

General BISSELL. I believe that is correct.

Mr. MITCHELL. You are sure?

Mr. MACHROWICZ. I want to pursue that line because it is important. I think it is important to you and it is important to us all as Americans, because if the Department of State received a report which it denies receiving we want to know. Is that not right?

General BISSELL. That is right.

Mr. MACHROWICZ. You told me this morning that you cannot say that you forwarded that report.

General BISSELL. No.

Mr. MACHROWICZ. Now, as I understand you, you want to qualify it by saying, although you cannot say you sent it to the Department of State, you believe you sent it.

General BISSELL. I thought I had.

Mr. MACHROWICZ. You still think you did?

General BISSELL. I don't know where it is, and it is pretty difficult to pin it down.

Mr. MACHROWICZ. You are not much help to this committee.

General BISSELL. I am telling everything I know about people running down details that in my opinion don't hit it too closely that bear on it. If I give you too much, stop me.

Mr. MITCHELL. General, there is one other question. I asked you a minute ago who were the people designated by the State Department with which you did official business in connection with G-2 matters that State should know about in the line of command or anywhere else?

You told the committee here this morning and again now that the two are General Holmes and Mr. Lyon. Is that correct?

General BISSELL. That could know anything about the Katyn matter?

Mr. MITCHELL. That could know anything about the Katyn massacre.

General BISSELL. I don't think so.

Mr. MITCHELL. Who were the individuals in your own organization who had liaison with the Department of State who might know anything about the Katyn matter?

General BISSELL. Many, many.

Mr. MITCHELL. I mean officially designated by you as head of G-2.

General BISSELL. A man named Dillingham, a colonel at that time

or lieutenant colonel, was my liaison man to handle hot wires that came into State. If something came in among their stuff that required military consideration or action, he was there watching. I don't think he knows a thing about Katyn.

Mr. MITCHELL. I specifically nailed my question down, General, to who in your Department was designated to liaison with the State Department who might know or have any knowledge of the Van Vliet report on Katyn.

General BISSELL. No one.

Mr. MITCHELL. No one but yourself?

General BISSELL. I think that is right.

Mr. MITCHELL. You are sure?

General BISSELL. I think, as far as Katyn is concerned on this particular deal, yes, sir; I think that is right. But I had many contacts in the State at every level.

Mr. MITCHELL. At this time will you tell us now who in your Department had knowledge of the Katyn matter?

General BISSELL. Mrs. Meeres and an officer who today was confirmed to be Lieutenant Colonel Lantaff. I knew someone in my office handled it, but I could not tell you which one. His handling of it was not to be present when anything was being made but in connection with the papers.

Mr. MACHROWICZ. You do not mean those are the only two people in your department that had knowledge of Katyn?

General BISSELL. I believe they are. Colonel Van Vliet's arrival and his procedure was not the routine.

Mr. MACHROWICZ. I can assure you you are wrong. I am not guessing at it. I am stating you are wrong.

General BISSELL. I will try to think hard and see.

Mr. SHEEHAN. You said the Katyn matter. Do you mean the Van Vliet report?

Mr. MITCHELL. I said the Van Vliet report on the Katyn affair.

General BISSELL. I thought you were exploiting his question or expanding it. That is not so. Lots of people had heard of Katyn. Loads of them. The whole Polish Liaison Section. We had Poles accredited to us who came to G-2.

Chairman MADDEN. Everybody knew about Katyn after it was broadcast and the bodies were found. So, that is not so important.

Mr. MITCHELL. General, I think you missed the point of my question. The question I want to get across is: Who in your staff, as the head of G-2, did you specifically designate to take this matter up with the Department of State or any other agency of the Government?

General BISSELL. I did not designate anybody in my office to take it up with the Department of State.

Mr. MITCHELL. Then you personally handled the matter yourself?

General BISSELL. As far as I can recollect. When I say "handled it," I mean I handled the direction to be given and what was to be done.

Mr. MITCHELL. Then, if you say you "handled it," you must have directed somebody to do something about it.

General BISSELL. That is right.

Mr. MITCHELL. Those are the names I want.

General BISSELL. I directed someone, who from this morning's testimony I believe to be Colonel Lantaff, to secure a proper room where this dictation could be handled.

Mr. MITCHELL. We know that.

General BISSELL. To brief Mrs. Meeres, who was doing her first job in my office. I think that is about the end of the story.

Chairman MADDEN. General, is it something unusual while you were connected with this assignment over there for a report of this kind coming in dealing with the massacre or murder of over 4,000 soldiers? That was unusual?

General BISSELL. It was unusual from beginning to end.

Chairman MADDEN. And you were in complete charge of that office?

General BISSELL. I am responsible for everything that my people do.

Chairman MADDEN. You just testified that to your knowledge there could not be over two people in your office under your supervision connected with the Van Vliet Katyn report.

General BISSELL. That is right.

Chairman MADDEN. That report that was made by Colonel Van Vliet was quite important in your mind?

General BISSELL. That is correct.

Chairman MADDEN. With this responsibility that you had, and as your testimony showed, it was completely unusual, a case of this kind. You testified this morning that you could not say whether or not the Van Vliet report was ever delivered to the State Department.

General BISSELL. That is correct, sir. I cannot say that.

Chairman MADDEN. Do you not think, considering the background as you already have testified, that that would be very much on your mind to see that a report like that would be transferred over there if that was the place it should go?

General BISSELL. Yes, sir.

Chairman MADDEN. Why did you not know that it was transferred over there, if it was?

General BISSELL. Because I would have given instructions to have had something done, and I would not have personally been doing it.

Chairman MADDEN. Did you give instructions to have that done?

General BISSELL. I am positive I gave instructions.

Chairman MADDEN. To whom?

General BISSELL. I believe now I don't know. I think I could give you my story.

Chairman MADDEN. Just answer that. Whom did you give instructions to?

General BISSELL. I do not recall whether it was Congressman Lantaff, but if it was not—

Mr. MACHROWICZ. He said it was not.

General BISSELL. I know. If it was not, I don't know what other person.

Mr. MACHROWICZ. There was only one other person.

General BISSELL. She could not have done it. I don't know who actually got the instruction.

Mr. MACHROWICZ. Then there were no instructions given.

General BISSELL. That is not something I can swear to as a fact.

Mr. MACHROWICZ. That is the only possible logical conclusion that anyone can come to.

General BISSELL. That may be so, but I don't believe you are giving me quite the opportunity you desire. Katyn, although unusual, was unusual because Van Vliet, instead of coming in initially and reporting to the executive officer and being sent by him to the proper section, being handled as in every other case coming in, insisted on seeing me.

Mr. MITCHELL. Did he do that under anybody's direction? He said he had seen General Collins. He had seen other people over there. When he initially came to you, did he tell you he was sent there by anybody else?

General BISSELL. He did not, but he told me he had seen General Collins. He told me the others he had seen. He gave me a straight story, just about the way he told you here. I think he was right, but he did get an unusual handling of his case from that minute on.

Chairman MADDEN. Let me ask you this, General, considering your testimony that just Colonel Lantaff and Mrs. Meeres were the only two in your office connected with the Van Vliet report and that you might have told Colonel Lantaff to deliver the report to the State Department or you might have told Mrs. Meeres—

General BISSELL. No, I didn't tell her to do any such thing.

Chairman MADDEN. You might have told Colonel Lantaff, there would not be anybody outside of Lantaff you told?

General BISSELL. I don't think so.

Chairman MADDEN. Let us concede that you told Colonel Lantaff.

General BISSELL. All right, sir.

Chairman MADDEN. Considering the importance of this report dealing with the massacre of over 4,000 soldiers of our allies, had you told Colonel Lantaff, don't you think the most natural thing would be, as the head of this department, maybe the next day or the day after, to inquire from the colonel if that important report was delivered to the State Department?

General BISSELL. I don't think I would have done that.

Chairman MADDEN. Don't you think the colonel would have come back and stated to you, as his superior officer, that he had carried out your instruction?

General BISSELL. He would not do that, because I would take it for granted. I knew he would carry out instructions. The only thing I would have done under the situation you paint there, if I had questioned the delivery of that, I would have asked Holmes if he got it. That is the point.

Chairman MADDEN. Colonel Lantaff testified this morning that there was never any order given to him at all to deliver the report.

General BISSELL. The only instruction apparently I gave Colonel Lantaff was to secure, after securing the report, a place for the report to be dictated and the briefing of Mrs. Meeres.

Mr. MACHROWICZ. Are you not contradicting your own testimony?

General BISSELL. Colonel Lantaff, I think—I have never talked with him, I never saw him since he left G-2 until he came in this room this morning, so that there is no suggestion coming from him, and I would accept anything he said that he would swear to as being true. He would not need to swear to it, if he said it. I think he is confused on what happened to the report, as I am confused on what happened to it. He cannot tell us how it went out of the room, and he

does not know whether he got it back or not. He did reply that he read it in the preparation stage. That could have been done. There is a strong feeling in my mind that Van Vliet started one day and finished another and that the notes had to be put up overnight, and the colonel indicated that was the case because he put them up.

Mr. MACHROWICZ. That is not what the colonel says. Colonel Van Vliet said he finished the statement in 1 day.

General BISSELL. The Congressman, not Colonel Lantaff. Colonel Van Vliet says in another place he does not know whether he stayed over another day or not. If he had completed it the first day, there would have been no reason to put away stenographer's notes that night or anything else or to come back and get the papers the next day if he had brought them to me that day. I might have been busy. He might have tried to.

Chairman MADDEN. Did anybody ever telephone you or call up or come into your office after the report was signed by Van Vliet regarding the report, did a telephone call come in to request to read it or anything?

General BISSELL. No.

Chairman MADDEN. Not a person communicated with your office regarding it after it was signed?

General BISSELL. No, sir, I don't think so.

Chairman MADDEN. When did you decide to send it to the State Department then?

General BISSELL. My intention had been to have it go to the State Department at once and whether it went, I don't know, as I have said.

Mr. MACHROWICZ. Let us stick to that now, because you have made some very serious and unwarranted inferences which are not at all in accord with what you are saying right now.

General BISSELL. If I had not pointed out these things, I think I would not have given you all I know on the matter.

Chairman MADDEN. Was it the next day you sent it to the State Department or the week after or a month?

General BISSELL. It would have been done either on the 24th or 25th, that it would have gone from the office, had it gone to the State Department.

Chairman MADDEN. Why do you say it would have gone then?

General BISSELL. Because on the twenty-second, the date that Colonel Van Vliet saw me, there could not have been time in my opinion to have processed it, and I saw Colonel Van Vliet on two different occasions.

Chairman MADDEN. You thought it was so important that you immediately sent it over to the State Department the next day?

General BISSELL. And I think it was not ready to go the next day, but it would have been ready the following day.

Chairman MADDEN. And the following day you sent it over?

General BISSELL. The twenty-fifth, I think; if it ever went from G-2 to State, it probably left G-2 on the twenty-fifth.

Chairman MADDEN. You don't know whether it went at all or not?

General BISSELL. That is right.

Mr. MACHROWICZ. In your letter to Mr. Lyon you state as follows:

DEAR MR. LYON: Transmitted for the information and the file of the State Department is report on Katyn by Stanley S. V. Gilder, Captain, British Medical

Officer. This report supplements the statement of Lt. Col. John Van Vliet, Jr., forwarded to General Holmes on May 25, 1945.

General BISSELL. Written by Mrs. Meeres.

Mr. MACHROWICZ. Signed by Clayton Bissell.

General BISSELL. I did not put in that date.

Mr. MACHROWICZ. What date?

General BISSELL. That it was forwarded on a certain date. That was from something that was found in the office or something of the kind. I did not put that in.

Mr. MACHROWICZ. You signed the letter.

General BISSELL. I signed the letter, and when I dictated it, I dictated the first paragraph and then I said, "It is the Colonel Van Vliet report, and get the dope on the thing and send it in."

Mr. MACHROWICZ. For your information, that only contained one paragraph.

General BISSELL. That is the second thought. The first thought, here comes a letter, and the second thought, compare it with another thing.

Mr. MACHROWICZ. I will read it to you again:

DEAR MR. LYON: Transmitted for the information and the files of the State Department is report on Katyn by Stanley S. V. Gilder, Captain, British Medical Officer. This report supplements statement of Lt. Col. John Van Vliet, Jr., forwarded to General Holmes.

General BISSELL. That is the way I remember it. There were two sentences. The first one I dictated straight out and I left the following thing blank.

Mr. MACHROWICZ. Are you inferring that you as commanding officer, G-2, signed a letter in blank with your secretary filling it in?

General BISSELL. It was filled in.

Mr. MACHROWICZ. Was the date in there, May 25?

General BISSELL. The date was filled in.

Mr. MACHROWICZ. What was not in then? You signed the letter, and May 25 you forwarded it.

General BISSELL. When I signed the letter it was exactly the form in which you read it. When I dictated I dictated what I could, out of my head, I think in August.

Mr. MACHROWICZ. August 25.

General BISSELL. I could not have pulled that date out of my head after all that had been happening, with accuracy.

Mr. MACHROWICZ. How do you account for the fact that you stated in your letter you did forward to General Holmes the Colonel Van Vliet report?

General BISSELL. That was my belief at the moment of what had happened. They went back to the files apparently and got something to set that date up for them. The one that did it I think is Mrs. Meeres.

Mr. MITCHELL. Where is that letter or a copy of that letter today?

General BISSELL. Isn't that one of those you have here?

Mr. MITCHELL. I am not referring to this. I am referring to the letter where you got the date May 25, 1945 from.

General BISSELL. I did not personally do that.

Mr. MITCHELL. Just a minute, General. You stated to Mr. Machrowicz 1 minute ago that you could not recall this date, so you dictated all the other data that is in this to the best of your knowledge.

General BISSELL. That is right.

Mr. MITCHELL. Then you probably said, as many men do to their secretaries, "Find out when I transmitted that over to General Holmes." She inserted this date 25th of May 1945. If she could find that on August 21, 1945, why can't we find the same copy of the transmittal today?

General BISSELL. That is what I would like to know. Also, I think it is very significant because that is what I believed at that particular time and put in writing and I didn't do it myself.

Mr. MACHROWICZ. That is what you would like to find out and that is what we would like to find out. You are inferring the fault lies with the Department of State. If those letters were lost, they were lost in the Department of Defense, is that right?

General BISSELL. I don't know where they were lost.

Mr. MACHROWICZ. They never got out of the Department of Defense.

General BISSELL. I don't know whether they did or not. Why would we have that kind of letter written in my office if it had not gone out.

Mr. MACHROWICZ. I mean the original report of Colonel Van Vliet.

General BISSELL. That is what I am talking about, too. Why would I have referred to it by date if I didn't believe it had gone out? And why if it had not gone out didn't State, when they got the letter, call me up on the phone: "How about this thing, we haven't got that."

Mr. MACHROWICZ. You are inferring you would have let an important document go out without some receipt?

General BISSELL. I never got a receipt from anybody on anything in G-2. I had people who did the receipting for me, and a section in my office to process in and out those documents. So far as my particular section of the G-2 office is concerned, we had Colonel Lantaff's group who did it for me. I never signed one in, I never signed one out. When I got through with a communication, it went in my out basket. Those people who were cleared for top secret information brought me in masses of stuff every day. I acted on it and put it in the out basket.

Chairman MADDEN. Did they ever bring you in masses of material that pertained to the killing of 4,300 soldiers?

General BISSELL. At that time I didn't know and do not know today exactly how many were killed.

Chairman MADDEN. You should not classify a report of this importance with the thousands of little details that come in and out of your office. This was an extraordinary, an important event, as you testified.

General BISSELL. I was very concerned all of this particular time with events that were even more critical to America's war with Japan, and this was not going to help win the Japan war one bit except in a different way. And that was the reason I was so careful about this thing.

I have a lot of stuff here, and I will spoil it by breaking it up piecemeal. The UNO conference was one. I had been on there the previous week. Our No. 1 objective, other than defeating Japan at that time, was to get a UNO going. We didn't know whether we could get the Russians to come in.

Chairman MADDEN. You wanted to maintain friendship with the Russians.

General BISSELL. That was the policy of our Government.

Chairman MADDEN. Was that why the report disappeared?

General BISSELL. No, sir, it was not why. I don't know what report you are talking about on that. That is a fast one. I cannot tell you a thing about that.

Mr. DONDERO. Mr. Chairman, I think I ought to enter this. I notice that my colleague from Michigan, who is critical of your testimony, even referred to a letter with one sentence in it when there were two in it, and the letter was right before him. So it shows the fallibility of human nature.

I want to ask this one question: General, at the time you had this Katyn massacre subject before you, were you handling other matters for the Government in your department?

General BISSELL. Vast numbers.

Mr. DONDERO. You had other items around the world in relation to the war which we were then in, is that correct?

General BISSELL. That is right. I told you I came up to this body, busy as I was, to testify to them about subversive activities in the service.

Mr. DONDERO. The Katyn matter was only one of the items that came across your desk?

Chairman MADDEN. It was the only massacre you had.

General BISSELL. That is not so. It was the only one of that magnitude. No; it is not so. I was receiving at the same time that the Colonel Van Vliet report came in, the very time, the Dachau and other German concentration-camp things where they had wholesale massacres that make this thing look insignificant. It numbers nearly a quarter of a million that went through Dachau. And there were Poles in that, lots of them. My driver yesterday taking me from the station was a Pole whose father was killed in that thing, and who spent as a child, until he got old enough to come to the United States, his time in Dachau from 1943 on.

The Japanese balloon thing was cracking on us. We were having a devil of a time to get the press to hold it. We had had the fatalities in Oregon. We didn't want the American people to know what was happening in that thing, and, more than that, we didn't want the Japanese to know how successful they were. I was busy trying to keep that one from bursting in the press. I had that on my mind. The same day, when I was out on the trip, I had the Minneapolis newspapers on me and came back here and got Price together with others of the group that was concerned with it on how we would handle that particular thing. I was preparing something for General Marshall to Field Marshal Maintland-Wilson at that particular time. If I rack my memory, I can show you that the Van Vliet visit took 30 minutes one day and less the next, on days like I had been working for many months from 7 a. m. until late every night and Sundays, on everything in the world. I had flown 14 or 15 hours on one day in connection with this trip, getting in here to meet Colonel Van Vliet. I didn't know he was here.

I would like to add just one more thing. Colonel Lantaff is just as honest as can be, but he said that Mrs. Jepson was in the office and I had loaned Mrs. Jepson to UNO and she was working out there

on that thing. And another lady, whose name slipped his memory, I am sure Mrs. Bryant, was the secretary on duty. He didn't tell you anything wrong. He told you what he believed and remembered. He just overlooked the fact we did loan her out there and she was not yet back on duty in my office at the time.

Mr. MITCHELL. Mrs. who?

General BISSELL. Miss Bryant. She is now married and living down here near Hollis some place.

Mr. MITCHELL. Was she married at that time?

General BISSELL. No.

Mr. SHEEHAN. General, I have a series of questions; so if you will be patient with me, because some of them might be a little rehashing of something that has been said, and I do that for the purpose of getting away from the general discussion, so that it will come out and be either clarified or amplified.

Number one: Mrs. Meeres in her testimony stated that top-secret reports usually are corrected and retyped, and, as you yourself said, Colonel Lantaff read this report in the preparation stage. Why wasn't that report handled this way?

General BISSELL. My intention was to have it produced in what we call draft; bring it out in draft. That usually means that a thing is typed on long sheets, double or triple space, just the original impression. Then it is corrected and modified and you do not send a dirty copy out, so a retyping is essential. That is what I thought would happen in this case, because I thought when Colonel Van Vliet got his dictation down and Mrs. Meeres knocked it out the first time, she would have misunderstood or misspelled or done a number of other things. They would then bring it in to me and we would talk about it and I would see if there were any other errors or omissions I could ask him about that might help him and then it would be retyped.

Mr. MITCHELL. Right at that particular stage, was this rough draft ever converted into an original final draft?

General BISSELL. No, sir.

Mr. MITCHELL. Was there ever a top secret number given to the Van Vliet report?

General BISSELL. That I would not know, because I didn't handle that myself. That was done in Colonel Lantaff's office.

Chairman MADDEN. I suggest that Mr. Sheehan continue his questions.

Mr. SHEEHAN. I had yielded to the gentleman for that purpose.

In other words, once you determined a document was top secret, you turned it over to Colonel Lantaff or someone else in the office for the classification?

General BISSELL. For the handling in accordance with instructions that were standard throughout the General Staff.

Mr. SHEEHAN. In other words, the mere fact that this top-secret document was not handled that way is no fault of yours because you turned it over to your subordinates?

General BISSELL. No; it is partly correct and partly not. That is the way I wanted it typed up the first time and that is the way I expected Van Vliet to bring it to me, and that is the way it was brought to me. The only thing corrected in it was maybe a word or two and it was not necessary to have a rewrite and it was not rewritten. It was a very good job, that report.

Mr. SHEEHAN. Colonel Van Vliet stated that on May 5, 1945, he showed photographs of the Katyn massacre to a G-2 officer of the One Hundred Fourth Infantry stationed overseas. Do you recall any report at all on this instance coming into your office?

General BISSELL. I never heard of that except when Colonel Van Vliet told about it.

Mr. SHEEHAN. I understand that a Col. Thomas Drake, who was a senior American officer at Oflag 64 and was repatriated because of stomach ulcers in 1944, that he made out reports on the Van Vliet and Captain Stewart testimony and sent a copy of this report to G-1, G-2, State Department, Secretary of War Stimson, and to Mr. Lauchlin Currie, care of Mr. Roosevelt. Did that G-2 report ever come across your desk?

General BISSELL. I never heard of that phase of it. The only thing I know is what Colonel Van Vliet told me and what is in his testimony to you.

Mr. SHEEHAN. As far as you know, it never came to your attention?

General BISSELL. I don't know anything about it. That would have been before my time, you understand.

Mr. SHEEHAN. No; you said you came in there in 1944.

General BISSELL. I came in 1944, and that was done when?

Mr. SHEEHAN. Colonel Drake was repatriated late in 1944, which means he arrived in this country in late 1944 or 1945 to make out these reports.

General BISSELL. My impression was that Colonel Van Vliet had said shortly after he got back he talked to Colonel Drake on it.

Mr. SHEEHAN. That is right; but he was not repatriated until a year later.

General BISSELL. I don't know about that. All I have is what is in the Colonel Van Vliet report and what he may have mentioned to me.

Mr. SHEEHAN. In classifying a document top secret, after your underlings had done so—

General BISSELL. I don't call them that—my helpers.

Mr. SHEEHAN. Let us call them subordinates—or any other phase of secrecy; do the Army Regulations prescribe for any logging or entering of this in the log book in your office?

General BISSELL. Yes, sir.

Mr. SHEEHAN. Was that done in this case?

General BISSELL. I don't know, because, as I said, I never went back to those. I asked if it was in the log when I was working for—I don't believe I asked. I think you did the asking on that; I suggested to you, Mr. Shackelford, that you have the log checked.

Mr. MITCHELL. Who in your specific office had charge of your log?

General BISSELL. I think Congressman Lantaff was the senior, and that Earman was the next, and they both had to do it because my hours were longer than theirs.

Mr. SHEEHAN. Counsel, I think the chairman should instruct you to check with the Army to see if that thing was logged any place.

Mr. MITCHELL. I believe you have it right there.

Mr. SACKELFORD. We have checked the logs in regard to that, as well as the receipt books. That was the part of the careful search that was made by the inspector, and with negative results.

Mr. MITCHELL. Congressinan Lantaff this morning said that anyone in the G-2 immediate staff offices might have access to your personal safe. Is that correct or is that incorrect?

General BISSELL. It depends on what he says—

Mr. MITCHELL. What I would like to have you answer is how many people of your immediate staff had access to your safe.

General BISSELL. The safe that he described as my personal safe was described in that category because in it was a single drawer which had my personal things like invitations, and so on. It was a classified routine safe in the G-2 office. Now, the safe he did not mention was in my office. And in my office, let us get straight, too, because that is causing a lot of trouble, I had an office in which I worked, a big room. On one side was my deputy, on the other side was Colonel Lantaff, Colonel Earman, normally Mrs. Jepson, and Mrs. Bryant, and a man named Carulli. They were in my immediate office. They were all cleared for top secret, and they all know between them if it was added up, everything I do. So if I were to be hit by a car crossing the street, there is enough there to carry on. But I tried hard to keep more people from knowing about important things than needed to be. So I didn't try to let all of them know everything and they worked better. They were better on the things that each one remembered.

Now, the G-2 office is directly spoken of to include the chief, the deputy, the deputy's stenographers, and this little group that I told you. However, my office, that is just one room, and I am in there by myself. When I want a secretary, I call for her. They worked outside because all the stuff that I talked about was highly classified, or maybe General Marshall came in or General Handy, during which we would discuss some action, and it would be settled. Anybody might come over. The Secretary of the Treasury has visited me there, any number of people on all kinds of matters. So I had to have a place where there was no one in their hair, they could talk freely.

Now, in my little office I might be called to General Marshall's office and he would say, "Come on up here." We had a squawk box. He was a crackerjack man to work for. When I ran, if I had things on my desk that were classified, and there usually was nothing else, practically nothing unclassified came in, I just picked up my basket. I had a three-combination, two-drawer safe, and I dropped the basket complete in there, flung the combination, checked it, took down the red sign that the safe was open that we had on every safe there and put it on top and was on my way, usually hollering when I went through I was on my way to General Marshall's office. That safe is my personal safe. No one in my office knew the combination of that safe except my deputy, General Wackerling.

Mr. MITCHELL. Was the Van Vliet report we speak of put in that safe the night that Van Vliet completed it?

General BISSELL. No; it was never put there, so far as I know, because I didn't put my hands on the thing except to read it. They brought it in to me; I sat down; I gave Van Vliet a chance to correct it. He didn't want to make any corrections. It was not what you call authenticated in that there were a number of pages that were not initialed. I had him do that. I had him sit back in the

chair comfortably and I went through it. My reason for going through it primarily was to answer the question whether there was any discrepancy between this and what he had told me before, and it was a crackerjack report; there were no discrepancies. I then said, "This is to be classified top secret." I can't tell you whether Mrs. Meeres, Colonel Van Vliet, or myself actually did the top-secret stamp on the top and bottom of every page.

Mr. MITCHELL. Isn't it conventional when the secretary is doing rough draft to use the stamp "top secret" before handing it back to the individual from whom she took the dictation?

General BISSELL. Not if she kept it in her possession. She was not through with the report yet. However, she did say this morning that the envelope which had the notes taken out of her notebook—any spare piece of paper that was put in, that might carry the top-secret information, goes in the same envelope. Outside it is marked "Burn." And the officer oversaw the burning. I don't think you will find there are many leaks out of G-2. Maybe we have been too tight, but we never lose them. Nothing got to the public from G-2.

Mr. SHEEHAN. General, in these couple of days here in May when Van Vliet was in and you said you had thought—

General BISSELL. May 22.

Mr. SHEEHAN. May 21 to 25 when you had talked to General Van Vliet, if I remember correctly, you stated you did phone or you thought you phoned Holmes and Lyons in the State Department.

General BISSELL. Yes.

Mr. SHEEHAN. When you talked to any of these gentlemen or with Colonel Lantaff about the Van Vliet report did the question come up as to the political implication of this report at any time?

General BISSELL. The only reason I would have mentioned it to them at all would have been its political aspect.

Mr. SHEEHAN. Did they agree with you it was vital?

General BISSELL. No discussion occurred of the contents of the report at that stage.

Mr. SHEEHAN. You are talking about the political implications?

General BISSELL (reading):

There was a man here named Van Vliet who arrived yesterday and who has information on the political matter, the Katyn massacre, that we will send to you as soon as we get through with it.

Mr. SHEEHAN. You did not discuss the conclusions?

General BISSELL. No. It was only incidental to the talk on the other matter. I remember the other matter quite well. I will be glad to give it to you in executive session, but it has no bearing on Katyn whatever.

Mr. SHEEHAN. This might steal a little thunder from my colleague over there. This morning Congressman O'Konski asked you a question about whether or not any other documents had disappeared or were lost or strayed from G-2. I did not use the word "stolen" advisedly because the Army uses the word "compromise." As I understand it, from the MacArthur testimony, the eight colonels who sent a top-secret report from Japan or the Near East in which they tried to advise the administration of the danger of alining themselves with Russia in finishing off the Japanese war, I understand that report disappeared out of G-2. Is that right or wrong?

General BISSELL. Here is what I don't believe is fully understood and probably it is just as well that all the American people don't know about all of G-2, but if you didn't have some procedure for destroying set up with the mass of stuff coming in there, you could not get the people that would be required to keep track of it in the Pentagon. There goes on constantly in any large intelligence organization a sorting out and a reclassification and a destruction. At the end of the German war there was a period when that had to be done extensively. The German war had ended just a few days, a short time before General Van Vliet's arrival. He got liberated on the 5th of May. The war was over on the 7th, as I recall, the 8th, and this is the 22d. Now, also, at the end of the German war, by the plans arranged in advance, we were to start cutting down personnel drastically. The biggest fighting part of the war was over, maybe not the most difficult part, but the biggest fighting part. With that cutting down, your procedure of destruction is weakened because you try to let those people go who have come in from civil life and given you fine service in the order in which they want to go, in which they can get a job. If a fellow got a chance to leave and he was a good man, his boss wants him right now when the pressure is off. Those people we would let go. Others were cases where they didn't want to go so quickly, and we tried to be loyal to them, too. During the time I was there, this procedure and declassification, two things, must go on. You must destroy the things that are no longer necessary and current, and you must declassify down and down, as time passes.

Mr. SHEEHAN. The Japanese war was still on at the time?

General BISSELL. I don't know the instance you are talking about. I was asked some questions about a report of a number of colonels. They were not of MacArthur's staff. They were right here in Washington, that group, and I didn't know MacArthur's connection with it.

Mr. SHEEHAN. It came out during the MacArthur hearings that the Army G-2 was advised by the group of eight colonels.

General BISSELL. Yes.

Mr. SHEEHAN. Of the dangers of alining themselves with Russia. Apparently during the MacArthur hearings they thought this was a very vital document. When they went to look for it, they apparently could not find it because it was referred to G-2 and never found afterward.

General BISSELL. The way the story came to me was, "Can you tell us whether such a report was ever made to you?" Well, it might have been prepared; those people were in my office, but if they prepared such a report, it never came to me.

Mr. MACHROWICZ. That is the question I would like to know about, since you inferred that the Katyn matter was not so important because of the tremendous importance of the Japanese affair. Here is a report bearing exactly on the issue which you considered paramount now. Now you don't remember those eight colonels filing a report with you.

General BISSELL. I have talked to some of the eight colonels and they told me they never made such a report. I think you will have one here whom you may ask the questions.

Mr. MITCHELL. Was he one of the eight colonels?

General BISSELL. I think he is.

Mr. MACHROWICZ. Do you know Col. Truman Smith?

General BISSELL. Yes.

Mr. MACHROWICZ. Did you say Col. Truman Smith did not sign a report?

General BISSELL. I never got such a report as you described from him.

Mr. MACHROWICZ. At any rate the report is missing in G-2?

General BISSELL. I don't know if it ever left the office where it originated. I don't know anything about it, because I never saw it. Don't get the idea that we didn't appreciate that there was danger in the international political situation or danger in our alinement with Russia. We had had troubles with the Russians all through the war trying to help them and keep them out of our hair.

Mr. MACHROWICZ. I would like to know whether the loss of the Van Vliet report was not one of those attempts to help them.

General BISSELL. Do you want me to answer that question?

Mr. MACHROWICZ. Yes.

General BISSELL. So far as I am concerned, I would be on the other side of that fight for every inch that was of me. It did not, with my knowledge or my help, and I would like to say further that no person, not General Marshall, not the Secretary of War, Mr. Stimson, not any member of the General Staff or any member of the military profession or any member of our diplomatic or legislative or judicial or any other human, foreign or American, ever suggested to me what to do or what not to do with the Van Vliet report or anything connected with it.

Mr. MITCHELL. You are implying you did discuss it with these gentlemen?

General BISSELL. No; I did not. I said none of them ever mentioned it to me.

Mr. MITCHELL. How could they mention it if they did not know about it?

General BISSELL. Everybody knew about the Katyn affair.

Mr. MITCHELL. Yes; but you were talking about the Van Vliet report.

General BISSELL. I thought you might want to know that no one ever influenced my action in any way or tried to.

Mr. MITCHELL. How could they influence your action in any way if they didn't know about the Van Vliet report? You must have discussed it with these individuals.

General BISSELL. I didn't, nor did they discuss it with me.

Mr. SHEEHAN. We have a lot of ring-around-the-roses on this question as to whether or not the State Department got this document. I am not going to go into it. We both Congressman Machrowicz and myself have had different variations of your answer this morning. I want to put a very short bald question to you, and you weigh it before you decide to answer it. The question I would like to ask is: Would you state it to be a fact that the State Department did receive the original Van Vliet report?

General BISSELL. Did?

Mr. SHEEHAN. Yes.

General BISSELL. No; I would not state it as a fact.

Mr. SHEEHAN. O. K.

On the other hand, he did state when he read the previous testimony from all the mail he got, the letters, that they referred to the Van

Vliet report several times, and he said someone should have asked him for it if they didn't have it.

Mr. MACIROWICZ. The answer is, he thinks they must have known about it, but he will not say they knew about it.

Mr. SHEEHAN. General, in your testimony you stated in drawing some conclusions that the facts show that the State Department had gone into the Katyn matter carefully.

General BISSELL. I told you how long they were at my letters, and how many places it had been. Somebody must have looked at it.

Mr. SHEEHAN. Would you state they were still going into it in 1945, because previously your testimony was they were trying to get it through the Swiss when he was a prisoner of war. Was the State Department still interested in that in 1945?

General BISSELL. I would have thought they should have been. Let me see now, 1945, certainly they would have been interested in it. They would have wanted anything we had gotten on that subject.

Chairman MADDEN. Did they ask for it?

General BISSELL. No. That was not going to influence the outcome of that war that we were fighting with Germany and Japan.

Now, I would like to make a point, and this is only—it is nothing that happened, but it is a consideration. Had there been evidence positive in the Van Vliet report that any particular nation had been guilty, rather than an opinion, and a conclusion formed in a statement by a man who says there is no single thing that proves it, just a combination of circumstances of the thing makes him believe it, it probably would have been of very much greater importance to me. But when I got through with Van Vliet's report I did not feel positive by any means that he was right. He had reached a conclusion. I did not feel at all sure he was right. I felt his statements were as he remembered them.

Mr. MITCHELL. Did you ever see the Kathleen Harriman report dated January 1944?

General BISSELL. No.

Mr. MITCHELL. You never saw it during the period January 1944 and May 1945?

General BISSELL. I never saw it at all. When you say the "Kathleen" you mean the one that Mr. Harriman would have sent in due to his daughter's visit?

Mr. MITCHELL. Correct.

General BISSELL. Whether that would have been his report or hers, I don't know. I never seen the document anyhow.

Mr. SHEEHAN. I don't know it to be a fact that the State Department did receive the British report of Col. Stanley Gilder on the Katyn matter?

General BISSELL. I think they have it.

Mr. SHEEHAN. I think you did testify this morning it was referred to you in G-2 and you sent it on to State.

General BISSELL. That is right. I would have to check my notes. I think there was an answer to that.

Mr. FURCOLO. You said the State Department stamp showed receipt?

General BISSELL. This is not the Gilder one.

Mr. SHACKELFORD. Mr. Sheehan, the State Department did receive the Gilder report.

Mr. SHEEHAN. They did receive it?

Mr. SHACKELFORD. Yes, sir.

Mr. SHEEHAN. Do or do you not know whether or not Gilder mentioned about Van Vliet in his report?

General BISSELL. Not positively. I know he said there were British and Americans in the party.

Mr. DONDERO. I think the record will show there were four people in the party, one from England and one from South Africa and the two American officers.

General BISSELL. But that did not say they were Van Vliet, as I remember.

Mr. SHEEHAN. The only reason I thought, if you did know that, that the State Department was informed in the Gilder report of Van Vliet, it would seem to me they would take the precautions to go to the Army to find out what the Van Vliet report was.

General BISSELL. Mr. Shackelford has been kind enough to show me the copy that was released by the War Department of the Gilder report, and it shows the name of Captain Stewart and Lieutenant Colonel Van Vliet in Gilder's report, a copy of which was contained in the War Department release on Katyn sometime ago under date of September 18, 1950. They published the Gilder report and the Gilder report says that Lieutenant Colonel Van Vliet and Captain Stewart of the American Army were in the party. So they did know from that.

Mr. SHEEHAN. In other words, the State Department knew in 1945 this was the proposition and yet apparently took no steps to run it down with the Army to find this report; otherwise you would have had correspondence?

General BISSELL. I would have had correspondence. I made that point.

Mr. SHEEHAN. I am trying to emphasize that here. I am going to ask that at this point in the record—you will have to check with Mr. Shackelford there whether it is a confidential report from the Inspector General on the search for the missing document—that Mr. Shackelford see to it that whatever security information is necessary to be deleted is deleted and I would like to have a couple of questions on it.

General BISSELL. I had intended to mention that and have done so under my authority in my notes here.

Mr. SHEEHAN. These are extracts now from this report in which I see no names, so I cannot say whether they are of confidential nature. Do you want to look at them before I recite them?

Mr. SHACKELFORD. Go ahead, Mr. Sheehan.

Mr. SHEEHAN. It seems to me in all candidness and all fairness to you that the Inspector General's report—I do not like to use the word "omnis"—but seems to put the blame on you for the loss of this right in your office. I am going to read for you the three conclusions that the Inspector General has reached, and I think at this point in the matter you want to get yourself clear so that for the record it does not stay as a blot against you. Let me read the three conclusions:

No. 1, that the original Van Vliet report made to General Bissell on May 22, 1945, and coming into the latter's personal possession on May 25, 1945, has become permanently lost without trace or reasonable presumption as to its present existence or location.

No. 2, that there is no proof that this document ever left the office wherein it originated.

No. 3, that under the circumstances it must be assumed that this document has been subjected to compromise in the event that it was originally given a security classification.

In other words, the Inspector General says everything happened right smack in your office.

General BISSELL. Right. He says it came into my personal possession on May 25, and you had sworn testimony from Colonel Van Vliet, from Colonel Lantaff this morning and Mrs. Meeres this morning, that Van Vliet had long since been gone on the 25th, and that it came into my possession on a different date. I only mention that one small point because if one is in error, all of it can be in error. It is not all in error, but I mention that one point. The testimony of Colonel Lantaff and Mrs. Meeres this morning did not state that it came into my personal possession. They were very careful not to commit themselves. Since no one else knew of it, I do not know from what source such information could have been obtained, as no one else could know. The man who wrote this is honest and he would not have made that statement unless he had a reason for doing it. I think the committee might be interested in finding out just why he picked the 25th, because it would fit into the rest of this picture.

Mr. SHEEHAN. I think when the committee reads the entire testimony they will see his reasons for his conclusions.

General BISSELL. Right. I think he is correct that there is no proof that the document left the office wherein it originated. I think that is correct.

Chairman MADDEN. What office is that?

General BISSELL. My office, the office of G-2, War Department, and the Secretariat Section; not the rest of the office being responsible at all.

Chairman MADDEN. If I get that right, he says it is quite true—

General BISSELL. "That there is no proof that this document ever left the office wherein it originated." He found no proof. I think that is correct.

Mr. SHEEHAN. For our information, before you read further you might define what the Army means by that word "compromise" there.

General BISSELL. A document is compromised when its contents have become known to an unauthorized person. That is one definition. There are others. If a document is completely missing and you can't account for it, you immediately say it is compromised until you find out what happened to it, if anything. If you do not receive a document or you do not know what has happened to a document, or any break in the chain occurs, you immediately say it is compromised, to freeze everything on it and get right back on checking it. But it does not necessarily mean stolen. It does not necessarily mean an enemy has seen it. I will give you an illustration. We had one very close to the top of the Government during the war where a brief case of information disappeared. We immediately put that in a compromise status. It subsequently all showed up. It had not been seen by any unauthorized persons. We had another case where part of a plan for the supply of the operations on D-day showed up broken open in the post office in Chicago and we certainly compromised that in a hurry. It apparently had not reached any unauthor-

ized persons. When the matter was clarified, we didn't need to change the date of the landing. We went ahead with things.

Mr. SHEEHAN. In other words, it is like the Hiss-Chambers case which proves that papers and top-secret documents could have been copied, could have been photographed, could have been stolen, could have been lost, and any one of those things could have happened to it in the State Department. I assume the same thing could be true in G-2 or any other department of the Army.

General BISSELL. It is possible. We tried to be tighter there for several reasons: First, my office wrote the regulations. Now, that puts me in an odd position. The authority to write them implies the authority to change them or modify them. That gave me a little latitude. I tried not to take advantage of it. The top secret thing was born while I was in G-2 and I had to put out the instructions that governed at that time. They governed for 2 years, and then they were changed in 1946, sometime along there.

Mr. MITCHELL. You say that the classification or designation of top secret in 1944 was changed or originally put into being during that period of time?

General BISSELL. Prior to the issuance of the regulation—but the date I read you this morning is the right one, I would have to check my memory on it, because we have been throwing dates around here—March 15, I believe, approved by the Joint Chiefs of Staff approximately a month earlier and then passed over to the regular shops that put out the information. Here is the document that came out, Army Regulations 380-5, came out on March 15, 1944.

Mr. SHEEHAN. In other words, you were then establishing for the entire Army operations and Air Force—

General BISSELL. World-wide.

Mr. SHEEHAN. World-wide, including the Navy—

General BISSELL. No. Not the Navy.

Mr. SHEEHAN. The designation "top secret" for the first time?

General BISSELL. We were not doing it. The Joint Chiefs of Staff, by agreement with the Combined Chiefs of Staff, had done it for the British and ourselves, not only for the military services but for corresponding services working with them.

Mr. SHEEHAN. Now, will you read for the record, please, the designation of top secret as of the 15th of March 1944, if you have it in that pamphlet?

General BISSELL. Yes, I know it is in here.

(a) When classified "top secret," certain secret documents, information and material, the security aspect of which is paramount and whose unauthorized disclosure would cause exceptionally grave danger to the Nation, shall be classified "top secret." The following are examples of matter which normally will be graded top secret:

- (1) Plans or particulars of future major or special operations.
- (2) Particulars of important dispositions or impending moves of our forces or convoys in connection with (1) above.
- (3) Very important political documents dealing with such matters as ally alliances and the like.
- (4) Information of the method used or success obtained by intelligence services and counterintelligence service or which imperil secret agents.
- (5) Critical information of new or improved munitions of war, including proof, scientific, and technical development.
- (6) Important particulars of cryptography and cryptoanalysis.

Mr. SHEEHAN. This would fall in classification (3)?

General BISSELL. That is right.

Mr. MITCHELL. I would like to ask a specific question on that point. Will you explain to the chairman and the members of this committee why and to what extent the Van Vliet report fell into the category of top secret in May 1945, which was after Germany had surrendered, I believe?

Mr. DONDERO. Germany surrendered on May 8.

General BISSELL. We had had the Yalta Conference. You have me on a barrel now. I don't know how much of Yalta has been declassified. At the time I left the services, part of it was not. I don't know whether what I had intended to answer is declassified. Does anybody know?

Mr. MACHROWICZ. You had better check before you make the answers.

Mr. MITCHELL. Is Mr. Shackelford the one to check with in regard to the Yalta?

Chairman MADDEN. I might state that Russia has already declassified Yalta.

General BISSELL. That does not quite hit what I am talking about. I would like to answer, but I am afraid I am caught on it at the moment.

Mr. SHACKLEFORD. Or he will answer in executive session in the event it is still classified by State.

General BISSELL. There is nothing I want to hold from you. It is just that I am a little hamstrung by the letter I got.

Mr. MITCHELL. I want to know why the Van Vliet report on the 22d of May 1945, after Germany had surrendered on May 8, 1945, was classified "top secret" and what its importance or significance was that it had to be so classified as "top secret."

Mr. MACHROWICZ. I think probably the statement made by the witness is a justifiable statement that the answer to that question should be withheld until he has an opportunity to find out whether it is declassified or not.

Mr. MITCHELL. Let the record show that question will be taken up later, please.

Mr. SHEEHAN. In your capacity as head of G-2—and I think this is a little before your time, so you might have to get the time element—did you ever hear of or see Colonel Szymanski's report on Katyn? He was a military attaché in 1942 and 1943, I believe, and was sending reports, G-2 reports in.

General BISSELL. I stated this morning I could not state for sure if I saw him when I came through Cairo. I never saw the reports while G-2. The first I knew of them was the report in the press they were before your committee.

Mr. SHEEHAN. Did you have any correspondence or remember any correspondence or talk with the State Department about the Holmes' report?

General BISSELL. Not until I saw in the press. I went back and got permission to read both of them.

Mr. SHEEHAN. You did see them after this was all over?

General BISSELL. Yes.

Mr. MACHROWICZ. You saw them in the Department of Defense?

General BISSELL. Yes; and asked authority and they told me I could see them if I would come to Washington. I did.

Mr. MITCHELL. When was that, sir?

General BISSELL. It is all in the story I am trying to read to you. It was the 1st to 12th of April I was in Washington and came up to get this information and other matters. I had other business up here.

Mr. SHEEHAN. You are positive of the fact that you did classify the document "top secret"?

General BISSELL. I am positive.

Mr. SHEEHAN. Is there any possibility you could have changed your mind afterward?

General BISSELL. That one would have been a little impossible in a way. I had authority to down grade any document by anybody else in the military service except General Marshall, but there was a string to it. We were in business with the British in this war, and the war was being directed by the Combined Chiefs of Staff. They had set up an arrangement whereby neither nation would down grade below the classification, lower classification, of the two nations. Since the Gilder report—there was no reason for bringing it here, because it was secret and dealt with the same incident as the Van Vliet report, so it was not within my independent authority to down grade below the grade of "secret." To have done that, that wouldn't have let any human, outside of those who needed to know about it, see it.

Mr. SHEEHAN. I think that my final question that I am coming to might have to do with the possibility of leaks in G-2 while you were there. If you will look at the Inspector General's report, you will find there is a paragraph which states as follows:

With further reference to General Bissell's letter to General Holmes of May 25, 1945, and General Holmes' answer thereto to General Bissell dated June 9, 1945, a search of the files of the Assistant Chief of Staff, G-2, failed to disclose copies of either, although both were recorded in the logbook kept in the office at that time.

Here we have a situation where you have made references in a logbook to correspondence which you wrote. Yet, they are nowhere to be found in the Department. However, it turns out, according to the Inspector General's report, that the copies of these letters were obtained from the files of the State Department. The Inspector General goes on to say—is it not plausible that some sort of master file—and I am trying to state that myself—is it not plausible that some sort of master file or classification number should identify all of these matters pertaining to Katyn in the Van Vliet report?

General BISSELL. That was explained in great detail by a man named Carulli. I don't know whether he testified to them. He was the man I mentioned in my office. I suggested to Mr. Shackelford he was the expert and he would be glad to inform the Inspector General whatever went on. He explained our system.

Mr. MACHROWICZ. He did because he is referred to as one of the informants.

General BISSELL. That is right. We didn't package things. Mr. Carulli explained why. When I was vacating my personal office, there were no files in that one. That was not a place for papers to be filed. In the one next to it there were quite large files, probably five or six big file cabinets full.

Then the next door to that had a small card index, 10,000, 20,000, or 30,000 cards, perhaps, which covered G-2, things that had been handled in a recent period. We had to keep some material right

there, and we kept that as a quick thing. It worked beautifully. We could get things very quickly. General Marshall could call down, and I could have the piece of paper up to him in 5 minutes. I could never have done that if it were sent to the general files. It is too big.

The security of those general files required that everything went through a certain way in and out. It is clumsy. It is not a quick thing. It is a safe thing. You have to compromise between speed and absolute security.

Mr. SHEEHAN. There is another thought. You mentioned before when we were talking about the word "compromise" and your definition, something about the "day plans" that were forwarded or opened at the Chicago post office. Will you just, for our general benefit, elaborate on that?

General BISSELL. It has been published briefly in the press. It appears that the headquarters in London was moving its G-4 department. The individual who had the papers intended to address them to himself at the next office he was going to. He was writing a letter home, intending to send something home at the same time, and he confused them and put them in the wrong envelopes. The plans for the supply went to Chicago, and the little favors for his family went to the office he intended to move to. He was so frightened that he did not report it. By accident the package was broken open in the Chicago office, and, as I recall it, the inspectors immediately called the military, and we had someone there very quickly. The papers were flown up here, and we asked for a man to come from General Eisenhower's headquarters quickly to check the papers and see whether they might need to change the landing date. He had General Crawford flown over here. I think you will find it mentioned in Top Secrets very briefly, in that book, Top Secret. It has been in the press from time to time, but very little on it. No harm came of it, although it looked very suspicious at first because the boy came from a German family. It was addressed to a German family. There were several unusual things about that end of it. They were all right. The whole thing was all right. No harm was done.

Mr. SHEEHAN. When you use the phrase "broken up"—

General BISSELL. By accident in handling when they dumped the contents of the pouches onto the sorting table. That is the way I recollect it. There may have been some details I have not described 100 percent accurate in that brief comment.

Mr. SHEEHAN. The only thing that bothers me is the getting around this idea of whether the State Department got it or not, because from some of your correspondence—and I am quoting from that letter you wrote to Mr. Lyon in which you are talking about the Gilder report again—your last sentence said:

This report supplements the statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes, May 25, 1945, and generally substantiating all material facts in Col. Van Vliet's report.

It seems to me, from writing a letter like that to the State Department so shortly after you were processing or handling the documents, that you must have sent it to the State Department. They are not questioning it, saying "We never got such a report."

General BISSELL. I wouldn't question them. The fact that I make that statement is what I believe was the situation when I dictated that

letter. I didn't do it all. I couldn't fill in the date out of my head when that thing had been sent the 21st of August which was quite a while from the 22d of May, or the 23d or 24th, when this other thing was going on. It leads me to believe that there must have been some record from Mrs. Meeres processing that letter where she got that information. She couldn't have gotten it without going to some place and finding that it had been sent. She didn't know.

Mr. MACHROWICZ. Is Mrs. Meeres still here?

General BISSELL. I don't know.

Mr. SHEEHAN. I think the question is for Mr. Lyon to answer. He got a letter. Did he get it or not?

General BISSELL. He got that particular letter. I told you how many people handled it. They handled it for 2 months in State. Many people had a chance to check up on that. I was sitting at my desk any time they wanted to call me. That doesn't mean that I am trying to throw stones at State. We were a government fighting this war. I was getting plenty of help from them and giving them all I could.

Mr. SHEEHAN. Except we found there were several governments in the State Department, you know—Mr. Hiss et al.

General BISSELL. I don't want to leave the impression that I am trying to smear somebody that has been convicted or trying to blame it on somebody. I can't help but think that it is the kind of document the Communists would have liked to have a look at. That is as far as I will go. I won't make any inferences or implications. I will make the thing the other way: that those two people I worked with—Holmes and Lyon—you would never get them mixed up with any Communists. I will tell you that.

Mr. MACHROWICZ. You had been making inferences and implications that Mr. Holmes and Mr. Lyon must have known about this.

General BISSELL. I am giving you everything I know—everything that touches Katyn as far as you had me proceed.

Mr. FURCOLO. I would like to ask you a couple of questions you may have answered. If you would refer to your testimony, when the State Department was working through, I think you said, the Swiss, trying to get Van Vliet's story, when did you find that out?

General BISSELL. Colonel Van Vliet told it to me at the time he made his report.

Mr. FURCOLO. That was the first time you knew of that?

General BISSELL. The first time I knew of it. It afforded me the only opportunity I knew for verification of his report. I don't know why Colonel Van Vliet didn't mention that. I don't recall him having mentioned it in his statement—oversight. There was no question he was giving you everything he could think of.

Mr. FURCOLO. We are interested in finding out what happened to the report in your office. As I understand your testimony, you have stated that if that report were to be mailed to the State Department it would have been mailed by one of three people—Mrs. Meeres, and you have testified as I recall that you were positive you did not tell her to mail it. Am I correct in that?

General BISSELL. She wouldn't have had anything to do with outgoing mail.

Mr. FURCOLO. So, she is out of the picture. Secondly, you testified that you might have told Colonel and now Congressman Lantaff, but you were very willing to accept his word that you did not tell him. So, as you sit there today, you also exclude Congressman Lantaff. I don't want to be unfair about this. I know you are trying to trace it just as much as we are; but, with those two people out of the picture on your own story, it comes down to the fact that that was mailed to the State Department, then comes back to you; is that right?

General BISSELL. If it was what? Mailed in the State Department?

Mr. FURCOLO. Yes.

General BISSELL. It is left with me.

Mr. FURCOLO. Up to now we have got it back to you.

General BISSELL. Yes.

Mr. FURCOLO. As I understand it, and I want to be sure about this, I understand that you have come to the conclusion that it was mailed to the State Department, and you base it on——

General BISSELL. Because of that reference.

Mr. FURCOLO. Because of your letter of May 25, 1945. Do I get your position correctly that you claim if it was mailed to the State Department it was mailed in the letter of May 25, 1945?

General BISSELL. That is right.

Mr. FURCOLO. Am I fair in stating that up to this point, whether or not the document left your hands——

General BISSELL. It was never in my hands.

Mr. FURCOLO. Whether or not the document ever left the office of General Bissell——

General BISSELL. Of General Bissell's secretary, because it didn't stay in my office except while Colonel Van Vliet was in there.

Mr. FURCOLO. Whether or not the Van Vliet document ever left the office of General Bissell is determined upon what conclusion this committee can come to with reference to the letter of May 25, 1945. Is that your position?

General BISSELL. That and the fact that their having that document and never calling back for any comment or verification or anything on the letter would indicate they must have had it, plus the fact that they knew all about it in advance from other communications.

Mr. FURCOLO. Well, what you come down to, then, is showing that the State Department received the Van Vliet document from your office is No. 1, the copy of the letter of May 25, 1945, and second, the fact that the State Department never called you back and said, "We did not get this document." Is that right?

General BISSELL. That is right, plus the fact that they knew about this Swiss business. That is another one.

Mr. FURCOLO. In other words, three things.

General BISSELL. Then there was another one because they didn't know about the Van Vliet report but they knew about the Katyn thing. You are sticking to Van Vliet. Then Lyon. I have a recollection or a feeling that I told either Lyon or Holmes on the telephone.

Mr. FURCOLO. I am not directing my remarks or attention at the moment to anyone, but you must have told someone. We are trying to look specifically at the transmittal. As far as the transmittal is concerned, coming down to the three things mentioned, first, what-

ever that letter of May 25, 1945, may be interpreted as; and, second, the fact that the State Department did not call you back; and, third, this Swiss business you mentioned. Is that right?

General BISSELL. There was a specific reference to Lt. Col. John H. Van Vliet's report forwarded to General Holmes on a certain date, then to Mr. Lyon.

Mr. FURCOLO. That is in the letter that transmitted the Gilder report?

General BISSELL. That is right. So, that ties it in, too.

Mr. FURCOLO. You interpret that as tying it in, too?

General BISSELL. Certainly.

Mr. FURCOLO. Can you think of anything else? I don't want to tie you down.

General BISSELL. I don't believe so at the moment. I have tried to get everything I could when I was working with Mr. Shackelford. I wasn't involved at all in this thing, except as someone out of the picture trying to help.

Mr. FURCOLO. I want to get it first with reference to that letter of May 25, 1945.

In view of the wording of that letter, in view of the fact that that letter contains no reference to transmitting Van Vliet's memorandum and also there is no reference in there to any enclosure, is it not your position right now that as far as that letter of May 25, 1945 is concerned, as far as any proof there may be in that letter alone that you transmitted the Van Vliet document in there, that is out of the picture; that that is no proof?

Mr. MITCHELL. Mr. Furcolo, we have been talking about this letter of the 25th of May 1945 all day long. Can we kindly get this memorandum into the record since it is not in the record as yet? This is a copy that I have, right here. The committee can read it. From there I think the questions can be asked.

I would like to put it in as exhibit No. 5, with the original to come at a later date from the State Department, since they obviously have it.

Mr. DONDERO. What date is that?

Mr. MITCHELL. The 25th of May 1945.

Chairman MADDEN. Mark it.

(Exhibit No. 5, dated May 25, 1945, was marked and received as follows:)

EXHIBIT No. 5

MAY 25, 1945.

Brig. Gen. JULIUS C. HOLMES,

Assistant Secretary, Department of State, Washington, D. C.

DEAR GENERAL HOLMES: A Lt. Col. John H. Van Vliet, Jr., Infantry, and a Captain Stewart, while prisoners of war at Oflag No. 64, are reported to have been given a letter by the Swiss Protecting Power dated about October 1943, which asked them to reply to certain questions. The questions were:

1. Had Captain Stewart and Lieutenant Colonel Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they made a statement?

Colonel Van Vliet believes that a copy of this letter, together with his reply, is in the State Department's files. It is requested that this be verified and, if the records referred to are in the files of State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

CLAYTON BISSELL,
Assistant Chief of Staff, G-2.

Mr. FURCOLO. What is your answer to the question?

General BISSELL. I can't place your question.

Mr. FURCOLO. My question is—that you have based your belief that this was transmitted to the State Department on four different things. I am now asking you, on the first one of those four, which is the letter of May 25, 1945, and I have said to you—in view of the wording of that letter, particularly the absence of any reference to a transmittal, in the absence of the word "enclosure" at the bottom of the letter, is it not your belief that that letter of May 25, 1945, does not help this committee in any way as far as that alone being proof of the transmittal?

General BISSELL. This one did not carry the Van Vliet report or it would have to be listed.

Mr. FURCOLO. So far as that letter transmitting the Van Vliet report, you yourself say that that is out of the picture?

General BISSELL. That did not transmit it.

Mr. MITCHELL. Mr. Chairman, at this stage of the proceedings I would like to have the record show that we already have, as exhibit No. 4, the letter from the State Department, signed by Julius C. Holmes, dated June 9, 1945, addressed to "My Dear General Bissell." That reply is on the record prior to this exhibit No. 5. There is no mention of the previous Van Vliet report in either exhibit, either transferring it as an enclosure in any shape, form, or manner. Therefore we must deduct that based on these two particular letters, namely, exhibit No. 4 and exhibit No. 5, there was no enclosure to the letter or any reference in either letter to the missing Van Vliet report.

Chairman MADDEN. How long after that was it that Van Vliet made his report out?

Mr. MITCHELL. Van Vliet had made his report reputedly for the record the 22d of May 1945, or about that time, 3 days previous.

General BISSELL. I think he dictated it on the 22d. I think it was typed on the 23d or 24th. I think I saw him on the 23d or 24th, the last time when we put his initials on it, and that is all I can tell you on it.

Mr. MITCHELL. I would like to have the record show in the presence of Mr. Brown, for the Department of State, that we would like to have the original of the letter of May 25, 1945, to General Holmes, and I would like to have Mr. Shackelford produce the original of General Holmes' reply to General Bissell dated June 9, 1945.

Mr. DONDERO. Before you answer I want to ask counsel whether the State Department has transmitted any papers of any kind to this committee?

Mr. MITCHELL. No, sir. Chairman Madden has designated a subcommittee of Mr. O'Konski, Mr. Sheehan, and Mr. Machrowicz, to look at the documents that the State Department has on that. My understanding is that they will do it within the next 48 to 72 hours.

Mr. MACHROWICZ. In connection with that, we had agreed that because there are a lot of documents and the Department of State does not know which documents we want, a subcommittee would go there and pick the documents out which we feel we need. They offered to turn them over to us.

Mr. DONDERO. Pertinent to this issue.

Chairman MADDEN. I might say further, last Thursday and on Monday I asked the counsel to have that situation in readiness, but

the committee members were not available to go over and see the documents.

Mr. MITCHELL. That is correct. I did talk to Mr. Machrowicz and Mr. Sheehan and they asked me to set up that meeting for some time as soon as we complete this set of hearings now. I will do that within the next 24 hours.

Mr. FURCOLO. To continue, I will have to ask you the question once more. I want to have it in one place. There has been this other conversation in the meantime.

I have understood your testimony to be that your position is, as far as that letter of May 25, 1945, is concerned, that because of the language of that letter your final conclusion is that that letter certainly didn't transmit the Van Vliet report on the Katyn Forest?

General BISSELL. No, sir.

Mr. FURCOLO. I also understood your testimony before to be that after Van Vliet had dictated his report to Mrs. Meeres, which was probably the 21st or the 22d of May, you sent it to the State Department, and I wrote down your words. You said you intended to send it at once and you believed it was either the 24th or the 25th that you sent it. Is that right?

General BISSELL. That is correct.

Mr. FURCOLO. By using the words "you sent it" you were referring to the Van Vliet report?

General BISSELL. I am not referring to this exhibit No. 5, the May 25 letter.

Mr. FURCOLO. Let me get to that. By "sent it" you were referring to the Van Vliet report on the Katyn Forest massacre?

General BISSELL. That is right.

Mr. FURCOLO. I understood you to say that you sent that report on either the 24th or the 25th of May 1945.

General BISSELL. This one?

Mr. FURCOLO. I don't know what you mean by "this one." You sent the Van Vliet report on the Katyn Forest massacre, outlining what he had seen there, including the bodies and the graves?

General BISSELL. It was my intent that report would have moved on that date and I didn't see it done myself. I therefore don't know it did. So you have me there swearing to it.

Mr. FURCOLO. If you would follow me for a minute I will do my best if you will answer the questions. Did you say that you sent the Van Vliet report on the Katyn Forest massacre out in a letter either May 24 or May 25?

General BISSELL. I did not.

Mr. FURCOLO. I understood you to say that.

General BISSELL. I said I had reason to believe I did because I mentioned that date in the letter transmitting the Gilder report. I described not this paper but the Van Vliet report.

Mr. FURCOLO. Did you say that immediately after Van Vliet had concluded his report about the massacre of the Polish officers at Katyn Forest, that it was your intention to send that report at once out of your office?

General BISSELL. That is correct.

Mr. FURCOLO. Did you also say that to your best recollection he had completed that report about May 22 or May 23, approximately?

General BISSELL. My recollection was that he had done the dictating on the 22d, that it was completed either on the 23d or the 24th, and brought to me on one of those two dates.

Mr. FURCOLO. In other words, you apparently had the Van Vliet report of the Katyn Forest massacre on, say, the 23d or the 24th of May 1945?

General BISSELL. That is correct.

Mr. FURCOLO. And at that time, on May 23 or May 24, when you had that completed report, the purpose in your mind was to send that out immediately; is that right?

General BISSELL. That is correct.

Mr. FURCOLO. And at that time, on May 23 or May 24, when you had that completed report, the purpose in your mind was to send that out immediately; is that right?

General BISSELL. That is right.

Mr. FURCOLO. The very next letter in connection with it that you can recall having sent out was the letter of May 25, 1945, to General Holmes?

General BISSELL. Yes. Well, I don't know that is so because there were lots of other State Department—I can't tell you. I don't know. On this subject, certainly.

Mr. FURCOLO. On this subject, your best recollection is that the very next letter you sent out was to General Holmes on May 25, 1945?

General BISSELL. That is right.

Mr. FURCOLO. And is it for that reason that you believed the Van Vliet report of the Katyn Forest massacre was sent in the letter of May 25, 1945?

General BISSELL. No; my reason for believing it is because it was so stated in the letter carrying the Gilder report on the 21st of August, I think.

Mr. FURCOLO. Well, the letter carrying the Gilder report does not indicate when they might have received the Van Vliet report from you, but merely in effect says: "Compare the Gilder report with the Van Vliet report."

General BISSELL. Forwarded to General Holmes May 25, 1945, and it generally substantiates all material facts in Van Vliet's report.

Mr. FURCOLO. Forwarded to General Holmes May 25, 1945. Now, does that not completely fix in your mind the fact that if you ever did send the Van Vliet report on the Katyn Forest massacre to General Holmes, it was sent in the letter of May 25, 1945, to which this Gilder report refers?

General BISSELL. In a letter of May 25.

Mr. FURCOLO. In a letter of May 25, 1945.

General BISSELL. A transmittal letter.

Mr. FURCOLO. Have we finally got tied down the fact that you say that the Van Vliet report on the Katyn Forest massacre was sent in a definite letter to General Holmes on a definite date of May 25, 1945?

General BISSELL. I said that in this letter.

Mr. FURCOLO. Is that what you say as you sit here today?

General BISSELL. Today I am not sure it did go because there is no indication it was received. Something could have happened and I don't know what, if anything, ever did.

Mr. FURCOLO. That is right, but the point is if you did send it, you are saying that you sent it on May 25, 1945, in a letter to General

Holmes. Would you be willing to say, in view of that, if it was not in that letter of May 25, 1945, to General Holmes, then your position would be it apparently did not go?

General BISSELL. Almost that. What I actually say is this: there were two places it was logical for me to send that, and quick. One was to War Crimes, which was not so urgent at that time because they were just getting going. The second one was to State. Van Vliet and I had both mentioned the State Department aspect of it. I don't know where the paper was sent. Therefore, I tried to figure back where there is any evidence of it being sent. The only evidence is that. That is that.

Mr. FURCOLO. In other words, the only evidence that the Van Vliet report was sent to the State Department would be the fact that the Glider letter says that it was sent in the letter of May 25, 1945, to General Holmes?

General BISSELL. That is right, plus the fact that the Glider letter was then processed for nearly months in State and no one ever made a query as to "Where is this thing you are referring to?"

Mr. FURCOLO. That is a separate thing. That is an absence of evidence rather than a positive indication.

In other words, your position as you say now is that the only documentary evidence that the Van Vliet report on the Katyn Forest massacre was sent to the State Department was the fact that in the Glider letter it stated it had been sent in the letter of May 25, 1945, to General Holmes?

General BISSELL. That is right.

Mr. FURCOLO. So that is the only documentary evidence. Now, referring back to your testimony about 10 minutes ago at the beginning of my questioning of you, you agreed with me that as far as just that letter of May 25, 1945, is concerned, your interpretation of that letter would be that there was no enclosure in that. Is that not right?

General BISSELL. In this one?

Mr. FURCOLO. In the letter of May 25, 1945, to General Holmes. You stated that about 10 minutes ago and you gave your reasons; is that not true?

General BISSELL. Yes, but I am not talking about the same May 25 letter. I think there were two of that date.

Mr. FURCOLO. You think there might be some other letter of May 25, 1945?

General BISSELL. Van Vliet was as much a part of getting this letter over to State as getting over the other one. This all came out of him. It would have gone out together.

Mr. FURCOLO. The only letter that you have in the files or the only letter of which you have seen a copy in the files of G-2, your own office, on May 25, 1945, addressed to General Holmes, having anything to do with Van Vliet's report on the Katyn Forest massacre, is this letter that you hold in your hand and which we have read into the record; is that correct?

General BISSELL. That is correct.

Mr. FURCOLO. You agree that letter is not any evidence at all of the fact that the Van Vliet report document was sent, because of the wording of the letter?

General BISSELL. That is correct.

Mr. FURCOLO. So it is fair to summarize your position as being this: your position is, first of all, that you believe the Van Vliet report on the Katyn Forest massacre was sent to the State Department. You believe that it was sent in the letter of May 25, 1945. That was your original position?

General BISSELL. In a letter.

Mr. FURCOLO. You believe it as sent in a letter?

General BISSELL. Not this one.

Mr. FURCOLO. Of May 25, 1945. The only letter that you can find at G-2, or in your office on May 25, 1945, addressed to General Holmes, is that letter which is now exhibit No. 5, I believe?

General BISSELL. That is correct. That is not it.

Mr. FURCOLO. You state it is certainly no proof it was sent but in fact from the wording of the letter it indicates very clearly that it was not sent in that one?

General BISSELL. It was not sent in that letter of May 25.

Mr. FURCOLO. So what it comes down to, in other words, is that when you state this Van Vliet report we have been talking about had been sent to the State Department in a letter of May 25, 1945, you are basing that upon a letter that is nonexistent as far as you, or this committee, or anyone in the Government has been able to determine?

General BISSELL. That is correct, at the moment.

Mr. SHEEHAN. Or it could have been sent by a courier directly over there, without a letter of transmittal?

General BISSELL. It could but I don't think I did. I could have done that. I had a courier, a special one that I started to mention, this Mr. Dillingham. He did not follow hardly any of these procedures in handling State Department material to us or our material to State. His specialty was bringing to me State Department wires of certain categories and picking them out over there that I would be interested in, getting them to me quickly, things that would come to me again later in the regular channels after reproduction.

On rare occasions, none of which I can remember, I have sent things back by him because there could not have been any more a secure way to get them over there quickly. I don't think it was done in this case because usually when I sent anything like that, since it was short-cutting all the rules, I would call Mr. Holmes and ask him if he got it right away. Or I would do the opposite thing, I would have Dillingham phone me back, gas line or otherwise and tell me it was there, either one of which satisfied him.

Mr. FURCOLO. I wanted to say I know your position is the same as ours. We are interested in tracing that report. We are not particularly concerned about whether we trace it to the State Department or trace it to the Department of the Army, or G-2, or anyplace. Your position is the same, I know.

With that in mind I wanted to ask you this: In view of your testimony, which I know to be true, and I know that you had so many of these matters and some at the time were more important than others. Later on history will show that some which looked unimportant have turned out to be extremely important.

Might it not appear to you at the present time that actually, with all the different things you had to do and the hours you had at the time, and short-handed as you were, and with the testimony that has

been developed upon which you based your opinion had it been sent, that actually the Van Vliet report was just lost in the shuffle someplace along the line?

General BISSELL. When I started in—Mr. Shackelford is a person not involved—I said, “Where is this paper?” It is in State, it is in G-2, it is in War Crimes, or it is in my own personal office file. I was no longer in G-2. We searched every one of those. We got in touch with all of the people that could have seen it. We went further down the line of files than you did. We went to Miss McKenna and then on down. When I started down the line, I knew there were some outs that were perfectly all right, that might block us on finding it in G-2 if it had been left there, and never gone out. These are those outs.

While I was in G-2 we were still cutting down files and people to get smaller. I was only there some 7 months after the Van Vliet arrival, then I was gone. At that time I turned the whole thing over to General Vandenberg. I made every assumption that I could against myself. The first one was, “Maybe you forgot and put it in your personal safe in your own office, the little one.” I never took it out of there, so if it were taken out of there it had to be taken out by someone who had the combination.

I asked General Weckerling if he had the combination. He said, “I might have.” I said he did because I had left Washington for as much as 2 months at a time. He didn’t remember a thing about this matter.

I did not contact General Vandenberg, but it was not appropriate as he was my boss. It was not appropriate to ask him this question. So I had it asked through Mr. Shackelford’s office. The reply from General Vandenberg was “Absolutely no.” When he opened that safe and took over from me, it wasn’t there. He doesn’t remember, either, any of the papers, if any, that were there, which did not help me. I know that the day I left G-2 I had the combination of the safe changed.

So, after that what was in it was not mine. General Vandenberg did not steal those papers and turn them over to the Commies, or he did not hold them up for anybody else. I am sure of that. He was busy taking over G-2, and I know what it means.

Then where could it be? Well, outside the door were these files they spoke of as my personal safe. That really wasn’t a personal safe, except that it had some personal files in one drawer. The rest of them were routine safe in the alphabetical number system. It might have been in some of those. So we found out where the contents of those had been sent first. The safe outside the door—a man named Gen. Carter Clark had gone over those with Miss Bryant, who is still within reach. She is married and down just south of Alexandria. She said she sorted out every paper in there, saying “I will take this one. These are top secret.” This is one of the instances they did not go through with the red tape. “I will take this one. You send that one to so-and-so.” When they were through there were two piles. The young lady did not know what was in either pile. She knew she transmitted these in the pile she was directed to forward.

General Clark was contacted and said he didn’t see anything about Katyn or the Colonel Van Vliet report. We went to the next safe where the big files were. We went to the files we had in the office,

where we kept them by subject. We went through those cards. I had trouble getting that done because those cards were still extant at that time. The papers to which they referred, for the most part, were gone. The reason they were gone was because they had been shipped out to various places to clear the office. The Korean business was on. They needed space. Papers in these files were pushed out and considerable numbers had been destroyed in the period between my departure from G-2 in 1945 and this period in 1950, 4 years.

G-2 had been compressed, in the Pentagon into much less space. It was a smaller machine. It could have been destroyed among those papers. The people that did that destroying, a lot of them were not too well qualified. They did the best they could. But how could it have gotten into that file? Mr. Lantaff said it came out to him. He told you what file he kept it in. He doesn't know what happened to it. Neither do I. As a matter of fact, neither do I, to absolutely say I saw it go there. My procedure of having other people do everything possible and that is the only way you get any bigger job done, where I did not actually handle the paper—I did not bring it in. Either Van Vliet or Mrs. Meeres brought it in. I did handle it a while. One of those two, or Lantaff, took it out. After that I never saw the paper again.

Mr. MACHROWICZ. I am not going to repeat some of the matters that were gone into by my colleagues, but there is one thing that I would like to find out which concerns all of us, even more than the Katyn matter. That is the possibility of the loss of these documents at such frequent intervals.

I would like to find out from you, in view of what you just said, just how you keep those documents. Let me ask you this: suppose someone comes in and talks to you or brings you information about the Katyn massacre or Dachau, or some other incident. Do you file that just in your safe, or do you put it under a certain heading?

General BISSELL. I keep nothing in my safe.

Mr. MACHROWICZ. Do you have it filed under a certain heading.

General BISSELL. A file system is established for the entire office. It was established before I came there. The same one was in effect when I left.

Mr. MACHROWICZ. I am not insisting you were to blame for it. I want to find out whether there is a system.

General BISSELL. Very definitely.

Mr. MACHROWICZ. It is pretty hard for a Member of Congress to break into this wall. It is hard to get information from the Pentagon. When you receive information on a particular subject, is that information placed in a master file with that name as a heading?

General BISSELL. In G-2, while I was there we had a group called the Specialist Group, who specialized on Germany and on Japan. They saw everything on their subject. Unless it required action or was ready for action, it went to them first and not to me. They had everything.

Mr. MACHROWICZ. That does not answer my question.

General BISSELL. They kept a certain amount of this material in their offices while it was live. As it passed the live stage and became dead, it was sent down to general files.

Mr. MACHROWICZ. That does not answer my question. Supposing you are interested in obtaining information which G-2 possesses on

a particular subject, Katyn for example, can you go to the file and find under "Katyn" all the information which the Department has on that subject?

General BISSELL. Not now. It has been spread from one end of the place to the other.

Mr. MACHROWICZ. Was it at the time you were there?

General BISSELL. It would all have been in the Russian section.

Mr. MACHROWICZ. If you were interested as the head of G-2 to get all available information on a specific question, was there not a file to which you could look to find out where all the information available to G-2 is on that particular subject?

General BISSELL. All the live information, yes. There would be lots more information in other places than G-2, but it would not be live. Some may be far away.

Mr. MACHROWICZ. So I presume there was a file labeled "Katyn"?

General BISSELL. Probably. I can't say for sure. I didn't check it.

Mr. MACHROWICZ. You know now, although you probably didn't at that time, there had been information, and valuable information, requested and received by G-2 on Katyn prior to the Van Vliet report?

General BISSELL. I found out subsequently about the Szymanski report and read the letter of transmittal to General Strong.

Mr. MACHROWICZ. You know G-2 specifically requested Colonel Szymanski to furnish information relative to the Katyn matter?

General BISSELL. I know that the report came in two ways, one to General Strong personally, and exactly the same paper sent another way.

Mr. MACHROWICZ. You as the head of G-2 wanted to get all the available information on Katyn there was, any place where you could look under a filing system and find Katyn and find Szymanski?

General BISSELL. It would have gone to the Russian specialists, because that is Russian territory and a Russian problem.

Mr. MACHROWICZ. I do not care where it would have gone, but there was a place where you could have gone and gotten all the available information?

General BISSELL. All I would have had to do was to tell Lantaff. He would have gotten the Russian specialists. The Russian specialists would have gotten the stuff from their office. They would have gotten the stuff I needed.

Mr. MACHROWICZ. There was a way of finding out available information on any important subject?

General BISSELL. Hot stuff.

Mr. MACHROWICZ. When you were told that Colonel Van Vliet was coming to see you and make a report on the Katyn massacre, did you request from anyone under you to get a complete file on that subject?

General BISSELL. I didn't get any such warning. He was in the office when I got back from a trip out of town. I wanted to get to him in a hurry because I understood he had been waiting.

Mr. MACHROWICZ. When you did talk to him, did you then request to get that information?

General BISSELL. No; I did not at that time because I had a copy of this letter of May 25.

Mr. MACHROWICZ. You did not have it then?

General BISSELL. No; it was written. While I was talking to Van Vliet I didn't want to be influenced by anything but Van Vliet.

Mr. MACHROWICZ. He came to see you on May 22. The letter was May 25?

General BISSELL. That is right. I put this letter out.

Mr. MACHROWICZ. Which letter?

General BISSELL. The letter of May 25, addressed to Julius C. Holmes.

Mr. MITCHELL. May?

General BISSELL. May 25, 1945, to Julius C. Holmes.

Mr. MACHROWICZ. Did you at either time when you talked to Colonel Van Vliet, or afterward, refer to the available live information which was in the G-2, to either check his information with other information which you received as to his veracity in regard to his observations or anything at all?

Did you do anything to find out what other available information you had in G-2?

General BISSELL. I did not go to the general files. I didn't mention it to the Russian specialist.

Mr. MACHROWICZ. Did you have anyone else do it?

General BISSELL. No, sir. The reason for that was, had anything come in during the period I was G-2 on a matter of that nature, it would have been told to me.

Mr. MACHROWICZ. You say the Katyn report would have been properly filed under Russian affairs?

General BISSELL. The Russian specialist would have had it and he would have determined where it was going to go.

Mr. MACHROWICZ. If I am wrong, I hope Mr. Shackelford corrects me. It actually was found under Poland?

General BISSELL. It could well have been. Where you have three countries, it would go first geographically to the man who handled the area. Then he would see that those interested in it would receive either copies made for them or have a chance through rotation to see it.

Mr. MITCHELL. Was it, at the time you were G-2, a fact that Poland and Russia were in the same area known as eastern Europe?

General BISSELL. There was Eastern Europe Chief. He had sub-chiefs for different subareas.

Mr. MITCHELL. The reports would have gone to the Eastern Europe Section?

General BISSELL. That is right.

Mr. MACHROWICZ. At any rate no attempt was made by you to evaluate the Van Vliet report by even trying to compare it with available information you already had in G-2?

General BISSELL. I was going to use the reply to this letter as the starting point for that.

Mr. MACHROWICZ. Did you use it as a starting point?

General BISSELL. No.

Mr. MACHROWICZ. Why not?

General BISSELL. Because, when it came back, I was just telling you my reaction, and why I didn't go along with the State Department's comments or their conclusions. I have just mentioned two of them. When questions put an end to it.

Mr. MACHROWICZ. Their conclusions had nothing to do with the evaluation of the Van Vliet report?

General BISSELL. That is what you say.

Mr. MACHROWICZ. Am I right? What conclusions are you referring to?

General BISSELL. If State, instead of being able to tell me they didn't actually get this reply, had told me, "Yes, we got it: here is what it says," and gave me another Van Vliet report, I would have had everything I needed to evaluate his report, one sent in 2 years earlier, and then this one. That would have established his memory, accuracy, detail of a good many kinds.

Mr. MACHROWICZ. Why didn't you look in your own department to see what information you had?

General BISSELL. Because, had anything of significance come in—

Mr. MACHROWICZ. How do you know?

General BISSELL. I had a meeting each morning about 7 something, at which the specialists of each branch told me everything of importance that came in within the last 24 hours.

Mr. MACHROWICZ. Did you consider the Colonel Szymanski report filed with your department at the request of your predecessor, and a report which was very lengthy and very important, or did you think it not important enough to consider?

General BISSELL. Had that report been brought to me without evaluation, as it came in, the colonel did not say, "This is true, this is untrue, this is probably true."

Mr. MACHROWICZ. You are talking about Colonel Van Vliet's report or Colonel Szymanski's?

General BISSELL. Szymanski's. He didn't say "This is based on people whose veracity and dependability I know well."

Mr. MACHROWICZ. He did not say that?

General BISSELL. He didn't evaluate it at all. He said, "Transmitted herewith is so-and-so," a very short letter, to General Strong.

Mr. MACHROWICZ. Are you quite positive of that?

Mr. MITCHELL. Are you referring to the exhibits which are already on record with this committee?

General BISSELL. That is the only thing I know about it, what has been printed in the press. I read his report in G-2 during that period, April 1 to 12.

Mr. MITCHELL. What year?

General BISSELL. This year. I saw nine exhibits with about this much of letter transmitted [indicating about 3 inches]. That is all Szymanski contributed. It was someone else's material being forwarded. I examined each of those. Three of them said they were hearsay. Some of them said they were hearsay several times removed. Three others did not mention Katyn.

Mr. MACHROWICZ. What you are referring to is he never got anyone actually at Katyn when the shooting took place?

General BISSELL. It was all hearsay.

Mr. MACHROWICZ. He never had an eyewitness?

General BISSELL. No. He had neither eyewitnesses nor other evidence. By evidence I mean something that a lawyer can use. Fortunately we had lots of lawyers in G-2. They weighed things. They had to be right.

Mr. MACHROWICZ. I think you said a few minutes ago that you never had the Colonel Van Vliet report in your hands.

General BISSELL. I didn't say I never had it in my hands. I held it a while while I read it over with Van Vliet in my office, and asked

him if he wanted to make any changes. He didn't want to make any. I had him initial the thing. He did that. I don't think I even picked it up off my desk.

Mr. MACHROWICZ. Did you ever order that to be put in the Katyn file?

General BISSELL. No.

Mr. MACHROWICZ. Why not?

General BISSELL. Because I didn't want it to get that much circulation at that point.

Mr. MACHROWICZ. If you ever transmitted to anyone——

General BISSELL. I would not have needed to say that. If a paper came into my office and I did not need to take action on it, just information, my initial was usually put in on it, but not always. It was put in the out basket. It went out and was filed properly. I didn't personally have anything to do with the filing.

Mr. MACHROWICZ. Was it properly filed?

General BISSELL. Maybe only 99.999 percent thereabouts.

Mr. MACHROWICZ. If some one subsequent to you, a successor to you, the next day, wanted to check the Katyn file and asked the head of the Russian or Polish departments about it, would he have been able to find the Van Vliet report?

General BISSELL. No.

Mr. MACHROWICZ. Then you would say it was not properly filed, was it?

General BISSELL. If he did not find it, he would have come to my secretary and reported the fact. My secretary would say, "Well, this is the dope on that."

Mr. MACHROWICZ. How could he report a fact which he would not have known about? How could he have known about the report?

General BISSELL. If he didn't know about it, he couldn't do it.

Mr. MITCHELL. You just said in reply to Mr. Machrowicz that you had a daily briefing session with the members of your staff. Did you meet these area chiefs at any time and discuss either the Katyn affair, or Van Vliet's report at that briefing session?

General BISSELL. I did not.

Mr. MITCHELL. You never have discussed that?

General BISSELL. Never.

Mr. MITCHELL. You have never discussed it with any other member of G-2 except Colonel Lantaff and Mrs. Meeres?

General BISSELL. I didn't discuss it with Lantaff.

Mr. MITCHELL. They are the only two people you knew who knew about it?

General BISSELL. That is right.

Mr. MACHROWICZ. Did you have any members designated as liaison officer with the OWI?

General BISSELL. Yes.

Mr. MACHROWICZ. Who were they?

General BISSELL. Many people at many times. I can recall no names.

Mr. MACHROWICZ. At that time, in May 1945.

General BISSELL. I couldn't tell you.

Mr. MACHROWICZ. Whoever they were, did you instruct them to give this information to the OWI?

General BISSELL. No.

Mr. MACHROWICZ. You did not think the OWI should know this information?

General BISSELL. I think we are getting in trouble on sources of information, but I will be glad to tell you in executive session.

Mr. MITCHELL. Mr. Shackelford, does the record of the G-2 office in the period while General Bissell was in charge of G-2, show who were the liaison officers to OWI and who were the OWI representatives to G-2?

Mr. SHACKELFORD. I would be glad to check the records for that information, and if it is in the records, to supply it to the committee.

Mr. MACHROWICZ. It would not do any good in view of the testimony it was not generally discussed, anyway.

General BISSELL. I did not.

Mr. MACHROWICZ. They had no knowledge of the Van Vliet report?

General BISSELL. I can't say.

Mr. MACHROWICZ. If they did, they got it improperly?

General BISSELL. No. There were other people in the world who knew that these people had been there. They had many contacts in many places.

Mr. DONDORO. Was that a part of your function?

General BISSELL. I was on a committee called the Joint Intelligence Committee. There were meetings once a week where I saw representatives of OSS, State, War, Navy, Air, and sometimes others. This is not the nature of a question that would have been taken up there. They were not policy recommendations to the combined Chiefs of Staff or Joint Chiefs for the conduct of their intelligence arrangements, prior to major operations, or something that we could think of that would help the prosecution of the war.

I also had conferences with the head of Naval Intelligence and the FBI, a little different group. We met periodically and took up everything on the counterintelligence side both in the United States and world-wide, dividing the duties between us, according to the regulations in effect at that time, which was an Executive order.

Beyond that, I don't think I should go into that one.

Mr. MACHROWICZ. I presume you read Arthur Bliss Lane's article in the American Legion magazine?

General BISSELL. I don't know who wrote it. It doesn't say. I would like to have found out.

Mr. MACHROWICZ. I am not saying this, because I believe statements contained in here, but I believe you should be given an opportunity to comment. There is a statement there which states:

We heard that Van Vliet was behind the closed doors of General Bissell's private office a long time, alone with the G-2 general. When he reappeared in the reception office we learned Van Vliet was flushed, seemed intensely but silently angry. He went as directed by Bissell, with the general's personal security stenographer across the corridor to a smaller office.

Colonel Van Vliet made no such statement to us, that he was flushed or angry or anything that occurred between you two which would give rise to that statement. I am going to ask you, have you any comment on that?

General BISSELL. I would welcome you taking Van Vliet's word on it, but there was not the slightest unpleasantness. My only feeling was, shall we push this fellow for this now? He was off the normal track. Normally, when some returned person came in, we tried to

be sure they were fit to make a report. Colonel Van Vliet was, but he was awfully tired. He was ready to go, it seemed. I don't know anything that happened, to my knowledge, that didn't suit him to a "t."

Mr. MACHROWICZ. I want this on the record.

Do you claim that this statement is not justified by the facts?

General BISSELL. As far as I know, there is no basis of fact in it at all. I don't know where it could have come from.

Mr. MITCHELL. Have you tried to find out?

General BISSELL. No. The only thing I was interested in was having a check made to see if any of those were libelous. When you analyze them carefully, there is not a firm statement about me in them; every one is a quiz, qualification, or implication, or inference.

Mr. MITCHELL. Have you discussed the article with Arthur Bliss Lane?

General BISSELL. No. I do not go to former State Department people except through War Department channels. I am a civilian.

Mr. MITCHELL. So is he.

General BISSELL. His status is different from mine. I am on the Government payroll as a retired officer.

Mr. MITCHELL. So is he.

General BISSELL. I didn't know that. Mr. Lane is a nice person. I don't think he would be vindictive about me. He might have lent himself to something for a purpose, but I don't think he meant anything vindictive.

Mr. DONDERO. I have two or three short questions.

I try to get in through a crack once in a while between my colleague from Michigan and counsel for the committee.

Here is something that challenges my attention and may yours: In the letter that you wrote on August 21, 1945, appears this statement:

Transmitted—

and this goes to Mr. Lyon—

for the information and file of the State Department is the report on Katyn by Stanley S. Gilder, captain, EAMC, British medical officer. This report supplements statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes, May 25, 1945, and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report.

The word "forwarded" is what challenges my attention. Would it be forwarded by mail or would it be forwarded by a messenger?

General BISSELL. I think undoubtedly by top-secret courier.

Mr. DONDERO. Now, after that letter was written, was it delivered to the State Department?

General BISSELL. This particular one?

Mr. DONDERO. This letter of August 21, 1945.

General BISSELL. They got this letter all right.

Mr. DONDERO. Did the State Department at any time, from the time they received it, up to this hour, ever say to you or to your office that they had not received the Van Vliet report?

General BISSELL. No. I pointed out they processed this letter for just 5 days less than 2 months. So many people handled it. It seemed to me that would have been almost inevitable.

Mr. DONDERO. It goes without saying, if they did not receive it, some statement should have come from the Department they did not receive it.

Mr. MACHROWICZ. Let's get this correct. Do you say the State Department never denied receiving the letter of May 25?

General BISSELL. I thought the State Department had not. I am talking about the letter to Lyon carrying the Gilder report, and not the May 25 letter. This letter is a letter of August 21.

Mr. MACHROWICZ. Read page 2 of the Department of Defense release in this matter.

General BISSELL. "General Holmes, in reference to the matter"—Which matter?

Mr. MACHROWICZ. This is the Department of Defense speaking here. They say, "The Department of State has no record of having received the memorandum of Lieutenant Colonel Van Vliet on May 25, 1945, and the Department of Army has found no receipt for it and no covering letter of transmittal."

Mr. DONDERO. What is the date of that?

Mr. MACHROWICZ. September 18, 1950.

Mr. DONDERO. That would have been 5 years—

Mr. MITCHELL. Just a minute.

Mr. MACHROWICZ. That is the date the Department of Defense gave the information, not the date from the Department of State.

Mr. DONDERO. That is the only statement I have heard as to what the attitude of the Department of State was, whether they received that or not.

Mr. MITCHELL. I want to say that is not in any letter form whatsoever. That is a comment by the Department of the Army at the time they passed this memorandum for the press, dated September 18, 1950.

The State Department, to my personal knowledge, is not on record with this committee or anywhere else.

Mr. DONDERO. That they ever received the report or denied or even answered that letter of August 21, 1945, when they had a chance to do it, after General Bissell had written this letter to them and said, "This supplements the material contained in the Van Vliet report."

Mr. MACHROWICZ. I can't understand your statement.

Mr. SHACKELFORD. The State Department will speak for itself, but insofar as this Defense Department statement was concerned, it was based on a thoroughgoing cooperation on their part. They were as anxious to find it as we were. They gave it the full diligence, when they were unable to find it. It is on the basis of that information that this statement is based.

Mr. MACHROWICZ. Information from the Department of State?

Mr. SHACKELFORD. Yes, sir. When they are before your committee, they will speak for themselves.

Mr. DONDERO. When the State Department receives a letter from General Bissell, or received a letter back in August 1945 that he had forwarded this report and they did not have it, wouldn't you naturally suspect they would come out and say then, not 5 years later, "We never received that report"?

Mr. SHACKELFORD. I believe it would be more satisfactory from your standpoint and the committee's standpoint if State were to speak to that, since it is outside of my province.

Mr. DONDERO. I just wanted to call attention to that. There is one other matter, and then I am through.

I have before me here a letter written by Mr. Shackelford to me on October 6, 1950, in answer to correspondence which I had directed to either the Department of the Army or the Department of State, inquiring what had become of the Van Vliet report. You answered me.

In the answer is this statement:

There was a mistake made—

I want to read three or four lines—you say:

Gen. S. LeRoy Irwin in his reply on October 19, 1949, to your letter—
meaning to me—

of October 6, 1949, referred to a Katyn massacre report which was partially based on Lieutenant Colonel Van Vliet's observations.

In making this statement he erroneously thought—

and he, I think, refers to General Irwin—

he erroneously thought that the study entitled "Supplementary Report on Facts and Documents Concerning the Katyn Massacre"—

which was the report which the Polish government in exile made, if I recall correctly—

was based in part on information supplied by Lieutenant Colonel Van Vliet. This was not so, and the supplementary report was an independent and detailed study made by a Polish committee, which at no time has conferred or consulted with Lieutenant Colonel Van Vliet.

How was it possible in that office for General Irwin to make a mistake of that magnitude?

Mr. SHACKELFORD. It was a very unfortunate job of mislabeling, as is brought out in the Inspector General's report, and through really just a plain error.

This supplemental report, which I believe is approximately some 45 to 50 pages in length and prepared by the Polish government in exile, was incorrectly labeled as partially based on the Van Vliet report. It was from that clue, as it ultimately came through to General Irwin, his letter was based.

Mr. DONDERO. Could it be possible there is some error made regarding the Van Vliet report, so far as it affects this committee?

Mr. SHACKELFORD. We have done everything in our power—and very aggressively, to try to follow every possible clue that we had, and to examine every possible file to turn the report up and to find out any error.

Mr. DONDERO. I know you have made every effort possible, because you have been in my office more than once regarding it.

Mr. SHACKELFORD. Thank you.

General BISSELL. Mr. Dondero, may I say, when I appeared before the Inspector General, I pointed out that several letters had been sent out of the Department of Defense that conflicted with each other, to Members of Congress and to others, and that I asked the Inspector General to especially clear that thing up. I think he did. It was because people didn't know what they were handling, and called it different names, and because it was handled by different people at different times, and they didn't coordinate. I did stress that.

If you read the testimony there, given to the Inspector General, you will find that I especially asked them to go into that and clear it up, so that the Secretary of Defense would not be in an untenable position as he was in then.

Mr. MITCHELL. I have one question to ask.

When were you relieved as assistant G-2?

General BISSELL. In January 1946.

Mr. MITCHELL. What was your next assignment?

General BISSELL. Military and air attaché, Court of St. James's, London, American Embassy.

Mr. MITCHELL. When did you report for active duty there?

General BISSELL. In May, the 8th day of May 1946.

Mr. MITCHELL. When were you handed the Polish reports, known as the facts and documents concerning Polish prisoners of war captured by the U. S. S. R. during the 1939 campaign?

General BISSELL. I have got that in my story here. I will find it.

Mr. MITCHELL. And the supplemental report on facts and documents concerning the Katyn massacre, which is the one that was just referred to?

General BISSELL. That is 1946, and the Polish-London report is page 43.

On November 20, 1947, after a dinner with a small group of Poles, and during the course of a social evening—

Mr. MITCHELL. Wait a minute. What is that date? Was that November 27? What year?

General BISSELL. On November 20, 1947—and I went to London in 1946.

You asked me when I got those papers. I am trying to paint the picture precisely for you.

On November 20, 1947, after a dinner with a small group of Poles and during the course of a social evening in the home of one of these Polish couples in London, arrangements were made for me to meet with a Polish gentleman who was stated to have assembled all the available Polish information on Katyn. The meeting occurred on November 25, 1947.

Again I was told the story of the massacre of thousands of Poles by the speaker, who stated he believed that it had been committed by the Russians. He wished the information brought to the attention of the Americans at Nuremberg. I made a request for all the data they wished to furnish me.

I agreed thereafter that the action would be taken that was considered appropriate, after a check of the nature of the data furnished me. I did not know what they were going to furnish me, and I did not want to be committed to get something into Nuremberg if it wasn't right.

Arrangements were made for another meeting at which all the available material would be delivered to me in writing.

Within a week, the material was furnished to me. On December 2, 1947, I telephoned Gen. Telford Taylor at Nuremberg, telephone Justice 6117, and told him guardedly what I had secured, and that it was for the United States group at the International Military Tribunal, that I thought he should see it promptly.

He said he would send a plane for it within 3 days. This arrangement did not eventuate, so other arrangements for delivery were made.

On December 15, 1947, I talked with General Taylor on the telephone. He then informed me the material had been received, ex-

pressed appreciation, but made no other comment to me then or ever subsequently.

Following what was routine procedure, G-2 Washington was advised of the procurement of this London Katyn report, and of its handling, having been forwarded to General Taylor. I believe no duplicate copy was available to send to G-2 in Washington, and I requested General Taylor to send to G-2 the copy furnished him when it had served his purposes. I believe this copy was duly received, because Mr. Shackelford told me he had seen a copy and his comments concerning it convinced me that he had.

The Katyn report forwarded from London to General Taylor and subsequently to G-2, consisted of two voluminous reports totaling 529 pages. They were in English. I believe they were anonymous, though—as I recall, there was a statement in them that the Polish sources had been used; in part the matter was repetitious, but it did contain a most comprehensive account that obviously had involved a great effort. These papers reached no stated conclusion of guilt, but tended to build up a case against the Communists. I have reason to believe that one copy of this report had been before the Nuremberg Tribunal in June 1946 and was rejected.

Mr. MITCHELL. That is the point exactly, right there.

Mr. SHEEHAN. Is he right on his dates?

Mr. MITCHELL. I want to point out the Inspector General's report is totally inadequate, because it mentions no data as to what the general is giving here. Obviously he must have talked to the general, because he is talking about November 1947 and they leave out when he sent these documents to General Taylor.

The Nuremberg trials were July 1 and July 2, 1946, when the Katyn affair was involved, and it was on the Goering indictment at that time.

Therefore, the date that was sent to General Taylor in December 1947, was wholly unnecessary. There was nothing that could have been done with it at that particular time. However, the general has just made the statement that he had reason to believe that these same documents were present at the Nuremberg trials.

Could you explain that further?

General BISSELL. I never had an opportunity to read the Nuremberg report until I came up here last month, when I read them and found what I thought was the same thing.

Mr. MACIROWICZ. That is the reason you had to believe they were—

General BISSELL. The Russian counsel is quoted in the Nuremberg reports as describing the paper as anonymous, as in English, as having been published in London and as not being admissible, because it was from Polish sources and they were not admitting it at Nuremberg. as I understood it, in reading it. I did not look at it too carefully. There is a lot of stuff on Nuremberg. They were not admitting as evidence anything on this particular case, except official Government papers.

The Russian paper was an official Government paper, but the Russians had not recognized that Polish Government that was in London at this time. They had severed relations with the Poles when the Poles asked the International Red Cross to intercede.

So, that made the document inadmissible.

Mr. MACHROWICZ. Who was offering that document in evidence in Nuremberg? I frankly have not seen any mention of it. I don't know if our counsel has or not.

General BISSELL. One of the counsel for either——

Mr. MACHROWICZ. Goering?

General BISSELL. Or another defendant. Two were being tried jointly at that particular moment. Now, please don't misunderstand me at all. I knew about Nuremberg. I visited Nuremberg when the principal criminals were being tried.

Mr. MITCHELL. That was at this time?

General BISSELL. No.

Mr. MITCHELL. Yes. Goering was the principal witness.

General BISSELL. But this was 1947, and the time I visited them was earlier than that.

Mr. MACHROWICZ. Frankly, I am confused again. I have not read all of the Nuremberg trial proceedings, although I have some of them, and frankly I saw no mention of anyone offering in evidence any documents obtained from the London government.

General BisSELL. Yes; I think they tried to get this one in.

Mr. MACHROWICZ. I would like to ask our counsel, who I presume has checked the Nuremberg trials, Is there any record of anyone offering them in evidence?

Mr. MITCHELL. If you will recall, when we had Mr. Kempner on the stand in Frankfurt, several volumes of the Nuremberg trials were mentioned in the course of that. I believe when they were submitting documentary evidence, although I have not checked the official documents because they are not contained in the trial hearings, as yet. But I intended to do that in the near future, and I will check that very point. However, if the general can tell me which volume and where it is, I will be very appreciative.

General BISSELL. Mr. Shackleford can, but I can't. His office made some references to where things appeared. I didn't have time to read many of them. I ran into that one and that is the reason that I have it in here, because it seems to be bearing on the Nuremberg presentation on this particular material. I knew from personally being at the Nuremberg trial when the principal criminals were under trial, and talking with Telford Taylor there. They couldn't do that trial without the electrical set-up for the thing coming out in many languages. That broke down so I had a chance for an hour and a half to talk with Taylor. There was no mention of Katyn at that time. He was on another case. I was interested in these criminals in the box, because they left them there and the judges went out. I knew only the details on the Nuremberg thing since last April, and then not very thoroughly. There is supposed to be a book of documents. I didn't look at it at all at that time.

Mr. MACHROWICZ. Our committee was given the information in Europe that certain documents had been furnished by the Polish Government in London to the proper authorities in Nuremberg, and were never presented. Now, the information that you give me seems to bear out that that charge is not correct.

General BISSELL. They didn't let them present it.

Mr. MACHROWICZ. That is different.

General BISSELL. They got them ready.

Mr. MACHROWICZ. They were offered?

General BISSELL. And the Russian who was presiding that day made the decision, "We would agree only to take official documents and this one is not an official document because it is not of a government recognized by all of the members of the court."

Mr. MITCHELL. I believe that will be confirmed in our hearings, I believe, by both Dr. Stahmer and Mr. Kempner. Dr. Stahmer was the German defense counsel on the Katyn indictment on the Goering trial, and I think you will find that that is correct, except that I do think there was some mention in the record, which I have not had an opportunity to check but which we will take up later when we go in that aspect of the case.

Mr. SHACKELFORD. I will be glad to check our own records with regard to the Nuremberg trials and volumes and supply any pertinent citations which we may have to the committee.

Mr. SHEEHAN. Might I ask you to refresh my recollection on the Nuremberg trials? Weren't they started in November of 1945 and finished in July or August of 1946?

Mr. MITCHELL. What happened was this: They started discussing the Katyn affair or indictment. They didn't know where to put it. So they finally selected Goering as a major war criminal. They put it in his indictment. They came up with the discussion in February 1946 as to how many witnesses each side would be permitted to call, and they haggled over it for 2 or 3 or 4 months. On June 29, if my memory serves me correctly, the presiding judge at that time, who was—

Mr. DONDERO. Lawrence, Judge Lawrence.

Mr. MITCHELL. Judge Lawrence, of the British, finally ruled and told both of them, "You will have three witnesses and only three witnesses," and they had those people up, cross-examination of both sides, July 1 and July 2, 1946. There was a summary by Dr. Stahmer, the German defense counsel, I believe, on July 6. There was no summary by the Russians or the Soviets, and the matter was dropped.

Mr. SHEEHAN. That is what I am trying to tie up. The general is quoting November 1947 and the trials were all over.

Mr. MACIROWICZ. It was not stated by any witness in Frankfurt that any offer was made to present any evidence in Nuremberg in the form of a document from the Polish Government in London.

Mr. MITCHELL. There was a slight reference in which he gave us a reference to a volume, in which I have a reference, and which I intend to check.

General BISSELL. I knew all of the time when this fellow came to me and wanted me to present this particular thing at Nuremberg that the main criminal trials were finished and the criminals executed long since, or disposed of. Then the court kept on for a long, long time with the minor things before they broke it into small particles and it went on for a long time. When I first went there—I could get it out of these papers but it is not important—it was approximately a year earlier, and the main criminals were then on trial. But I knew it was not going to change the main trial but was going to get to Nuremberg everything I could get as fast as I could get it there.

Mr. MITCHELL. No further questions, sir.

Mr. SHEEHAN. I have one question, Mr. Chairman.

Counsel, you asked Colonel Van Vliet in his testimony, when he came back and was in General Bissell's office, if Colonel Van Vliet knew

or heard of a Lieutenant Colonel Holloman. Did you have any particular purpose in that?

Mr. MITCHELL. Yes, sir; that was cleared up yesterday by Mrs. Mildred Meeres when I talked to her. Holloman's identity was mistaken for Lantaff. In other words, Lantaff in the record there is Holloman, really. Holloman has taken quite a beating from the Inspector General's office and everything as regards the mistaken identity on the part of Mrs. Mildred Meeres, and she went back to the War Department yesterday after meeting Congressman Lantaff and corrected the file as far as who the individual was, and it was Congressman Lantaff, not Holloman. At that time I was merely exploring.

General BISSELL. I think I can help you on that. Holloman was the head of the section for which Mrs. Meeres worked, and she only was in our office for this one thing. That is why Congressman Lantaff was the man instead of the colonel in his own section.

Chairman MADDEN. General Bissell, the committee wishes to thank you for testifying here today. Considering the extended versions of the testimony presented in regard to the particular report which the committee is interested in, there is no doubt but what the committee will have to explore further as to whether there is any possible avenue to determine the whereabouts or what happened to that particular report. We will make every effort by further witnesses which we will call. There is a possibility that we might want further testimony from you. Of course, our committee is merely interested in concrete testimony if we can secure it, or proof as to where the original Van Vliet report went. Inferences or suppositions will not satisfy the public as to what happened to the report. Of course, the testimony here today, possibly the highlight of the testimony, was the Inspector General's report, and I wrote it down as the testimony came out that in the Inspector General's report it said, in conclusions of it, there is no proof that the Van Vliet report ever left the office where it originated. I asked you about that, and you said that is correct.

General BISSELL. I confirmed it.

Chairman MADDEN. Now, of course, I know that the members of the committee are not satisfied as to its proposed exploration to determine the whereabouts or what happened to the Van Vliet report. So we will explore further and possibly we might have you testify again, I don't know. But nevertheless we are thankful for your presence here today.

General BISSELL. Be assured I not only welcome that, but hope you will.

Chairman MADDEN. The committee will meet tomorrow morning at 10 o'clock, in this room.

(Whereupon, at 5 p. m. the committee was recessed, to reconvene at 10 a. m., Wednesday, June 4, 1952.)

THE KATYN FOREST MASSACRE

WEDNESDAY, JUNE 4, 1952

HOUSE OF REPRESENTATIVES,
THE SELECT COMMITTEE ON THE
KATYN FOREST MASSACRE,
Washington, D. C.

The select committee met at 10 a. m., pursuant to recess, in room 362, House Office Building, Hon. Ray J. Madden (chairman), presiding. Present: Messrs. Madden, Flood, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee.

Chairman MADDEN. The committee will come to order.

Mr. MITCHELL. Mr. Chairman, I have a few brief remarks I would like to direct to the attention of the entire committee.

You will recall that when we were in Chicago taking the testimony of Col. Henry Szymanski, Colonel Szymanski took out of his personal file some documents which we put into the record as exhibits. At that time the staff of this committee had never seen those; neither had any member of this committee. Yesterday the same incident occurred here on the stand when General Bissell was testifying. The War Department counselor, Mr. Shackelford, brought out some additional letters.

You will also recall that this committee visited with the President of the United States in January, at which time this committee was assured that all official documents pertaining to the missing Polish officers and the Katyn massacre would be made available to this committee.

This committee has repeatedly requested verbally of the War Department counselor's office all documents connected with it. I am sorry to say this morning that I have been placed in a rather embarrassing position several times in the course of these hearings.

I would like to state openly that all documents in the War Department pertaining to the missing Polish officers and the Katyn affair should be presented to this committee.

Mr. MACHROWICZ. Mr. Chairman, would it not be better to wait until Mr. Shackelford is here before making that statement?

Mr. MITCHELL. His representative is here and has heard the remark. I am referring to Mr. Facher.

Mr. MACHROWICZ. Is Mr. Shackelford going to be here this morning?

Mr. FACHER (Jerome P. Facher, assistant to F. Shackelford, counselor, Department of the Army). He will be unable to be here today.

Mr. MACHROWICZ. Do you want to make any statement in connection with that?

Mr. FACHER. No, sir. We are trying to uncover some documents for the committee and there are several that are going to be forwarded later in the week.

Mr. MITCHELL. Thank you, sir.

The first witness this morning is Colonel Yeaton.

Chairman MADDEN. Colonel Ivan Yeaton. Will you step forward, please, and raise your right hand and be sworn?

Do you solemnly swear that in this hearing you will tell the truth, the whole truth, and nothing but the truth, so help your God?

Colonel YEATON. I do, sir.

**TESTIMONY OF IVAN DOWNS YEATON, UNITED STATES ARMY,
ACCOMPANIED BY JEROME FACHER, ASSISTANT TO F. SHACKEL-
FORD, COUNSELOR, DEPARTMENT OF THE ARMY**

Mr. MITCHELL. Colonel Yeaton, will you tell the committee your full name for the record, please?

Colonel YEATON. Ivan Downs Yeaton.

Mr. MITCHELL. And your home address, please?

Colonel YEATON. My home address at present is Fort Wayne, Detroit, Mich.

Mr. MITCHELL. Colonel Yeaton, will you state the date of your birth?

Colonel YEATON. I was born January 2, 1895, at Haverhill, Mass.

Mr. MITCHELL. Will you state briefly your educational background for the committee?

Colonel YEATON. Grammar school in Boston or Allston, Mass.; high school, Pasadena, Calif.

I have a degree in osteopathy from the College of Osteopathic Physicians and Surgeons in Los Angeles, and I took a year's postgraduate work in the College of Physicians and Surgeons in San Francisco, and interned in the City County Hospital in San Francisco.

Mr. MITCHELL. Did you attend the United States Military Academy at West Point?

Colonel YEATON. I did not, sir.

Mr. MITCHELL. When did you first enter the Army?

Colonel YEATON. Seventeenth of September 1917.

Mr. MITCHELL. How long have you been in the United States Army?

Colonel YEATON. Ever since, with the exception of 1 year's retirement, which was last year.

Mr. MITCHELL. What was your official duty station on September 1, 1939, and in what capacity were you serving?

Colonel YEATON. September 1, 1939, I was designated as military attaché to the Soviet Union. I am not quite sure where I was. I don't think I had joined my station, but I was en route.

Mr. MITCHELL. Was your official position at that time in any way connected with interpretive duties?

Colonel YEATON. At that time I was to be military attaché to the Soviet Union. It was my duty to collect information and to evaluate it. Yes, sir.

Mr. MITCHELL. Did you speak the Russian language, or write it, or read it?

Mr. MITCHELL. Do you remember or recall having seen those documents coming from G-2 from Col. Henry I. Szymanski?

Colonel YEATON. I did, sir.

Mr. MITCHELL. Could you tell the committee what happened to those documents as they were received, what the procedure was in connection with such documents?

Colonel YEATON. At that time, the organization of G-2 had what is known as a reading panel. There were three officers detailed down to the records section. Military attaché reports came in in 10 copies, I believe. The original, from which additional copies could be made, was sent to the records section. Of the 10 remaining copies, the reading panel decided on the distribution.

And as long as I was the responsible section chief, all extra copies would of necessity come to me. In my office these reports were filed under my Polish intelligence group.

Mr. MITCHELL. Polish intelligence group—how many individuals were working at that time, and what was their primary duty?

Colonel YEATON. My memory doesn't serve me. I am not sure how large the section was at that time.

Mr. MITCHELL. All right; proceed, please.

Mr. MACHROWICZ. That is one section of the question. But the other section of the question was, What was their primary duty? Could you answer that part of the question?

Colonel YEATON. The primary duty of what, sir?

Mr. MACHROWICZ. Of this particular section, the Polish intelligence section.

Colonel YEATON. The Polish intelligence subsection's primary duties, were to file, evaluate, make such memoranda as they thought necessary.

And our main interest at that time was the size and training and possible use of the Polish Army in the Far East.

Therefore, the subject of missing officers was one of vital importance to us, if they were still alive and where they were and what action it would take, or what help we could give the Poles in getting them out of prison camps or wherever they were. They were simply listed as missing officers, and, as such, in the Polish file; there was a section where reports that dealt with these missing officers were filed separately.

You must understand at this time we were getting Polish intelligence from the Polish Government in exile and London and through the Polish diplomatic group here in Washington. So I had Polish intelligence coming in from at least two sources.

But all reports wound up in the same file.

Mr. MITCHELL. Did you say all the reports wound up in the same file?

Colonel YEATON. At that time; yes, sir.

Mr. MITCHELL. At that time?

Colonel YEATON. That is right.

Mr. MITCHELL. Mr. Chairman and members of the committee, I have never seen any reports, from any other source other than from Col. Henry Szymanski.

Colonel, you have read the exhibits which are in part 3 of Col. Henry Szymanski's testimony. Are those all of Col. Henry Szymanski's reports, to your knowledge, or were there additional reports?

Colonel YEATON. I think there were more than that, sir.

Mr. MITCHELL. You think there were more than that?

Colonel YEATON. Yes.

Mr. MACHROWICZ. Mr. Chairman at this point of the proceedings, I would like to ask the representative of the Department of Defense where the additional reports are. Mr. Facher is here speaking on behalf of the Department of Defense. Is that correct?

Mr. FACHER. That is right.

Mr. MITCHELL. Will you identify yourself for the record, please?

Mr. FACHER. I am Jerome P. Facher, assistant to F. Shackelford, Department of the Army counselor.

To the best of our knowledge, we have located all the reports that Col. Henry I. Szymanski has sent in.

Mr. MACHROWICZ. Have you turned them all over to the committee?

Mr. FACHER. We have turned all the reports of Colonel Szymanski that we have located over to the committee.

Mr. MACHROWICZ. There is evidently a difference of opinion between you and the colonel.

Am I correct, Colonel, that you made the statement that not all the reports are included in the list of those which you have seen in the transcript of testimony?

Colonel YEATON. You must understand, sir, that all the reports that Szymanski sent in didn't have to do with Katyn.

Mr. MACHROWICZ. Are all the reports of Colonel Szymanski in relation to the Polish officers and Katyn included in that list?

Colonel YEATON. I can't say positively.

Mr. MACHROWICZ. Are there any other reports relating to the missing Polish officers, or to Katyn, other than those which have been listed in your testimony before the committee, that you know of?

Colonel YEATON. That I know of, sir; no. Not that I know of.

Chairman MADDEN. Just a moment. Then your statement that you made a moment ago dealt with Colonel Szymanski's reports not only concerning Katyn, but as to other matters also; is that correct?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. I believe the record will show that he was also responsible for liaison with the Czechoslovakians; is that correct?

General YEATON. That is true.

Mr. MITCHELL. I think he told us that in Chicago.

Mr. SHEEHAN. Mr. Chairman, is it your pleasure to question the witness as he goes along, or to wait until he makes his statement?

Chairman MADDEN. Did you have a statement you wanted to make, Colonel?

Colonel YEATON. No, sir.

Chairman MADDEN. You can pursue your questions, Mr. Sheehan.

Mr. SHEEHAN. Colonel, there is a distinction that the gentleman to your right drew. He said that all the papers of Colonel Szymanski were turned in. The committee is concerned with all the papers and all the reports containing the Katyn Forest massacre, from whatever source. Has the Army turned over to the committee all the papers referring to the Katyn massacre situation, from whatever source?

Colonel YEATON. I have no way of knowing, sir.

Mr. SHEEHAN. Will Mr. Facher answer that?

Mr. FACHER. To the best of my knowledge, Mr. Sheehan, that has been done. The search for missing papers is still continuing, and we have several other documents which we are going to forward this week.

I might say that we have forwarded to your committee military attaché reports from Iran and from other countries.

I believe Mr. Mitchell will find from some of our forwarding letters that we did send some of those reports over.

Mr. MITCHELL. That is correct.

Mr. SHEEHAN. The Army turned it over, of course, and it had specifically to do with the Van Vliet report.

We know that Colonel Hulls—which is one of those debatable things—made a report, which the Army has refused to declassify, although they did turn it over to us.

We do know that the military attaché in Lisbon in 1942 and 1943 made quite a few reports regarding the Polish missing officers, which I do not think the Army has officially turned over.

Now, it would seem to me that, on the basis of these reports that we know about, there must be a lot of other reports.

You mentioned a while ago that you had a separate section or a separate file folder for the various reports on the missing Polish officers. Now, could you tell the committee, was this given any particular number or file name or something?

Colonel YEATON. That question, sir, can only be answered if you will put a date to it.

Mr. SHEEHAN. Let me put the date from 1941 to 1946, inclusive, all reports concerning the missing Polish officers, from whatever source.

Colonel YEATON. On July 1, 1943, the Eastern European Section became a branch. Any reports coming from Spain would not come into the Eastern European Section.

Mr. SHEEHAN. Even if they specifically referred only to Russians and Polish relations?

Colonel YEATON. We would be given a copy.

Mr. SHEEHAN. Certainly.

Colonel YEATON. But the basic reports would not be in our office, but we would be kept advised.

Mr. SHEEHAN. We are interested in anything. Copies. We do not necessarily want the official reports.

Colonel YEATON. Yes, sir.

Then on September 1 I became chief of the unit and no longer responsible for the files of any of the branches. I was the over-all chief of Europe, Middle East, and Africa, and, as such, we didn't keep any files in our office.

Mr. MITCHELL. What year was that?

Colonel YEATON. That was on September 1, 1943.

Mr. SHEEHAN. But Colonel, even if you became chief of the European Section, someone succeeded you in that Polish-Russian section, did he not?

Colonel YEATON. That is true, sir.

Mr. MITCHELL. He would inherit all the papers that were there, would he not?

Colonel YEATON. That is right.

Mr. SHEEHAN. The files would be continued, would they not?

Colonel YEATON. All the files.

Mr. SHEEHAN. Mr. Chairman, it seems to me we should get after the Army. There are still reports we do not know about.

May I proceed a little while before we go on that?

In handling your eastern European end in 1941 and 1943, when you were in charge of that, did you work closely with the State Department in this respect: Assume the State Department got information from the Ambassador or someone directly to the State Department concerning, say, missing Polish officers or military problems, would they refer that to you, a copy of it, or something like that?

Colonel YEATON. I would say so, normally.

Mr. SHEEHAN. In other words, G-2 was sort of a clearing house on all phases of the military situation as it affected the political situation also?

Colonel YEATON. I would rather say liaison than a clearing house.

Mr. SHEEHAN. Then you reported your talk with Anders to Ambassador Steinhardt—and there must be other Ambassadors to Russia by this time—who had reports on the missing Polish officers? The State Department must have referred some of these reports to the Army, did they not?

Colonel YEATON. I can only answer that by saying that they attempted to keep us in the picture. Now, I couldn't pin down any one report.

Mr. SHEEHAN. No specific one. But by keeping you in the picture sometimes between 1941 to 1945, State must have referred items of strictly military interest to G-2 concerning Polish officers and the Polish-Russian situation.

The Army, so far as I know, Mr. Mitchell, has not come up with any of that. Has it?

Mr. MITCHELL. State Department or G-2?

Mr. SHEEHAN. G-2 has not come up with any State Department reports.

Mr. MITCHELL. No. The only thing I got from G-2 is already on the record, or whatever they may have given in my absence during the European trip of the committee. I will search the files and correct any misstatements that may have been made this morning.

Mr. MACHROWICZ. And that was only after we informed them of the existence of the documents, particularly of the Szymanski report.

Mr. MITCHELL. That is correct.

Mr. MACHROWICZ. They did not submit them to us until we found out about them from outside sources.

Mr. MITCHELL. I will correct the record on that point.

If you will recall, Mr. Machrowicz, you were in town last December. We got four of the nine attachments to Col. Henry Szymanski's report, and then in January we finally got the rest of them after we were informed from outside sources as to their whereabouts. Correct?

Mr. MACHROWICZ. That is correct.

Mr. SHEEHAN. Colonel, just to pursue that a minute longer, so I can finish at this point here: When you were talking about a file where all these materials were channeled or sent to, do you recall any particular designation or file number or file classification given to that, from memory, or from any facts you might have there?

Colonel YEATON. That file number would be put on down in the receiving room by this panel that I spoke about. They determined where it would be filed and what the distribution would be. That was not a part of the branch chief's duty.

Mr. SHEEHAN. Do you remember the names of this panel, for the record?

Colonel YEATON. No. It was constantly changing. I know that Dave Crist, out of my office, was on it some time, but it wasn't—

Mr. MITCHELL. Mr. Sheehan, I would like to interrupt for one moment.

Mr. Chairman. I would now like to ask the War Department counselor for a complete personnel breakdown of all individuals in the EE section and the Balkan section from the year 1942, when we became involved in World War II, through May 1945.

Mr. MACHROWICZ. What is the EE section? Is that the Eastern European?

Mr. MITCHELL. That includes Poland and Russia.

I would also like to see the names of the individuals connected with the Balkan section in G-2.

Mr. SHEEHAN. I might say for the record here—and Mr. Mitchell and Mr. Madden will agree with this—that when we visited the President, he did not directly say he would have all the executive departments deliver to us or send to us whatever material they had on Katyn.

Is that right, Mr. Mitchell? Do you remember that?

Mr. MITCHELL. I do not recall whether he said that they would take the initiative, or whether we would take the initiative, but I do recall that when we walked out of that office, I had the very definite understanding that anything that was available this committee could have.

My protest this morning was on the fact that twice in official testimony before this committee I have been caught by surprise when witnesses produced documents either from War Department files or their own personal files.

The latest illustration was General Bissell yesterday, on the letter of May 25, 1945, about the Swiss protecting power.

Thank you, Mr. Sheehan.

Now, Colonel Yeaton, I would like to show you exhibit No. 12. I don't think that the exhibit, in part 3, has on it the routing of the various reports as they came in. This is the top cover sheet of exhibit No. 12. It comes from the "Military Intelligence Division, WGS, military attaché report, Poland. Subject: Polish Army in England and the Middle East. From: M. A., liaison officer. November 6, 1942, source and degree of reliability: Gen. Wladyslaw Sikorski, Lt. Gen. Wladyslaw Anders."

Down in the lower left-hand corner is:

"Auth.: Colonel Yeaton. Date: 11-30-1942. Number of copies: 13."

I would like you to read it. Will you read, for the committee, what other departments received or were notified of that report?

Colonel YEATON. The Office of Naval Intelligence received a copy. The recording section received the original.

The British Empire section received a copy.

Air Intelligence received a copy.

The Middle East section received a copy and the eastern European section received six copies.

Mr. MACHROWICZ. Mr. Chairman, I have just one question in connection with that.

What does that report deal with?

Mr. MITCHELL. It is on the record. The balance of the report is in the record.

Mr. MACHROWICZ. But just generally, Colonel, can you tell us what that report deals with?

Colonel YEATON. Minutes of the meeting on organization of the Polish forces in the Middle East, a chart of defensive disposition of the Polish Corps in Scotland, a chart of the organization of the First Army of the Motorized Corps, and a chart of the organization of the territorial units.

Mr. MACHROWICZ. Who had charge of routing copies of this report to the various other departments?

Colonel YEATON. The reading panel, sir.

Mr. MACHROWICZ. Did you have charge of it?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Did the Department of State receive a copy?

Colonel YEATON. No, sir; it is not so recorded on here.

Mr. MITCHELL. Just so there will be no misunderstanding, I would now like to have the War Department counselor's representative, Mr. Facher, make a note that I would like to have the names of the various reading panel members in G-2 from April 1942 until December 1943.

I believe it was December 18 that Colonel Szymanski was relieved of his duty as assistant military attaché. Is that correct, Mr. Machrowicz?

Mr. MACHROWICZ. I do not know. I do not remember the date.

Mr. MITCHELL. Are there any further questions from the committee?

Mr. O'KONSKI. Why was he relieved of his duty?

Mr. MACHROWICZ. I will tell my colleague from Wisconsin I am very much interested in bringing that point out, and I will bring it out later in the cross-examination, if I am permitted to do so.

Mr. O'KONSKI. I shall look forward to it very much.

Mr. MITCHELL. Would you like to ask the colonel about page 418, part 3, at this time, Mr. O'Konski?

Mr. O'KONSKI. No.

Mr. MITCHELL. Colonel, I would like to proceed a little further by asking what was the procedure within the office of G-2 when such reports were received, and how did the information channel up to the head of G-2 and thence to the Joint Chiefs of Staff, or wherever else it may have been sent? How was it done? Who did it? Was it oral briefing, or was it in memorandum form? What was it?

Colonel YEATON. The information that came in on these attaché reports was broken down according to subject and could have been handled in one of several manners. Any intelligence or any information on the Polish troops in the Near East was a matter of great

concern to the G-3 section of the War Department, the plans and training, because they were responsible for the strategy and the orders pertaining to the Allied troops that we had anything to do with.

Information on the missing Polish officers was of spot intelligence value to us as long as we thought they were alive, because they were the cream of the Polish Army, and their presence with the new Polish Army would have been of vital importance. Once we were sure they were dead, the question of who killed them, or how, was not of spot intelligence value; it was a matter for further investigation.

Now to come back to these reports of Szymanski, certain parts of the information were broken down into separate reports and sent upstairs to the Plans and Intelligence Division where they kept daily account of the strength of that organization, its training, and its location.

Information on the whereabouts or the death of the missing officers was handled occasionally by verbal report and other informal memoranda to G-2, so that they could be used as briefing material for the Chief of Staff on the following morning.

When the Germans released their propaganda blast, that was spot news for the minute, because we were, as branch chiefs, responsible that any information coming in over the air would be immediately evaluated by the chief in question and presented to G-2 or the Director of Intelligence, so that, if the Secretary of War or the Chief of Staff called down and said, "What does this latest propaganda mean?" G-2 would be in a position to give him at least the evaluation of his chief of section.

I think that answers your question.

Mr. MACHROWICZ. Let me ask you a question in connection with that, Colonel.

Are you now telling us that Colonel Szymanski's report dealt only with the death of the Polish officers?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Were there sections of that report which dealt with matters in which your department was concerned?

Colonel YEATON. Yes, sir.

Mr. MACHROWICZ. Were there sections of that report which dealt with the question of maintaining peace in Eastern Europe?

Let me refer to you one of the statements in his report:

1. Polish-Soviet relations are marked by differences which are in my humble opinion irreconcilable.

2. These differences are irreconcilable at present because (a) the Soviets did not carry out their end of the Polish-Soviet nonaggression pact; (b) the Soviets are not carrying out the provisions of the Polish-Soviet agreement of July 30, 1941; (c) Stalin's promises to Sikorski and Roosevelt are not being kept; (d) there are still some 900,000 Polish citizens, deportees, in Russia, slowly being exterminated through overwork and undernourishment; (e) there are still some 50,000 Polish children slowly dying of starvation.

3. If the Soviets forsake their communistic and imperialistic aspirations there is a good chance that peace may reign in the eastern part of Poland.

4. The Polish Government and Army officials are making a determined effort to reconcile the differences. The attitude of the Government is realistic.

Would you say that that section of the report and the reports which preceded it, upon which these conclusions were based, were an important thing, so far as your department was concerned?

Colonel YEATON. I don't want to answer that "yes" or "no," sir. That report was made by an assistant military attaché. His first

duty is to bring that matter that you bring up to the attention of the military attaché, who, in turn, should have brought it immediately to the attention of the Ambassador.

That is a matter that the military are not supposed to get into.

Mr. MACHROWICZ. Would you say it is a matter in which the Department of State should get into?

Colonel YEATON. Decidedly, sir.

Mr. MACHROWICZ. Did you or anyone in your department bring this report to the attention of the Department of State?

Colonel YEATON. It should have been done in Cairo, sir, not from my office.

Mr. MACHROWICZ. I do not care where it should have been done, and I do not care about technicalities. I care about realities.

Was that report which your department received ever brought to the attention of the Department of State?

Colonel YEATON. Not to my knowledge.

Mr. MACHROWICZ. Did you think it should have been?

Colonel YEATON. This particular report, sir?

Mr. MACHROWICZ. Yes.

Mr. MITCHELL. Do you mean this report we have here, or the one you read, sir?

Mr. MACHROWICZ. This particular report that I read from.

Mr. MITCHELL. Which exhibit is it, please?

Mr. MACHROWICZ. Exhibit 11.

Mr. MITCHELL. What page is that on, sir?

Mr. MACHROWICZ. Page 458 of part 3.

Mr. MITCHELL. "Future Polish-Soviet relations?"

Mr. MACHROWICZ. That is right.

Colonel YEATON. I would have to see the covering sheet. I am not sure that wasn't sent to the State Department, sir.

Mr. MACHROWICZ. I might tell you, for your information, that Mr. Shackelford testified before our committee and said that it had not been sent to the Department of State.

Now, I am going to ask Mr. Facher, is that correct?

Mr. FACHER. I am sorry, sir; I can't say.

Mr. MACHROWICZ. I think the record will speak for itself that Mr. Shackelford said before the committee that that report had never been forwarded to the Department of State for its information.

If you have something to counter it, I would like to know.

Colonel YEATON. I have nothing to counter it.

Mr. MITCHELL. I have the original right here, sir.

Mr. Chairman and the committee, I show you herewith the original letter transmitting the Szymanski reports, with the exhibits to which Congressman Machrowicz has referred, one of them he has read into the record just now. Here is the original letter. It says:

"Legation of the United States of America, Office of the Military Attaché, Cairo, Egypt."

"W. M. S." is up in the right-hand corner, with the "/LS" as the identifying number, IG No. 3600. The subject is: Polish-Russian Relations.

It is addressed to the Chief, Military Intelligence Service, War Department, Washington, D. C.

The letter states:

1. A deferred copy of letter submitted by Lt. Col. Henry I. Szymanski, covering nine appendixes pertaining to the Katyn affair is forwarded herewith.

It is signed by William S. Ward, colonel, military attaché.

Down in the lower left-hand corner it states "Enclosure: Letter with appendixes."

Mr. MACHROWICZ. Is there anything to show that it was forwarded to the Department of State?

Mr. MITCHELL. That is what I was going to ask the witness now. I cannot see it. There is nothing to show it on here, to my knowledge.

Mr. FLOOD. Ask the witness if there is any evidence of it.

Mr. MITCHELL. By Department of State does he mean the Ambassador in Egypt or here in Washington?

Mr. MACHROWICZ. I mean the Department of State. I do not care who it was in the Department of State.

Colonel YEATON. There is still missing from this document that cover sheet, and without that, this can't stick.

Mr. MACHROWICZ. I am still going to repeat my statement to you, Colonel. I realize you probably cannot answer that at this time, but Mr. Shackelford, on behalf of the Department of Defense, has already verified to this committee that that report has never been sent to the Department of State.

Now, I am going to ask you another question, to refer to page 472 of part 3 of the hearings. That is an excerpt of an enclosure, No. 5, in Colonel Szymanski's report. It is entitled as follows: "Will the Russians Fight Next Spring?" Was that subject matter of importance to your department?

Colonel YEATON. Decidedly, sir.

Mr. MACHROWICZ. Was it of importance to the Department of State?

Colonel YEATON. I would say more to us than them.

Mr. MACHROWICZ. Let me read to you what was contained in that report, which has now been declassified:

WILL THE RUSSIANS FIGHT NEXT SPRING?

Yes; if they find the Germans very weak. This winter they will conduct limited offensives in order to straighten their lines. Behind these lines, they will rest, reorganize, train and equip more divisions. They will wait until the Allies and Germans annihilate each other. They will wait until the German Army confronting them is so weak that their own effort will bring easy and huge results. They will not stop their westward march until the American Army stops them.

Europe is confronted with what seems to many of the powers an "either/or" choice; i. e., either German domination or Soviet domination.

There is little faith that the United States could control a victorious Russia at any peace-table conference.

One of Mr. Willkie's secretaries stated to me in Tehran that Russia and the United States will dictate the peace of Europe. When I repeated this (without mentioning the source) to a very prominent Pole in Tehran, he at first begged me not to jest, and then very suddenly said to me that "In that case Poland has lost the war and the Allies have lost the war."

The choice in Europe is not merely democracy versus Hitler, as so many Americans seem to think it is.

That is signed "Henry I. Szymanski, Lieutenant Colonel, Infantry, United States Army, Liaison Officer to Polish Army."

Was that information important to your department?

Colonel YEATON. Decidedly, sir.

Mr. MACHROWICZ. And to the Department of State?

Colonel YEATON. I assume so.

Mr. MACHROWICZ. And yet not one bit of evidence has been produced here that that report has ever been brought to the attention of the Department of State.

If that is true, would you say there was an error made on somebody's part in the Department of Defense?

Colonel YEATON. I can only report, sir, that the channel for this to get into the State Department was in Cairo. This military attaché is working for his ambassador, and it is up to him to report to his ambassador anything that even faintly touches a matter concerning the state.

Mr. MACHROWICZ. Colonel Szymanski was directly under your control; was he not?

Colonel YEATON. Directly under my control.

Mr. MACHROWICZ. When he reported it to you, and if you were not the proper source to receive that, was it not your duty to report it to the Department of State?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Instead of that, you put it in the warehouse in Alexandria?

Colonel YEATON. I did not, sir.

Mr. MACHROWICZ. That is where the committee found it.

I am going to ask you another question.

Mr. MITCHELL. Might I interrupt a minute, sir? I think that is an unfair statement to the colonel. He has come here voluntarily. I am sure that these reports were not in the warehouse when the colonel was in charge of this. We found them there later; yes.

Mr. MACHROWICZ. Let me ask you whether subsequent to the receipt of this report you sent a telegram to Colonel Szymanski.

Colonel YEATON. I sent him many telegrams, sir.

Mr. MACHROWICZ. Did you send him one as a direct result of that report?

Colonel YEATON. I do not remember, sir.

Mr. MACHROWICZ. Mr. Facher, do you have that telegram with you?

Mr. FACHER. No, sir; I do not.

Mr. MACHROWICZ. Where is it?

Mr. FACHER. Which telegram are you talking about, sir?

Mr. MACHROWICZ. I am talking about the telegram which was discussed in executive session of our committee, in which Colonel Szymanski was very thoroughly blamed for showing anti-Soviet leanings.

Let me ask the colonel: Do you remember the telegram? Now that I have refreshed you as to the text of the telegram, do you remember at any time sending a telegram or a cable to Cairo after receipt of these reports?

Mr. FACHER. Mr. Machrowicz, may I interrupt just a second?

I believe the contents of that telegram are still classified as to the personal information.

Mr. MACHROWICZ. I do not agree with you. Of course, the only reason it is classified is that it is embarrassing to someone in the Department. And I think it is about time we found out.

Mr. MITCHELL. To bring us up to date on that particular phase of it, when we returned to Chicago, we had that executive session with Mr.

Korth. I believe Mr. Shackelford was there, too, at that time. Then we departed for Europe. I am still waiting to see what they are going to do about that.

Mr. MACHROWICZ. I do not think we want to wait any longer.

Did you at that time think that Colonel Szymanski, because of this report, showed too much anti-Soviet tendencies?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Did you ever tell him so?

Colonel YEATON. Not to my knowledge.

Mr. MACHROWICZ. I am going to ask the chairman now that that wire should be brought to the attention of the committee. I think we have waited long enough.

Mr. FLOOD. May I interrupt? I have no objection to that, but may I say this: If you will yield for a question on the same thing—

Mr. MACHROWICZ. I will be glad to yield.

Mr. FLOOD. Do you remember, Colonel, drafting a cable or a wire or an order to Colonel Szymanski at Cairo, for General Strong or anybody else to Colonel Szymanski? Do you remember drafting such a statement advising Colonel Szymanski that his attitude was too anti-Soviet?

If you do not remember doing it yourself, on your own order, do you remember doing it on the order of General Strong, for General Strong, to Colonel Szymanski, advising him that, in the opinion of General Strong, Szymanski's conduct was too anti-Soviet?

Colonel YEATON. I don't ever remember that phrase; no, sir.

Mr. MITCHELL. Let us fix the date of that now.

Where were you in December 1943, and what were you in charge of, and would you be responsible for drafting such a telegram or cable?

Colonel YEATON. December 1943 I was chief of the European unit. That is all of Europe, Middle East, and Africa.

Mr. MITCHELL. Europe, Middle East, and Africa. The Middle East would be Cairo.

Colonel YEATON. If such a telegram originated in the Eastern European section—and a draft would have—it would have passed across my desk as a matter of information.

Mr. FLOOD. Do you remember?

Colonel YEATON. I remember there was a telegram sent out at that time, but the anti-Soviet part of it, I don't remember any such remark as that.

Mr. MACHROWICZ. Mr. Chairman, as I remember, the only reason Mr. Shackelford did not want to declassify that cablegram was because he thought it might be injurious to Colonel Szymanski.

Colonel Szymanski has advised this committee that he has no objection to that cablegram being declassified. I think it is important that we ought to have it.

Chairman MADDEN. It is my understanding that the Department of Defense has already gone on record that any matter connected with the Katyn problem is declassified. Is not that correct?

Mr. FACHER. I believe there are still some aspects of it, sir, which we furnish you on a classified basis, but we do furnish them.

Chairman MADDEN. Why would this particular telegram be classified?

Mr. FACHER. To the best of my recollection, sir, I think, as Congressman Machrowicz stated, it was because of some derogatory in-

formation. I was not present at the executive session; so I can't speak first-hand.

Mr. MACHROWICZ. Colonel Szymanski feels just as I do, and as every member of this committee thinks; that anything derogatory in there is not derogatory to him; it is rather complimentary, even though the Department thought he was too anti-Soviet. And Colonel Szymanski is perfectly willing to have it declassified.

Now, if it is embarrassing to the Department, that does not bother me at all. It should not be classified if it is embarrassing to the Department.

Mr. FLOOD. I think it should be declassified, no matter who it embarrasses, Szymanski or the Department.

Chairman MADDEN. What reason does the Department give for not presenting it to us?

Mr. SHEEHAN. Mr. Chairman, I remember that. I can remember the circumstances. Part of the cablegram had to do with recommendations that Szymanski had made with reference to intelligence, and the Department did not want to declassify it because they have now followed his recommendations. They did not want to reveal what the intelligence was.

Chairman MADDEN. Could the telegram be presented now?

Mr. FACHER. I believe the telegram is still classified, sir; but we will check it over, and if it can be declassified we will provide it to the committee. I am not sure the operational aspects were included in the same telegram.

Mr. SHEEHAN. They were not included but referred to.

Mr. FACHER. That is right.

Mr. MACHROWICZ. May I ask if there is any reason that you know why that section relating to the Department of Defense, relative to Colonel Szymanski, cannot be declassified if he consents to it?

Mr. FACHER. Not to my personal knowledge, sir. However, I am not an Intelligence officer.

Mr. SHEEHAN. May I make an observation, Mr. Chairman?

Chairman MADDEN. Proceed.

Mr. SHEEHAN. Part of the telegram that the War Department wanted declassified was the part of the telegram that was derogatory toward Colonel Szymanski. Without revealing the other part of it, it would put the colonel in a bad light, and the committee members in executive session felt it should not be revealed unless the entire cablegram was revealed.

Mr. DONDERO. Mr. Chairman, who has the authority to classify or declassify?

May I ask the colonel that question: Who has the authority, who does the classifying and declassifying?

Colonel YEATON. The originating officer does the classifying. Any declassifying must be done by a special branch in the Intelligence Department.

Mr. DONDERO. Does that come from the Chiefs of Staff, or is that down in a lower echelon?

Colonel YEATON. There is another section down in the Joint Staff that is also involved in all War Department document declassification; yes, sir.

But matters that pertain only to G-2, they have their own section that has that power.

Mr. SHEEHAN. Mr. Chairman, if I may make an observation there, which is not my own, but, as someone else stated, the doctors are able to bury their mistakes and the military classify them "Top secret."

Mr. MACHROWICZ. I think, Mr. Chairman, it is about time now we make some decision on that cablegram. I think it is important. We have waited a long time for it.

Mr. MITCHELL. Mr. Chairman, I will take up the matter with the War Department Counselor's office and I will straighten it out before our next set of hearings. We will get it into the record.

Mr. MACHROWICZ. Now, Counsel, that was on March 14. This is now June 4. March 14 to June 4 seems to me like a sufficient length of time for them to make up their minds as to what they are going to do with this.

The problem is very simple. I see no reason why they should be the sole judges as to whether a cablegram of this type should be declassified.

Mr. MITCHELL. Sir, if I recall correctly—and I think Congressman Sheehan can check me on that—I think that in that particular cable that was referenced, the first part of it had the derogatory remark about Colonel Szymanski, and then the other part referred to some memorandum on a military-intelligence subject that he had written. I think the Department is primarily concerned with the reference to the military-intelligence scheme or plan that he had recommended previously in another memorandum, which you recall.

I think that that probably is the reason why they are having difficulty there on this.

But I agree with you.

Mr. MACHROWICZ. Three months seems to be sufficient time to resolve the difficulty.

Mr. MITCHELL. I agree, and I will get on it right away, sir.

Mr. O'KONSKI. Mr. Chairman, I think the record should show here that whenever the word "derogatory" with reference to Colonel Szymanski is used they mean derogatory from the viewpoint of a pro-Communist and not derogatory from the standpoint of personal beliefs in freedom and justice.

Mr. MITCHELL. I stand corrected.

Mr. SHEEHAN. Mr. Counsel, may I ask the colonel one or two questions?

Just before you were being cross-examined here, Colonel, you said something to the effect that all the information on the Polish officers was of spot-intelligence value to you as long as they were alive. Then you went on and said that when the officers were dead the information was not of spot-intelligence value.

When did you or your section determine officially that the Polish officers were dead and were not worth looking for any more?

Colonel YEATON. I did not say they "were not worth looking for," sir. I said they were not spot intelligence any more.

Mr. SHEEHAN. No. You stated that when they were dead they were not of spot intelligence.

Colonel YEATON. That is right.

Mr. SHEEHAN. When did you determine they were dead?

Colonel YEATON. After the investigation that followed the German broadcast.

Mr. SHEEHAN. What investigation?

Colonel YEATON. Red Cross.

Mr. MITCHELL. The Polish Red Cross.

Mr. SHEEHAN. The Polish Red Cross?

Colonel YEATON. That is right.

Mr. SHEEHAN. In other words, you took their word for it; did you?

Colonel YEATON. We took their word for it that the officers were dead. I didn't mean by that that we didn't continue to believe G-2 and the staff on all phases of the massacre end of it, but we didn't consider that spot intelligence.

Mr. SHEEHAN. I see.

Mr. MITCHELL. What did G-2 do at the time of the revelation of the Katyn Forest Massacre?

Mr. O'KONSKI. I have some questions on that.

Was that the time when a communication went out under the name or signature of George Marshall to Colonel Szymanski asking him to make a report on the Katyn Massacre? Do you remember any such telegram going out?

Colonel YEATON. I drafted it, sir.

Mr. O'KONSKI. You drafted the telegram?

Colonel YEATON. Yes, sir.

Mr. O'KONSKI. And you remember it?

Colonel YEATON. Yes, sir.

Mr. SHEEHAN. May I pursue another question along this line there?

Yesterday it was brought out that apparently our State Department had asked the Swiss Government, as a neutral, to find out from Van Vliet, while he was a prisoner of war, certain information.

Did G-2 take any hand in that?

Colonel YEATON. I don't know, sir. At that time I was coordinator of specialists. I wasn't chief of any branch and it was just before going overseas.

Chairman MADDEN. Are there any further questions?

Mr. MITCHELL. At this time, Colonel, I would like to have you run down the complete assignments that you had in the Office of G-2 from the time of your return from your duties as assistant military attaché in Moscow; your respective duty assignments and title of each position.

Colonel YEATON. From about the middle of May 1942 to the 30th of June 1943, I was Chief of the East European Section.

By June 1943 the sections had grown so large that they were re-named branches. So on July 1, 1943, until August 31, 1943, I was Chief of the Eastern European Branch.

On September 1, 1943, I was promoted to Chief of the European Unit, which was known before that as a theater group and then known as a unit.

On the 16th of June, when the whole of G-2 was reorganized, the branches, which had been up to that time geographical units, were all of a sudden, right in the middle of the war, reorganized into functional units.

Mr. MITCHELL. When was that?

Colonel YEATON. That was the middle of June 1944. And at that time the records in every one of the branches, where they had been immediately under the supervision of a branch chief and file clerk, were all picked up and moved down in the basement in a large room and put in one large room.

Mr. MITCHELL. Under whose order was that reorganization?

Colonel YEATON. Under General Bissell's.

Mr. MITCHELL. Do you know why that reorganization took place?

Colonel YEATON. I do not, sir.

Mr. MITCHELL. Did it strike you as being rather odd that such a reorganization should take place at that particular time, June 1944?

Colonel YEATON. Yes, sir.

I didn't agree with it in principle, because I think the geographic set-up was the more workable one.

Mr. MITCHELL. Did the other officers who were in G-2 at that time feel that this reorganization was necessary, or did they agree one way or the other, or disagree? What was the majority opinion?

Colonel YEATON. The majority opinion among the branch chiefs was that the reorganization was not well timed.

Mr. MITCHELL. Was there a drastic shift in the officers in charge of these various units at that time?

Colonel YEATON. There was. The branch chiefs became known as specialists.

Mr. MITCHELL. Specialists in what line? Evaluation?

Colonel YEATON. In the line that they had been chiefs in prior.

Mr. MITCHELL. Did you ever hear of an Alfred McCormack?

Colonel YEATON. I have, sir.

Mr. MITCHELL. What was his official position in G-2?

Colonel YEATON. When I joined G-2 early in 1942 Col. Alfred McCormack was in charge of what was known as the Special Branch.

Mr. MITCHELL. What was the Special Branch, if you are at liberty to say here?

Colonel YEATON. It had to do with evaluation of cryptographic material.

Mr. MITCHELL. Did he receive intelligence and evaluate intelligence reports in his official capacity?

Colonel YEATON. I wish you would clarify "intelligence reports."

If you mean military attaché reports, the answer is "No."

Mr. MITCHELL. Did he receive, or was he responsible for the transmission of, any reports that may have been sent in by Szymanski cablewise, or through any other means, to G-2?

Colonel YEATON. Responsible for the evaluation?

Mr. MITCHELL. Yes.

Colonel YEATON. No, sir.

Mr. MITCHELL. Thank you.

Did you ever hear of a T. Achilles Polyzoides?

Colonel YEATON. I have, sir.

Mr. MITCHELL. What was his position at that time?

Colonel YEATON. I am not sure. I would rather let the record show it.

Mr. MITCHELL. Thank you.

How was liaison with the State Department conducted during 1942 and 1943, as far as your particular EE section was concerned?

Colonel YEATON. G-2 had a liaison branch that contacted the State Department officially.

But the same thing was true with us as in all other departments, there was, as the British say, an old boy liaison between departments and like geographic branches. At that time, Ambassador Loy Hen-

derson, I think, was in charge of the State Department Eastern European Section.

Mr. MITCHELL. Did you know any of the State Department people? Did they ever come to G-2 or did you have anybody specifically assigned from your section or unit to have liaison with the State Department?

Colonel YEATON. With the Eastern European branch of State, I did the liaisoning myself.

Mr. MITCHELL. Did the question of the missing Polish officers come up?

Colonel YEATON. It did.

Mr. MITCHELL. With whom in the State Department?

Colonel YEATON. I think with Ambassador Henderson, who was in charge at that time.

Mr. DONDERO. Do you mean Loy Henderson?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. Did you have liaison with the office of OWI?

Colonel YEATON. No, sir.

Mr. MITCHELL. Was anybody from your staff assigned to OWI?

Colonel YEATON. No, sir.

Mr. MITCHELL. Was there a section in G-2 that had liaison with OWI, another section, or some other means?

Colonel YEATON. Not that I know of, sir.

Mr. MITCHELL. Thank you.

I have no further questions.

Mr. O'KONSKI. May I have a question?

Colonel, you just said a while ago that you knew and drafted the cable asking Szymanski, and probably others, to make a report on the Katyn massacre. As these reports came in, did you and your fellow-workers evaluate these reports and come on to any off-the-record conclusions as to who was responsible for that crime?

Colonel YEATON. Yes, sir.

Mr. O'KONSKI. Could you tell us what your conclusions were, to the best of your knowledge, at that time, as these reports started to come in?

Colonel YEATON. My conclusions were the same as Szymanski's.

Mr. O'KONSKI. That the Russians committed the murders?

Colonel YEATON. That is right, sir.

Mr. O'KONSKI. Was that the generally prevalent opinion around your department, that it was the Russians that were responsible, as these reports started to come in?

Colonel YEATON. I can only speak for myself, sir.

Mr. O'KONSKI. Did the State Department show a particular interest in the murder of these Polish officers? That is, was their interest in this phase of international relations more keen than the average observations in their visits with you?

Colonel YEATON. I think the peak of interest came the 24 hours following the German broadcast. Thereafter, the information on those things came in, as you know, in small pieces, and we felt that each little bit added another brick to the wall.

But within itself it was only a matter of vital importance for the record.

The reason I sent that telegram to Szymanski was I felt perfectly certain that at some future date there would be an investigation, and

I was doing everything I could at the time to see that my files were so complete that when that day came, my office certainly would not be subject to criticism.

Mr. O'KONSKI. That is all.

Thank you, Colonel.

Mr. SHEEHAN. Colonel, you stated that you carried on the liaison with the State Department yourself. Do you remember in 1942 or 1943, when the question of the missing Polish officers came up, whether you gave any opinion to the State Department as to your opinion, as you expressed it, that the Russians were guilty?

Colonel YEATON. I did not give any official opinion; no, sir.

Mr. SHEEHAN. Unofficial?

Colonel YEATON. I undoubtedly expressed myself unofficially.

Mr. SHEEHAN. I would like to go back a little bit.

In your testimony here in the early part, when you stated that when you were called into G-2 you were asked to prepare a documentary project paper that you prepared on Russia, you said that at the time Russia was the only country in which G-2 did not have the particular documentary knowledge; is that right?

Colonel YEATON. So far as I know; yes, sir.

Mr. SHEEHAN. Did we have documentary knowledge on England?

Colonel YEATON. Oh, yes, sir. We have volumes on it.

Mr. SHEEHAN. And France?

Colonel YEATON. Yes, sir.

Mr. SHEEHAN. In other words, the Army intelligence was in the peculiar position of having documentary evidence and information about every country in the world, including our close allies, except Russia?

Colonel YEATON. That is almost a true statement, sir.

Mr. SHEEHAN. It is a sort of reflection, I think, on Army intelligence, with Russia being what it is, as big a country as it is, that nobody ever bothered to find a lot of evidence about it and a lot of security information.

Colonel YEATON. We were trying, sir.

Mr. DONDERO. I think Colonel, the reason why you did not get it is that the Russians saw to it that you did not get it.

Colonel YEATON. That is right, sir.

Mr. DONDERO. I have just one question.

In what manner was the liaison relationship conducted between G-2 and State Department? Was it by messenger, or by mail?

Colonel YEATON. By officer liaison.

Mr. DONDERO. In other words, if you had documents to send over, it was done by a person; is that right?

Colonel YEATON. That is right, sir; so that the document would be recorded out and in at the State Department, so that there would be no question. If they raised the question, "We did not see the document," we could point to the record and show where they had received it.

Mr. DONDERO. The State Department, I assume, had the same procedure?

Colonel YEATON. Yes, sir.

Mr. DONDERO. That is all.

Mr. MACIROWICZ. I have one question along those lines, Colonel.

In other words, if any document was turned over to the Department of State by your department, you had something in writing, a receipt, to show that that actually was done?

Colonel YEATON. Out of my branch; yes, sir.

Mr. MACHROWICZ. Do you have anything to show that these reports of Colonel Szymanski were turned over to the Department of State?

Colonel YEATON. I do not, sir.

Mr. MACHROWICZ. It has been admitted yesterday already that there was nothing showing in the department which was of a nature to indicate that the Van Vliet report was received in the Department of State also.

Mr. FLOOD. I have listened to this thing for a couple of days, or a day and a half. I would like to say that if there is any evidence, any place, anywhere, anyhow, of any kind, that information was transmitted to the Department of State, I would be as anxious to find out as anybody else.

And I have tried hard to find it out. I cannot find a scintilla of evidence that the State Department was apprised of this documentary reporting from anybody.

I think it is about time we stopped this torturing every phrase to try and establish that the State Department had this information.

Now, if they got it, I want to know. If they did not get it, let us stop this business.

The Defense Department made a mistake or an error, deliberately or inadvertently, in my judgment. These reports did not get to the State Department.

Now, if they did, I want to see how they got there, who took them there, and where are the receipts. The evidence, in my opinion, and only in my opinion—I am only saying in my opinion—shows very clearly that this information did not get to the Department of State; why, I do not know.

Now, let us find that out. We are wasting time, if there was deliberate conspiracy, inadvertence, stupidity, negligence, or anything else, in any of the various areas of the Defense Department, if the reports should have gotten to the State Department, why did they not?

Let us do away with this business of spending all week trying to find out did the State Department hide this or conspire with the Defense people to prevent these reports from getting there, or conspire with somebody to steal them or destroy them to protect Russia.

I think we have knocked ourselves out trying to prove that, and we have not done so. If we have not, let us start on it right now and prove it.

But if we are satisfied that it cannot be proved, let us stop this whipping-boy business of the State Department and find out what was wrong in the Department of Defense, if we can. If we cannot find that out, let us stop this.

Mr. MACHROWICZ. I concur 100 percent with the Congressman.

I wanted to say that I would be the first to criticize the Department of State for neglecting to do something it should have done.

But I have been looking in vain for one iota of testimony to show that any of this information which the Department of Defense obtained was turned over to the Department of State. If I am wrong, the Department of Defense should have an opportunity to present such proof. If they cannot do so, let us forget it now. Let us not keep on sniping at somebody who quite obviously is not at fault.

Mr. MITCHELL. Congressman Flood, I would like to bring you up to date now, that Mr. Madden has appointed a subcommittee, consisting of Congressman O'Konski, Congressman Machrowicz, and Congressman Sheehan, to meet with the State Department officials tomorrow to go over the files and any records they may have concerning the missing Polish officers or the Katyn affair. They are going to do that tomorrow morning.

I agree with your statement.

Mr. FLOOD. That is all right with me. If you want to go to the Bureau of Mines or the Department of Agriculture, go ahead, but let us get this thing cleaned up one way or the other. It is going on like Tennyson's Brook, going no place.

Chairman MADDEN. Let me suggest that although Congressman Sheehan and Congressman Machrowicz, and Congressman O'Konski are to investigate the records of the State Department, in which the State Department stated they would be glad to cooperate in any way, let me suggest that any other member of the committee that wants to accompany them on this investigation is at liberty to do so.

Mr. MACHROWICZ. Mr. Chairman, can I ask Mr. Facher whether he can have that cable that we are talking about here this afternoon.

Mr. FACHER. I will try, sir.

Mr. MACHROWICZ. You have been trying since March 14. That is such a simple thing. It should take exactly 5 minutes, not 3 months.

I am a little bit tired of this "trying" and this informing witnesses not to cooperate with the committee. I will bring that out if it is necessary, too.

Chairman MADDEN. Will you have Mr. Shackelford come over here this afternoon?

Mr. FACHER. Yes, sir.

(The following letter and cablegram are herewith placed in the record by the counsel, John J. Mitchell:)

DEPARTMENT OF THE ARMY,
OFFICE OF THE DEPARTMENT COUNSELOR,
Washington, June 4, 1952.

HON. RAY J. MADDEN,
*Chairman, House Select Committee To
Investigate the Katyn Forest Massacre,
House of Representatives.*

DEAR MR. MADDEN: I am inclosing herewith a copy of the telegram of December 19, 1943, which your committee requested at the hearing held in Washington this morning, June 4. This telegram has remained classified because it contains personal information concerning an individual member of the Army. As such it was treated in confidence, in accordance with Department of the Army policy to treat efficiency reports and similar personal information as confidential. Upon assurance of your committee that the individual named in this telegram has no objection to the information being made public, I have had the telegram declassified.

Sincerely yours,

F. SHACKELFORD, *Department Counselor.*

HEADQUARTERS

U. S. ARMY FORCES IN THE MIDDLE EAST

MESSAGE FORM
IN COMING

[Paraphrase]

No. 8623 for AMSME from WAR

DATE: Dec. 19, 1943.

RECD: Dec. 19, 1943.

DECD: Dec. 20, 1943.

Cite WDGBI from Strong for Osmun Jicame. AMSME 9965.

Proposed by Szmanski in his draft dated October 30th project of setting up Joint Polish Intelligence Agency is disapproved. Reference the above radio his visit to London is disapproved. Szymanski is being appointed Milo with the Poles and is being relieved as AMA. Answering Jicame 58 Szymanski is under your control as far as Collection Intelligence is concerned. Regarding his immediate future in that connection all decisions are up to you. As now operating there is confidence here in the Jicame set-up. Szymanski should accompany them, if and when Poles move into other Theatre and report to MID through its representative in the New area. His work has been only satisfactory because of small volume and much duplication of information previously received from the Poles in the opinion of the Military Intelligence Department. Furthermore frequently expressed opinions show bias opinion in favor of Polish group which is Anti-Soviet. Instruct him to avoid political involvement and recommend you require him to concentrate on Liaison with Poles.

ULIO TAG

Classification Changed To Unclassified, Security Information.

By authority of The Assistant Chief of Staff, G-2.

By _____ Date 4 June 1952.

JICAME _____ for ACTION. (JA)

Distribution 1-AG, 1-G-2.

Mr. MACHROWICZ. I think it is about time the Department of Defense should be instructed they have no right to interfere with witnesses and tell them not to divulge information to the committee. If there is any question about that, let us make that clear right now. If anybody wants information on that, I will give it to them.

Chairman MADDEN. Are there any further questions?

We want to thank you for your testimony here this morning, Colonel Yeaton.

Is there anything further?

Mr. MITCHELL. I have nothing further of the colonel.

Chairman MADDEN. We thank you for your testimony, Colonel.

Boris Olshansky.

Mr. MITCHELL. Mr. Chairman, this is Mrs. J. P. Feeley, an official interpreter for the committee.

Will you kindly swear her in, please?

Chairman MADDEN. Do you solemnly swear that you will interpret the testimony to be given by the witness truthfully, so help you God?

Mrs. FEELEY. I do.

(The witness was duly sworn by the chairman through the interpreter, as follows:)

Chairman MADDEN. Mr. Olshansky, will you raise your right hand, please?

Do you solemnly swear that in the hearing now being held, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OLSHANSKY. I do.

**TESTIMONY OF BORIS OLSHANSKY (THROUGH MRS. J. P. FEELEY,
INTERPRETER)**

Mr. MITCHELL. Will you state your full name for the record, please?

Mr. OLSHANSKY. Boris Olshansky.

Chairman MADDEN. Will you kindly spell it out?

Mr. MITCHELL. B-o-r-i-s O-l-s-h-a-n-s-k-y.

Where were you born, Mr. Olshansky?

Mr. OLSHANSKY. I was born in Voronezh, U. S. S. R.

Mr. MITCHELL. When were you born?

Mr. OLSHANSKY. I was born on the 5th of August 1910.

Mr. MITCHELL. Where were you educated?

Mr. OLSHANSKY. I was educated in Voronezh.

Mr. MITCHELL. What schools did you attend?

Mr. OLSHANSKY. I attended high school in Voronezh and the State University of Voronezh.

Mr. MITCHELL. In what did you specialize at the state university?

Mr. OLSHANSKY. In mathematics.

Mr. MITCHELL. Where were you, Mr. Olshansky, on September 1, 1939?

Mr. OLSHANSKY. In Voronezh.

Mr. MITCHELL. What were you doing in Voronezh on September 1, 1939?

Mr. OLSHANSKY. I was associate professor at the Voronezh State University, in the department of mathematics.

Mr. MITCHELL. How long did you remain in this position?

Mr. OLSHANSKY. I held this position for 2 years.

Mr. MITCHELL. When did you enter the Russian Army?

Mr. OLSHANSKY. In September 1941.

Mr. MITCHELL. What was your rank and position in the Russian Army?

Mr. OLSHANSKY. I was a staff officer of the army then, and I was a major in the Engineering Corps.

Mr. MITCHELL. Mr. Chairman and the committee, the witness has informed me that he would like to make a brief statement as to his position and service in the Russian Army covering the period 1941 through 1946.

Will you make a brief statement covering your time and service in the Russian Army for the period 1941-46?

Mr. OLSHANSKY. From 1941 and until 1942 I was a staff officer in the Southwestern Army.

From the summer of 1942 until 1943, I took part in the Stalingrad operations, and from 1943 until 1944, I took part in Bielo-Russian operations under Marshal Rokosovsky.

Then from 1944 until the end of the war, I was in the same operations under Marshal Zhukov, and he was with the Fifth Army then.

Mr. MITCHELL. When did you leave the Russian Army, and where?

Mr. OLSHANSKY. I left the army after the war ended, and I stayed in Berlin, Germany.

From 1946 until the end of 1947 I was inspector of a section of German people's education under Soviet military administration, and besides, I was a teacher of the Russian schools in Berlin at the same time.

MR. MITCHELL. When you say Russian schools, do you mean the one that was established after the war?

MR. OLSHANSKY. Yes. Those schools were established after the war under Soviet military administration.

MR. MITCHELL. Where did you know Professor Burdenko, or Dr. Burdenko, who was the head of the Soviet extraordinary state special committee to investigate the Katyn Forest massacre?

MR. OLSHANSKY. My father was a doctor, and he was a good friend of Professor Burdenko from 1919. From 1919 until 1923, Professor Burdenko and my father were together in Voronezh.

After that Professor Burdenko left for Moscow, but he kept his friendship with my father and my family.

My father died in 1929, but every time I visited Moscow I visited Professor Burdenko. And Professor Burdenko helped me to finish my education and he helped me financially.

I saw Burdenko before the war for the last time in 1936. From 1936, Professor Burdenko was personal physician in the Kremlin and he was the physician of Stalin, too.

In 1939 Professor Burdenko had to join the party. Professor Burdenko was an outstanding scientist, and he was a member of the old Union Academy of Sciences.

During the war, I met Professor Burdenko in 1944 in Gomel. I was wounded then in the hospital, and Professor Burdenko was sent there for inspection. At that time, Professor Burdenko was the chief surgeon of the Red Army, and he had the rank of lieutenant general of the Medical Corps, which was the highest rank assigned in the Medical Corps.

As far as the Katyn massacre was concerned, I could not discuss that problem in the hospital. I could not discuss the matter as there were too many strangers. So we just interchanged several sentences, as far as my house was concerned.

I heard about the Katyn massacre from the Soviet press at the beginning of 1944. I didn't have any doubts right from the beginning that it was one of the Soviet tricks. My opinion was shared by many officers of the army with whom I was very friendly. When I got into Poland with the army of Marshall Rokosovsky, I heard from the Polish people the same opinion, and I developed a great desire to find out the truth of that matter.

I left Berlin at the end of April 1946 for Moscow. I was traveling to the assignment for 5 days, and I made it my point to visit Professor Burdenko, who was sick at that time.

MR. MITCHELL. Where?

MR. OLSHANSKY. In Moscow.

At that time, Professor Burdenko was the president of the Academy of Medical Science of the U. S. S. R.

MR. MITCHELL. This was in 1946?

MR. OLSHANSKY. Yes; it was at the end of April 1946.

MR. MITCHELL. 1946?

MR. OLSHANSKY. 1946.

MR. MITCHELL. Proceed.

MR. OLSHANSKY. And Professor Burdenko was a member of the Supreme Council of the U. S. S. R. At the time when I went to visit Professor Burdenko, he was sick and he didn't take much part in any activities. Professor Burdenko was 67 years old at that time. He

received me at his apartment on Iverskoy-Imskoy Street in Moscow.

When I visited Professor Burdenko, he was wearing his general's coat then and, to all appearances, it seemed that he was a well man. Knowing that he was not feeling well, I did not want to prolong our conversation, which lasted, in all, 40 minutes. After several sentences of usual conversation, I asked him on the matter of Katyn.

Professor Burdenko answered that there was nothing to think about it; that Katyns existed and are existing and will be existing. Anyone who will go and dig up things in our country, Russia, would find a lot of things, that we had to straighten out the protocol given by the Germans on the Katyn massacre.

Mr. FLOOD. By the German protocol, do you mean the German report and conclusions on their investigation of the Katyn massacre; is that what you mean?

Mr. OLSHANSKY. Yes. It is the German report.

Mr. FLOOD. And the German protocol, the German report, concluded that the Russians committed the crime?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. Professor Burdenko meant by clearing up the German protocol was that the Russians had to file some kind of a report showing that the Germans did it; is not that what you mean?

Mr. OLSHANSKY. There was a special commission established by Burdenko.

Mr. FLOOD. To prove that the Germans did it?

Mr. OLSHANSKY. Yes.

Mr. MITCHELL. Will you go on about your conversation with Professor Burdenko?

Mr. OLSHANSKY. I repeat the statement I made previously. He said that Katyns are existing, and would be existing, if you would be digging out in the country of Russia.

Now I repeat the words of Professor Burdenko, who later said, "I was appointed by Stalin personally to go to the Katyn place. All the corpses were 4 years old."

And Professor Burdenko said, "For me, as a medical man, this problem was quite clear. Our NKVD friends made a mistake." Such were the words of Professor Burdenko, which proved what I supposed before.

I did not ask him why he signed the protocol because for every Soviet citizen it was obvious—he had to lose his head if he would not have signed it. I left Professor Burdenko, and he wished me all the luck in the West, as he mentioned it, and then I heard that he died in November 1946.

Mr. FLOOD. This Professor Burdenko was the chief of the Russian medical mission which investigated the Katyn massacre, was he?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. And this commission made an investigation at Katyn and filed a report that the Germans committed the crime?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. Professor Burdenko, as the chief of the Russian medical mission, signed the report, did he not?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. Do you want us to believe now that in your conversation with Professor Burdenko, as you have described it, do you construe

Professor Burdenko's conversation as a complete repudiation by Professor Burdenko of the Russian report?

Mr. OLSHANSKY. When Professor Burdenko signed the report he knew that the crime was committed by the NKVD.

Mr. FLOOD. Did Professor Burdenko say that the Polish officers, in his judgment, had been killed by the Russian NKVD?

Mr. OLSHANSKY. He stated it himself, that in being a doctor himself he didn't have any doubt at all.

Mr. FLOOD. Doubt about what?

Mr. OLSHANSKY. That the Russian NKVD committed the crime.

Mr. FLOOD. That is all.

Mr. MITCHELL. Where did you go from Moscow?

Mr. OLSHANSKY. From Moscow I returned to my work in Berlin.

Mr. MITCHELL. How long did you stay in the Berlin zone?

Mr. OLSHANSKY. I was in Karlshorst from 1948, and after that I escaped with my family and I became a political refugee.

Mr. MITCHELL. Where did you enter the western zone?

Mr. OLSHANSKY. I arrived in Regensburg to the American military government, and I got protection from the American authorities and the right for immigration.

Mr. MITCHELL. When did you arrive in the United States?

Mr. OLSHANSKY. I arrived in the States on January 2, 1952.

Mr. FLOOD. Did anybody promise you anything to come here to testify?

Mr. OLSHANSKY. Nobody promised anything, but I consider it my moral duty.

Mr. FLOOD. Are you a voluntary witness, or were you subpoenaed?

Mr. MITCHELL. I will answer that. He is a voluntary witness, sir.

Mr. FLOOD. I have just one more question.

Is it not true that Professor Burdenko, or Colonel General Burdenko, the chief of the Medical Corps of the Russian Army, was also, from time to time, the personal physician of Stalin?

Mr. OLSHANSKY. Yes, sir.

Mr. FLOOD. That is all.

Mr. MITCHELL. Do you have any further questions, Mr. Sheehan?

Mr. SHEEHAN. No.

Mr. MITCHELL. I have no further questions.

Mr. FLOOD. We appreciate your interest in these proceedings, Mr. Olshansky, and we are grateful to you for taking the time to come here and give us the advantage of this very important testimony.

Mr. OLSHANSKY. I repeat again that it is my moral duty.

Mr. FLOOD. The committee will now recess, to reconvene subject to call of the Chair.

(Thereupon, at 12:10 p. m., the committee adjourned to reconvene subject to call of the Chair.)

THE KATYN FOREST MASSACRE

TUESDAY, NOVEMBER 11, 1952

HOUSE OF REPRESENTATIVES,
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,
Washington, D. C.

The committee met at 10 a. m., pursuant to call, in room 1301, House Office Building, Hon. Ray J. Madden (chairman), presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order.

I might say that the hearings this week will terminate the investigations of the Katyn committee.

A year ago in September, Congress authorized the creation of this special committee for the purpose of determining officially the guilt of the nation responsible for the massacring of approximately 14,000 Polish soldiers and intelligentsia at the beginning of World War II.

This committee started hearings in October a year ago, and when Congress reconvened in January we held hearings in Washington and Chicago in February and March, and in March the Congress authorized our committee to go abroad and complete our hearings.

The members of the committee decided last June that it was essential that we file an interim report as to the No. 1 purpose of the committee, which was to determine the guilt of the nation committing these massacres.

The Katyn Massacre is the only international crime in world history where two nations disputed the guilt. There have been a great number of international crimes in history, but the world always knew the nation that was responsible, except in the case of the massacre of the Polish soldiers and intellectual leaders at Katyn.

In order to file our report with the Congress before adjournment last July, the committee decided to file an interim report dealing with the guilt of the nation responsible for the massacre. In our report which I have just mentioned, we unanimously decided that the testimony revealed that the Soviet Government, beyond any doubt or question whatsoever, was responsible or guilty for the massacring of these Polish soldiers and intelligentsia.

At the time this committee was created, Members of Congress were very much interested in what happened to certain reports that were filed immediately after the finding of these bodies at Katyn. These reports disappeared.

Also, there were a number of questions by the Members of Congress at the time this resolution was on the floor of the House, regarding

the operation of the Nuremberg trials. That is the reason why we are holding hearings here this week.

We have already had several witnesses in our former hearings testify regarding these reports, but the witnesses that will be heard this week will further elaborate for the information of the committee as to what happened to these reports.

Mr. Justice Jackson was very cooperative to volunteer testimony this morning as to information regarding the Nuremberg trials.

I also wish to commend the members of the committee for the outstanding work they have done on the hearings both here and abroad. The work of the committee has been difficult and its success can be attributed to the nonpartisan and diligent work of the committee members.

After the hearings this week, the committee will complete its report on the second phase of the hearings, to wit, the disappearance of the files and testimony regarding Nuremberg. We will make our final report to Congress before the end of the year on this phase of the hearings.

I might further state that in the filing of our interim report, the committee made four recommendations to the Congress of the United States, which were unanimous:

No. 1, requesting that the President of the United States forward the testimony, evidence, and findings of this committee to the United States delegates at the United Nations.

No. 2, requesting, further, that the President of the United States issue instructions to the United States delegates to present the Katyn case to the General Assembly of the United Nations.

No. 3, requesting that the appropriate steps be taken by the General Assembly to seek action before the International World Court against the Union of Soviet Socialist Republics for committing a crime at Katyn which was in violation of the general principles of law recognized by civilized nations, and,

No. 4, requesting the President of the United States to instruct the United States delegation to seek the establishment of an international commission which would investigate other mass murders and crimes against humanity.

Judging from the revelations and the testimony that this committee has revealed regarding the Katyn massacre, I believe all members of the committee and possibly all Members of Congress will cooperate with the members of this committee to investigate other massacres and violations of international law which have been committed in Korea.

I believe that every member of this committee would pursue the work that we have started to see if something cannot be done to arouse world public opinion against international brigandry, barbarism, and lawlessness of this kind.

If any other members have anything to say, we will be glad to hear them. Otherwise, we can proceed with the testimony.

In order to finish the hearings this week, we decided to have hearings today, which is Armistice Day. The committee and the people in the room will stand for a minute to pay tribute to the war dead.

(An interval of silence.)

Chairman MADDEN. Let me say that under the rule in the House of Representatives, we do not wish to have photographs taken while the

witness is testifying. If any photographer here would like to take pictures at this time, it is agreeable with the witness and also with the committee.

Mr. Justice, is it agreeable with you to take some pictures now?

Mr. Justice JACKSON. Yes.

**STATEMENT OF HON. ROBERT H. JACKSON, ASSOCIATE JUSTICE,
UNITED STATES SUPREME COURT**

Chairman MADDEN. For the purposes of the record, Mr. Justice, would you state your name and your title?

Mr. Justice JACKSON. Robert H. Jackson. At the present time I am associate Justice of the United States Supreme Court. I was representative and chief of counsel for the United States at the Nuremberg prosecutions, at the international trial only.

Chairman MADDEN. Do you have a statement you wish to read?

Mr. Justice JACKSON. Yes. I told your counsel that I would prepare a statement, with dates as exact as I could get them, so that it would be as accurate as possible. I have such a statement, which is being handed to your counsel and, if there is no objection on the part of the committee, it will be given to the press. It has not been distributed so far.

Chairman MADDEN. That is satisfactory.

Will you now proceed with your statement, please?

Mr. Justice JACKSON. The guilt for the Katyn Forest massacre has not been adjudged by the Nuremberg Tribunal, and inquiry into it is not inconsistent with the position taken by the United States prosecution at the Nuremberg international trial of Goering and others.

It was my responsibility to conduct the prosecution on behalf of the United States. I am glad to inform you in detail concerning all decisions and actions in reference to the Katyn atrocity and the reasons which conduced to them.

The first step that seems pertinent was an agreement to divide primary responsibility for preparation and presentation of the case among the prosecutors representing the four Allied Powers. This was intended to fix on someone responsibility for covering each part of the case, to avoid duplication, and to expedite a trial of unprecedented complexity.

To the United States was allocated the over-all conspiracy to incite and wage a war of aggression. The British were assigned the violation of specific treaties and crimes on the high seas. Violations of the laws of war and crimes against humanity were divided on a geographical basis. The French undertook crimes in western Europe, and the Soviet prosecution was assigned the duty of preparing and presenting evidence of crimes in eastern Europe—an area largely in Soviet occupation, and to much of which the others of us had no access. The geographical area thus assigned to the Soviet representatives included Katyn Wood and Poland as well, but at that time it was not known that the Katyn massacre would be involved.

The first proposal that the Nuremberg trial should take up examination of the Katyn massacre came from the Soviet prosecutor during the drawing of the indictment. Preliminary drafts were negotiated in London at a series of conferences where I was represented, but not

personally present. At the last London meeting, the Soviet prosecutor included among crimes charged in the east the following:

In September 1941, 925 Polish officers who were prisoners of war were killed in the Katyn Forest near Smolensk.

Both British and American representatives protested, but they finally concluded that, despite their personal disapproval, if the Soviet thought they could prove the charge they were entitled to do so under the division of the case.

The indictment was brought to Berlin for final settlement and filing, where I objected to inclusion of the charge and even more strongly when, at the last moment, the Soviet delayed its filing by amending the Katyn charge to include 11,000 instead of 925 victims. However, it was in the Soviet part of the case and they had investigated Katyn; we had no opportunity to do so. In view of what we knew of the over-all Nazi plan to exterminate inhabitants of Poland, it did not seem unlikely that this was part of their program, and the Soviet claimed to have adequate evidence of Nazi guilt.

While we did not feel justified in preventing the issue, we warned the Soviet delegation that we did not have evidence to support the charge nor time nor opportunity to investigate it and that, if it met with denial or countercharges, we would keep hands off and leave the entire contest to the Soviet and German lawyers.

The reasons for opposing inclusion of this charge and refusal to participate in its trial were that to litigate that issue would conflict in several respects with what I considered to be sound trial policy for the first such case in history. It was not based upon any conviction in my own mind about the truth or falsity of the charge. I knew that the Nazis and the Soviets accused each other, that both were capable of the offense, that perhaps both had opportunity to commit it, and that it was perfectly consistent with the policy of each toward Poland. Whatever the facts were, they had become overlaid with deep layers of Nazi and Soviet propaganda and counterpropaganda, and it seemed we could not at the international trial wisely undertake or satisfactorily achieve the long task of separating truth from falsehood. The chief reasons in support of that conclusion are four:

First, responsibility for the massacre did not appear to be capable of documentary proof or substantial corroboration. One of the basic decisions on policy concerning the Nuremberg international trial was that we should accuse only defendants whose guilt could be established and should charge only offenses whose occurrence could be fully proved or substantially corroborated by documentary evidence captured from the Germans themselves.

Because this was the first international criminal trial in history and was held in the wake of war when passions were high, we did not want any judgment that would rest solely on oral testimony of witnesses whose interest, bias, memory, and truthfulness would always be open to question. This required us to pass over many tempting matters because evidence measuring up to this standard was not then obtainable. However, that policy was so far observed that the tribunal, in its judgment, said:

The case, therefore, against the defendants rests in a large measure in documents of their own making, the authenticity of which has not been challenged except in one or two cases.

We had the diary of Hans Frank, the Nazi Governor-General of Poland, acknowledged by him to be authentic, saying:

We must annihilate the Jews wherever we find them and wherever it is possible.

In August 1942 he wrote of Nazi manipulation of hunger rations in Poland:

That we sentence 1,200,000 Jews to die of hunger should be noted only marginally. It is a matter, of course, that should the Jews not starve to death it would, we hope, result in the speeding up of the anti-Jewish measures.

We had written evidence of specific extermination measures, such as the 75-page leather-bound official report by Major General Stroop which recited the killing of men, women, and children of the Warsaw ghetto to the exact number of 56,065, and set out the day-to-day measures, including shooting, fire, explosion, and chemical extermination in the sewers, where the victims had taken refuge, accompanied by photographs to prove the operation's efficiency.

We had the report by SS Brigade Fuehrer Stablecker to Himmler, dated October 1941, of the execution of 135,567 persons in Lithuanian area.

We had a top-secret report, dated May 16, 1942, of the ghastly details of the operations in the east of gas wagons for killing undesirables.

We also had German protests, official, but not very high minded, against such exterminations, in one instance of 150,000 to 200,000 Jews, and in another instance of 5,000 Jews, because it was complained they should have been spared for use as forced labor.

Some of the documents, intended to conceal crime, unconsciously dramatized it. For example, a death book of the Mauthausen concentration camp recorded 35,317 deaths. During a sample period 203 persons died of the same ailment, heart trouble, died at brief and regular intervals, and, more astonishingly, died in alphabetical order. Death came first to Ackermann, at 1:15 a. m., and reached Zynger at 2 p. m.

Oral testimony and affidavits were available from captured German officials. One told of the official Gestapo estimate that the Nazi extermination program had done away with 4 million persons in concentration camps and that 2 million additional were killed by the secret police in the east.

Another Nazi, General Ohlendorf, testified willingly, even boastfully, that he supervised execution of over 90,000 men, women, and children in the eastern area.

The witness Hoess, in charge of Auschwitz extermination center, swore that under his regime it exterminated 3 million human beings. This was by far the largest and most atrocious of the atrocities committed against the Polish people.

Nor did we rest upon the documents which the fortunes of war had placed in our hands when documents were procurable from other sources. An example was the Nazi persecution of the church and clergy, particularly vicious in Poland, which the Nazis documented with the candor and thoroughness that they did persecution of the Jews. It is doubtful whether, even if time were available to us, we could have gathered evidence of the church persecution in Poland, since any probable witnesses were in the area under Soviet control

where Americans even then were rarely admitted, and we may doubt the zeal of the Soviets to obtain proof on that subject. However, I sought an audience with Pope Pius, and obtained from His Holiness the Vatican documents in which detailed evidentiary material was already collected, and which supported the charge of religious persecution.

As to the Katyn massacres, we knew of no source to which we could turn for such documentation. Extermination of these intelligent and patriotic Poles who might become the leadership of the restoration of Poland was provable by document to be consistent with the Nazi policy toward Poland. Yet, while they had boasted on paper of the worst crimes known to man, we found but one Nazi document that even hinted at Nazi responsibility for the Katyn massacre, that being a telegram reporting that the Polish Red Cross had found that German-made ammunition was used in the killings.

A fourth difficulty entered into our reluctance to undertake the Katyn murder charge as part of the Nuremberg trial. We were under exceedingly heavy pressure to get along with the trial. A persistent criticism in the American press during the trial was its long duration.

Of course, that is forgotten now.

Oral testimony from witnesses, subject to cross-examination by several counsel, of course takes much more time than documentary proof. Every word of testimony taken in the Nuremberg trial had to be forthwith interpreted into three other languages. Every examination or cross-examination had to include any proper questions desired by more than 20 lawyers representing defendants and 4 for the prosecution, and these were trained in 5 different legal systems—English, American, French, Russian, and German.

Therefore, in the interests of expedition it was necessary to forego calling of witnesses so far as possible. You will best realize the extent to which we avoided relying on oral proof when I remind you that all 4 prosecutors at Nuremberg called only 33 witnesses to testify orally on the whole case against the 20 individual defendants, and these defendants, in addition to themselves, called only 61 witnesses.

You have already, according to your interim report, orally examined 81 witnesses on this 1 atrocity.

Notwithstanding these considerations, the Soviet prosecutor, on February 14, 1946, opened the subject by presenting to the tribunal a report by a Soviet extraordinary state commission of its investigation of the Katyn crime. It recited testimony, including a good deal of hearsay and medical data, as to the condition of the exhumed bodies. On this, experts based opinions that the executions took place during the period of German occupation and, therefore, that the Germans were responsible.

Dr. Stahmer, counsel for Goering, made a prompt request to call witnesses to contradict the Soviet report, which occasioned some disagreement between the Soviet prosecutors and those representing Great Britain and the United States. The Soviet lawyers took the view that, since the court took "judicial notice" of the report of the extraordinary commission as a state document, it could not be contradicted. Under Soviet law it probably could not, but would be entitled to faith and credit—as a judgment, statute, or public act would be here. Nevertheless, we thought that its nature was such that it was

clearly open to contradiction. Then the Soviet lawyers proposed, if the subject were opened, to call 10 witnesses. The tribunal, however, ruled that it would "limit the whole of the evidence to three witnesses on either side, because the matter is only subsidiary allegation of fact."

Testimony of three witnesses for each was heard on the 1st and 2d days of July 1946. What it was is a matter of record—I have cited the record to you—and what it is worth is a matter of opinion.

At the conclusion, neither side was satisfied with its own showing and both asked to call additional witnesses. The Soviet, especially, complained that they had been allowed to call only 3 of the 120 witnesses that appeared before the Soviet commission. The tribunal, wisely, I think, refused to hear more of the subject.

The Soviet prosecutor appears to have abandoned the charge. The tribunal did not convict the German defendants of the Katyn massacre. Neither did it expressly exonerate them, as the judgment made no reference to the Katyn incident. The Soviet judge dissented in some matters but did not mention Katyn.

This history will show that, if it is now deemed possible to establish responsibility for the Katyn murders, nothing that was decided by the Nuremberg tribunal or contended for by the American prosecution will stand in your way.

Chairman MADDEN. Does that complete your formal statement, Mr. Justice?

Mr. Justice JACKSON. That is right.

And I may say that my files supporting this are open to your counsel at any time, as I think he understands.

Chairman MADDEN. If you have any further comments to make before the members propound questions, you are at liberty to make any comments you desire.

Mr. Justice JACKSON. Thank you, Mr. Chairman.

I think that tells the story of the situation, and I will be glad to answer any questions that the committee wishes to ask about it.

Chairman MADDEN. Do any members of the committee have questions?

Mr. MITCHELL. Mr. Chairman, may I just finish up one part of this now?

Chairman MADDEN. Proceed.

Mr. MITCHELL. Mr. Jackson, will you refer to part 5 of the Katyn Forest Massacre Committee hearings held in Frankfurt, Germany, page 1537, and will you read, please, the statement of Dr. Kempner?

Mr. Justice JACKSON (reading):

Count I, conspiracy, and count II, crimes against peace, were handled by the United States and by the British. Count III, war crimes, and count IV, crimes against humanity, were divided up according to geographical regions or districts. The French handled the war crimes and crimes against humanity as far as Western Europe was concerned. They were, so to speak, spokesmen, the prosecuting spokesmen, for the French, for the Dutch, for the Belgians, and other German-occupied western territories. The Russians were in charge of war crimes and crimes against humanity which were allegedly committed in the eastern areas, and if I say eastern areas, I mean the Soviet Union, Poland, and at the time they handled also Yugoslavia and Bulgaria, Czechoslovakia.

Mr. MITCHELL. Your prepared statement of this morning has satisfactorily cleared up any doubt that might be in the mind of anybody concerning that statement; is that correct, sir?

Mr. Justice JACKSON. I think so.

Of course, there were crimes against Greece which were also included in the eastern territory. We included some against the Lithuanians, Estonians, and the Baltic groups.

And while this division prevailed, it was not an absolute division, for the reason that conspiracy to commit these crimes was the responsibility of the Americans, and in establishing the conspiracy, we put in a great deal of evidence on those crimes ourselves, as I pointed out.

We put in a great deal about Poland, although it was not in our area on the crimes against humanity. It was in our area in the over-all conspiracy charge.

So that it is a little difficult to say that a very exact division was observed, because of the overlapping.

Chairman MADDEN. Mr. Counsel, for the record, I think you should identify who Dr. Kempner is.

Mr. Justice JACKSON. Dr. Kempner was a man who had been a German lawyer and was in the employ, I believe, of the OSS. My staff was not a staff that I hired. I borrowed the staff from other departments. I had no budget and I borrowed help. Dr. Kempner was borrowed from the OSS and assisted us there throughout the trial.

He then took a part in the subsequent trials.

Mr. MITCHELL. While participating, he was an American citizen, was he not?

Mr. Justice JACKSON. Yes; I think that is the case.

Mr. MITCHELL. Will you now refer to page 3 of your prepared statement, Mr. Justice?

In paragraph 2 the statement is made that:

We would keep hands off and leave the entire contest to the Soviet and German lawyers.

Now, there has been a great deal of talk that representatives of the United States, members of your staff, in some way or other, by implication or by assistance, tried to assist the Soviets in the proving of this case. Do you, to your personal knowledge, know of any individual who, in any way, participated in assisting the Soviets in proving this case against the Nazis, that is, an American?

Mr. Justice JACKSON. That is a very difficult question to answer as broadly as you have asked it.

Our captured documents were set up in a document room and our captured documents were available to the Soviets and to the Germans. For example, the document that the Soviets did use showing the telegram about the German ammunition, that was an American-captured document.

Our documents were available to both sides.

But that is the only document that we ever found.

Now, we did not permit the Soviets to go into our document room and make their own selections of documents. If there was something that bore on particularly their phase of the case, I suppose that some of our people furnished them those documents.

Other than that, I know of no assistance. In fact, there was not a great deal of even conferring between their staff and ours because the Soviets are not very sociable, I might say. They hesitate somewhat to be too much with us.

Mr. MITCHELL. Could you clear up for the record, please, the exact function of General Mitchell, who was the executive secretary? I believe it was he. Was he the American who was in control of making arrangements for the lawyers to meet?

Mr. Justice JACKSON. I cannot give you much information about General Mitchell. He was not under my control and he was not on my staff.

The tribunal, when it arrived, set up its own staff, and General Mitchell was selected by somebody to represent, as general secretary—I believe it was called—the tribunal. He did not in any way represent me. He was not a lawyer, and I suppose any instructions that he had came from the tribunal.

We had an American that I had asked to remain over there, Mr. Willey, now Clerk of the United States Supreme Court, who had gone over to help set up courts in that country. I asked him to come to Nuremberg to assist in the clerical work of the tribunal. The tribunal, however, got General Mitchell and put him over all four of the representatives.

Mr. MITCHELL. Do you know, to your own personal knowledge, whether any member of your staff participated in the discussions between the German counsel and the Soviet counsel?

Mr. Justice JACKSON. I could not say. I think they may have been present as observers, or something of that sort, because we were much concerned about not having a situation that would prolong this trial. But we took no part in any arrangements between the Soviets and the Germans about it. We thought that was their fight.

Mr. MITCHELL. Therefore, any member of your staff had no specific instructions from you to participate in preparing the case one way or the other?

Mr. Justice JACKSON. Oh, no.

Mr. MITCHELL. No further questions.

Chairman MADDEN. Mr. Machrowicz.

Mr. MACHROWICZ. Mr. Justice, referring to the final paragraphs of your statement, you state that:

The Soviet prosecutor appears to have abandoned the charge. The tribunal did not convict the German defendants of the Katyn massacre * * *.

That is based upon the fact that there were no findings made by the tribunal; is that correct?

Mr. Justice JACKSON. That is right.

Mr. MACHROWICZ. Since the question has been raised at various times, I would like to have you give us your statement as to whether it could have been possible, if proper testimony had been adduced at the hearing, to convict the Soviets of the crime at the Nuremberg trial, in view of the four power nature of that tribunal?

Mr. Justice JACKSON. It could not.

Mr. MACHROWICZ. Will you explain why?

Mr. Justice JACKSON. They had not been indicted.

And if you will make reference to the very first page, you will see that my authority was only to prepare and prosecute charges of atrocities and war crimes "against such of the leaders of the European Axis Powers and their principal agents and accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal."

Mr. MACHROWICZ. So it could not have been presented at the Nuremberg trial.

Mr. Justice JACKSON. It surely could not have been, nor was I at liberty to negotiate on any such subject.

Mr. MACHROWICZ. Did you at any time receive any instructions from anyone in authority to treat the Katyn case in any other manner than the other portions of the indictment against the Germans?

Mr. Justice JACKSON. No. As a matter of fact, I received very little instruction from anybody. The thing was a lawyer's job, and I had no instructions. If I may be so blunt as to say so, I thought that having once gotten me into it, there was a pronounced disposition to leave everything to me. I will not say exactly that it was to "pass the buck," but I was in charge of it.

Mr. MACHROWICZ. Do you have with you the exchange of any cables or other messages that were sent prior to the presentation of the Katyn case between you and any other representative of the United States Government?

Mr. Justice JACKSON. There was no cable that I know of, except the cable that I referred to, from General Clay, which I do have here. It is classified "Secret," and perhaps should not become a part of the record. But I should be perfectly satisfied to have the committee see it.

Mr. MACHROWICZ. May I ask whether you have any recollection of receiving a cable from Ambassador Lane in Warsaw?

Mr. Justice JACKSON. This, I suppose, originated with Ambassador Lane.

Mr. MITCHELL. Could the committee see that, please?

Mr. Justice JACKSON. Yes, certainly.

It may be a paraphrase, and may not, I don't know.

Mr. MACHROWICZ. Is that dated December 16, 1945?

Mr. Justice JACKSON. No; January 21, 1946.

Mr. MACHROWICZ. I would like to have you examine this exhibit I have here, which purports to be a cablegram from Ambassador Lane to Secretary of State Stettinius at Washington, with a copy to Berlin, Justice Jackson, Nuremberg, bearing the date of December 16, 1945, and I ask you whether you have a recollection of seeing that document?

Mr. Justice JACKSON. I could not say whether I ever saw that or not. I certainly would not say that I did not. There was a vast amount of material pouring in on us, and we had a number of people working on different branches of the case. I surely would not say that it might not have come to the attention of somebody in a responsible position with me.

Mr. MACHROWICZ. Do you remember any information received from Warsaw or Washington which would give you advice, let us say, similar to that contained in that cablegram?

Mr. Justice JACKSON. That was consistent with our attitude, and I have no recollection of any specific inference.

Mr. MACHROWICZ. You referred in your statement to statements made by Colonel Van Vliet, Colonel Stewart, and Colonel Szymanski. I believe you referred to Colonel Szymanski, who had testified before this committee. Is that correct?

Mr. Justice JACKSON. That is where I heard about it.

Mr. MACHROWICZ. Did you read those statements?

Mr. Justice JACKSON. No; I have not.

Mr. MACHROWICZ. Have you read the statements of witnesses that appeared to give testimony before this committee?

Mr. Justice JACKSON. No. I have not had time to do so.

Mr. MACHROWICZ. You are aware, however, that these three, Colonel Van Vliet, Colonel Stewart, and Colonel Szymanski, did, prior to December 1945, make reports to the Department of the Defense indicating Russian guilt for the Katyn massacre?

Mr. Justice JACKSON. I am so informed now; yes.

Mr. MACHROWICZ. Looking in retrospect, would you not think, then, that it would have been of assistance to you had you had those reports in your possession at the time?

Mr. Justice JACKSON. Of course, any information would have been helpful. If we had had information of that kind, I cannot pass on whether this would have been adequate, but if we had had adequate information of Russian guilt, we would not have consented at all to have it in. It would have strengthened our hand in keeping it out immensely and probably would have resulted in the Soviets not making the accusation.

Mr. MACHROWICZ. The point I wish to make is that you know now that prior to December 1945 the United States Government did have certain officials reports, namely, reports of Colonel Van Vliet, Colonel Stewart, and Colonel Szymanski, which very strongly indicated Soviet guilt.

Mr. Justice JACKSON. I understand they had such statements.

Mr. MACHROWICZ. Can you give us any reason that you might know of why those reports were not made available to you?

Mr. Justice JACKSON. I do not know where they were. You must remember that communication at that time was very difficult. I do not know where the reports may have been. I do not know what their reasons may have been for not calling them to our attention.

Since we did not propose to go into the litigation of this issue, they may have, knowing our attitude, thought they were not important. I would not know what their reasons were.

Mr. MACHROWICZ. Referring to a remark contained on page 5 of your statement, you state that the attitude of the Polish Government in exile was that the case should not be presented at Nuremberg; is that correct?

Mr. Justice JACKSON. That is what they concluded.

I will give you the photostats of the letter.

Mr. MACHROWICZ. Which letter are you referring to? The letter of the 12 Members of the Parliament?

Mr. Justice JACKSON. Yes. I will give you photostats of that.

Mr. MACHROWICZ. General Anders did offer to testify if he was requested to do so, by the tribunal; is that correct?

Mr. Justice JACKSON. I did not know of that until his book, as I have said, I did not know that Stahmer, who was Goering's counsel, had asked him to testify. I did know that Stahmer knew that these conversations to which Anders was a party had taken place, because the Germans filed with the tribunal a request for documents which would show that they knew that.

Mr. MACHROWICZ. Is there anything in these documents, Mr. Justice, which would indicate that this communication from the members of the Polish Parliament was sent to you as a result of instigation by the

British authorities, or as a result of conference with the British authorities?

Mr. Justice JACKSON. No; I do not think so. I do not recall anything in it that would give that indication.

Mr. MACHROWICZ. That is all, Mr. Chairman.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Mr. Justice Jackson, there is one thing in your statement that caused me to raise my eyebrows, and I am sure you may be able to help us on it.

It is on page 4, at the bottom of the page:

Second, if we were ever to depart from the policy of presenting documentary evidence, this atrocity was not a suitable instance because we knew of no witnesses who could supply oral proof to establish the identity of the perpetrators * * *.

Now, the Nuremberg trial took place in 1945 and 1946.

Mr. Justice JACKSON. That is right.

Mr. DONDERO. There was presented to us—I will have to make this statement to you—there was presented to this committee at Frankfurt, Germany, what is known as a protocol or statement signed by 12 medical experts, representing at least 6 different governments of Europe, some of them neutral governments, to the effect that when the graves of these men were discovered by the Germans they had invited in these experts to make an examination of the bodies and to file such statement as they saw fit.

These 12 did so at the grave site, and such statement is now known as the protocol which was offered in evidence before our committee and is now a part of the record.

When we were in Europe we called before us as witnesses some of those 12, who were still living, and I recall the doctor from Denmark, Dr. Tramsen, and Dr. Naville, from Switzerland, and Dr. Miloslavich, of Yugoslavia.

It appeared that the other doctors who lived in the countries that have since been taken behind the iron curtain have committed suicide, or have died.

I do not have that statement before me, but it is dated as I recall, in May of 1943, which would be more than 2 years before the Nuremberg trials.

They stated that in the protocol these Polish officers or intelligentsia were killed, in their opinion, sometime in the autumn of 1939 or the early part of 1940. At that time, the ground in which these bodies were found was in possession of the Russians, and it is on Russian soil.

My question is: Did the tribunal of which you were a part, have before it any of that evidence either of that protocol or of the 12 doctors, representing some of the neutral nations, who made their findings at the graves in 1943?

Mr. Justice JACKSON. First, I would like to say that I was not a part of the tribunal. I was a prosecutor before the tribunal.

However, we knew of that report. What the tribunal knew about it I think was put in evidence by the Germans. That report was the subject of the controversy. The Germans had their report signed by the 12 doctors. The Russians had their extraordinary commission report, in which their doctors had looked at these bodies, not the same bodies perhaps, but they had exhumed bodies, and they gave their expert opinions.

Mr. DONDERO. Was that last-named commission wholly Russian?

Mr. Justice JACKSON. That is right.

Now, at the request of the Germans, we located Dr. Naville, whom I think you swore, and you will find in my statement at page 13, in the fine print, Congressman Dondero, that the tribunal allowed him to Goering, provided he could be located.

We found him in Switzerland, but he informed the tribunal that he saw no use in coming as a witness for Goering. In other words, some of these witnesses that may be available today were not going to help Goering and his crowd. That was the attitude of General Anders.

That correspondence was conducted between Goering's lawyer and General Anders, and he was not willing to come at their request.

We did not want to get into expert testimony. The Russians did have an enormous number of alleged witnesses, and we would be there yet if it called their 120 witnesses and the German witnesses.

The tribunal limited it to three on a side. That was not at our request, although I may say I was greatly relieved when I found that they had done it.

And I do not criticize them for it because, in the conditions of that time, I do not think it would have been a profitable inquiry.

Mr. DONDERO. The court had been in session a considerable length of time, I think 9 months, and it wanted to wind up its hearings and disband.

Mr. Justice JACKSON. That is right.

Mr. DONDERO. Now, I have one more thing.

You spoke of the German ammunition. Did the tribunal call before it any of the manufacturers of German ammunition to testify?

Mr. Justice JACKSON. No. There was no request from the Germans to do so.

You will find all that I know about the German ammunition in the fine print on note 20, on page 9. There was a letter which followed, and we never found the letter. It may be in existence. What the letter would have shown, we do not know.

Mr. DONDERO. The reason for asking you that question is this: There was presented to this committee in Frankfurt, Germany, the head, or the president of the company that made the ammunition, with his books, showing that firm had sold ammunition to the three Baltic States, and also to Russia some years before World War II had broken out. That rather indicated that even though it was German ammunition that was used in the killing of these men, there was an explanation as to how it got into the hands of the Russians. They had purchased it.

Mr. Justice JACKSON. That piece of evidence we did not regard as of any significance to ourselves, because of the fact that so much ammunition changes hands. You might find American-made guns in the hands of some of these other people. You cannot tell by the gun that is used who shot it.

Mr. DONDERO. The reason why I am inquiring of you, Mr. Justice, regarding that protocol of the 12 doctors, is that this committee felt if they could fix the time that these men were killed, they could also fix the guilt.

Mr. Justice JACKSON. That is right.

Mr. DONDERO. And these doctors, some of them from neutral countries, signing this statement showing that they were shot either in the

fall of 1939 or the cold months of 1940, up to May 1, indicated that at that time Russia was in complete control of that part of her territory on which the graves were found. So that it made it almost physically impossible for the Germans to have committed the crime.

Mr. Justice JACKSON. If you fix the time of that crime, you fix the responsibility. I fully agree.

Mr. DONDERO. That was the opinion of this committee.

Mr. Justice JACKSON. But the difficulty, from our point of view, about that, was that all that we had by which to fix the time was the opinion of doctors, based on the condition of the bodies.

While I do not want to say anything disrespectful of a brother profession, God save the man who has to prove his case by expert testimony, because it is a terrible proposition.

The Russians had their doctors, too, and they called one of the German doctors who testified.

Mr. DONDERO. Was there anything submitted, Mr. Justice, in the Nuremberg trial as to mute evidence found on the bodies of these men?

Mr. Justice JACKSON. Except as is found in these reports.

Mr. DONDERO. There were presented to this committee post cards, letters, and other documents found in the pockets of these men. But none of them bore a date later than May 1, 1940.

Mr. Justice JACKSON. You had a great deal of evidence that we did not have.

Mr. DONDERO. That you did not have?

Mr. Justice JACKSON. That is right; a great deal of it.

Mr. DONDERO. There is just one thing more, and that is at the bottom of page 4:

The Polish Government then in power at Warsaw kept a delegation at Nuremberg which cooperated closely with the Soviet in all matters.

At that time, Mr. Justice, Warsaw was in complete control of the Russian Government, was it not?

Mr. Justice JACKSON. That is correct.

Mr. DONDERO. That is all I have, Mr. Chairman.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mr. Justice, here is the conclusion of the committee:

The evidence, testimony, records, and exhibits recorded by this committee through its investigations and hearings during the last 9 months overwhelmingly will show the people of the world that Russia is directly responsible for the Katyn massacre.

And here is the significance:

Throughout our entire proceedings there has not been a scintilla of proof or even any remote circumstantial evidence that could indict any other nation in this international crime.

How many staff members did your division, or your office, have at the Nuremberg trials?

Mr. Justice JACKSON. We had a very large number. I do not know just what you wish to include in that. We had translators and interpreters. I never knew just what our staff consisted of because the Army did a great many things in connection with it. But it was a very large number.

Mr. O'KONSKI. Would that run into the thousands?

Mr. Justice JACKSON. No. I think that at its maximum, including translators, people assigned by the Army to run mimeograph ma-

chines—we had to make copies in four languages of everything that was used in the tribunal—I think our American personnel at its maximum was about 750.

Mr. O'KONSKI. This committee was made up of seven members, and we had one counsel and one investigator. We came to this conclusion.

Now, since the conclusion was so obvious, is it not logical to assume, then, that either one of two things happened at Nuremberg:

No. 1. Your staff did not make a conscientious effort to get the evidence, or

No. 2. The evidence which was available at that time was deliberately withheld from your people?

Is not that a logical conclusion after listening to the conclusion of this committee?

Mr. Justice JACKSON. No; that is not a logical conclusion, Mr. O'Konski. You have used a great deal of evidence, if I rely on the newspapers, that we could not have introduced. We could not call a witness, for instance, who was masked so that his identity could not be determined. We could not use that kind of testimony.

You may be entirely satisfied with evidence because you, no doubt, know the man and know his history.

But I use that merely as an example of the availability of evidence to a congressional committee that we could not have used in court if we had found it. My staff was never instructed—and I take the full responsibility for it—was never instructed to investigate this atrocity, because, from the very beginning we told the Soviets, and the Germans well understood it, that it was to be settled between them.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Justice, I have one or two questions with reference to the Nuremberg trials and the Korean situation as we know it today.

First of all, on page 6, I want to refer to two sentences in your statement. No. 1 is:

We did not learn of any usable evidence in American possession.

No. 2 is:

I knew of nothing, at any time during the trial, of Colonel Van Vliet, Colonel Stewart, or Colonel Szymanski.

In talking to Congressman Machrowicz a little while ago, you said that if you had some of that evidence brought to your attention at the trial you would not have permitted the Katyn phase of it to be put on the indictment; is that right?

Mr. Justice JACKSON. If that had been available to us before October 20 or the 18th—I have forgotten whether it was the 18th or the 20th that the indictment was filed—we might very well have kept this out of the case entirely.

Mr. SHEEHAN. Is that 1945, or 1946?

Mr. Justice JACKSON. 1945.

Mr. SHEEHAN. Did anyone from our State Department make any attempt to give you any evidence that they had about the Katyn situation, any material?

Mr. Justice JACKSON. No.

Mr. SHEEHAN. Did anybody in the Army Intelligence, G-2, make any attempt at any time to give you any evidence that they had?

Mr. Justice JACKSON. I have recited to you exactly what they gave us, the date that they gave it, and I have it in my files available to your counsel.

Mr. SHEEHAN. Permit me to be specific. I mean things like the Van Vliet report, things which have disappeared that you could not have had.

Mr. Justice JACKSON. I never heard of the Van Vliet report until I heard it was lost.

Mr. SHEEHAN. Then there was Captain Gilder, who gave a report to G-2, who was a British officer who went to Katyn and testified on this report that the Russians were guilty. Did you ever get that report?

Mr. Justice JACKSON. I never got that report.

Mr. SHEEHAN. Therefore, should not an attempt have been made by our American officials in the State Department, the executive, or the G-2, to bring to your attention all the evidence they had, such as reports from military attachés, ambassadors, and so forth?

Mr. Justice JACKSON. I am not prepared to criticize them.

Mr. SHEEHAN. It is not criticism; I just called it to your attention.

Mr. Justice JACKSON. It would be criticism if I said they should have brought it to my attention, and did not.

You have to remember the conditions at that time. The Army was closing up a war over there. I am not going to criticize the other services.

If I had known of and asked for something and they had withheld it from me, then I should criticize them. But the fact that they did not bring something to my attention that now would appear to have been useful to have had—you see, we had so much. We had over 100,000 documents that my staff screened out. We translated over 5,000 documents and put in evidence over 4,000 documents, making our documentary case.

It is hard to say that they were under any criticism because they did not produce it. That is a conclusion for the committee to draw, and not for me to say.

Mr. SHEEHAN. I might only remark on that, Mr. Justice, that if we waited for some of these documents to come from G-2 and the State Department we would be in the same mess you fellows were in in Nuremberg. We get what we are looking for specifically, and we fight for them.

Now, I will ask my other question.

As you can well see, the Nuremberg trials have had an effect on this Katyn investigation, and our committee has gone on record rather informally that the Congress should do something about the Korean problem, because we have found our American soldiers murdered in much the same manner as the Polish soldiers were, with their hands tied behind their backs and with a single bullet hole. Some of us have concerned ourselves about the international military tribunal, the precedent you men set up in London and Nuremberg. So that some of the questions our committee is interested in come from that particular angle, and I would like to phrase them to you in this way:

No. 1, I want to ask about the precedent that you set up at Nuremberg. When I say "you," I mean the Nuremberg trials, the International Military Tribunal.

We have heard much in the last couple of months and several years of guilt by association, and you have personal feelings on that, I assume.

However, in State Department Document 3080, you point out—and, if you want, I will read it to you—that the purpose of the Nuremberg trials was only to find certain organizations guilty so, by the same token, you can then find a lot of individuals guilty.

Is that a good legal and moral premise?

Mr. JUSTICE JACKSON. That is not the premise that I stated.

Mr. SHEEHAN. Just so that we may know the interpretation, may I read your direct quotation there?

Mr. JUSTICE JACKSON. You can take thinks out of context.

Mr. SHEEHAN. No; I will read the whole paragraph. All right, whatever you like.

This is document published by the State Department, No. 3080, which was the stenographic record of the report of the London Conference which set up the International Military Tribunal. You are the author of this particular document, and the quotation I have here, according to the document, is:

I have never thought of this as a permanent tribunal. The whole American plan which was professed here was designed to reach a very large number of people at a single trial, or, at most, perhaps a very few trials. That is the reason we have tried to reach people through organizations. We have not thought of it as a trial of 15 or 30 people, but we have thought of it as a trial the result of which would affect thousands of people at least.

And in your direct testimony here you said you only heard from 13 oral witnesses.

Do you think this procedure of indicting a couple of organizations and indicting all the people per se is a proper legal and moral thought?

Mr. JUSTICE JACKSON. Not if you put it that way. That is not what we did; that is not what we proposed to do.

I can explain it to you if you care to have the explanation.

Mr. SHEEHAN. Yes.

Mr. JUSTICE JACKSON. Certain organizations, such as the SS, the SA, the Gestapo, were founded for certain purposes. Men joined those well knowing their purposes. We did not propose to start out to find each individual and have each individual try the question of the character of his party.

That is one of the difficulties that is inherent in the present situation in the United States in which in each individual case involving Communists you are going over the same old material about the central core of the party and its teachings and what they mean.

We proposed to put the organization on trial and ascertain its purposes, its character, and have that declared. Anyone who showed any interest in it should have the right to come in and make a defense of the organization; but, once that had been found, the individual could not thereafter say, "Well, it is true I joined it; I participated, but it was an innocent organization."

But what he could say was, "It is true I joined it, but I had a gun at my back," or "I was defrauded into it; I did not understand it."

But the central core of guilt or innocence of the party, the group of the SA and the Gestapo, we proposed to dispose of in one trial.

And I think you will find that was explained clearly throughout those London proceedings.

Now, those proceedings took place before we knew that the Control Council was going to set up a denazification policy, which I had nothing to do with. If we had known that, we would not have bothered probably with the organizations, because the denazification program went considerable farther, on paper, at least, than any proposal that we made.

But the proposal was to try, first, the general purposes, plan, teachings, and criminality of the organization as such, and then to allow any individual to be heard as to why he participated in it.

Mr. SHEEHAN. Thank you.

That straightens that out, because it concerned me that you were going to affect thousands of people by trying the organization.

Mr. Justice JACKSON. It is very confusing. Discussions among four men with different legal systems is very confusing.

Mr. SHEEHAN. I am only reading from the record, and we like to straighten this out because our committee is concerned about the Nuremberg phase.

Another thing that concerns us and which you probably will be able to straighten out is this: You stated in these London hearings, in Document 3080, that you expressed grave doubts about the trial procedure, and you went on to make it clear that the proposals were to be contained, setting up the trial, in an executive agreement by the President as Commander in Chief.

Otherwise, you stated, the delays would occur because the agreement would then have to be ratified by the United States Senate.

My question is: This idea of bypassing the Senate to get a commitment on foreign agreements, was that set up to you as a matter of policy that you had to follow, or was this your idea?

Mr. Justice JACKSON. How do you mean "set up to" me?

Mr. SHEEHAN. Set up by executive agreement, the Nuremberg trial.

Mr. Justice JACKSON. Certainly. That was the policy of the United States, to work this out by executive agreement.

Mr. SHEEHAN. And not to give in at all to the United States Senate?

Mr. Justice JACKSON. The resolution that Congress had had—I do not recall what became of it—went farther than anything we proposed.

Mr. SHEEHAN. These are just personal questions.

Let me put it this way: Do you think that this idea of working out all these things by executive agreements and bypassing the Congress and the Senate are good for the country in the long run?

Mr. Justice JACKSON. In view of the cases that come before our courts sometimes, I think I would rather not express an opinion on the general policy of matters of that kind. It depends very much on what it is.

Mr. SHEEHAN. All right. I respect your opinion.

The reason why I bring that up is because of this fact: We have recently been apprised that a certain Chinese jurist who served on the International Military Tribunal in the Far East crimes has brought up something. His name is Mei Ju-so. He is accusing the United States now of military crimes, germ warfare, et cetera, against the Koreans and the Chinese. He has proposed publicly someday to bring us to trial, if they are ever victorious, for these crimes.

Now, in view of the precedent that we have set up in the Nuremberg trials, after every war may not there be these wholesale trials of both civilian and military personnel?

Mr. Justice JACKSON. I have answered that several times in this way, Mr. Sheehan: What is new about the Nuremberg trials is not that the conquered is executed by the victor. What is new about the Nuremberg trials is that he gets a trial before he is punished.

And, if I am ever captured by the Soviets, I will thank God if I get as fair a trial as we gave the Germans at Nuremberg. I do not expect it, and I beg for it, because the tribunal acquitted a great many of the people that we thought, on the face of what information we had, were guilty.

But many of them were acquitted on some of the charges, and some of them were acquitted on all of the charges.

I have never heard even the Germans, even Lord Malmesbury, criticize us for having trials. He said these trials were fair, and that is what I would not expect if I got captured by the other side.

Mr. SHEEHAN. I am quite willing to agree with you.

Mr. Justice JACKSON. I do not think we would wait for that.

Mr. SHEEHAN. There is one other thought I would like to have you dwell on, if you will, and I think that perhaps I ought to read your quotation from the report. This is your statement:

Now, it may be that we were mistaken in our attitude and philosophy and that what Germany has done is right and legal, but I am not here to confess the error, nor to confess that the United States was wrong in regarding this as an illegal war from the beginning and in believing that the great crime of crimes in our generation was the launching of a needless war in Europe.

In other words, from the document, apparently there was some question as to whether or not you were right.

In view of the situation as we see it in Korea, and in view of the results of the Nuremberg trials, would you care to make any comment as to whether or not you think that, as of now, the Nuremberg trials served a useful purpose?

Mr. Justice JACKSON. Of course, I am not entirely a disinterested witness on that, you understand.

Mr. SHEEHAN. I realize that.

Mr. Justice JACKSON. I think they did. I think that, had it not been for the trials, you never could have had the collection of documents which exhibit the origin of that war as they do now.

These men in the dock had a chance to deny these documents and, as the tribunal pointed out, there were almost none of them denied.

Then, too, we showed—and I think it is important to the future of international law—that the lawyers representing four different systems of law can find common ground for settling a controversy by judicial process instead of resorting to war.

I think that maybe in the long run the best thing that was accomplished is that, because heretofore it has always been thought that you could not do that kind of thing.

Then, too, there is a store of documents that if they were properly used, in my opinion—and it is my opinion you are asking for—if they were properly used, would very greatly strengthen the position of democracy in Germany. I think they have never been properly used, brought to the attention of the German people.

I will give you one example only, because I do not suppose you want to spend all day on this.

Mr. Speer, who was the Minister of Production, testified as to his conversations with Hitler and with other of the high Nazi officials

after it was apparent that we were going to take Germany. He tried to get them not to destroy bridges, electric-light plants, and other things, pointing out that the German people would be the ones who would suffer if those things were destroyed.

He pointed out it was the German people who had to live there; the rest of us did not. And Hitler's remarks about the German people, that they were undeserving, I think is one of the most important assets the United States and the other powers have for a free Germany against the rising nazism, if it had been exploited.

Those things are at least available.

Then I think we established the principle that aggressive war is a crime, and I am for that principle. I do not care whether the aggression comes from our side or the other. We cannot have a rule of international law that applies only one way.

I feel that a great deal was accomplished. But, as I say, I am an interested witness, and there are those of distinction and ability who disagree with me.

Mr. SHEEHAN. Could you enlarge on the term "aggressive warfare"?

Mr. Justice JACKSON. By "aggressive warfare" as defined to the tribunal, we could not get the Russians to agree on a definition of it. In the document which you have been quoting, you will find we spent a good deal of time. We endeavored to adopt their definition as contained in the Baltic treaties. But they did not want to adopt their own definition.

It was not very important to us for the particular purposes of Nuremberg, because, in view of the documents that we had, Hitler's instructions to his generals, and his conversations and speeches to them in what he thought were private gatherings, his conduct was aggressive by anybody's definition.

So, it did not become very important to us.

But we have never been able to agree on a definition of what constitutes aggression.

Mr. SHEEHAN. My reason for asking that question, Mr. Justice, is that it seems to me that North Korea, in view of the present situation in Korea, certainly by any standards would be judged an aggressor, and, I think, China, with all the assistance and everything she has been giving to North Korea, there is the possibility of their being judged aggressors.

Also the Russians, with their help in arms and ammunition and now soldiers, they might be so judged.

But no nation has called anybody an aggressor except the North Koreans. Yet we, by the terms of the philosophy that you are expounding, certainly would classify them as aggressors, and yet we take no action to brand them to the world as aggressors.

You may or may not want to comment on that.

Mr. Justice JACKSON. I think I would rather not comment on that.

Mr. SHEEHAN. That is all I have, Mr. Chairman.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Would you consider the Russian unprovoked attack upon Finland in 1939 as an aggression, Mr. Justice Jackson?

Mr. Justice JACKSON. I would rather not pass judgment on that, because I have never examined the documents, as I have in this case. If you asked me my offhand impression from what I read in the newspapers, my answer would be the same as yours. If you ask my opinion

as one who feels some responsibility for his opinions on legal subjects, I would say that I have not adequate information.

Mr. O'Konski. The same thing would apply in the case where Russia took over Latvia, Lithuania, and Estonia before 1940, and the same thing would probably apply to the manner in which Russia took over half of Poland in league with Hitler in September of 1939.

That may be neither here nor there, because under the regulations and under the manner in which your high tribunal was established—by “your,” I mean the combined efforts of the four major powers—you do not bring the charge, and I notice the United States was allocated the over-all responsibility on conspiracy to incite and wage a war of aggression. That was the American responsibility at the Nuremberg trials.

Under the procedure, there was no way in which the United States of America, in meeting its responsibilities of this allocation of power, could have brought the charge against Russia, of aggression against Finland, Latvia, Lithuania, Estonia, and Poland. There was no way in which it could be done at Nuremberg, was there?

Mr. Justice Jackson. That is true. But you will find, with reference to Latvia, Estonia, and the Baltic States, that we refused to accede to their description of them in the indictment. We had a considerable rumpus about it because, from their description, the inference was possible that they were a part of Soviet territory, as I guess they are now, in fact.

And we refused to accept that. And we came near not being able to file an indictment because of our disagreement about it.

Finally, in order to get on with the business, I let them file the indictment, and I filed with it a statement that nothing in that indictment could be construed as a recognition of any claims of the Soviet Union in any of those states.

So that there could never be a claim made that we had in any way recognized the validity of Russian action in those states.

Mr. O'Konski. In the same manner, Mr. Justice, even if the various agencies of the Government had given you all this evidence which was available, that the Communists were responsible for the Katyn murders, still you could not do anything about it even if you had that evidence; is not that correct? You could not do anything about it, under the procedure of the trial?

Mr. Justice Jackson. We could not have proceeded against them.

What we could have done would be that with that strengthening our hand, we could have insisted that it not be brought in at all. But you would be in the same place you are today; you would not have it settled.

Mr. O'Konski. Then I would like to have your comment on this, Mr. Justice: If a nation has committed vast crimes against humanity or has committed vast acts of aggression, be sure to get on the winning side of the war, get a seat on the high tribunal, and you can never be prosecuted for the crimes that you have committed.

In other words, suppose, in the closing days of the Korean war, Russia should reverse itself and join us as an ally and then sit at the table of the high tribunal. As long as they are on the winning side, as long as they get a seat on the high tribunal, there is no way in which they could ever be prosecuted for their acts, crimes against humanity, or acts of aggression; is not that right?

Mr. Justice JACKSON. I do not know how you could ever prosecute a prisoner that you cannot capture. Even in our own domestic society you first have to get physical power over him before you can do anything to him.

Mr. O'KONSKI. The thing that worries me, Mr. Justice, is that, the way the tribunal was set up a nation can go on. From our investigation there is no difference between Hitler and Stalin. I think that your tribunal did a very good job in hanging the Germans who were responsible for these acts against humanity.

But in our investigation all the way through, we found out that the acts of genocide by the Communists are just as vicious as the acts of genocide used by Hitler. They are of the same pattern, cut out of the same cloth.

It seems to me that, according to the way the tribunal was set up, Russia is going to be able to get by with its program of genocide and never get to trial, because they have maneuvered themselves into the position of being on the winning side and get a seat as a judge.

Mr. Justice JACKSON. I will make a bargain with you, Mr. Congressman. If you will capture Stalin, I will try him.

Mr. O'KONSKI. I will ask for that job myself to be sure he hangs. I wouldn't trust another Nuremberg trial.

Chairman MADDEN. Mr. Machrowicz.

Mr. MACHROWICZ. Mr. Justice, apparently there has been some confusion as to the position of the London government at the time of these hearings. So there may be no misunderstanding, I would like to read from the last paragraph of the letter you presented us, the letter from the parliamentary group to you dated February 15, 1946. That letter points to the fact that there is strong indication of Russian guilt, and they state as follows:

These circumstances show that the fate of the Polish officers in the Russian POW camps has not yet been fully elucidated.

The crime perpetrated upon them at Katyn, contrary to every feeling of humanity and violating international law and custom, does not only concern the families of the victims. The entire Polish Nation is entitled to demand that this tragedy be cleared up.

In view of these facts and circumstances, the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg Tribunal. This case is of a special character and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body.

Would you not say that their position was that in view of the fact that there is a strong indication of Russian guilt and in view of the fact that the tribunal, as constituted at Nuremberg, could not possibly find Russian guilt; that they did not consider that the proper tribunal to try the case? Is that a fair statement of their position?

Mr. JUSTICE JACKSON. That is a fair statement of their position, and that is what I understood their position to be, and I agreed with that.

Mr. MACHROWICZ. That is all, Mr. Chairman.

Chairman MADDEN. Do any other members of the committee have any questions?

Mr. SHEELAN. I have one or two questions, Mr. Chairman.

I just want to get this on the record for our purposes, Mr. Justice.

When you and I were talking, you referred to that Soviet agreement in 1933, where they did agree with certain Baltic States about the definition of crimes of aggression.

I think, for the purpose of our members here, I would like to read the four things they did agree to as being crimes of aggression in this 1933 agreement:

1. Declaration of war upon another state.
2. Invasion by its armed forces with or without a declaration of war of the territory of another state.
3. Attack by its land, naval, or air forces with or without a declaration of war on the territory, vessels, or aircraft of another state.
4. Provision of support to armed bands formed in the territory of another state, or refusal, notwithstanding the request of the invaded state, to take in its own territory all the measures in its power to deprive those bands of all assistance or protection.

That was the agreement that Russia signed in 1933 at a convention for the definition of aggression signed at London by Rumania, Estonia, Latvia, Poland, Turkey, the Soviet Union, Persia, and Afghanistan.

I merely relate that to the committee because, judging from the conduct of Russia during the last 10 years, she has been guilty of every single one of the acts of aggression, by her own definition.

Mr. JUSTICE JACKSON. That is the definition I tried to get adopted, because, logically, if you were prosecuting persons for aggression, it would be well to include a definition.

But, as I say, for our purposes, the failure to have a definition of aggression was not serious because, under any definition of aggression, Hitler's acts would come within it.

But they refused to accept as general the definition which they had applied in these particular treaties.

Mr. SHEEHAN. As a matter of information, for our committee, Mr. Justice—and in this I understand in your position on the Supreme Court you may not want to talk to us except in an executive session—but we were thinking actually of what we could do to bring this to the attention of the world in the sense that, from the definitions as we know them at Nuremberg, and from the regular practices of law, if, on the basis of the findings of Katyn, if we could not still indict Russia for aggression on the basis of the knowledge we have?

Of course, as you say, we did not have the prisoner. It is a question of world opinion.

Mr. JUSTICE JACKSON. I gathered from your interim report that you had done that. The difficulty is that you do not have the prisoner.

Mr. SHEEHAN. In your opinion, Mr. Justice, do you think it was a worth-while gesture, or not?

Mr. JUSTICE JACKSON. I think that the exploration of this subject is a thoroughly wholesome thing. That is one of the reasons why I cooperated with your counsel, or tried to, and why I say that my files are open. I am ready to give any help that I can in it.

Mr. SHEEHAN. Mr. Justice, I have one more question.

This, as I understand it, was turned in to the War Crimes Commission at Nuremberg, and I was just wondering, from your standpoint, do you have any idea of when this was turned over, the approximate date?

I may first preface it with this remark: As I remember it, the original indictment of the Katyn massacre, which the Russians put in the indictment, was the fact that the men were killed in September of 1941, and it would seem to us that this document I have here would more or less prove or lend a reasonable doubt as to the time.

So if this document had been available to you before the indictment, or to your staff, it certainly should have stopped the Russians from putting in a specific date in the indictment.

Mr. Justice JACKSON. I do not know what the indictment is, so I cannot say when it was received.

And I do not know I can do that by looking at it, because we had a collection of over 100,000 documents and I did not see them all.

Mr. MITCHELL. For the record, I believe this document was sent by General Bissell when he was military attaché at London, which was after 1946 and after the indictment. I do not know whether it reached the Nuremberg trials. It was returned.

Mr. Justice JACKSON. It has the date on it, the 4th of August 1949. I do not know what that means.

Mr. O'KONSKI. I think I can help you on that.

Mr. Justice JACKSON. This is a receipt by General Telford Taylor, who was my successor, and he was not appointed brigadier general until he was named as my successor.

This was not only after the indictment, but was after the international trial was practically completed.

Mr. O'KONSKI. I think, in answer to that, Mr. Justice, you also wrote a letter after the trials to General Anders saying that you got that, but it came too late. And even if that was not the case, there was not anything that could be done about it because of the set-up of the tribunal. It was not your responsibility to charge crimes against humanity. That was a Russian responsibility.

Mr. Justice JACKSON. I remember writing to General Anders when he sent me his book. So whatever you say is doubtless correct.

Chairman MADDEN. Do any members of the committee have further questions?

Does counsel have any questions?

Mr. MITCHELL. No further questions.

Chairman MADDEN. Mr. Justice, speaking on behalf of the members of the committee, we wish to thank you for coming here today and giving us your testimony.

As I stated before, when the resolution was before the Congress, a number of Members of Congress inquired regarding the Nuremberg trials. Your testimony has been very enlightening and valuable from the standpoint of what this committee will submit to the Congress on this phase of the hearings.

I might ask your opinion regarding the matter. If you care to present it, we will be glad to receive it.

Our committee, especially when we were in Europe, publicized the testimony of the witnesses. There was testimony brought out by 32 witnesses at Frankfurt and also exhibits were introduced numbering into over a hundred.

This testimony was daily chronicled, printed, and sent out over all the free countries of Europe, by the daily newspapers and the radio. It was conveyed to the people over there every day. Not only was it presented to the free countries, but through Radio Free Europe and also the Voice of America, it was carried behind the iron curtain.

Just as an example of what I am proposing to ask, I might say this: Two members of the committee visited Berlin. There was a convention of the free journalists of both Eastern and Western Europe in

Berlin at the time. Some of these journalists had escaped from behind the iron curtain.

The comment of some of these journalists was that the facts that were revealed by our committee while in Frankfurt brought to the minds of millions of people in Europe, both outside and behind the iron curtain, a picture of the false propaganda which the Russians had been circulating regarding the guilt for the Katyn massacre. This testimony completely refuted all this propaganda that the Communists had been circulating.

One journalist there in Europe had a reproduction of a broadcast that went over the Warsaw radio a few nights before. This broadcast tried to explain to the hundreds of people that had requested the reason why the Russian Government did not answer our invitation to appear before our committee to give testimony on the Katyn massacre.

Testimony came to the committee that the bodies that were found at Katyn were just a fraction of the massacres, barbarities, and genocide that the Soviets had been inflicting on other captured countries.

By bringing out this testimony to the attention of the people in Europe behind the iron curtain and also to the world generally, I think our committee has contributed a great deal to world public opinion that something should and must be done by the free nations about international criminals.

And, of course, the enslaved people behind the iron curtain are crying for some kind of termination to the atrocities and the genocide that is going on today.

The members of our committee are going to follow through in the next Congress in trying to persuade the United Nations to take steps to terminate these atrocities, massacres, and barbarities that the Communist government today is committing.

Mr. Justice, from your experience in the Nuremberg trials and as a public official, would you have any suggestions or any comment you would like to make to this committee as to what could be done in addition to what is already being done to try and create a world public opinion to see if something could not be done to slow down the genocide and the atrocities that are being committed?

I might say that since the work of this committee started, we have not heard much about atrocities in Korea. I think the work of this committee has already slowed up the Communists on some of the wholesale slaughters that had been going on in Korea.

Do you have anything you would like to state in the way of comment, Mr. Justice, for the information of the committee, in that regard?

Mr. Justice JACKSON. I think in that respect that your effort is very similar to the purpose that we sought to accomplish at Nuremberg: To pin responsibility where responsibility belongs, to make known to the public these atrocities, to bring about a state of public opinion in which war will not be the way to settle controversies.

I see nothing inconsistent there. I think you are working along very much the same ultimate lines that we were. But you have a particular incident on which you can focus the light, whereas we were dealing with a more confused and larger situation growing out of the whole war.

Mr. MITCHELL. I have a statement, Mr. Chairman.

Chairman MADDEN. Very well.

MR. MITCHELL. Mr. Justice, you referred to the masked man who appeared before this committee. I think I will now have to reveal what the committee instructed me to do on that. That masked man is available today in the United States. That masked man, if this case ever goes before the International World Court, will, I am sure, stand before that World Court and testify.

We are not an official court. Consequently, the masked man testified in that fashion. He has a family; he is disfigured. That was no publicity stunt, or anything of that kind.

But I want the record to clearly show that that individual, who was the only eyewitness of this massacre, is available, and even if the Soviets would like to join in the World Court at that time, I am sure that he can be induced to talk to the world.

MR. JUSTICE JACKSON. I do not want you to take my observations as any reflection on your work, because I was answering a question as to why we could not do these things, and it is quite plain that you can take a great deal of evidence that we could not.

MR. MITCHELL. This committee has traveled all over the world to get that evidence. It is officially documented. This committee will stand on that evidence before any international tribunal, and I am sure the case will stand up.

That is a personal opinion.

CHAIRMAN MADDEN. Mr. Sheehan, do you have any further questions?

MR. SHEEHAN. Along the lines that the chairman brought out, as to your opinion on the fact that we are trying to form or develop world opinion, I would like to ask you this question, and as a legal opinion, not a political opinion, if you may want to answer it:

Under the present set-up of the World Court of the United Nations, does the world have any legal means of trying Russia for the atrocities which we assume or allege she is guilty of today? Is there any way that we could do it legally?

MR. JUSTICE JACKSON. I think that is a question on which I had better not express an offhand opinion.

MR. SHEEHAN. The thought is, Mr. Justice, that, under the principles laid down at Nuremberg, of trying to prevent aggression, and as the precedent is set up, will we have to wait until after, say, peace is declared in the world to try the Communist nations in Korea, and can the Nuremberg trials be used as a precedent?

MR. JUSTICE JACKSON. You have to bear in mind that Nuremberg was not something that we thought out as a matter of theory. We were confronted with certain facts. We had as prisoners German Goering, Ribbentrop, and all of these men. They had been accused of the worst things imaginable.

There were three things we could do with them, one, we could just let them go. And if you will remember the tempo of those times, you know that that would have been impossible.

Another thing we could do would be to just execute them or otherwise punish them, without trial. That always would go against the conscience of the American people, in my opinion.

The only thing left to do was to give them a trial.

So that the Nuremberg trial grew out of the fact that you had the prisoners, you had the charges, and, fortunately, we captured the evidence.

I do not know, to be perfectly candid with you how we ever would have come out if we had had to use oral testimony, because it is so vulnerable to attack. The great thing that saved the Nuremberg trial was the capture of innumerable incriminating, authentic documents.

If you do not have those things, you are going to be greatly handicapped in any international trial, in my experience.

Chairman MADDEN. Are there any further questions?

Mr. Justice, we are indeed very grateful to you for coming here and testifying. Your testimony is very valuable.

Mr. JUSTICE JACKSON. I shall be glad to be of any help that I can.

Chairman MADDEN. Because your prepared statement has many footnotes for references which you did not mention when you were reading the statement for the committee, we will accept your entire statement at this point as exhibit 6. The photostatic copies of correspondence from the Polish Government in exile in London which you mentioned earlier as having received will be marked "Exhibit 7." The committee will now recess until 1:30 p. m.

(Thereupon, at 12:15 p. m., a recess was taken until 1:30 p. m. same day.)

Exhibits 6 and 7 were received in evidence and follow:

EXHIBIT 6

THE KATYN FOREST MASSACRE AND THE NÜRNBERG INTERNATIONAL TRIAL

Statement by Robert H. Jackson before Select Committee of House of Representatives To Investigate the Katyn Massacre

The guilt for the Katyn Forest massacre has not been adjudged by the Nürnberg Tribunal and inquiry into it is not inconsistent with the position taken by the United States prosecution at the Nürnberg international trial of Goering and others.

It was my responsibility to conduct the prosecution on behalf of the United States. I am glad to inform you in detail concerning all decisions and actions in reference to the Katyn atrocity and the reasons which conduced to them.

The first step that seems pertinent¹ was an agreement to divide primary responsibility for preparation and presentation of the case among the prosecutors representing the four allied powers. This was intended to fix on someone responsibility for covering each part of the case, to avoid duplication, and to expedite a trial of unprecedented complexity.

To the United States was allocated the over-all conspiracy to incite and wage a war of aggression. The British were assigned the violation of specific treaties and crime on the high seas. Violations of the laws of war and crimes against humanity were divided on a geographical basis. The French undertook crimes in Western Europe, and the Soviet prosecution was assigned the duty of preparing and presenting evidence of crimes in Eastern Europe—an area largely in Soviet occupation, and to much of which the others of us

¹ Earlier steps included my appointment by President Truman on May 2, 1945. The order defined the duty as follows:

"... preparing and prosecuting charges of atrocities and war crimes against such of the leaders of the European Axis powers and their principal agents and accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal." Exec. Order No. 9547, 10 Fed. Reg. 4961.

Also included was a conference of representatives of the four nations to reach preliminary understandings as to how, in view of their different languages, systems of law and methods of trial, they would proceed. The conference began in London, June 23, and concluded August 8, 1945, when an agreement was signed by the United States, the United Kingdom, the Soviet Union, and the Republic of France, subsequently adhered to by nineteen other powers. The minutes, proceedings, and agreements are published. International Conference on Military Trials, Dept. State Pub. 3080.

I shall cite two official publications. One is the Nazi Conspiracy and Aggression series of 11 volumes of the Nürnberg international trial documents in English (GPO). They are cited herein as N. C. & A. The other is the official transcript of the proceedings and testimony, International Military Tribunal, Trial of the Major War Criminals, 42 volumes in English except the documents, which are set forth in their original language. They are cited as Proceedings.

The indictment is found I N. C. & A. 13 and 1 Proceedings 29.

had access. The geographical area thus assigned to the Soviet representatives included Katyn Wood and Poland as well, but at that time it was not known that the Katyn massacre would be involved.

The first proposal that the Nürnberg trial should take up examination of the Katyn massacre came from the Soviet prosecutor during the drawing of the indictment. Preliminary drafts were negotiated in London at a series of conferences where I was represented but not personally present. At the last London meeting, the Soviet prosecutor included among crimes charged in the East the following: "In September 1941, 925 Polish officers who were prisoners of war were killed in the Katyn Forest near Smolensk." Both British and American representatives protested, but they finally concluded that, despite their personal disapproval, if the Soviet thought they could prove the charge they were entitled to do so under the division of the case.²

The indictment was brought to Berlin for final settlement and filing, where I objected to inclusion of the charge and even more strongly when, at the last moment, the Soviet delayed its filing by amending the Katyn charge to include 11,000 instead of 925 victims. However it was in the Soviet part of the case and they had investigated Katyn; we had no opportunity to do so. In view of what we know of the over-all Nazi plan to exterminate inhabitants of Poland, it did not seem unlikely that this was part of their program, and the Soviet claimed to have adequate evidence of Nazi guilt. While we did not feel justified in preventing the issue, we warned the Soviet delegation that we did not have evidence to support the charge nor time or opportunity to investigate it and that, if it met with denial or countercharges, we would keep hands off and leave the entire contest to the Soviet and German lawyers.

The reasons for opposing inclusion of this charge and refusal to participate in its trial were that to litigate that issue would conflict in several respects with what I considered to be sound trial policy for the first such case in history. It was not based upon any conviction in my own mind about the truth or falsity of the charge. I knew that the Nazis and the Soviets accused each other, that both were capable of the offense, that perhaps both had opportunity to commit it, and that it was perfectly consistent with the policy of each toward Poland. Whatever the facts were they had become overlaid with deep layers of Nazi and Soviet propaganda and counterpropaganda, and it seemed we could not at the international trial wisely undertake or satisfactorily achieve the long task of separating truth from falsehood. The chief reasons in support of that conclusion are four:

First, responsibility for the massacre did not appear to be capable of documentary proof or substantial corroboration. One of the basic decisions on policy concerning the Nürnberg international trial was that we should accuse only defendants whose guilt could be established and should charge only offenses whose occurrence could be fully proved or substantially corroborated by documentary evidence captured from the Germans themselves. Because this was the first international criminal trial in history and was held in the wake of war when passions were high, we did not want any judgment that would rest solely on oral testimony of witnesses whose interest, bias, memory and truthfulness would always be open to question. This required us to pass over many tempting matters because evidence measuring up to this standard was not then obtainable. However, that policy was so far observed that the Tribunal, in its Judgment, said: "The case, therefore, against the defendants rests in a large measure in documents of their own making, the authenticity of which has not been challenged except in one or two cases."³

Second, if we were ever to depart from the policy of presenting documentary evidence, this atrocity was not a suitable instance because we knew of no witnesses who could supply oral proof to establish the identity of the perpetrators that would meet the high standards of credibility required in a criminal trial. Neither the American nor, as far as I have reason to believe, the British prosecutors knew of such witnesses.

² These negotiations are published in Alderman (and others), *Negotiating With the Russians* (World Peace Foundation, 1951), 49-98.

³ N. C. & A., *Opinion and Judgment* 3.

It was plain that we could not get such evidence from Polish sources. Attitudes of Polish authorities at that time were conflicting, which confirmed my opinion that we should not participate in the trial of the Nazi-Soviet dispute. The Polish Government then in power at Warsaw kept a delegation at Nürnberg which cooperated closely with the Soviet in all matters, including, as I understood it, accusing the Nazis of the Katyn murders.

The Polish Government in Exile in London, on the contrary, was accusing the Soviet. On February 15, 1946, eleven Senators and ten Deputies of the Polish Parliamentary Group in London filed with me a letter and statement reciting evidence on which they pointed to Russian guilt, concluding with this statement:

"In view of these facts and circumstances the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg tribunal. This case is of a special character, and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body."⁴

It also characterizes the Polish attitude at that time that General Anders, while believing in Soviet guilt, refused the request of Goering's lawyer to help him prove it—a quite understandable attitude in view of what Poland had suffered at the hands of those who would benefit from his testimony. He said, however, that he would be willing to give his information to the Tribunal "at their express written and official request." He did not know, nor do I, whether the Tribunal was ever so advised. Certainly I was not. Only three years after the trial, when General Anders published his book and thoughtfully sent me a copy, did I learn these facts.⁵

On January 21, 1946, General Clay transmitted for my "strictly confidential information from the Embassy at Warsaw" word that the Germans were not, in the opinion of the Polish circles with which the American Embassy was in contact, responsible for the Katyn deaths. There was no suggestion that this opinion was supported by legal evidence. Apparently it was not, for Mr. Lane, then American Ambassador at Warsaw, 2 years later published the information then known to him pointing to Soviet guilt, but even then said, "The identity of the perpetrators of the outrageous massacre of Katyn, contrary to all laws of war and humanity, has never been definitely established. Perhaps it never will be."⁶

We did not learn of any usable evidence in American possession. Military intelligence, on February 26, 1946, delivered to a member of my staff then in Washington several documents, classified "Secret," including the German report accusing the Soviet, two Soviet documents accusing the Nazis and a paper labeled "Excerpts of conversations between Sikorski, Anders, Stalin, and Molotov." The conversations referred to are substantially those published by Jan Ciechanowski, Polish Ambassador to the United States, in 1947.⁷ None of these were in condition to be useful as evidence. I knew nothing at any time during the trial, of Colonel Van Vliet, Colonel Stewart, or Colonel Siemansky. We heard nothing of any of the witnesses since claimed to have personal knowledge of the crimes.

Third, we did not need to prove Nazi responsibility for the Katyn murder in order to establish that the Nazi regime and individual defendants were guilty of a conspiracy and a program to exterminate vast numbers of Poles. Poland had been the scene and the Polish people had been the victims of many unbelievable barbarities which put to death much larger numbers of persons than the Katyn murders. To make sure that the grievances of the Polish people, as well as other Eastern peoples, were proved and proved beyond doubt, we did not leave the matter wholly to the Soviet but, as a part of the American case, proved by captured documents or by admissions of captive German officials the over-all Nazi extermination program embracing many atrocities in Poland and affecting the Polish people, as well as others in East Europe. Examples will indicate what I mean:

⁴ I am filing a photostatic copy of this communication with the Committee.

⁵ Anders, *An Army in Exile* (1949), 82, 140, 295.

⁶ Lane, *I Saw Poland Betrayed* (1948), 36-39.

⁷ Ciechanowski, *Defeat in Victory* (1947), 66-69.

We had the diary of Hans Frank, the Nazi Governor-General of Poland, acknowledged by him to be authentic, saying, "We must annihilate the Jews wherever we find them and wherever it is possible. * * *" ⁸ In August 1942, he wrote of Nazi manipulation of hunger rations in Poland: "That we sentence 1,200,000 Jews to die of hunger should be noted only marginally. It is a matter, of course, that should the Jews not starve to death it would, we hope, result in the speeding up of the anti-Jewish measures." ⁹

We had written evidence of specific extermination measures, such as the 75-page leather-bound official report by Major-General Stroop which recited the killing of men, women and children of the Warsaw ghetto to the exact number of 56,065 and set out the day-to-day measures, including shooting, fire, explosion and chemical extermination in the sewers, where the victims had taken refuge, accompanied by photographs to prove the operation's efficiency. ¹⁰

We had the report by SS Brigade-Fuehrer Stahlecker to Himmler, dated October 1941, of the execution of 135,567 persons in the Lithuanian area. ¹¹

We had a top-secret report, dated May 16, 1942, of the ghastly details of the operations in the East of *gaswagons* for killing undesirables. ¹²

We also had German protests, official but not very high-minded, against such exterminations—in one instance of 150,000 to 200,000 Jews ¹³ and in another instance of 5,000 Jews ¹⁴—because it was complained they should have been spared for use as forced labor.

Some of the documents, intended to conceal crime, unconsciously dramatized it. For example, a deathbook of the Mauthausen concentration camp recorded 35,317 deaths. During a sample period 203 persons died of the same ailment—"heart trouble"—died in alphabetical order. Death first came to Ackermann, at 1:15 a. m., and reached Zynger at 2 p. m. ¹⁵

Oral testimony and affidavits were available from captured German officials. One told of the official Gestapo estimate that the Nazi extermination program had done away with four million persons in concentration camps and that two million additional were killed by the Secret Police in the East. ¹⁶

Another Nazi, General Ohlendorf, testified willingly, even boastfully, that he supervised execution of over 90,000 men, women and children in the Eastern area. ¹⁷ The witness Hoess, in charge of Auschwitz extermination center, swore that under his regime it exterminated three million human beings. ¹⁸ This was by far the largest and most atrocious of the atrocities committed against the Polish people.

Nor did we rest upon the documents which the fortunes of war had placed in our hands when documents were procurable from other sources. An example was the Nazi persecution of the Church and clergy, particularly vicious in Poland, which the Nazis had not documented with the candor and thoroughness that they did persecution of the Jews. It is doubtful whether, even if time were available to us, we could have gathered evidence of the Church persecution in Poland, since any probable witnesses were in the area under Soviet control where Americans even then were rarely admitted, and we may doubt the zeal of the Soviets to obtain proof on that subject. However, I sought an audience with Pope Pius and obtained from His Holiness the Vatican documents in which detailed evidentiary material was already collected and which supported the charge of religious persecution. ¹⁹

As to the Katyn massacres, we knew of no source to which we could turn for such documentation. Extermination of these intelligent and patriotic Poles who might become the leadership of the restoration of Poland was provable by docu-

⁸ Doc. No. 2233-D-PS (USA exhibit 281), Entry of Dec. 16, 1941, pp. 76-77. 4 N. C. & A. 891.

⁹ Doc. No. 2233-E-PS (USA 283), Entry of Aug. 24, 1942. 4 N. C. & A. 893.

¹⁰ Doc. No. 1061-PS (USA 275), 3 N. C. & A. 718.

¹¹ Doc. No. L-180 (USA 276), 7 N. C. & A. 978.

¹² Doc. No. 501-PS (USA 288), 3 N. C. & A. 418.

¹³ Doc. No. 3257-PS (USA 290), 5 N. C. & A. 994.

¹⁴ Doc. No. R-135 (USA 289), 8 N. C. & A. 205.

¹⁵ 1 N. C. & A. 967.

¹⁶ Doc. No. 2738-PS (USA 296), 5 N. C. & A. 380.

¹⁷ 4 Proceedings 311-354.

¹⁸ Doc. No. 3868-PS (USA 819), 6 N. C. & A. 787.

¹⁹ These documents, numbered from 3261-PS to 3269-PS, inclusive, are published in 5 N. C. & A., pp. 1009 to 1046, inclusive.

ment to be consistent with the Nazi policy toward Poland. Yet, while they had boasted on paper of the worst crimes known to man, we found but one Nazi document that even hinted at Nazi responsibility for the Katyn massacre, that being a telegram reporting that the Polish Red Cross had found that German-made ammunition was used in the killings.²⁰

A fourth difficulty entered into our reluctance to undertake the Katyn murder charge as part of the Nürnberg trial. We were under exceedingly heavy pressure to get along with the trial. A persistent criticism in the American press during the trial was its long duration. Oral testimony from witnesses, subject to cross-examination by several counsel, of course takes much more time than documentary proof. Every word of testimony taken in the Nürnberg trial had to be forthwith interpreted into three other languages. Every examination or cross-examination had to include any proper questions desired by more than twenty lawyers representing defendants and four for the prosecution, and these were trained in five different legal systems—English, American, French, Russian, and German. Therefore, in the interests of expedition it was necessary to forego calling of witnesses so far as possible. You will best realize the extent to which we avoided relying on oral proof when I remind you that all four prosecutors at Nürnberg called only 33 witnesses to testify orally on the whole case against the twenty individual defendants, and these defendants, in addition to themselves, called only 61 witnesses. You have already, according to your interim report, orally examined 81 witnesses on this one atrocity.

Notwithstanding these considerations, the Soviet prosecutor, on February 14, 1946, opened the subject by presenting to the Tribunal a report by a Soviet Extraordinary State Commission of its investigation of the Katyn crime.²¹ It recited testimony, including a good deal of hearsay and medical data, as to the condition of the exhumed bodies. On this, experts based opinions that the executions took place during the period of German occupation and therefore that the Germans were responsible. Dr. Stahmer, counsel for Goering, made a prompt request to call witnesses to contradict the Soviet report, which occasioned some disagreement between the Soviet prosecutors and those representing Great Britain and the United States. The Soviet lawyers took the view that, since the court took "judicial notice" of the report of the Extraordinary Commission as a state document, it could not be contradicted. Under Soviet law it probably could not but would be entitled to faith and credit—as a judgment, statute, or public act would be here. Nevertheless, we thought that its nature was such that it was clearly open to contradiction. Then the Soviet lawyers proposed, if the subject were opened, to call ten witnesses.²² The Tribunal, however, ruled that it would "limit the whole of the evidence to three witnesses on either side, because the matter is only subsidiary allegation of fact."²³

Testimony of three witnesses for each was heard on the 1st and 2d days of July 1946. What it was is a matter of record, and what it is worth is a matter of opinion.²⁴ At the conclusion, neither side was satisfied with its own showing

²⁰ Telegram addressed to the "Government of the Government General, care of First Administrative Counsellor Weirauch in Kraków." It is marked "Urgent, to be delivered at once, secret":

"Part of the Polish Red Cross returned yesterday from Katyn. The employees of the Polish Red Cross have brought with them the cartridge cases which were used in shooting the victims of Katyn. It appears that these are German munitions. The caliber is 7.65. They are from the firm Geco. Letter follows." Signed "Heinrich." Doc. No. 402-PS. 17 Proceedings 365.

So far as I know, the letter referred to was never found, but the prosecution staff screened approximately 100,000 captured German documents, of which only 5,000 were selected for full translation for use at the trial. It is impossible, therefore, to say that such a letter is not in existence.

²¹ It is USSR Doc. #54.

²² March 8, 1946, 9 Proceedings 3; May 11, 1946, 13 Proceedings 431; June 3, 1946, 15 Proceedings 289-293.

²³ 17 Proceedings 273.

²⁴ The verbatim testimony in English translation is found in 17 Proceedings 275 *et seq.* A summary of the evidence will show its inconclusive character. It must be remembered that the Smolensk area, including Katyn Wood, fell to the Germans on or about July 17, 1941. If the Polish prisoners had been executed before that, the Soviet must have been responsible; if they were then alive and captured by the Germans, the Germans must have been responsible.

The German defendants led with the witness Ahrens, Commanding Officer of the Signal Regiment charged with guilt in the Soviet report. He denied that his regiment had captured any Polish prisoners from the Russians, denied there was any order to shoot Polish prisoners, or that any were shot. He testified to exhuming the bodies in 1942. The weakness of his testimony was that he did not arrive in the Smolensk territory until about the second half of November 1941, while the Soviet claimed the executions had been considerably earlier, and the commander he succeeded was not called.

The second witness was Eichborn, who also did not arrive on the scene until September 20, 1941. He denied that there were Polish prisoners taken or shot and said he would have

and both asked to call additional witnesses. The Soviet, especially, complained that they had been allowed to call only three of the 120 witnesses that appeared before the Soviet Commission. The Tribunal, wisely I think, refused to hear more of the subject.²⁵

The Soviet prosecutor appears to have abandoned the charge. The Tribunal did not convict the German defendants of the Katyn massacre. Neither did it expressly exonerate them, as the Judgment made no reference to the Katyn incident. The Soviet judge dissented in some matters but did not mention Katyn.²⁶

This history will show that, if it is now deemed possible to establish responsibility for the Katyn murders, nothing that was decided by the Nürnberg Tribunal or contended for by the American prosecution will stand in the way.

EXHIBIT 7—LETTER FROM THE POLISH GOVERNMENT IN EXILE IN LONDON TO JUSTICE JACKSON

POLISH PARLIAMENTARY GROUP

74, Cornwall Gardens, London, SW. 7

LONDON, February 15, 1946.

Mr. Justice ROBERT J. JACKSON,
Chief American Prosecutor, Nuremberg.

SIR: We have the honour to submit to your attention the enclosed copy of a letter addressed by us to the members of the Parliaments of all democratic Nations throughout the world.

We are, Sir,

Yours faithfully,

On behalf of the Polish Parliamentary Group,

A. ZALEWSKI.
J. GODLEWSKI.

Annexe.

known about it if either had occurred. His testimony was attacked by U. S. S. R. Document No. 3, dated Berlin, October 29, 1941, issued by the chief of the Security Police in relation to prisoners of war in the rear of the army, which set up task force groups under the leadership of an SS leader. These irregular groups, not a part of the army, were the usual execution teams. This witness told of an order to shoot certain prisoners of war which, he said, Field Marshal von Kluge refused to carry out because of regard for the discipline of his troops.

The third witness was Gen. Oberhauser, in command of the area, who did not reach there until September of 1941. He denied that there were Polish prisoners taken or shot and denied that the regiment had weapons with which they could have been shot. This closed the German case without accounting for the period from the fall of Smolensk in the middle of July to the beginning of September and with an admission that an execution squad followed the army into that area.

The Russians took over and called the Deputy Mayor of Smolensk during the German occupation, a professor at the University who served under a German Mayor. He testified that there were Polish prisoners of war in the vicinity of Smolensk when the city fell to the Germans, that he had a conference with the German Mayor in which he was informed that a very severe regime should prevail with respect to prisoners of war, and that Polish ones were to be exterminated, but that it should be kept a secret, and thereafter the Mayor told him that the Polish prisoners of war had all died. On cross-examination it was brought out against his credibility that he was not punished by the Russians for his admitted collaboration with the Germans, and not only remained at liberty but was a professor at two Universities under Russian control.

They followed with a witness Markov, a Bulgarian doctor who had been a member of the commission set up by the Germans to investigate the Polish massacre and which charged responsibility to the Soviet. Markov gave details indicating an extremely superficial examination of the graves and testified that he did not agree with the report but signed it under German compulsion. Cross-examination brought out the weakness of his testimony in that he was under the control of the Russians at the time of trial.

The last witness was Prosovski, a medical legal expert of the Soviet Union. His testimony was entirely of the Russian examination of the graves, and his conclusions that the date of the execution as evidenced by the condition of the bodies must have been during the German occupation. During his examination, an American-captured document, No. 402 P.S., Exhibit U. S. S. R. 507, was read into the case, being a telegram from Heinrich stating that the employees of the Polish Red Cross had found cartridge cases used in shooting the victims of Katyn from which it appeared that these were German munitions of caliber 7.65. The testimony was that all of the deaths had been caused by bullet wounds of 7.65 caliber.

Dr. Naville, one of your Committee witnesses, was allowed to defendant Goerling, provided he could be located. He was found in Switzerland, but he "informed the Tribunal that he sees no use in his coming here as a witness for Goerling. * * * 10 Proceedings 648.

²⁵ 17 Proceedings 371.

²⁶ N. C. & A., Opinion and Judgment 166.

AN APPEAL TO MEMBERS OF THE PARLIAMENTS OF ALL THE NATIONS FROM THE
FORMER DEPUTIES AND SENATORS OF THE POLISH PARLIAMENT74 CORNWALL GARDENS,
London, SW. 7, February 1946.*To the Members of the Free Nations Parliaments.*

DEAR SIRS: The German war criminals at present on trial at Nuremberg are charged with the murder of about 11,000 Polish officers in the wood of Katyn near Smolensk. In connection with this case the undersigned, former Senators and Deputies in Parliaments of the Polish Republic, beg to point out certain events and to make a number of remarks.

On September 17th 1939 Soviet Forces suddenly and unexpectedly invaded Poland and attacked the Polish armies in the rear while these armies were in a most difficult position, struggling against the Germans, overwhelmingly superior in number and in material. In doing so, the Soviet broke the Pact of Non-Aggression and other agreements, freely accepted by them and still in force as between the USSR and Poland such as the Peace Treaty of Riga signed on March 18th 1921, The Kellogg Pact, The Moscow Protocol renouncing war as an instrument of national policy, signed on February 9th 1929, by Estonia, Latvia, Poland, Rumania and the USSR, the Convention on the definition of the Aggressor signed on July 3rd 1933, the Moscow Protocol of May 5th 1934, on the Prolongation of the Non-Aggression Pact till December 31st, 1945. These agreements have been confirmed twice over, by an exchange of notes, on September 10th 1934, and by a common communique of November 26th 1938, and finally the Pact of the League of Nations was also binding in the USSR.

As a result of the Soviet attack, Polish resistance collapsed and a great number of soldiers of the Polish army fell into Soviet hands. The Soviet authorities grouped the Polish officers in separate camps, the largest of which were those of Starobielsk, Kozielsk, and Ostaszkw. At the beginning of 1940 the camp authorities informed the interned officers that these camps would be broken up and that the prisoners of war would return to their families in Poland. The prisoners were again registered in great detail. From April to the middle of May 1940 the Soviet authorities removed the officers from the camps in groups numbering from 60 to 300 and transported them in unknown directions. At the same time the prisoners correspondence with their families in Poland came to an end. Whereas in the preceding months letters from them were received fairly regularly, after that date they ceased to give any sign of life and they were heard of no more.

After the conclusion of the Polish-Soviet agreement of July 30th, 1941, and of the Polish-Soviet military convention of August 14th of the same year, when the formation of the Polish army was undertaken in the USSR, out of the total of 15,000 officers taken prisoner by the Soviet, only 2,500 reported themselves to the Polish recruiting centres. Of these, only 400 had been inmates of the camp of Kozielsk. The absence of the remainder, known to have been removed to undetermined destinations, produced understandable anxiety among their countrymen. The Minister of Foreign Affairs, the Polish Ambassador in Kuybyshev, and the general commanding the Polish Army in the USSR, addressed themselves to the Soviet authorities asking to be informed of the whereabouts of these missing officers. The Soviet Government in the persons of the People's Commissar for Foreign Affairs, Mr. Molotov, and his deputy, Mr. Vishinsky, answered repeatedly that these officers had been released and should have reported themselves to the different Polish military units. On December 3rd, 1941, in a conversation with Marshal Stalin at the Kremlin, General Sikorski raised the same question and presented a list of 3,845 missing officers whose names had been ascertained by the Polish authorities. Marshal Stalin repeated the explanation given by Mr. Molotov and Mr. Vishinsky and assured General Sikorski anew that these officers had been released long since. In spite of these declarations of the highest Soviet authorities not one of the missing officers ever made his appearance and all investigations remained fruitless.

In April 1943 the Germans published the news that in the wood of Katyn near Smolensk mass graves had been discovered containing the bodies of about 12,000 Polish officers. About 3,000 of them were identified and it followed from the checking of lists that they were prisoners from the camp at Kozielsk. As is well known, the German authorities did not hesitate to accuse the Soviet Government of their murder.

When the German armies in their retreat from Russia had evacuated the district of Smolensk, the Soviet authorities formed a commission called upon to deal with the Katyn case. This commission drew up an official report which was published by the Soviet Government.

According to this report two witnesses, the Soviet camp commander, Major Vietoshnikov, of the N. K. V. D., and the engineer in control of traffic in the Smolensk sector of Western railway lines, S. Ivanov, testified that the Polish officers detained in the P. o. W. camps had not been evacuated in the time and that the camp had been captured by the advancing German army. Other witnesses, Soviet citizens, gave evidence that the Germans murdered the Polish officers in Katyn wood and buried them there.

The region of Smolensk having been occupied by the Germans in July 1941, the question occurs why the Soviet Government did not inform the Polish authorities immediately after the resumption of Polish-Soviet relations, in the summer of 1941, that many Polish officers, who were prisoners of war, had fallen into German hands. On the contrary, the Soviet Government answered all inquiries on this point over and over again, even as late as March 1942, with the assurance that these prisoners of war had been released, in accordance with the concluded agreement and should have reported themselves to the Polish military units.

These circumstances show that the fate of the Polish officers in the Russian P.o.W. camps has not yet been fully elucidated.

The crime perpetrated upon them at Katyn, contrary to every feeling of humanity and violating international law and custom, does not only concern the families of the victims. The entire Polish nation is entitled to demand that this tragedy be cleared up.

In view of these facts and circumstances the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg tribunal. This case is of a special character, and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body.

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AFTER RECESS

Chairman MADDEN. The committee will come to order.

The first witness will be Mr. Elmer Davis. Will you take the stand, Mr. Davis, and be sworn?

Do you solemnly swear that the testimony you will give in the hearing before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DAVIS. I do.

TESTIMONY OF ELMER DAVIS, NEWS BROADCASTER AND COMMENTATOR, AMERICAN BROADCASTING CO., WASHINGTON, D. C.

Chairman MADDEN. Mr. Davis, will you state your full name, please?

Mr. DAVIS. Elmer Davis.

Chairman MADDEN. And your address?

Mr. DAVIS. 1661 Crescent Place, Washington 9, D. C.

Chairman MADDEN. And your business?

Mr. DAVIS. News broadcaster and commentator for the American Broadcasting Co.

Chairman MADDEN. All right, Mr. Mitchell, you may proceed.

Mr. MITCHELL. Mr. Chairman, for the purpose of this hearing I would like to have now read into the record by Mr. Pucinski, the testimony taken by the congressional committee investigating the Federal Communications Commission. This is the testimony of Mr. Joseph Lang, which was taken on August 5 in New York City.

Mr. Pucinski, will you proceed, please?

Mr. PUCINSKI. Yes. I am reading from page 387 of volume 991 of the House committee hearings. This volume is from the Senate library.

The testimony is by Mr. Joseph Lang.

Mr. MACHROWICZ. What committee and what date?

Mr. PUCINSKI. This testimony was taken during a study and investigation of the Federal Communications Commission on Thursday, August 5, 1943. The hearings were in New York City.

Now, this is the testimony of Mr. Joseph Lang, general manager of radio station WHOM, New York, N. Y.

The question being propounded to Mr. Lang is by Mr. Garey, who was the committee counsel for this committee, which was headed by Congressman Cox.

Mr. Garey said:

Mr. Lang, did you ever have a meeting with Mrs. Shea, at which the question of the policy that should be adopted toward Russia was discussed?

Mr. LANG. I had a meeting with Mrs. Shea and Alan Cranston in my office.

Mr. GAREY. We know who Mrs. Shea is, but I don't think this record shows who Alan Cranston is. Will you tell us who Alan Cranston is?

Mr. LANG. Alan Cranston is head of the Foreign Language Division of the Office of War Information.

Mr. GAREY. And about when did this conversation take place?

Mr. LANG. I believe it was around the middle of May 1943.

Mr. GAREY. And how did the meeting come about?

Mr. LANG. Mr. Cranston called me, I believe it was on a Monday, and asked if he could meet with Mr. Simon and me regarding what he described as the Polish situation. He asked if he could meet with us on the following Wednesday.

Mr. GAREY. Where did the meeting take place?

Mr. LANG. At my office.

Mr. GAREY. Who was present at the meeting?

Mr. LANG. Mr. Cranston, Mrs. Shea, Mr. Arthur Simon, myself, and I believe Mr. Fred Call, who handled public relations for the foreign-language radio wartime control. This was a meeting not with us as individual station owners but representing the foreign-language radio wartime control.

Mr. GAREY. And Mr. Arthur Simon is manager of the Bulova station in Philadelphia, designed by the call letters WPEN?

Mr. LANG. Yes.

Mr. GAREY. And he was chairman of that foreign-language radio wartime control committee?

Mr. LANG. He was.

Mr. GAREY. Will you tell us what was said at that meeting, and by whom?

Mr. LANG. Both Mr. Cranston and Mrs. Shea were concerned with the situation that had been developing between Russia and Poland in regard to the

matter of boundaries, and the fact that Poland, I believe, through its Premier, its Government in exile in London, had protested to Russia about the slaying of these 10,000 Polish officers in Russia. And they were concerned as to how the situation would be handled on different radio stations.

Mr. GAREY. What did Mr. Cranston want you to do?

Mr. LANG. He asked us—when I say “us” I mean the foreign-language radio wartime control—if we could straighten out the situation in Detroit.

Mr. GAREY. What situation obtained there?

Mr. LANG. From what I could gather, it seemed that on the Polish programs out there the Polish news commentators had taken a rather antagonistic attitude toward Russia in this matter, and they felt that it was inimical to the war effort and should be straightened out in some way.

Mr. GAREY. And they wanted to know what you could do about getting the program content on those Detroit stations to conform to their views on what should be put over the air in the United States about the Russian situation? That is the sum and substance of what Cranston was trying to get you to do?

Mr. LANG. I don't know that it was expressed that way. That was the thought.

Mr. GAREY. Is your answer to my question in the affirmative?

Mr. LANG. Yes.

Mr. GAREY. Was the Office of Censorship represented at this meeting?

Mr. LANG. No; it was not.

Mr. GAREY. They had been invited to attend, but had refused to attend, had they not?

Mr. LANG. I don't know that, sir.

Mr. GAREY. They had failed to attend?

Mr. LANG. They were not present.

Mr. GAREY. What did Mrs. Shea want you to do?

Mr. LANG. The same thing. They both expressed the same thoughts.

Mr. GAREY. They wanted the gag put on any criticism of Russia, insofar as criticizing Russia's ambitions to establish a new Polish Frontier in the postwar days was concerned?

Mr. LANG. That seemed to be the gist of the talk.

Mr. GAREY. And didn't they also want the gag put on any news concerning the alleged killing of the 10,000 Polish Officers by the Russians in Russia?

Mr. LANG. That was not expressed. The thought was that if commentators were to be permitted to express their own views, there was no limit to what they could say. I suggested that if the situation were handled as I handled it on my station, whereby commentators, both on Russian and Polish programs were permitted to broadcast only the news as it came off the teletype, that would solve the situation, because it would mean that only news from the news services would be broadcast, and not anyone's views.

Mr. GAREY. What was the result of the meeting?

Mr. LANG. Mr. Simon and I said we would get in touch with our committee member in Detroit and talk to him and see if we could get the matter straightened out.

Mr. GAREY. And did you?

Mr. LANG. We did. We called Mr. James Hopkins.

Mr. GAREY. Of what station?

Mr. LANG. WGBK, in Detroit. And we spoke to him along these lines, suggesting that his station, as well as two other stations, the call letters of which I don't recollect, stick strictly to their authenticated news service, and not permit any individual to express his individual views.

Mr. GAREY. What Hilde Shea and Cranston were doing, they were engaging in the censorship of program content; weren't they?

Mr. LANG. I think you might put it that way. I would say “Yes.”

Mr. GAREY. Certainly. And the Communications Act of 1944 expressly forbids the Federal Communications Commission to censor program content; doesn't it?

Mr. LANG. It does.

Mr. GAREY. And the Office of War Information had no jurisdiction in the matter whatever; did it?

Mr. LANG. That is right.

Mr. MITCHELL. Mr. Davis, at that time I believe you were head of the OWI. Could you tell the committee when you took over the chairmanship of the OWI?

Mr. DAVIS. The 13th of June 1942.

Mr. MITCHELL. Who was your predecessor in office?

Mr. DAVIS. We had none. We were a combination of four preceding agencies.

Mr. MITCHELL. Will you explain to the committee how the OWI was formed, if ~~it~~ please?

Mr. DAVIS. It was put together by a combination of what was then the Foreign Information Service of the Coordinator of Information under General Donovan, an organization which had previously been combined with what later became the OSS, the Office of Facts and Figures, under Archibald MacLeish, the Division of Information of the Office of Emergency Management, under Bob Lorton, and the Office of Government Reports under Lowell Mott. They were all brought in together into a new organization.

As I have said elsewhere, I felt like a man, at times, who had married a four-time widow and was trying to raise her children by all of her previous marriages.

Mr. MITCHELL. Sir, where and to whom did you report as the head of OWI? What was the chain of command?

Mr. DAVIS. President Roosevelt. If I may amplify, Mr. Counsel, we reported only to the President for all operations. But on matters of foreign policy we had to consult the State Department and conform to their views.

Mr. MITCHELL. Could you explain to the committee how the liaison was conducted between these various other Government agencies, which affected the war effort.

Mr. DAVIS. We had various people assigned to contact each of the Government departments, and quite a number of people would consult different officials in the State Department on different issues to see what the Government policy was. With respect to major issues, occasionally I had to take them up with the President. But he was pretty busy, and I didn't bother him more than I had to.

Mr. MITCHELL. Was there any kind of a Board or Commission established for policy guidance for OWI?

Mr. DAVIS. Well, there was theoretically such a Commission, and I was directed to perform my duties after consulting it. It was set up with appointees by the other departments, in such shape that it seemed to me that its purpose was to keep us from ever doing anything much. So, after two consultations with them in the first month that I held office, I performed my duties according to the Executive order. They never met again.

Mr. MITCHELL. Then could you explain to the committee how policy respecting the OWI was accomplished? How did you get your directives of advice and consultation?

Mr. DAVIS. Well, on foreign policy matters, as I say, we consulted the State Department. On specific issues it was usually done by somebody from our overseas branch calling up somebody in the State Department who was concerned with that particular division. I had frequent consultations with Mr. Hull and Mr. Welles, myself, on general policies.

Mr. MITCHELL. Was this on over-all policy, your consultations?

Mr. DAVIS. On the way we should handle certain matters in foreign propaganda, so that we would conform to the foreign policy of the United States.

Mr. MITCHELL. Then liaison was otherwise from desk to desk?

Mr. DAVIS. We had people who were especially associated with each of the other departments, but with most of them our problem was to see that the news they handed out was as fresh as possible and as accurate as possible, and that there were not too violent conflicts between the departments and what they said.

Mr. MITCHELL. And the two individuals that you consulted for over-all policy were Mr. Hull and Mr. Welles?

Mr. DAVIS. On foreign policy only.

Mr. MITCHELL. On foreign policy only?

Mr. DAVIS. Yes.

Mr. MITCHELL. Now, could you tell the committee the exact purpose or function of OWI?

Mr. DAVIS. Well, it is all set forth in greater length and detail in the Executive order, than I can now remember.

Mr. MITCHELL. Briefly.

Mr. DAVIS. Its object was to tell the news as fully and as accurately as we could to the people of the United States, a function in which we were very much limited by the fact that we were only coordinators of the news issued by the other departments, and also to inform foreign nations, both hostile, friendly and neutral, about the policies and business of the United States.

Mr. MITCHELL. Where did you get the news coming in from overseas? What agencies furnished that to the OWI?

Mr. DAVIS. We had a division called the Foreign News Bureau, which obtained the reports of the Federal Broadcast Information Service of all of the enemy broadcasts, and all broadcasts, to be sure, but primarily the enemy broadcasts, which they would take and analyze principally for the purpose of pointing out where the enemy was telling a different story to one part of the world than to another. They issued their reports on those broadcasts, and they were made available to the press. That was the only news we obtained from overseas.

Mr. MITCHELL. Was your organization broken up in such a way as to have individuals responsible country by country or area by area?

Mr. DAVIS. In our propaganda to those countries, yes. The information that we obtained from abroad, as I say, was only through this one channel, the Foreign Broadcast Information Service, and was analyzed by our own people and put out for availability to the press here.

Mr. MITCHELL. The subject matter being investigated by this committee concerns Katyn and Poland. Can you tell the committee who was in charge of that operation in your Department?

Mr. DAVIS. Well, I don't know what you mean by "that operation."

Mr. MITCHELL. The overseas broadcasts.

Mr. DAVIS. Well, that would be under the general direction of Robert Sherwood, who was then the head of the Overseas Branch. As to the people who were underneath him, there were quite a number of them.

The policy was supposed to be laid down in Washington and followed by our operating staffs in various points around the world—New York, San Francisco, the Southwest Pacific, London, Algiers, and so on—although in Algiers and in the Southwest Pacific, of course, we were under military direction.

Mr. MITCHELL. Did you have as part of your organization a desk or an individual who was responsible for reporting to the American people, country by country?

Mr. DAVIS. No.

Mr. MITCHELL. Responsible for reporting the news that came in?

Mr. DAVIS. No; we did not.

Mr. MITCHELL. You didn't have an area desk?

Mr. DAVIS. Not for reports to the American people. We had area desks for propaganda overseas. But normally, we did not produce much news for the American people. The great volume of news printed in the American press and used on the radio at that time came from the news services and special correspondents in foreign countries.

Mr. MITCHELL. Then how can you explain what was read into the record a few minutes ago about Mr. Cranston, who was a member of your staff, having this meeting in New York with members of the Foreign Language Radio Wartime Control?

Mr. DAVIS. Well, I can't recall that I have ever heard of that episode until it was read to me. But I should say that, in the first place, the declaration made by the counsel of that committee seems to have been contradicted by a statement of one of the broadcasters a little earlier, that it was indicated that the news analysts or commentators on those stations could handle the news the way they wanted to, but Mr. Cranston merely hoped that they would not handle it in such a way as to stir up antipathy between two of our allies.

Mr. MITCHELL. I cannot quite understand why Mr. Cranston's particular function fitted in with this capacity, since it was not the function of the OWI to handle news within the country.

Mr. DAVIS. Strictly speaking, he had no authority, and as I think that excerpt makes clear, he made no attempt to impose any authority. He merely suggested that as a matter of moving toward the winning of the war, they should try to avoid stirring up trouble between our allies.

Mr. MITCHELL. But that was the function of the Office of Censorship?

Mr. DAVIS. No. The Office of Censorship was supposed to tell them what they could not print or what they could not broadcast. We didn't attempt to do that, and I think that the excerpt read will indicate that Mr. Cranston didn't attempt to do that.

Mr. MITCHELL. Well, I can't understand why Cranston was engaged in that particular function of curtailing news within the United States. The job of the OWI was outside, was it not?

Mr. DAVIS. The job of the OWI was to provide Government news inside the United States, not news from abroad. This was a function which had been held over from one of our predecessor organizations in an attempt to reason with some of the foreign language broadcasting stations which at the beginning, immediately after Pearl Harbor, and long before OWI—one or two of them, still had some persons of rather fascistic tendencies on their staffs; and I believe that that work was started then to try to persuade them to present their broadcasts so as to contribute to the winning of the war. We went very much less far in that direction than did George Creel who, by the simple expedient of getting hold of the man who controlled all of the advertising for the foreign language press, managed to get the foreign language press to say about what Creel wanted it to say.

Mr. MITCHELL. What was George Creel's function at that time?

Mr. DAVIS. That was in the old war, it was substantially the same as the one I had then.

Mr. MITCHELL. But it had nothing to do with this one?

Mr. DAVIS. Oh, no. The previous one.

Mr. MITCHELL. I still can't understand why, under the charter of the OWI, any individual employed by the OWI would take it upon himself, or else by policy direction, or in some way, to contact anyone within the United States concerning broadcasts of news. Was it within the charter?

Mr. DAVIS. I should have to read the charter again to find out whether that authority may have lain there. As I say, I didn't know about this situation. But, as I think this testimony will indicate, Mr. Cranston was merely talking to them by way of suggesting that they try not to create too much disharmony among two of our allies. It really did not attempt to give any instructions, and he did not propose to tell them what to say. It is stated in there that the commentators could say anything they liked.

Mr. MITCHELL. Well, if I recall correctly, Poland was an ally at that time.

Mr. DAVIS. What is that?

Mr. MITCHELL. If I recall correctly, Poland was an ally at that time?

Mr. DAVIS. I said "between two of our allies."

Mr. MITCHELL. Well, I still can't understand why Cranston, in his capacity in the OWI, would in any way—that was a function of somebody else, wasn't it? Wasn't it? Was it a function of the OWI?

Mr. DAVIS. No; it certainly wasn't a function of anybody else that I can think of. I don't know whether it was properly a function of the OWI. As to why he did this, you had better ask Cranston. As I say, I didn't remember this episode.

Mr. MITCHELL. Thank you, sir. We will have Mr. Cranston.

Mr. Chairman, I would now like to have Mr. Pucinski read into the record a broadcast that Mr. Elmer Davis made on May 3, 1943.

Chairman MADDEN. How long is it?

Mr. DAVIS. It is 15 minutes, Mr. Chairman.

Mr. MITCHELL. This is only concerned with the Katyn affair.

Chairman MADDEN. All right.

Mr. PUCINSKI. Maybe we had better have Mr. Davis read it. It is his exact words, and he will probably like to refer to it while you are talking to him.

Mr. DAVIS. I appear to be quoting from myself on May 3, 1943. I may say, Mr. Chairman, that I don't believe I have seen the scripts of this broadcast since that date, but I have no doubt that it is correct (reading):

The Allied squeeze is on in Tunisia, and is going to be slow and hard. The enemy is fighting with great skill and stubbornness, and dispatches from the front report heavy casualties. This part of Tunisia will have to be taken hill by hill, and every hill means a hard struggle. The critical point of the line is the center, where the British First Army is pushing northeastward from Medjez el Bab. Here an advance of only a few kilometers will bring them into flat country much easier for tank operations. The Germans realize that danger; here their counterattacks are most persistent and vigorous. Nevertheless the enemy is fighting a losing fight. The Allied air forces and the British naval forces are knocking off ships and planes on which the Axis must depend for

supplies and reinforcements, and this with the steady pressure on the front will eventually break the enemy down.

The Pacific was quiet last week, but the Russians started an offensive on the southern end of their front across the straits from the Crimea. When the Germans retreated from the Caucasus they held on to some territory there which they might use as a springboard for another drive against the Caucasus from it. It seems doubtful if they can ever again put on a general offensive against Russia.

Mr. MITCHELL. Will you go down now to the part about Katyn?

Mr. DAVIS. I am reading it along as it comes, Mr. Counsel.

Mr. MITCHELL. Just a minute. Please start right there [indicating].

Mr. DAVIS (reading):

But while the German armies are finding it pretty tough going, the German propaganda won a striking success last week when it succeeded in bringing about a break in diplomatic relations between Russia and the Polish Government in exile. The way the Germans did this is a good example of the doctrine Hitler preached in *Mein Kampf*, that it is easier to make most people swallow a big lie than a little one. When the Germans had beaten Poland in September 1939, the Russians moved in and occupied eastern Poland, taking thousands of Polish troops prisoners. In June 1941, when the Germans attacked Russia, they overran all of this territory and have held it since. Now, almost 2 years later, they suddenly claim to have discovered near Smolensk the corpses of thousands of Polish officers, who, according to the Germans, were murdered by the Russians 3 years ago. In several respects, this story looks very fishy. At first the Germans were quite uncertain about the number of killed. At one time the Japanese and the Vichy French came up with a story of Rumanians murdered in Odessa, not Poles in Smolensk. First they said 10,000, then 2,000, and then 5,000, before finally deciding on 12,000. Rome and Berlin disagreed as to how they had been killed. The remains must have been better preserved than is usual after 3 years. The Russians were said to have tried hard to conceal the graves, yet they buried every man in uniform with his identification tag. Suggestions of an investigation by the International Red Cross mean nothing, for the Germans control the area. It would be easy for them to show the investigators corpses in uniform with identification tags. There is no way the investigators could determine whether these men were killed by Russians or by Germans, as they probably were.

I might say, Mr. Counsel, that after the lapse of 9½ years, I am convinced that they were killed by the Russians; but this was a statement made at the time, with the evidence then available.

The Germans are known to have slaughtered hundreds of thousands of Poles after the fighting was over. If they found a camp full of Polish prisoners, when they attacked Russia, it would have been the most natural thing in the world for them to murder them, too—if not at the moment, then later, when they needed the corpses for propaganda.

Remember that when the Germans invaded Poland, they told the world that they had found the graves of thousands of German civilians massacred by the Poles. Few people believed that story: It is all the more remarkable that any Poles who remember it should believe this one, especially as its motives are so obvious. The first motive is to distract the attention of the world from the mass murders which the Germans have been steadily committing in Poland for 3½ years—murders by now so numerous that they look like a deliberate attempt to exterminate the Polish people. Another purpose would be to arouse suspicion and distrust between Russia and the rest of the United States, which would help the Germans in two ways. Directly, it might hamper the prosecution of the war we are all fighting against Germany. Indirectly, it might help to prop up German morale at home. There is plenty of evidence among the German civilian population—yes, even among the Army—that there is less belief that they can ever win a decisive victory over all their enemies. But the German propaganda has persuaded many Germans that any day now America and Britain might call off the war, make a compromise peace, and leave Germany free to turn on Russia. And of course, more people will believe that if there is trouble between Russia and the other United Nations. Anything that creates division among the United Nations, concerns every one of those nations—the United States included—because we must hold together to win the war.

Mr. MITCHELL. I think that is enough, Mr. Davis. Thank you very much.

Mr. Chairman, I would now like to read a memorandum from the Department of State dated April 22, 1943, which was approximately 8 days previous to the broadcast that Mr. Davis has just put on the record.

In the upper left-hand corner of this memorandum is the stamp of the Assistant Secretary of State, dated April 22, 1943, being the stamp of Mr. Berle.

The first name from this memorandum has been deleted, in accordance with the agreement with the Department of State.

At the request of Mr. Berle, so-and-so called to ask whether he had any objection to Stockholm airgram No. so-and-so being given to the OWI, apparently for the purpose of using information contained therein regarding German atrocities against Jews in Poland in a propaganda campaign which OWI wishes to start in order to counteract the German propaganda story regarding the alleged execution of some 10,000 Polish officers by the Soviet authorities. It is felt that because of the extremely delicate nature of the question of the alleged execution of these Polish officers, and on the basis of the various conflicting contentions of all parties concerned, it would appear to be advisable to refrain from taking any definite stand in regard to this question. Although it is realized that the story emanates from German sources, and is being used by the German propaganda machine in an effort to divide the members of the United Nations, it should be borne in mind that whether the story is true or not, it is known that the Polish Government has, without success, for the past year and a half been endeavoring to ascertain from the Soviet Government the whereabouts of some 8,000 Polish officers who, on the best of available evidence, were captured by the Soviet forces in 1939.

In this connection, the Polish Government in the summer of 1942, specifically asked the American Ambassador to Moscow to intervene with the Soviet Government in an effort to cause the latter to release the 8,000 Polish officers, who were reportedly still being held by the Soviet authorities. According to the Polish officials here, the Soviet authorities have never released one of the officers on the list presented by the Polish Government. Furthermore, according to a telegram of April 20, 7 p. m., from Berne, it appears that the International Red Cross has agreed to send a delegation to Smolensk to investigate the German allegations. It would appear, therefore, that until further and more conclusive evidence is available, it would be inadvisable for OWI to take a definite stand in this regard.

Now, Mr. Davis, it is evident that the Department of State——

Chairman MADDEN. Pardon me. Did you want that introduced as an exhibit?

Mr. MITCHELL. Yes, sir.

Mr. DAVIS. Is that a memorandum to me?

Mr. MITCHELL. That is just a straight memorandum setting forth the State Department's policy at that time.

Chairman MADDEN. Identify it and mark it as an exhibit.

Mr. MITCHELL. Yes, sir.

This is a memorandum setting forth the policy of the Department of State, with respect to the massacre of the Polish officers in Katyn. It is an unsigned memorandum, the original of which is in the Department of State's files.

If you desire to see the original, sir, I will ask Mr. Ben Brown of the Department of State to produce that.

Mr. DAVIS. I trust you have had a certified copy made?

Mr. MITCHELL. This is a photostatic copy of it, sir.

Mr. DAVIS. All right.

Chairman MADDEN. Will you mark that as an exhibit and introduce it?

Mr. MITCHELL. This will be exhibit 8A, Washington, D. C.

Chairman MADDEN. Do you want to have the portion of Mr. Davis' broadcast marked as an exhibit and introduce it in evidence?

Mr. MITCHELL. Let us do it in reverse. We will mark this as 8 and this as 8A.

Chairman MADDEN. Exhibit 8 is Mr. Davis' broadcast and exhibit 8A is the State Department memorandum. Those documents will be accepted in evidence as exhibits 8 and 8A.

(Exhibits 8 and 8A were received and follow here:)

EXHIBIT 8—MR. ELMER DAVIS' RADIO BROADCAST OF MAY 3, 1943

[Enclosure No. 2 to despatch No. 1873 dated June 21, 1943, from the Legation at Stockholm. Submitted as Enclosure 2 to Department on Embassy Despatch 1008, June 9, 1952.]

AMERICAN LEGATION

Stockholm

COMMENTS FROM THE AMERICAN PRESS

No. 51 Vol. II.

May 3, 1943.

THE WEEKLY WAR SURVEY

In his weekly broadcast, the Director of the Office of War Information, Elmer Davis, spoke as follows:

"The Allied squeeze is on in Tunisia and is going to be slow and hard. The enemy is fighting with great skill and stubbornness, and dispatches from the front report heavy casualties. This part of Tunisia will have to be taken hill by hill, and every hill means a hard struggle. The critical point of the line is the center where the British First Army is pushing northeastward from Medjez El Bab; here an advance of only a few kilometers will bring them into flat country much easier for tank operations. The Germans realize that danger; here their counterattacks are most persistent and vigorous. Nevertheless the enemy is fighting a losing fight. The Allied air forces and the British naval forces are knocking off ships and planes on which the Axis must depend for supplies and reinforcements, and this with the steady pressure on the front will eventually break the enemy down.

"The Pacific was quiet last week, but the Russians started an offensive on the southern end of their front across the straits from the Crimea. When the Germans retreated from the Caucasus they held on to some territory there which they might use as a springboard for another drive against the Caucasus this summer. It seems doubtful if they can ever again put on a general offensive against Russia, but they may have enough force this summer for regional attacks, and the Caucasus with its oilfields is perhaps the most probable target. The present Russian attack seems aimed at breaking down that springboard before anybody can jump off from it.

"But while the German armies are finding it pretty tough going, the German propaganda won a striking success last week when it succeeded in bringing about a break in diplomatic relations between Russia and the Polish government in exile. The way the Germans did this is a good example of the doctrine Hitler preached in *Mein Kampf*, that it is easier to make most people swallow a big lie than a little one. When the Germans had beaten Poland in September 1939, the Russians moved in and occupied eastern Poland, taking thousands of Polish troops prisoners. In June 1941 when the Germans attacked Russia, they overran all this territory and have held it since. Now, almost two years later they suddenly claim to have discovered near Smolensk the corpses of thousands of Polish officers, who, according to the Germans, were murdered by the Russians three years ago. In several respects this story looks very fishy. At first the Germans were quite uncertain about the number of killed; at one time the Japanese and the Vichy French came up with a story of Rumanians murdered in Odessa, not Poles in Smolensk. First they said 10,000, then 2,000 and then 5,000, before finally deciding on 12,000. Rome and Berlin disagreed as to how they had been killed. The remains must have been better preserved than is usual after three years. The Russians were said to have tried hard to conceal the graves, yet they buried every man in uniform with his identification tag. Suggestions of an investigation by the International Red Cross mean nothing, for the Germans

control the area. It would be easy for them to show the investigators corpses in uniform with identification tags. There is no way the investigators could determine whether these men were killed by Russians, or by Germans as they probably were. The Germans are known to have slaughtered hundreds of thousands of Poles after the fighting was over. If they found a camp full of Polish prisoners when they attacked Russia, it would have been the most natural thing in the world for them to murder them, too, if not at the moment, then later when they needed the corpses for propaganda.

"Remember that when the Germans invaded Poland they told the world that they had found the graves of thousands of German civilians massacred by the Poles. Few people believed that story: it is all the more remarkable that any Poles who remember it should believe this one, especially as its motives are so obvious. The first motive is to distract the attention of the world from the mass murders which the Germans have been steadily committing in Poland for three and a half years—murders by now so numerous that they look like a deliberate attempt to exterminate the Polish people. Another purpose would be to arouse suspicion and distrust between Russia and the rest of the United Nations—which would help the Germans in two ways. Directly, it might hamper the prosecution of the war we are all fighting against Germany. Indirectly, it might help to prop up German morale at home. There is plenty of evidence among the German civilian population—yes, even among the army—that there is less belief that they can ever win a decisive victory over all their enemies. But German propaganda has persuaded many Germans that any day now America and Britain might call off the war, make a compromise peace and leave Germany free to turn on Russia. And of course more people will believe that if there is trouble between Russia and the other United Nations. Anything that creates division among the United Nations concerns every one of those nations—the United States included—because we must all hold together to win the war. After the war, if the United Nations continue to hold together in some sort of collective security system, there will be less danger that any of the great powers may feel it has to safeguard its individual security at the expense of its weaker neighbors. That is the only way this issue can be treated—as one phase of the problem of world security.

EXHIBIT 8A—STATE DEPARTMENT MEMORANDUM WHICH BORE A RUBBER STAMP MARK INDICATING IT HAD BEEN DELIVERED TO MR. BERLE ON APRIL 22, 1943

DEPARTMENT OF STATE,
DIVISION OF EUROPEAN AFFAIRS,
April 22, 1943.

MEMORANDUM

_____ of FC, at the request of Mr. Berle, called to ask whether Eu had any objection to Stockholm's airgram No. A-181, April 5, 4 p. m., being given to OWI apparently for the purpose of using information contained therein regarding German atrocities against Jews in Poland in a propaganda campaign which OWI wishes to start in order to counteract the German propaganda story regarding the alleged execution of some 10,000 Polish officers by the Soviet authorities.

It is felt that because of the extremely delicate nature of the question of the alleged execution of these Polish officers and on the basis of the various conflicting contentions of all parties concerned, it would appear to be advisable to refrain from taking any definite stand in regard to this question.

Although it is realized that the story emanates from German sources and is being used by the German propaganda machine in an effort to divide the members of the United Nations, it should be borne in mind that whether the story is true or not, it is known that the Polish Government has, without success, for the past year and a half been endeavoring to ascertain from the Soviet Government the whereabouts of some 8,000 Polish officers who on the best available evidence were captured by the Soviet forces in 1939. In this connection the Polish Government in the summer of 1942 specifically asked that the American Ambassador to Moscow intervene with the Soviet Government in an effort to cause the latter to release the 8,000 Polish officers who were purportedly still being held by the Soviet authorities. According to Polish officials here the Soviet authorities have never released one of the officers on the list presented by the Polish Government.

Furthermore, according to telegram No. 2471, April 20, 7 p. m., from Bern, it

appears that the International Red Cross has agreed to send a delegation to Smolensk to investigate the German allegations.

It would appear, therefore, that until further and more conclusive evidence is available it would be inadvisable for OWI to take a definite stand in this regard.

If, on the other hand, it is felt that it is imperative to counteract the German propaganda it is suggested that such action should be limited to a campaign pointing out that the American Government and the American people refuse to allow German propaganda stories regarding the alleged execution of the Polish officers to detract their attention from the many and continuing crimes which have been committed by the German authorities since the beginning of the war. In this connection OWI could repeat the many authenticated stories such as that of Lidice and might even quote, without giving the source or stating that the information has been completely verified, pertinent information from the attached telegram from Stockholm. It is not believed that the information in this telegram should be attributed as coming from official sources since in the last paragraph doubt is thrown on the accuracy of the information reported.

As of possible interest in this connection there is attached a copy of the Polish National Council's statement which follows in some way the line suggested for OWI.

(COMMITTEE NOTE.—A copy of the Polish National Council's statement referred to in the last paragraph of exhibit SA appears as exhibit 21 on p. 678 of pt. 4 of this committee's published hearings.)

Mr. MITCHELL. Mr. Davis, you have told us previously that on overall policy and on high-level policy matters, you discussed those with Mr. Hull and Mr. Welles. I would like to ask you now whether you ever discussed this matter specifically at this time with the Department of State or any official therein?

Mr. DAVIS. I don't remember. I may say, Mr. Counsel, that this was not one of the major issues that I had to deal with at that time, from my point of view. To a Pole it was certainly the most important issue in the world, but to me, as to the head of every department or agency of Government, about that time of year the principal question was how his budget was going to get through Congress, and that absorbed most of my time. So whether I asked advice on this question from either Mr. Hull or Mr. Welles, I don't remember. I don't recall seeing this memorandum from Mr. Berle, although it is conceivable that I might have. I don't know.

Mr. MITCHELL. Do you think the records of the broadcast are available today—who prepared it for you? You didn't prepare it?

Mr. DAVIS. Of course—I wrote my own.

Mr. MITCHELL. Then you wrote that broadcast?

Mr. DAVIS. Yes.

Mr. MITCHELL. Where did you get the information concerning the Polish situation at that time?

Mr. DAVIS. Do you mean the information in here [indicating exhibit 8]?

Mr. MITCHELL. Yes.

Mr. DAVIS. There doesn't seem to be much about the Polish situation.

Mr. MITCHELL. I mean the propaganda.

Mr. DAVIS. A good deal of it was printed in the newspapers at the time. Some of it may even have been in my broadcasts. I imagine that the correlation of different stories told by different Axis Powers probably came from recorded broadcasts by the FBIS which came through our Foreign News Bureau.

Mr. MITCHELL. Well, since there was a question of doubt at that particular time, and since the International Red Cross was becoming involved in this, and since it was after the Polish-Soviet relationship

was severed, why did you see fit at that time to take the stand you took in this broadcast?

Mr. DAVIS. Because I believed it at that time to be correct. It was a matter of news. For a period of about 3 months I did a weekly broadcast on an over-all survey of the war situation, which I eventually dropped because I could never be quite sure who was broadcasting. It was not the executive branch of the Government of the United States. That—if that would have been the case, I would have had to have Presidential approval for all I said. It wasn't me, because I felt that in justice to other broadcasters I should not use, even for background interpretation, any confidential information that came to me as a result of my Government service. Some of that confidential information I probably could have picked up if I had been a reporter, by going around, so it was not as good as Davis would have been normally, and it was not as authoritative as representations of the Government of the United States. So about the end of 3 months, I dropped it, but I was doing it at this time. This was a matter of news.

With regard to the suggestion of Mr. Berle, as I say, I don't remember whether I saw it or not, but this was an issue which a news organization could hardly overlook. One of our difficulties with the Department of State was that there was only the question of: Where is the boundary line between policy and implementation of that policy by propaganda? They could tell us, unquestionably, the general line, but when they attempted to tell us how we could handle it in propaganda overseas, they were dealing with something which very often they didn't know very much about. I do not think any news organization could have overlooked this. If I had not happened to be broadcasting once a week at that time, I would undoubtedly have had nothing to say about this domestically, as it was outside of our field. But we were handling it in our foreign propaganda—we couldn't overlook it. I mean that is a case where silence would be about the worst possible propaganda you could make.

At the time I made this broadcast, the evidence rested almost entirely on the word of Josef Goebbels, a man whose reputation for veracity was extremely low.

Now, it appears, with all of the subsequent evidence, that has become available, that this was the one time he was right; but I had no reason to believe so at the time. I have never been able to accept the argument that I should have believed the story of the Propaganda Minister of a Government with which the Government of the United States was at war, without some corroboration.

Mr. MITCHELL. But the Polish Government in exile had already requested the International Red Cross to investigate?

Mr. DAVIS. Yes, they had requested that; but, as I remember, the Commission of Physicians that finally went in there—was that appointed by the International Red Cross? I don't remember.

Mr. MITCHELL. No.

Mr. DAVIS. That was a German group?

Mr. MITCHELL. The International Red Cross was prevented from going in there because of the fact that the Soviets refused to participate. Consequently, the Germans formed an International Medical Commission. But Poland was an ally at that time. Poland had requested at that time an International Red Cross investigation. Re-

relationships were broken off between the Poles and the Soviets on April 26, 1943. Your broadcast is dated May 2. So there must have been some doubt or question. Otherwise the Polish Government wouldn't have gone to the extent of asking for an International Red Cross investigation.

Mr. DAVIS. Oh, there may have been some doubt, but I felt that as at that moment the doubt should be resolved against the Propaganda Minister of the enemy.

I may say that that broadcast earned me three columns of denunciation from the Daily Worker and also three columns of denunciation from the Polish paper, or at least I was told it was denunciation. I couldn't read it. At that moment both the Polish newspaper and the Daily Worker knew of what I had said.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Mr. Machrowicz?

Mr. MACHROWICZ. Mr. Davis, how long did you remain with the Office of War Information? When did you sever your relationship with the Office of War Information?

Mr. DAVIS. September 15, 1945.

Mr. MACHROWICZ. During the time that you were in the Office of War Information, had you ever known of the reports of Colonel Van Vliet and Colonel Stewart?

Mr. DAVIS. Never, sir. As far as I can recall now, I never heard of those reports until they came out in the investigations of this committee.

Mr. MACHROWICZ. Those reports, which indicated Russian guilt, were never made known to you?

Mr. DAVIS. No, sir.

Mr. MACHROWICZ. Now, how large a staff did you have in the Office of War Information?

Mr. DAVIS. Well, at the peak we had about 9,000 here and abroad, 5,000 Americans, and about 4,000 of what we called locals, chauffeurs and interpreters, and things like that.

Mr. MACHROWICZ. Did you have a so-called Polish Section?

Mr. DAVIS. Yes, sir.

Mr. MACHROWICZ. How were these people selected?

Mr. DAVIS. A good many of them were there when I came. They had come from the predecessor organization, the Coordinator of Information. I don't remember who selected the man who was the head of our Polish desk in Washington, Mr. Ludwig Krzyzanowski, but he was a very sound man.

Mr. MACHROWICZ. Did you know the late Congressman John Lesinski?

Mr. DAVIS. I have had some correspondence with Mr. Lesinski.

Mr. MACHROWICZ. Was it at the time you were in the Office of War Information?

Mr. DAVIS. No; just recently—I mean 2 or 3 years ago.

Mr. MACHROWICZ. Do you have a recollection that Congressman John Lesinski, the late Congressman—I mean the senior Mr. Lesinski—having warned you about the fact that there were several Communists in the Office of War Information?

Mr. DAVIS. I don't recall that. I recall that he made a speech in the summer of 1943 which contained more lies than were ever comprised in any other speech made about the Office of War Information,

and that is saying quite a lot. I may say that I have made that statement to Mr. Lesinski before he died. I mean that I have not waited until after he is dead. I told him so in writing when he repeated some of those statements 2 or 3 years ago. I asked him where he got the information, because that was a perfectly absurd speech to be made by a Member of the Congress of the United States who knows anything about American politics or the American news business.

Mr. MACHROWICZ. Now, let me ask you whether you received any warnings from the then Polish Ambassador to the United States, Ambassador Ciechanowski, warning you about the fact that there were some Communist employees in the OWI?

Mr. DAVIS. I received a great number of allegations from Mr. Ciechanowski. I can't remember all of them now, but they were investigated, and, as I recall, there was no convincing evidence to support them.

Mr. MACHROWICZ. Do you know Irene Belinska, who was in the Polish Section?

Mr. DAVIS. I don't remember here.

Mr. MACHROWICZ. For your information, she was at that time one of the members of the Polish Section in your office.

Mr. DAVIS. Was she here or in New York?

Mr. MACHROWICZ. In Washington. She is the daughter of Ludwig Rajchman, who was the first consul of the Polish Communist Embassy in Washington in 1945. Rajchman engineered the surrender of the Polish Government in exile's files to the Polish Communist Government in Washington. In 1947, this same Miss Balinska returned to Poland—she was then employed by the Office of War Information—returned to Communist Poland and then came back to the United States and is now with a Polish Communist publishing house which publishes an anti-American newspaper. Did you know that?

Mr. DAVIS. She could not have been employed by the Office of War Information in 1947, because we had folded up.

Mr. MACHROWICZ. No, not in 1947. It was prior to that time.

Mr. DAVIS. I don't remember.

Mr. MACHROWICZ. You don't remember having been warned by Ambassador Ciechanowski or by anyone else about the fact that she was in your employ and that she was a Communist?

Mr. DAVIS. I don't remember. It may have happened. I don't know; it is a long time ago.

Mr. MACHROWICZ. Did you know a Mira Zlotowski, who was in your employ in 1945?

Mr. DAVIS. I don't recall. Mr. Krzyzanowski was the only man I ever had much dealing with, as I say, as the head of our Polish desk in Washington.

Mr. MACHROWICZ. Did you know Mrs. Zlotowski, the wife of Prof. Ignatius Zlotowski, the counselor of the Polish Communist Embassy in Washington, who was denounced as a Communist by General Modelski of the Polish Embassy, who had resigned? He testified before the House Un-American Activities Committee that Mrs. Zlotowski was a Communist agent.

Mr. DAVIS. I have no doubt of that.

Mr. MACHROWICZ. You don't remember her being employed by the Office of War Information?

Mr. DAVIS. She may well have been. I don't remember. As I say, the only man I dealt with was Mr. Krzyzanowski, who after he left us, went to the United Nations. For 3 or 4 years the Polish Communist Government tried to get him out of his job at the United Nations because he was working for us. I don't know whether he is still employed there.

Mr. MACHROWICZ. Did you know a Stefan Arski, alias Arthur Salman?

Mr. DAVIS. No.

Mr. MACHROWICZ. For your information, he was also employed by the Office of War Information in 1945. He is now in Warsaw, Poland, and is editor in chief of the Communist paper Robotnik, which means The Worker, the most outspoken anti-American organ in Warsaw. He at that time was also an employee of the Office of War Information. You have no recollection of him?

Mr. DAVIS. No.

Mr. MACHROWICZ. You have no recollection of either Ambassador Ciechanowski or Congressman Lesinski warning you about the fact that these three persons were known Communists, and were in the employ of the Office of War Information?

Mr. DAVIS. I don't remember that Mr. Lesinski ever warned me about anything. Mr. Ciechanowski, perhaps by his excessive number of warnings, made me forget which particular ones he especially spoke about.

Mr. MACHROWICZ. Would it refresh your recollection if I told you that you told Ambassador Ciechanowski to keep away from that matter?

Mr. DAVIS. I don't know, but I do know that I was often tempted to tell various of the representatives of the governments in exile to stay out of our business, because almost every one of them seemed to think that it was our duty to carry out the policies of his government and not those of the United States. There were only two exceptions to that that I can remember, of the governments in exile, the Czechs, that is, the good Czechs, Beneš, and Masaryk and the Filipino Government.

I will anticipate your next question. Mr. Hofmeister, who was head of our Czechoslovak desk in New York, after the Communists seized power, became a Communist and is now, I believe, the Czechoslovak Ambassador in Paris. But he showed no signs of that inclination while he was with us that I ever heard of.

Mr. MACHROWICZ. You took that attitude, even though they had warned you of the presence of Communist agents in the Office of War Information?

Mr. DAVIS. If I had taken seriously all of the stories about agents of the Communists in the Office of War Information I would have had nothing else to do but to fire the whole staff. We investigated everything as much as we could, and we found that 99 percent of the allegations were without foundation. I remember that at one time I received a very serious warning in the summer of 1944 about some of our people in Hollywood who were associating with a dangerous and subversive character who at that time happened to be the chairman of the Dewey committee in Hollywood, and who had also written the most effective anti-Communist picture that was ever put on the screen.

Mr. MACHROWICZ. Do you have any doubt about the fact that these three persons whom I have mentioned were actually Communists?

Mr. DAVIS. I have no doubt that they are now. They may be bandwagon Communists, like a lot of others who wanted to be on the winning side.

Mr. MACHROWICZ. I think that in commenting on the testimony taken before the House committee in 1943, you referred to the fact that Mr. Cranston was only expressing his hope as to what these commentators would say; is that correct?

Mr. DAVIS. Well, that was the way it sounded to me. Counsel for the committee phrased it a little differently, but it seemed to me that the testimony of one of the witnesses will indicate that it was as you say.

Mr. MACHROWICZ. I will refer you to this question and answer:

Mr. GAREY. And they wanted to know what you could do about getting the program content on those Detroit stations to conform to their views of what should be put over the air in the United States about the Russian situation? That is the sum and substance of what Cranston was trying to get you to do?

Mr. LANG. I don't know that it was expressed that way. That was the thought.

Would you say that Mr. Cranston was right in trying to get any station in Detroit—or any other station—to conform to the views on what should be put over the air?

Mr. DAVIS. No. What should be broadcast over the air in the United States about the Russian situation?

Mr. MACHROWICZ. Yes.

Mr. DAVIS. No; that would be quite beyond our authority or quite beyond my desires. But if you will look back a little further, you will find that one of these gentlemen testified rather to the opposite.

Mr. MACHROWICZ. I am just referring to this particular question: You would say that if he acted in the manner that has been described here, he acted improperly?

Mr. DAVIS. I think he acted improperly in that case, yes—if he so did.

Mr. MACHROWICZ. Did you at any time after your original broadcast in May 1943, broadcast any information indicating the receipt of information showing Russian guilt?

Mr. DAVIS. I don't remember.

Mr. MACHROWICZ. What information did you have other than what you have already said, upon which to base your belief as to the truth of the contents of that statement of May 3, 1943?

Mr. DAVIS. Just what I have here, the conflicting stories told by the various Axis Nations, and the general unreliability of Joseph Goebbels.

Mr. MACHROWICZ. Now, is it still your opinion, as expressed in that broadcast, that the request by the Polish Government for an impartial Red Cross investigation was a maneuver, brought about by German propaganda?

Mr. DAVIS. No. I except to that to the extent that the German propaganda, bringing in the whole story, touched off the chain reaction. I am certainly not implying that the Polish Government was responsive to German propaganda; but it was a very smart thing by Joseph Goebbels, which brought an obvious reaction.

Mr. MACHROWICZ. As I remember your broadcast, you indicated that you thought the request of the Polish Government for an impartial investigation was a smart maneuver by the German propaganda.

Mr. DAVIS. Well now, wait a minute. Let me see this. It says:

* * * German propoganda won a striking success last week when it succeeded in bringing about a break in diplomatic relations between Russia and the Polish Government in exile.

I don't think that that implies that the Polish Government was responsive to German propoganda, as such; that the story that was broken by German propoganda, which had not been broken before then, was responsible for this, and that the refusal of the Russians to consider the International Red Cross investigation was responsible for the breaking off of relations.

Mr. MACHROWICZ. And you don't believe—do you?—that the request by the Polish Government for an impartial investigation was at all caused by German propoganda?

Mr. DAVIS. Oh, certainly not.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Dondero?

Mr. DONDERO. Mr. Davis, there has been handed to me, since I came into the committee room at noon, a pamphlet which contains this statement [reading]:

One of the greatest OWI scandals broke when Frederick Woltman published his article entitled "A. F. of L. and CIO Charge OWI Radio as Communistic."

Woltman's article appears in the New York World-Telegram of October 4, 1943. It showed that the A. F. of L. as well as the CIO, the two great American labor organizations, which nobody but the Communists ever accused of being reactionary, withdrew their cooperation from the OWI's labor desk because of the latter's outspoken Communist attitude.

Do you want to comment on that?

Mr. DAVIS. That is correct. We removed the man at the head of the desk.

Mr. DONDERO. Who was that man?

Mr. DAVIS. I have forgotten his name now, but I remember that it happened.

May I ask what the pamphlet is, sir?

Mr. DONDERO. Yes: it is a pamphlet entitled "The OWI and Voice of America," by Julius Epstein.

Mr. DAVIS. That statement is correct, and we did remove the man. We had to fire a few people now and then.

Mr. DONDERO. How many, Mr. Davis, did you have to fire because of their communistic attitude?

Mr. DAVIS. I think it was about a dozen. We fired the head of the Greek desk in New York because he violated a directive sent from Washington about the handling of the news of Greece. I have forgotten his name, but it happened. There were a few others here and there.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Davis, can you tell us how you were selected for the OWI job?

Mr. DAVIS. Well, I was selected by the President. I don't know how he came to the conclusion. New Yorker magazine was my

original sponsor. I wrote to the editor afterward and told him that he seemed to be the man who did it. He said that he was "delighted," because that was the second public-service campaign he had ever conducted, both successful. The first one was to get the information booth in the Pennsylvania Station moved to the middle of the concourse. He seemed to think that these two achievements were of about equal importance.

Mr. SHEEHAN. You stated in the beginning that you reported only to the President?

Mr. DAVIS. That is correct.

Mr. SHEEHAN. Therefore, the President must have given you some directives, or some ideas of what he wanted you to do, or what job he wanted you to accomplish. Can you relate that?

Mr. DAVIS. Well, Mr. Roosevelt was a pretty busy man. I didn't bother him any more than I had to. I think it is fair to say that he was not very much interested in propaganda, so that I didn't get very many directives from him about specific matters.

Mr. SHEEHAN. What do you mean by "not very much interested in propaganda"?

Mr. DAVIS. I don't think that he regarded it as of any major importance. For example, I don't think that he attached anything like the weight to it that President Wilson did.

Mr. SHEEHAN. In other words, you just had a cursory talk with him. The President didn't lay down any specific principles?

Let's be specific. Did he say at any time the way in which you should treat Russia or any of our other allies?

Mr. DAVIS. No; not other than to—

Mr. SHEEHAN. Then the whole policy of OWI was entirely within your lap?

Mr. DAVIS. We had to check with the State Department, as I say, on specific issues; but, very often, we found that the Government had no policy. When I say "very often" that is a little exaggeration, but there were certain cases in which we found that the Government had not decided on policy. We had to keep on presenting news to and about certain countries, and there we just had to "roll our own."

Mr. SHEEHAN. The State Department, then, did not lay down any policy for you at any time?

Mr. DAVIS. Oh, yes; they did on various points, quite a lot of them.

Mr. SHEEHAN. To be specific, did they lay down any policy or ask you to follow any particular line with reference to the treatment of Russian news?

Mr. DAVIS. No.

Mr. SHEEHAN. German news?

Mr. DAVIS. Well, naturally, we regarded German news with considerable suspicion. We were at war with Germany, and what came out of Germany was what was permitted by Joe Goebbels. We didn't have very much confidence in him as a news source.

Mr. SHEEHAN. I would like to get back to this talk about F. D. R.

It seems inconceivable to me that Mr. Roosevelt would have called you in and would have said "Here, Mr. Davis; you take over the OWI. It is yours," with no specific instructions, or anything. It seems to me that Mr. Roosevelt was a strong-enough-willed man that, if he believed he did not want your propaganda, he would have put the OWI out of existence.

Mr. DAVIS. The propaganda agency had been in existence before that. The problem when OWI was formed was to unify the four Government agencies that were then in existence. That was the principal thing that I was concerned with.

Mr. SHEEHAN. Did you agree with Mr. Roosevelt that propaganda wasn't worth much?

Mr. DAVIS. No; though I think that its value often has been overrated. Propaganda never won a war by itself. It can be an extremely useful auxiliary to military operations, but it never won a war single-handedly.

Mr. SHEEHAN. On the basis of your experience in OWI—and you have probably followed its course since you left it—do you think that, as a whole generally, they have done a worthwhile job?

Mr. DAVIS. Whom do you mean?

Mr. SHEEHAN. The propaganda agencies, the OWI and the Voice of America?

Mr. DAVIS. I do.

Mr. SHEEHAN. You think it has been effective with the people overseas?

Mr. DAVIS. It has been about as effective as it could be.

Mr. SHEEHAN. That may be nothing.

Mr. DAVIS. Well, it is more effective than that. It has been very valuable at times.

Mr. SHEEHAN. Do you think, in your own opinion, that we are getting our money's worth for the large amount of money we are putting into this propaganda?

Mr. DAVIS. Yes.

Mr. SHEEHAN. Then, if you were a taxpayer, you would want to continue the Voice of America?

Mr. DAVIS. I am a taxpayer, Mr. Sheehan.

Mr. SHEEHAN. Do you think it should be continued?

Mr. DAVIS. It should be continued. It may be, as some have said, that a psychological-warfare program will crack the Communist front in Korea. I very much doubt that. It will help, but it won't do it by itself, in my opinion. However, it will help.

Mr. SHEEHAN. Now, this Congress—and I myself, having been fortunate enough to be reelected—will have to face the fact that we are voting some appropriations for the Voice of America. From what I have seen and heard—and I am giving you my own personal opinion—I am not too confident. I mean that it is big in size and it is a large amount of money that is being spent. Someday we should have someone, an expert like yourself, resolve in our own minds that maybe propaganda is in itself valuable. That I would not question. But whether we should have 9,000 employees and spend billions of dollars are points that a man with your experience should be able to tell us about, more or less "off the cuff."

Mr. DAVIS. I don't think there is any proposal—any informed proposal—to spend billions of dollars. Two or three amateurs have suggested that we need billion-dollar programs. I do not think it is worth an investment of billions, by any means, but I do think that it is worth the investment of the money that is going into it now.

Remember that expenses are considerably higher than they were a few years ago when I was operating. The Voice of America at present

gets more money than the OWI ever had, but that is largely due to the increase in costs.

MR. SHEEHAN. I don't have the facts, and that is why I am asking you these questions.

MR. DAVIS. I remember those statements, Mr. Sheehan, by outsiders; that is, about how we ought to pour billions of dollars into a great campaign of truth. I do not believe you would get value received for billions, but I do believe that, for the kind of money that is going into it now, you do.

MR. SHEEHAN. For instance, one of the criticisms—and it will bear investigation, because as it stands in my mind I do not have the exact facts—is, for instance, that in the radio end of the Voice of America at the present time there are more employees than the combined networks in America. It seems to me that the combined networks in America are doing a wonderful job of news saturation and dissemination.

MR. DAVIS. The combined networks operate in one language. The Voice of America overseas probably operates in 40. That is one difference right there.

They have to have relay stations abroad to pick up their short-wave stuff and transmit it to medium waves, so that it can reach the audiences. So, it is a far more expensive operation.

MR. SHEEHAN. That is all I have.

MR. DONDERO. I have one more question.

Chairman MADDEN. Mr. Dondero.

MR. DONDERO. Mr. Davis, how many people are employed by the OWI—that has gone out of business—the Voice of America, today?

MR. DAVIS. I don't know how many they have today. As I say, at our peak, we had about 9,000 here and overseas. But that was when we had some 30 oversea stations, and there were some 4,000 of those who were local people, porters, chauffeurs, translators, and things like that.

MR. DONDERO. Our investment in the Voice of America is about \$85,000,000 annually now. Do you understand that to be about correct?

MR. DAVIS. Yes, sir; but, as I say, the costs have vastly gone up. Then there are also certain things such as, for instance, when Luxemburg was liberated, our psychological warfare was partly OWI and partly British. They had the great advantage of Radio Luxemburg. But now Radio Luxemburg has been given back to Luxemburg, and our people have had to build their own relay stations.

Chairman MADDEN. As a comment, I might say this: I think that the Voice of America and any medium to send truth behind the iron curtain is a good investment. But, referring to some of the ridiculous ideas of even some Members of our Congress on expenditures for propaganda and truth, it has been revealed by the people over in Europe that our committee, through our testimony over there, put the Russian propaganda machine on the defensive. Our committee will not cost the American taxpayers over \$80,000. Yet, when the resolution was up on the floor of the House to permit our committee to go overseas, there were 156 Members who voted against the resolution. A great number of them thought the expenditure involved was too much. We only won permission to go overseas by nine votes.

When you consider the millions of dollars that have been spent by

Congress for propaganda, I do not think the opinions of some Members of Congress are of very much value when you consider that our resolution won by only nine votes.

Mr. DAVIS. If I might just offer a sort of supplementary paragraph to that, propaganda has to have something to work on. The most powerful propaganda is the truth; and the facts about this Katyn business which your committee has brought to light will undoubtedly be of enormous value to the Voice of America from now on.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. Mr. Davis, were you warned through several different sources that you had Communists in the Office of War Information? One statement that you made was that in Mr. Lesinski's warning, for example, there were more lies in that article than you ever saw before.

Mr. DAVIS. That is correct.

Mr. O'KONSKI. Is it your contention that there were no Communists in the OWI?

Mr. DAVIS. No, sir. But the statements made by Mr. Lesinski were almost all demonstrably false. As I say, we found about a dozen, and we fired them.

Mr. O'KONSKI. Do you recall a Mr. Peter Lyons?

Mr. DAVIS. I know the name.

Mr. O'KONSKI. Do you recall a Mr. Barnes?

Mr. DAVIS. Joe Barnes—certainly.

Mr. O'KONSKI. What was your estimate of Mr. Barnes?

Mr. DAVIS. I thought he was a very able man, but he was too much addicted to what we called in the war "localitis." He was head of the New York office, and it was eventually found desirable to remove him because he didn't seem to be quite sufficiently in sympathy with the policies laid down in Washington. But I never had the slightest question about his loyalty.

Mr. O'KONSKI. I am quoting now from the labor report that we had reference to. It says here [reading]:

It developed that the labor broadcasting desk under Mr. Barnes, through the OWI, had broadcast to Europe songs of the Almanac Sailors, who are virtually the official songsters of the American Communist Party.

In other words, for a while there we actually had Communist songs going out over the OWI.

Mr. DAVIS. I don't know about that, Mr. O'Konski. I would hesitate to believe it without corroboration, because so many lies were told about us. As I say, I didn't know anything about it, and I doubt whether Joe Barnes knew anything about it. It is conceivably true, but we did remove the head man.

Mr. O'KONSKI. Did you know that the Almanac Sailors were broadly proclaiming their anti-American attitude with such tuneful songs as "Plow under every fourth American boy"?

Mr. DAVIS. I can't remember that I ever heard of those singers having their songs go out over the OWI.

Mr. O'KONSKI. In other words, you do admit, though, that the Office of War Information did have Communist sympathizers?

Mr. DAVIS. Yes; we had a few, and we fired them when we caught them.

Mr. O'KONSKI. Was the initiative in firing them started by your organization or was it always by some outside pressure, such as the CIO and the A. F. of L.?

Mr. DAVIS. It was almost always started by our organization. We had our own security service, and when they found evidence against somebody we threw them out.

Mr. O'KONSKI. That is all.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. And you never heard, Mr. Davis, of any of these people whom I mentioned?

Mr. DAVIS. No, sir; evidently not, because they didn't find evidence sufficient to justify firing them at that time. As you say, no doubt they are Communists now, but that was not necessarily true then. I admit that we missed one or two.

Mr. MACHROWICZ. You caught 10, but you do not know how many you missed?

Mr. DAVIS. Well, as I say, I admit that we missed one or two. They have since shown themselves to have become Communists. They are not the ones that you mentioned. I prefer not to mention their names, although I would be glad to give them to the committee in private. We missed them only because they didn't show any evidence of communistic activities at that time, but have shown them since. I don't think there were very many.

Mr. O'KONSKI. Subsequently, since your connection with the OWI and the unearthing of all of this evidence, conclusive as it was, and as you now observe conditions, do you think that if you had to do it over again you would have handled, say, for instance, the Katyn story, in the OWI, as you did, knowing what you know now?

Mr. DAVIS. Oh, no. You mean in the broadcast? No; certainly not.

Mr. O'KONSKI. Would you have handled that broadcast in the same way had you known the facts?

Mr. DAVIS. No, sir. These reports, which seem to me convincing, as far as I know, were never heard of by me until they appeared in the hearings of this committee this spring.

Chairman MADDEN. Have you finished?

Mr. O'KONSKI. Yes.

Mr. MITCHELL. Mr. Davis, you have already told the committee that the function of Alan Cranston was outside the scope of his specific duties when he attended this meeting in New York and tried to get them to conform?

Mr. DAVIS. Well, if he did as you say. I think that if you will read that you will find some conflict in the testimony about that.

Mr. MITCHELL. All right.

I would like to place in the record now from the same set of hearings—and I will ask Mr. Pucinski to read it—testimony concerning a man by the name of Lee Falk. Do you know Mr. Falk?

Mr. DAVIS. Well, I remember the name. I don't remember what he did.

Mr. MITCHELL. In OWI?

Mr. DAVIS. I remember him as somebody in OWI; yes.

Mr. MITCHELL. Will you proceed to read that, please, Mr. Pucinski?

Mr. PUCINSKI. I am reading from page 494 of the same testimony

as exhibit 2. This is from volume 991 of the House committee hearings. This is testimony sworn to by Mr. Robert K. Richards.

Chairman MADDEN. Testimony before what committee?

Mr. PUCINSKI. The House committee investigating the Federal Communications Commission, headed by Congressman Cox. This is testimony sworn to by Mr. Robert K. Richards, Assistant to the Director of the Office of Censorship. Mr. Richards is relating a memorandum that he had written immediately after a conference he had with Sidney Spear, an attorney for the Federal Communications Commission, at 2 p. m. August 25, 1942. I am just going to read the part of Mr. Richards' memorandum which he prepared following that meeting with Spear.

Mr. Spear is talking about a meeting that he had with Lee Falk. I am quoting:

He related his experiences with Mr. Lee Falk of the Foreign-Language Section, Radio Division, Office of War Information. He said that Mr. Falk originally had taken on the job of removing unsavory personnel from foreign-language stations, because he, Mr. Falk, believed such a job had to be done, and no one else seemed to want to do it.

Mr. Spear told me the following: "We worked it this way. If Lee, meaning Lee Falk, found a fellow he thought was doing some funny business, he told me about it. Then he waited until the station applied for renewal of license. Say the station was WBNX and the broadcaster in question was Leopold Hurdski."

there is a note here that Hurdski is a fictitious name being used just for the purpose of illustration. I am continuing quoting:

Well, when WBNX applied for renewal, we would tip off Lee, and he would drop in on Mr. Alcorn, the station manager. He would say "Mr. Alcorn, I believe you ought to fire Leopold Hurdski." Then he would give Mr. Alcorn some time to think this over. After a couple of weeks, Mr. Alcorn would begin to notice he was having some trouble getting his license renewed. After a couple of more weeks of this same thing, he would begin to put two and two together and get four. Then he would fire Leopold Hurdski, and very shortly after that his license would be renewed by the Commission. This was a little extralegal, I admit, and I had to wrestle with my conscience about it, but it seemed the only way to eliminate this kind of person, so I did it. We can cooperate in the same way with you—meaning with the Office of War Censorship.

Mr. MITCHELL. Mr. Davis, would you say that the function of Lee Falk, as described therein, that is, in the congressional committee investigation, was within the scope of his duties at OWI?

Mr. DAVIS. No, sir. If that is a correct report of what he did, I would say that he exceed his proper field.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. Mr. Davis, your handling of the Katyn story was in conformity with the United States military and foreign policy at that time, was it not?

Mr. DAVIS. Well, I don't know that the military policy came into it at all. This memorandum from Mr. Berle would suggest that they wanted nothing said about it. As I say, for a news organization, it was impossible to say nothing about it.

Mr. O'KONSKI. If it had not been in conformity with the over-all policy at that time, you would have heard from him, would you not have?

Mr. DAVIS. Well, I should imagine so. As I say, I heard about it only from the Polish paper and the Daily Worker, neither of which liked it.

Mr. O'KONSKI. The reason I mentioned that is because all of this evidence started to pile up in the various divisions of our Government. They were not correlated. There was a hush-hush policy on the Katyn massacre all the way through, so that at that time, even if you had tried to get the truth about the Katyn massacre, you would have been unable to do so.

Mr. DAVIS. I certainly wouldn't have been able to get the critical documents, the reports of Colonel Van Vliet and of these other people because, as I understand, they were only available after the German collapse in 1945.

Mr. O'KONSKI. In our investigation, we found out that there was no correlation between the various departments. It seems certain that there were never any documents or any bit of evidence pinning the crime on the Germans. It was just not available for anyone to see. So you couldn't have spoken truthfully. The propaganda in your broadcast were based very largely on the suspicion of Goebbels. Did you ever have any suspicion about Stalin?

But as you observe this whole picture now, don't you think—and you do not have to comment on this if you do not want to—that the over-all policy in handling the Katyn affair by all of the branches of the United States Government who were concerned, was very badly handled?

Mr. DAVIS. I don't think they had much evidence until May or June of 1945, and the Van Vliet report. What happened after that I wouldn't know, because at that time we were principally concerned with the Japanese war. Then I went out of office on the 15th of September of 1945.

Mr. SHEEHAN. May I say that in the belief of our committee, the Voice of America followed the policy of hiding the Katyn affair until pretty nearly 1950, although the documents were there.

We understand that there was not much use made of them in the Voice of America.

Mr. DAVIS. The OWI could not have concealed that after September 1945 because after that we did not exist.

Mr. SHEEHAN. I said the Voice of America.

Mr. DAVIS. Whether any division of our office ever got the Van Vliet report, I don't know. I very much doubt it. I do so, because, if somebody had gotten it, I would have been told.

Chairman MADDEN. Are there any other questions?

Mr. DAVIS, we are grateful to you for coming up here today.

Mr. DAVIS. Thank you, gentlemen.

Chairman MADDEN. The next witnesses will be Joseph Lang and Arthur Simon.

We will hear Mr. Joseph Lang first. Will you come forward, Mr. Lang, please?

I will ask the photographers to take their pictures now, in conformance with the rules.

TESTIMONY OF JOSEPH LANG, JENKINTOWN, PA.

Chairman MADDEN. Mr. Lang, do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LANG. I do.

Chairman MADDEN. Mr. Lang, will you state your name and address, please, for the reporter?

Mr. LANG. Joseph Lang, Jenkintown, Pa.

Chairman MADDEN. Mr. Lang, what is your business?

Mr. LANG. I am in the broadcasting business.

Chairman MADDEN. Where are you employed now? For whom? What company?

Mr. LANG. I am vice president of radio station WIBG in Philadelphia.

Chairman MADDEN. Will you proceed, Mr. Mitchell?

Mr. MITCHELL. Mr. Lang, where were you employed in May 1943?

Mr. LANG. I was vice president and general manager of radio station WHOM, New York City.

Mr. MITCHELL. Were you present this afternoon when the testimony was read into the record from the congressional investigation of 1943? Have you read it?

Mr. LANG. I have read it.

Mr. MITCHELL. Then you are familiar with that statement?

Mr. LANG. Yes.

Mr. MITCHELL. Do you now state before this committee that the statements contained therein are true?

Mr. LANG. I do.

Mr. MITCHELL. That Mr. James F. Hopkins was contacted in Detroit?

Mr. LANG. I do.

Mr. MITCHELL. That Mr. Alan Cranston and Mrs. Hilda Shea visited your office?

Mr. LANG. That is correct.

Mr. MITCHELL. And that present at that meeting was Mr. Simon?

Mr. LANG. Yes; that is true.

Mr. MITCHELL. And that no member of the Office of Censorship was present?

Mr. LANG. They were not.

Mr. MITCHELL. And that the substance contained therein, that is, what you have read from the congressional hearing—and since you were the witness, you should certainly know what you said—is definitely true?

Mr. LANG. That is correct.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Are there any questions?

Mr. O'Konski?

Mr. O'KONSKI. In this conversation that you had, Mr. Lang, did any conversation develop along these lines—that these foreign-language stations are on a temporary license, and that if they didn't conform, somehow it would be made known to them through the Federal Communications Commission that the renewal of their license might be endangered? Did any conversation or hints ever develop when you were meeting with these people about getting these foreign-language stations to conform with OWI policy?

Mr. LANG. I would say actual conversations took place encompassing words like those. But we all knew in the foreign-language field, since there were so many people suspect of different leanings, whether they were Fascists, Fascist leanings or Communist leanings, that we

were held on the string, you might say, until a lot of these things could be cleared up.

As far as hints go, I wouldn't say there were hints; but it was generally known and discussed among station owners, or station managers, that that was the situation.

Mr. O'KONSKI. Now, you are in the radio business as I am. Suppose you owned a foreign-language station and somebody hinted to you that as long as you had John Jones as an announcer or as a newscaster on your radio station you might run into a little difficulty in getting your license renewed. As a radio-station operator, how long would it take you until you would fire that announcer or newscaster?

Mr. LANG. Well, frankly, Mr. O'Konski, there isn't any such thing as a foreign-language station. These are American stations broadcasting in foreign languages.

Mr. O'KONSKI. That is right. I will correct the record.

Mr. LANG. I could not be intimidated by any such talk or threat. I have been in the broadcasting business since 1928. I have attended a great many hearings before the Federal Communications Commission. In my estimation, the owner or the licensee of a radio station is the sole person responsible for that license, and it is up to him to use his own best judgment as to whether the person should be fired or not. I know that when it came to a final analysis, no governmental agency could take a license away from a station because, in their judgment, they saw fit to keep a person on who might be inimical to the country's interests or the country's security. If he was, that would be a case for the FBI, and that is the way I judge matters like that.

Mr. O'KONSKI. That was true in your case. But take some of these stations that are barely hanging on economically, having a hard time making ends meet. If it was generally hinted to them almost by anybody, that they would run into difficulty in getting their license renewed as long as they had this person commenting on the news, what do you think most of those owners would do? Would they run the risk of antagonizing the Government agency or would they call in the commentator and say "I am sorry, but my business is in jeopardy, and I cannot take the chance. I will have to dismiss you."

Mr. LANG. I don't know whether I can answer that. In other words, I would be just venturing an opinion, when you ask me what I think they would do.

Mr. O'KONSKI. Yes; I understand.

Mr. LANG. The only thing I can really state definitely is what I would do.

Mr. O'KONSKI. That is right.

Mr. LANG. I suppose they would be very much tempted to take the easiest way out, and to let the person go, if they felt that their license was in jeopardy.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. Mr. Lang, as the result of the conference you had with Mr. Cranston, did you contact Mr. Hopkins, Mr. James F. Hopkins, of Station WJBK, in Detroit?

Mr. LANG. Yes; I did.

Mr. MACHROWICZ. Why did you contact him?

Mr. LANG. Because Mr. Cranston and Mrs. Shea called me from Washington to arrange this meeting, saying that they would like to

get the foreign language, or rather, the Polish situation straightened out in Detroit, and asking me whether I could help.

Mr. MACHROWICZ. What did they tell you about the so-called foreign language situation in Detroit?

Mr. LANG. That the Polish commentators were—I don't remember the exact language—but they used the colloquial expression—"going haywire" and making comments on a great many subjects that they felt were not in line with what our general thinking should be.

Mr. MACHROWICZ. Did they specifically refer to the Katyn massacre?

Mr. LANG. The two subjects mentioned were the Katyn massacre and—yes, they did refer to that.

Mr. MACHROWICZ. So that Mr. Cranston objected to the commentator on Station WJBK making comments indicating Russian guilt for the massacre; is that correct?

Mr. LANG. Yes.

Mr. MACHROWICZ. And he wanted you to put a stop to that?

Mr. LANG. Well, he couldn't ask me to put a stop to it, because I had no authority. I was chairman of the foreign language committee of the National Association of Broadcasters and we had no power, as an industry committee, a voluntary industry committee, we had no power to discipline anyone. We simply tried to have our programs in the national interest. Mr. Cranston asked me what my ideas were on it, and I said that I would apply the same procedures and rules that I had used there, and had used for a good many years, that is, that I would only permit to be broadcast in these foreign languages at a critical time, the dispatches we got off the services that we subscribed to. At that time they were the Associated Press and the International News Service.

The reason for that was that I felt that they were checked at the source. We received them by teletype in our station. Frankly, there was more reliability to those reports, more reliability than we could ascertain by checking ourselves, for which we had no facilities.

On the other hand, if we permitted people to comment on matters, they were giving their own versions, their own reports, and I didn't know where those ideas were coming from.

Mr. MACHROWICZ. In other words, what Mr. Cranston wanted you to do was to use your good efforts to try to convince Station WJBK in Detroit not to permit these comments, which would indicate Russian guilt?

Mr. LANG. That is right.

Mr. MACHROWICZ. And wasn't that a form of censorship?

Mr. LANG. Yes; I would suppose you could call it that.

Mr. MACHROWICZ. Was that not contrary to the spirit of the Federal Communications Act?

Mr. LANG. Yes.

Mr. MACHROWICZ. And you did call Mr. Hopkins?

Mr. LANG. Yes; I did.

Mr. MACHROWICZ. What did you tell Mr. Hopkins?

Mr. LANG. I told him that I thought—I didn't suggest any way to run his station. I told him what I was doing, and that I thought that would be a course to pursue which would satisfy the public in getting proper news without having it slanted; that I had used that method, and that I felt it very satisfactory.

Mr. MACHROWICZ. What did Mr. Hopkins tell you?

Mr. LANG. As I recollect—I do not remember his exact words—he said that he would think it over, and, naturally, make his own decision, as he was the owner of that station.

Mr. MACHROWICZ. That is all.

Let me ask this. Mrs. Shea was definitely not representing the policies of the Federal Communications Commission. What she did, she did on her own?

Mr. LANG. Yes.

Chairman MADDEN. Are there any further questions?

You may proceed, Mr. Mitchell.

Mr. MITCHELL. Mr. Lang, in an interview conducted by the committee staff in September of this year with Mrs. Shea, the following question was asked:

Unless Mr. Lang is not telling the truth or unless he is confused, or unless the regulation is not corrected, it would appear that you were really not exploring. You had your mind pretty well made up. From what he said earlier, you were concerned about the boundaries, the question of boundaries between Poland and Russia?

to that Mrs. Shea replied:

I would like to repeat, I would like again to repeat that Mr. Lang is quite mistaken in saying that I joined with Mr. Cranston in the recommendation that any station could take any position on this Polish-Russian controversy.

Would you like to comment on that, please? Did she join with Cranston?

Mr. LANG. Well, the fact that she was at that meeting, whether she said a word or not, would certainly indicate to me that she was in agreement with what Cranston thought and expressed to me.

Mr. MITCHELL. Was your license up for consideration at that time?

Mr. LANG. Yes.

Mr. MITCHELL. Was she present, then, in that capacity, that is, in connection with your license, or was she there on this Katyn-Polish question?

Mr. LANG. Well, she was there, as I understand it, to accompany Mr. Cranston. I don't know what her official position was. She had no official position, as far as I was concerned, except that they were both interested in this situation.

Mr. MITCHELL. Did Cranston have anything to do with the granting of licenses?

Mr. LANG. No.

Mr. MITCHELL. Why do you think that Cranston was at that meeting, other than for that Katyn affair?

Mr. LANG. I do not know.

Mr. MITCHELL. Is Mrs. Shea correct in her statement that she did not participate in this discussion?

Mr. LANG. Well, she was certainly there, and, as far as I am concerned, that is participating in a discussion. I don't recollect any exact words, but anyone who was present had to participate in the discussion.

Mr. MITCHELL. Thank you. I have no further questions.

Chairman MADDEN. Are there any further questions?

Thank you, Mr. Lang, for appearing as a witness.

Chairman MADDEN. Arthur Simon, please.

TESTIMONY OF ARTHUR SIMON, FOREST HILLS, N. Y.

Chairman MADDEN. Mr. Simon, do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SIMON. I do.

Chairman MADDEN. Will you state your name, please, Mr. Simon?

Mr. SIMON. Arthur Simon.

Chairman MADDEN. And your address?

Mr. SIMON. 7714 One hundred and thirteenth Street, Forest Hills, N. Y.

Chairman MADDEN. And your business?

Mr. SIMON. I am a special representative for the Radio and Television Daily, a publication that covers the radio and television news of the industry.

Chairman MADDEN. Will you proceed, Mr. Mitchell?

Mr. MITCHELL. Mr. Simon, you have been present this afternoon and heard the discussion of the meeting held in New York in May, 1943, have you not?

Mr. SIMON. I have.

Mr. MITCHELL. Did you participate in that meeting in New York?

Mr. SIMON. I did.

Mr. MITCHELL. Do you subscribe to the statements that have been made here by Mr. Lang?

Mr. SIMON. I do.

Mr. MITCHELL. Do you subscribe to the statements that were made in that congressional hearing?

Mr. SIMON. I do.

Mr. MITCHELL. Can you shed any further light to this committee on that particular meeting that was held in New York?

Mr. SIMON. No; I don't believe I can add any more to it with two exceptions, namely, that also present was a Mr. Fred Call, who handled publicity for the committee, and who came in at the latter part of the meeting, and a program director who was called in by Mr. Lang during the course of the meeting.

Mr. MITCHELL. What did the program director have to say there?

Mr. SIMON. He was asked by Mr. Lang how he handled his news broadcasts, and he repeated in substance the fact that he just took it off the news tickers and gave it just as it came off those tickers.

Mr. MITCHELL. And when you were present there at that meeting, were you participating in the discussion of the Katyn affair, or were you participating in the discussion of Mr. Lang's license?

Mr. SIMON. It concerned the Katyn affair and the boundaries between Russia and Poland, both subjects.

Mr. MITCHELL. When you were present, was his license discussed?

Mr. SIMON. No; it was not.

Mr. MITCHELL. When you were present at this particular meeting, the sole subject of conversation was the Katyn affair and the Polish boundary question?

Mr. SIMON. That is correct.

Mr. MITCHELL. And Mrs. Shea was present?

Mr. SIMON. Yes.

Mr. MITCHELL. Did she have any comments to make that you can recall?

Mr. SIMON. I just recall her concurring in Mr. Cranston's statements. To the best of my knowledge, she joined in that conversation. I know she was present from the beginning to the end.

Mr. MITCHELL. Thank you. I have no further questions.

Chairman MADDEN. Are there any questions?

Mr. MACHROWICZ. I have one question.

Mr. Simon, didn't you consider this request of Mr. Cranston as an attempt to gag the radio commentators?

Mr. SIMON. I did.

Mr. MACHROWICZ. Didn't you consider that to be a violation of the spirit of the Federal Communications Act?

Mr. SIMON. I did.

Mr. MACHROWICZ. That is all I have.

Chairman MADDEN. Mr. Dondero?

Mr. DONDERO. No questions.

Chairman MADDEN. Mr. Mitchell, you may proceed.

Mr. MITCHELL. Mr. Simon, did you ask Mrs. Shea what she was doing there?

Mr. SIMON. No. To the best of my knowledge, I did not. She appeared with Mr. Cranston. They were both there together.

Mr. MITCHELL. Did she give any justification for her reason for being there?

Mr. SIMON. No. There was no justification, outside of the fact that she concurred in Mr. Cranston's statement. I recall no other reason for her being there, except to be with Mr. Cranston when this discussion was taken up. She was there, as I understand it, representing the Federal Communications Commission.

Mr. MITCHELL. Would you call her presence there indirect intimidation?

Mr. SIMON. In my opinion?

Mr. MITCHELL. Yes.

Mr. SIMON. Yes.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Are there any other questions?

Thank you for appearing to testify, Mr. Simon.

Mr. James F. Hopkins.

TESTIMONY OF JAMES F. HOPKINS

Chairman MADDEN. Mr. Hopkins, will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOPKINS. I do.

Chairman MADDEN. There will be a 5-minute recess.

(At this point a short recess was taken, after which the hearing was resumed.)

Chairman MADDEN. The committee will come to order.

Mr. Hopkins, you have been sworn, have you not?

Mr. HOPKINS. Yes.

Chairman MADDEN. And did you give your name and address?

Mr. HOPKINS. James F. Hopkins, Detroit, Mich.

Chairman MADDEN. Your street address?

Mr. HOPKINS. 15865 Rosemont Road.

Chairman MADDEN. New York City?

Mr. HOPKINS. Detroit.

Chairman MADDEN. What is your business?

Mr. HOPKINS. I am the president of the Michigan Music Co., the franchise holder for Muzak in Detroit and president of the Herrans Valley Broadcasters, radio station in Ann Arbor.

Chairman MADDEN. Did you formerly own a radio station?

Mr. HOPKINS. I was the manager and part owner of WJBK, Detroit.

Chairman MADDEN. Proceed.

Mr. MITCHELL. Mr. Hopkins, have you been present this afternoon when the testimony of Mr. Joseph Lang and Mr. Arthur Simon was heard?

Mr. HOPKINS. I have.

Mr. MITCHELL. Do you concur in the remarks or the statements that they made under oath?

Mr. HOPKINS. I do.

Mr. MITCHELL. You were contacted by Mr. Joseph Lang?

Mr. HOPKINS. I was.

Mr. MITCHELL. On the subject matter of Katyn?

Mr. HOPKINS. I was.

Mr. MITCHELL. Will you speak a little louder?

Mr. HOPKINS. I was.

Mr. MITCHELL. You heard me ask Mr. Elmer Davis about an individual by the name of Mr. Lee Falk. Could you shed any light on the type of activities that Mr. Falk was engaged in, when you were the part owner of WJBK?

Mr. HOPKINS. I talked to Mr. Falk at one time in Washington relative to the foreign-language personnel. Another time he came to Detroit and suggested that I discharge certain individuals.

Mr. MITCHELL. What was his method and way of doing that? Because he was with the Office of War Information?

Mr. HOPKINS. I didn't take him too seriously and told him so in so many words, and that I didn't want any part of him.

Mr. MACHROWICZ. Why do you not get the names of the persons he wanted to have removed?

Mr. MITCHELL. Could you give us the names of the individuals he wanted removed?

Mr. HOPKINS. One of them was Leon Wyszatycki.

Mr. MITCHELL. Could you explain what position Mr. Wyszatycki had in your station at that time?

Mr. HOPKINS. He ran one of the Polish hours broadcasting over WJBK.

Mr. MITCHELL. Why did Mr. Falk want him removed?

Mr. HOPKINS. He didn't give me any concrete reasons. He just said he thought we should get rid of him.

Mr. MITCHELL. Did he mention the Katyn affair?

Mr. HOPKINS. No; I believe this was before the Katyn affair, if my recollection serves me properly. It was before that.

Mr. MITCHELL. Did you have in your employ at that time a Mr. Marian Kreutz?

Mr. HOPKINS. Not in my employ. He was broadcasting over the station, but was actually in the employ of Mr. Wyszatycki.

Mr. MITCHELL. Could you explain the connection between you and Mr. Kreutz at that time?

Mr. HOPKINS. Well, only that the station made rules as to what could be or could not be broadcast in light of the fact that we were waging a war.

Mr. MITCHELL. Did you have any direct contact with Mr. Marian Kreutz?

Mr. HOPKINS. If I insisted he be discharged for one reason or another, he would come to the office and we would see if he would straighten it out. In that regard, yes.

Mr. MITCHELL. Was he ever discharged?

Mr. HOPKINS. Yes.

Mr. MITCHELL. When? Do you recall?

Mr. HOPKINS. I can't give you the exact time.

Mr. MITCHELL. Why?

Mr. HOPKINS. We felt that he was more interested in broadcasting actual concrete news, whether that story had the proper effect on the Polish audience or not, and we were concerned on whether the story would in any way curtail the war effort of the Polish segment of the population of the area.

Mr. MITCHELL. Was Mr. Kreutz ever suspended from the air?

Mr. HOPKINS. I think he was, for several days, but not for any lengthy time.

Mr. MITCHELL. Did you, yourself, suspend him or could you tell us how the suspension was accomplished?

Mr. HOPKINS. Well, inasmuch as he was not working for me, but working for Leon Wyszatycki, I would have to call him in and tell him to do the dirty work.

Mr. MACHROWICZ. Mr. Wyszatycki rented an hour from you; is that correct?

Mr. HOPKINS. No; it wasn't—he was actually a representative of the station, but an individual contractor.

Mr. MACHROWICZ. But he had the right to employ radio commentators?

Mr. HOPKINS. That is right.

Mr. MACHROWICZ. And he employed Mr. Marian Kreutz as a commentator?

Mr. HOPKINS. Within certain dictates of the station; that is correct.

Mr. MACHROWICZ. And then you received your call from whom?

Mr. HOPKINS. From Lang.

Mr. MACHROWICZ. Stating that the nature of the broadcasts of Mr. Kreutz were not satisfactory?

Mr. HOPKINS. No; not necessarily that.

Mr. MACHROWICZ. What did they tell you about his broadcasts?

Mr. HOPKINS. He told me that there were certain stories breaking, and that it was a general consensus of the group that he has named, he in no way implicated himself, in what he said but that it was generally felt that perhaps the broadcast of this story would create such a feeling among the Polish people that it would detract from their war effort.

Mr. MACHROWICZ. Mr. Kreutz was known in the community, was he not, for his violent anti-Communist feelings?

Mr. HOPKINS. Well, he may have been, but I, of course, can't speak or understand Polish, so I can't tell you that.

Mr. MACHROWICZ. Do you know that you had been receiving complaints from certain Communist groups in Detroit?

Mr. HOPKINS. I didn't hear you, sir.

Mr. MACHROWICZ. You received complaints about the nature of his testimony from certain Polish Communist groups in Detroit?

Mr. HOPKINS. Yes; I think I did. I remember a couple of them.

Mr. MACHROWICZ. The Communists objected to the way he commented on certain news events?

Mr. HOPKINS. That is probably substantially true, but I can't remember the exact nature, apparently.

Mr. MACHROWICZ. Then these people that called you took it upon themselves to censure his broadcasts?

Mr. HOPKINS. They tried to, they would never get by with that.

Mr. MACHROWICZ. They succeeded in getting him suspended.

Mr. HOPKINS. No; I don't think they did.

Mr. MACHROWICZ. He was suspended.

Mr. HOPKINS. That is right.

Mr. MACHROWICZ. Why?

Mr. HOPKINS. I had a full-time employee, an attorney, by the name of Morris Luskin, whose business it was to check over his opinion on the effect of certain stories that were proposed to be broadcast. And it was on his recommendation that Mr. Kreutz was suspended when he was suspended.

Mr. MACHROWICZ. You were interested in maintaining good, proper connections with the Federal Communications Commission?

Mr. HOPKINS. Yes, sir.

Mr. MACHROWICZ. And when you knew the Federal Communications Commission was interested in having this man suspended you thought it would be good policy to suspend him?

Mr. HOPKINS. No; that is not true.

Mr. MACHROWICZ. You knew they objected to the nature of the broadcasts.

Mr. HOPKINS. That who objected?

Mr. MACHROWICZ. The Federal Communications Commission.

Mr. HOPKINS. No; I didn't.

Mr. MACHROWICZ. Well, when Mr. Simon or Mr. Lang called you, they told you they had talked to Mr. Cranston.

Mr. HOPKINS. I never heard of Cranston up until today or yesterday.

Mr. MACHROWICZ. What did Mr. Simon tell you?

Mr. HOPKINS. I didn't talk to Simon.

Mr. MACHROWICZ. Mr. Lang. What did Lang tell you?

Mr. HOPKINS. Lang and Simon and myself, and a few other station managers, were affiliated in the foreign-language group, who tried to keep the foreign-language broadcasts clean and aboveboard and to further the effort of the war. When Joe called me and told me that he had had a meeting with the group, and I don't think he—he may have told me but if he did tell me who he had met, I don't remember, but he did tell me he met with a group, and the culmination was as I have stated, that this story would perhaps serve the war effort better if it was not broadcast.

Mr. MACHROWICZ. Did you read the translations of Mr. Kreutz' broadcasts?

Mr. HOPKINS. Not all of the time. Mr. Luskin did, as a rule.

Mr. MACHROWICZ. Did you read the translations of those which were considered as somewhat objectionable?

Mr. HOPKINS. Yes; I think I did.

Mr. MACHROWICZ. What did you find objectionable in them, if any?

Mr. HOPKINS. Well, if a story went out in Detroit, claiming that the Russians had murdered X number of thousands of Polish officers and soldiers, it certainly would turn the, naturally, Polish audience against one of our allies.

Mr. MACHROWICZ. Was that objectionable, if the facts were true?

Mr. HOPKINS. Yes, and no. As far as the war effort is concerned, and the winning of the war, it might have had a material effect, and an adverse one. After all, the thing had occurred, as bad as it was, as atrocious as it was, the very fact that the story should be told, you can't compound an evil, and that would be exactly what happened. If the Polish people were in any way thrown away from furthering the war effort, no good would be done. Certainly the fact that they knew it couldn't bring the people back to life that had been murdered.

Mr. MACHROWICZ. Then you felt that the news, even if it may be true, of Russian guilt, should be withheld from the Americans of Polish descent?

Mr. HOPKINS. Yes, sir.

Mr. MACHROWICZ. And you felt that it was proper because if such news, even if true, was disseminated, the person who disseminated it should be suspended?

Mr. HOPKINS. I didn't say I suspended him on that cause, sir.

Mr. MACHROWICZ. What did you suspend him on?

Mr. HOPKINS. I can't tell you. That was 8 years ago or 10 years ago.

Chairman MADDEN. Any further questions?

Thank you for appearing here as a witness, Mr. Hopkins.

Marian Kreutz. Will you be sworn, Mr. Kreutz? Do you solemnly swear the testimony you give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KREUTZ. I do.

TESTIMONY OF JAN MARIAN KREUTZ, DETROIT, MICH.

Chairman MADDEN. State your name.

Mr. KREUTZ. Jan Marian Kreutz, 11558 La Salle Boulevard, Detroit, Mich.

Chairman MADDEN. What is your business?

Mr. KREUTZ. I am a radio news commentator, foreign language, Polish.

Chairman MADDEN. In the city of Detroit?

Mr. KREUTZ. In the city of Detroit, employed now by Station WJLB, where I am a coordinator of a Polish program and a radio news commentator.

Chairman MADDEN. Proceed.

Mr. MITCHELL. Mr. Kreutz, have you been present at the hearings this afternoon held in this room?

Mr. KREUTZ. Yes, sir.

Mr. MITCHELL. You are fully aware of the subject matter under discussion?

Mr. KREUTZ. That is right.

Mr. MITCHELL. You were a Polish commentator in Detroit in May 13, when the Katyn affair first became known?

Mr. KREUTZ. Yes, sir.

Mr. MACHROWICZ. At that time you were with Station WJBK; is that correct?

Mr. KREUTZ. That is correct.

Mr. MACHROWICZ. Was it within the province or the scope of your ties to make comments on news events?

Mr. KREUTZ. Well, I had been advertised as a news commentator, that naturally I should have the right to make some comments.

Mr. MACHROWICZ. Did you make any comments on your station relative to the Katyn massacre?

Mr. KREUTZ. In reference to the Katyn massacre, I would say that followed in this order: First broke the news given by the Germans, and we gave that news without any commentary, with one exception, that we said this is an enemy source. Of course, the news was too gruesome and really didn't lend itself to any commentary. Then, a few days after, we had this Russian note to the Polish Government for the Polish Government asked for this Red Cross investigation. At that time we gave the Russian view on it, and naturally followed with the Polish view which we took from the Polish telegraph agency. That was the third service we employed. We employed Associated Press, and I believe the International News Service at the time, and the Polish Telegraph Agency, which is PAT.

Mr. MACHROWICZ. Explain what the Polish telegraph agency is; operated by whom?

Mr. KREUTZ. That is, or rather it was, an official press agency of the Polish exiled government, operated from New York, just like, let's say, Russian Tass that operates from New York.

Mr. MACHROWICZ. Then what happened? Did you make any further comments on it?

Mr. KREUTZ. Well, we didn't have time to make many comments, because it was a matter of just 10 days when we got through with those three phases of it. We had news from Mr. Hopkins, through my program manager, or program director, that we were supposed to stop using the PAT, to use only Associated Press and International News Service, and in such a way cut off all the news about Katyn.

Mr. MACHROWICZ. Was that specifically mentioned to you?

Mr. KREUTZ. That was definitely said to me, that that Katyn story had to be out.

Mr. MACHROWICZ. What happened after that?

Mr. KREUTZ. Well, after that we tried our best. We asked Mr. Hopkins if it was possible to use, let's say, press articles from American Press, or maybe from the Polish press, so he said, "Well, if those articles had been published already, naturally you can use it." I mean, he didn't say this to me, he said that to the program director. I want that to be understood. So, as far as we were referring to Katyn, we were trying to take up these stories from the Polish Daily News in Detroit, or some other articles that we could find in American press. Well, it turned out to be very unsatisfactory because the station, probably in a few weeks, I don't remember exactly the dates, objected again and said, "No more articles from any press because this is still linking Katyn," and by that time we started also picking up from

the press articles on the Polish boundaries that was the controversy that came later on. Generally speaking, this censorship fight on a whole was going on for over 2 years, and finally in 1945 the day after the United States Government recognized Warsaw communist regime, we had already come to a point where the station had put monitors on our broadcasting. In other words, there were always two copies of the broadcast. One copy went to me and one copy to the station. If I deleted anything or if I went with a few words over the copy, the monitor would cut off my voice from the air. In other words, it was a foolproof proposition.

Well, by that time, we couldn't say anything and I was afraid that I couldn't stand any more withholding any real truth and information from my listeners, because after all a Polish commentary is a little different, probably, than American commentary. We have to have listeners, otherwise we can't stay on the air. And if we can't talk about the Polish question, then we won't have any listeners, because they can pick up any general news from somewhere else.

So on that day, the day after the Warsaw regime was recognized I managed to put in one sentence inside of my broadcast. I just said "Due to the existing censorship on the station, I am not going to talk any more on this microphone," and I just got up in the middle of the broadcast and walked out from the studio and I never returned to the station again. That was the end of the fight.

Mr. MACHROWICZ. Then you were not suspended?

Mr. KREUTZ. Oh, in the meantime yes, we had three suspensions. Remember, that was a span of time of about 2 years. I had been suspended three times. I have been informed by Mr. Wyszatycki that Mr. Hopkins, James F. Hopkins, told him on a certain day, I don't remember the date, that because of the fact that I didn't keep exact to the censorship orders I couldn't go on the air. I was never out for a few days like Mr. Hopkins said. I think he just forgot the exact terms. Usually about 10 minutes before broadcast I was told "All right, you can go on again."

I think this was usually after a long conference between my director between Mr. Konstantynowicz who was another director on that station, and Mr. Hopkins. They usually prevailed on him that he should keep me on. But it wasn't pleasant to go on the air when you didn't know 10 minutes before if you were going on the air.

Mr. MACHROWICZ. You know that there have been a number of complaints to your station from the Communist groups in Detroit with regard to your broadcasts; is that right?

Mr. KREUTZ. Yes, I know about that, and I don't know if that should go inside these hearings here, but I have got a personal feeling that the person that was actually monitoring my commentary must have been a member of the Communist Party in Detroit. I think it must have been monitored by somebody outside the station from this bunch on Chene Street, from the Communist Party. This is, of course, only my private opinion.

Mr. MACHROWICZ. Were the suspensions ever for any other reason other than your attitude against the Communist Government?

Mr. KREUTZ. No. All the suspensions were on account of either Katyn, either Polish boundaries, or the Polish relations. That was entirely on the account of those questions.

Chairman MADDEN. I might make an announcement. I have received inquiries regarding the program for today and tomorrow. The committee has three more witnesses today, and tomorrow morning the committee will meet at 10 o'clock, and we will have, as the first witness, Ex-Ambassador William Standley, former Under-Secretary of State Sumner Welles, Mrs. Mortimer, John Melby, and Averell Harriman. We will meet at 10 o'clock in the morning.

Mr. O'KONSKI. Over this station, where you were employed, were there any broadcasts in a Russian language during that period?

Mr. KREUTZ. No; I don't believe so. But there has been a half-hour program, I think it was between 5:30 and 6 in the evening—

Mr. O'KONSKI. That is what I want to ask you now. Were there any broadcasts over this station by well-known pro-Soviet or pro-Communist groups?

Mr. KREUTZ. Well, certainly there were. I was just trying to mention that. Between 5:30 and 6 I believe in the evening, there was a program they called it in Polish Promienie Prawdy, which was Ray of Truth.

Mr. O'KONSKI. Coming from the pro-Communists?

Mr. KREUTZ. Well, the only people that talked on that program were well-known Communists.

Mr. O'KONSKI. Well-known Communists?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. Now let me ask you this question: Were they told and called in like you, and were they told to lay off of mentioning or commentating on the Katyn thing or on the Polish-boundary question, or did they have free sway?

Mr. KREUTZ. I would say in this way: For a long time they didn't have any trouble at all because they were giving the Russian point of view on Polish questions.

Mr. O'KONSKI. And they had no trouble at all?

Mr. KREUTZ. They didn't have any trouble in putting that point of view over.

Mr. O'KONSKI. They weren't called in and told 10 minutes before they went on the air that they could go on, no censorship?

Mr. KREUTZ. Not to my knowledge.

Mr. O'KONSKI. They could tell the Russian side of the story, and blame it onto the Germans, and they had no trouble.

Mr. KREUTZ. This is right. At the end of the period afterward, I may mention, they had been taken off the air but that was, I believe, around 1945.

Mr. O'KONSKI. They were taken off in 1945?

Mr. KREUTZ. Yes.

Mr. O'KONSKI. I remember that, because I spoke in Detroit in 1945 and they were still on.

Mr. KREUTZ. That is right.

Mr. O'KONSKI. And they took me to task for denouncing Yalta as the crime of the ages. I remember that distinctly. But doesn't it seem rather incredible to you that you, here, a good American, trying to tell the truth, trying to defend another ally far more glorious than the Russian ally, who made far more sacrifices than the Russian ally, that here you are trying to come a little bit to their defense and you

were closely scrutinized and censored, but at the same time those that went on the air to pronounce pro-Soviet lines had no trouble at all? Doesn't that seem rather incredible?

Mr. KREUTZ. That was quite incredible at first. We just didn't understand why all this censorship happened. Afterward, we came to the conclusion there must have been a strong Communist influence somewhere in Washington, because we knew it was coming from Washington somehow.

Mr. O'KONSKI. Now let me ask you another question. A statement was made here a little while ago that one of the reasons why they insisted on censoring you was because they were afraid of the effect that the truth would have on the Polish population, particularly in Hamtramck, which is about 95 percent Polish.

Mr. KREUTZ. That is true.

Mr. O'KONSKI. Do you go along with that line of reasoning, that if the Poles knew the truth that they would stop in their war effort, they would quit their factory jobs, they would quit their defense jobs, they would quit volunteering, quit dying and bleeding for their country? Do you think that is a correct estimate of the Polish population?

Mr. KREUTZ. I think that is all wrong, and as a matter of fact I remember talking to Mr. Hopkins on it many times during these 2 years that we are talking about between 1943 and 1945. As a journalist I had been a foreign correspondent for a newspaper in Warsaw, and I had been trained to get information and give the information to the people, and to believe that if the people get the information and the truth, they will always get to the right conclusions.

Now, in this case our program has been very strongly anti-Nazi before this Katyn question happened, and it remained anti-Nazi until the end of the war. My commentary with that program was in the same way. But when we found out that the Russian ally had killed so many Polish officers, we thought that this is something that should be given to the people, because this would not stop anybody from working for the war effort. I couldn't believe it, anyhow. That was Mr. Hopkins' contention.

Mr. O'KONSKI. You are so sure of the weakness of that argument. When the Polish Army was reorganized in Russia, General Anders and all of the leaders of the Polish Army, they knew that those Polish officers had disappeared, didn't they?

Mr. KREUTZ. They definitely knew it.

Mr. O'KONSKI. And still they fought on the side of Russia, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. When they were sold down the river at Yalta and stabbed in the back, they still fought, didn't they?

Mr. KREUTZ. They still fought.

Mr. O'KONSKI. Even when they knew they were handed over to Russia they still fought, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. When England was being invaded with German bombs, you heard of the Polish air brigade, didn't you, that saved London?

Mr. KREUTZ. Yes, sir.

Mr. O'KONSKI. They served on the side of Russia.

Mr. KREUTZ. They definitely did.

Mr. O'KONSKI. The Polish Army fought in Normandy alongside Russia as an ally, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. Even after they knew that their officers were massacred, they knew that hundreds of thousands of their people disappeared, they still fought alongside Russia as an ally, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. And then they come over here and they say that the reason why they censored you was because they were afraid of what Polish reaction might be if they learned the truth about Katyn. Doesn't that seem rather thin?

Mr. KREUTZ. I believe that this was the Communist line handed over to the station managers, because the station managers usually didn't know anything about the Polish politics or about Russia or about actually anything outside the United States.

Mr. O'KONSKI. Well, is it very significant that you were censored, and the pro-Communist line was not censored? It is incredible. That is all.

Mr. SHEEHAN. Mr. Kreutz, were you ever questioned by any of our Government officials from the Federal Communications Commission?

Mr. KREUTZ. No; I never had any contact with them. I don't know why, but they never asked me anything.

Mr. SHEEHAN. Were you ever questioned by any members from the Office of War Information, OWI?

Mr. KREUTZ. No.

Mr. SHEEHAN. In your discussions, you said you had discussed some of these matters with Mr. Hopkins.

Mr. KREUTZ. That is right.

Mr. SHEEHAN. Did you discuss them with him personally?

Mr. KREUTZ. Yes, sir.

Mr. SHEEHAN. Did you have any particular arguments with him about it?

Mr. KREUTZ. Well, there were a few occasions when he called up a meeting of all of the Polish broadcasters and newscasters, and he tried to tell us that—for example, I can say here on one of those meetings, and it must have been in 1944, I think, or maybe even 1945, after Yalta, he said, "Well, the Polish goose is cooked forever, and so why don't you forget it and why don't you stop worrying about Poland."

That was the beginning. Naturally after that we had a very heated discussion and I just walked out of the office. But that was about the way it was discussed.

Mr. SHEEHAN. In these suspensions that you talked about, what do you mean by suspensions?

Mr. KREUTZ. Well, in other words as I said my program director would call me up and say, "Kreutz, you are not going on the air today." You know, it takes a few hours to prepare that material. I would say, "Why," and he would say, "Well, Mr. Hopkins objects to it."

I would say, "I will come down to the station and see what is going on."

I would go down to the station and try to prepare material, and wait until about 10 minutes before broadcast and sometimes 5 minutes, and they would come in there and say, "O. K., you can go on the air; we settled the matter with Hopkins."

Mr. SHEEHAN. Maybe you can help me on this. Didn't we ask Mr. Hopkins whether he had any connection with the so-called firing of Mr. Kreutz, and he said he had nothing to do with it?

Mr. MACHROWICZ. He said Wyszatycki did the firing.

Mr. SHEEHAN. I think we ought to get Hopkins back and see if he gave this gentleman instructions, because he tells us he talked with Hopkins directly about it, and Hopkins censored the program and stopped him.

Mr. MITCHELL. Only after he was suspended or dismissed, only after he was dismissed on one occasion.

Mr. KREUTZ. Not even then. I talked to Hopkins only on certain conferences when he called up the whole staff and started to talk on the Polish question. Then I started to discuss the Polish question, because I was the one to talk about it. On suspensions and those things, whatever Mr. Hopkins was doing he was doing through Mr. Wyszatycki the way it was being done.

Mr. SHEEHAN. Mr. Hopkins led me to believe that he had nothing to do with it.

Mr. MITCHELL. No; he said he went through the program director.

Mr. SHEEHAN. But according to this gentleman's testimony he instructed the program director what to do.

Mr. MITCHELL. That is correct.

Mr. SHEEHAN. And Mr. Hopkins didn't say that. He led us to believe generally that the program director did this, is that right?

Mr. MITCHELL. No, sir.

Mr. SHEEHAN. I stand corrected. I would like to ask one more question. You said that you used the AP and UP releases with reference to the Polish situation. Were they the American AP and UP releases or those coming from Moscow?

Mr. KREUTZ. No, the American releases. Naturally the news was from Moscow in it, because on the Polish questions all of the news was coming from Moscow or from Tass.

Mr. SHEEHAN. Well, for the members of our committee Henry Cassidy brought out, when we questioned him some time ago, when he was the head of the AP there, that the dispatches they sent from Moscow were completely censored. They were only allowed to send from Moscow what the Russian Government permitted. So then, when you, as a news broadcaster or radio broadcaster, were sending out dispatches from Moscow, you were reading only what the Communists permitted to come out, because Cassidy specifically told us that anything the Russians didn't like they didn't permit to come out. So you were reading censored dispatches.

Mr. KREUTZ. Actually, if I may say, on the Katyn question in particular, anything that would come from Moscow on AP or UP or International News Service, would be purely a Russian propaganda, something I couldn't use for the Polish people because they wouldn't believe me.

Mr. SHEEHAN. Yet that is what they wanted to have you use.

Mr. KREUTZ. Yes. But the people wouldn't believe me.

Mr. O'KONSKI. One more question: The witness, Mr. Hopkins, that we had on the stand seems to be a very upright and fine, honorable man. In his defense I want to ask you this question: Do you think that he or his people under him who censored you did it of their own voli-

tion, or do you think that pressure was put on them from some outside source, that they were extremely worried about it?

Mr. KREUTZ. I would answer that in two ways: As far as Mr. Hopkins is concerned, I am quite certain that he was sick with all of that proposition, that he simply didn't know enough about the political issues, that there had been some pressure from outside on him, and he was doing it only under duress. That was the definite impression that I had. He wasn't happy with it. But, if we come to Mr. Luskin, who was mentioned by Mr. Hopkins, I would say that I would have some doubts as to the fact, if he liked it or not.

Mr. O'KONSKI. But as far as the ownership of the station was concerned, you are convinced that in all respects and he appeared so, no question about it, he is honorable and upright and that it was a great pain on his part to have to do what he did, and very likely he did it because he wanted to stay in business?

Mr. KREUTZ. There is no question about it.

Chairman MADDEN. Any further questions? I wish to thank you for testifying here, Mr. Kreutz.

Is Mr. Simon still in the room? Mr. Simon?

TESTIMONY OF ARTHUR SIMON—Resumed

Mr. MACHROWICZ. Mr. Simon, the Federal Communications Commission had special investigators, did it not?

Mr. SIMON. That is correct.

Mr. MACHROWICZ. Do you know of your own knowledge whether any of these special investigators questioned the foreign language commentators, investigated their background?

Mr. SIMON. To the best of my ability, to the best of my knowledge, I believe that they did.

Mr. MACHROWICZ. What do you know about their investigating the commentators of Polish origin?

Mr. SIMON. Well, I think Mr. Lang probably would have been in a better position to talk about the Polish announcers. I think he had some controversy with the Polish programs. As far as Polish programs are concerned, I think Mr. Lang is here and he would be better qualified to talk about that than I would.

Mr. MACHROWICZ. Well, can we have Mr. Lang take the stand?

Chairman MADDEN. Mr. Lang? Is Mr. Lang here? Will you take the stand, Mr. Lang.

TESTIMONY OF JOSEPH LANG—Resumed

Mr. MACHROWICZ. Without the preliminaries, what do you know about the Federal Communications Commission investigators questioning Polish commentators?

Mr. LANG. I remember that in New York they questioned the Polish people very, very thoroughly.

Mr. MACHROWICZ. With what in mind?

Mr. LANG. As expressed to me by one or two members who came back, who would talk about it, they seemed to want to find out just what their attitude would be if a Polish-Russian crisis came about.

They tried to find out whether they had any leanings toward being pro-Russian.

Mr. MACHROWICZ. Well, in other words, would you say that they wanted to have commentators who would be friendly or unfriendly to the Polish régime in Warsaw, the so-called Soviet-dominated régime?

Mr. LANG. That would be a very difficult question for me to answer.

Mr. O'KONSKI. In these meetings you had, Mr. Lang, was there any concern shown over pro-Communist broadcasts in the United States? Was that subject ever brought up?

Mr. LANG. No; I don't think it was.

Mr. O'KONSKI. Just anti-Communist broadcasts?

Mr. LANG. That is right. That is right. I might cite an experience—you may stop me if it is not relative—I had an organization that bought some time called the International Workers Order, who bought some time on the Polish programs, and who I thought were a fraternal and social order, as their name implies. They went on twice, on a Sunday afternoon period. But it was so filled with pro-Communist material that I had to reject them and break their contract and take them off the air, because it was so biased that it was ridiculous. In other words, as I say, I put them on the air thinking they were going to broadcast and propagate their social benefits, if one belonged to their order. But there was no criticism to any great extent that I recollect of any procommunism.

Chairman MADDEN. That is all. Thank you.

Casimir Soron.

Will you raise your hand and be sworn. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SORON. I do.

TESTIMONY OF CASIMIR SORON, BUFFALO, N. Y.

Chairman MADDEN. If you will just sit down, Mr. Soron, and state your full name.

Mr. SORON. Casimir Soron.

Chairman MADDEN. And your address?

Mr. SORON. 346 Middlesex, Buffalo, N. Y.

Chairman MADDEN. And what is your business, Mr. Soron?

Mr. SORON. I have two businesses, one is broadcasting, buying time, I am a program director on Station WXRA, and I own a furniture store in Buffalo.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Soron, have you been present this afternoon in this hearing room?

Mr. SORON. Yes, sir.

Mr. MITCHELL. Have you heard all of the testimony that has been given?

Mr. SORON. Yes, sir.

Mr. MITCHELL. I would like to have you state briefly what your position was in 1943, and the years following.

Mr. SORON. In 1943 I was employed by radio station WBNY in Buffalo as program director and commentator.

Mr. MITCHELL. What language was that in?

Mr. SORON. Polish radio program.

Mr. MITCHELL. Will you state briefly for this committee what happened to you in the course of your engagement in that work?

Mr. SORON. Before being on the radio I used to be a newspaperman in Detroit for 8 years, with Polish, and I knew how to read news and how to commentate on it, you see. When I read the news about Russia striking Poland—well, I was commentating exactly the way it was, you see. And then when there was this Katyn case I told the public openly that everything indicates that the Russians did it because there are facts here and there that show that nobody else could do it.

Now, the owner of the station, Mr. Albertson, told me a few times I should stop talking like that, because he had instructions from Washington, he told me, that they don't like it. Now, that was going on for a few months. Then finally he told me, in fact, he showed me a letter from Washington, that they wrote to him, you see, that this has to be stopped, you know, because I am talking against our allies.

Finally, you see, he gave me 2 months' notice to continue the program. I had a big business there. I had about a \$60,000-a-year business.

Mr. MITCHELL. Were you removed from the air?

Mr. SORON. I was removed from the air.

Mr. MITCHELL. Could you tell the committee when you were removed from the air?

Mr. SORON. I was removed—he gave me notice by the end of 1943, and I stopped broadcasting early in 1944.

Chairman MADDEN. Do you know who this letter was from?

Mr. SORON. Well, I really don't remember. It seems to me it was from the Radio Communications Commission, but I am not sure. I believe he told me it was from the Radio Communications Commission.

Chairman MADDEN. Did you see the letter yourself?

Mr. SORON. Well, he showed it to me, you see, but I am not sure whether that was from the Radio Communications Commission.

Mr. MITCHELL. Is Mr. Albertson still alive?

Mr. SORON. Yes; he owns the station.

Mr. MITCHELL. Do you think he would have that letter in his possession today?

Mr. SORON. I imagine he would; yes, sir.

Mr. MITCHELL. Thank you.

Chairman MADDEN. Any questions?

Mr. O'KONSKI. Were there any pro-Communist broadcasts over the station that you were on by any pro-Communist organizations?

Mr. SORON. On the same station? No, sir; I don't believe there were any.

Mr. O'KONSKI. Were there any over any other station of foreign language in the Buffalo area?

Mr. SORON. Not that I remember.

Mr. O'KONSKI. It is very possible that Buffalo would not have very much of a Communist cell among those people. It is quite different in Detroit. I am not casting any reflections on my good brother here. You didn't have the problem over there, so that wouldn't apply.

That is all.

Chairman MADDEN. Would you be in a position to find out whether or not this person has that letter?

Mr. SORON. Well, I wouldn't be in a position because we parted very badly with Mr. Albertson on account of that.

Chairman MADDEN. You what?

Mr. SORON. We parted in a bad way, you see.

Chairman MADDEN. What is Mr. Albertson's address?

Mr. MITCHELL. I believe I have it.

Chairman MADDEN. All right. Are there any further questions? Thank you for testifying here.

Chairman MADDEN. Mrs. Hilda Shea. If you will be sworn, Mrs. Shea. Do you solemnly swear that the testimony you shall give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SHEA. I do.

TESTIMONY OF MRS. HILDA SHEA, WASHINGTON, D. C.

Chairman MADDEN. Mrs. Shea, please sit down. What is your present address?

Mrs. SHEA. 4000 Cathedral Avenue.

Chairman MADDEN. Washington?

Mrs. SHEA. Washington, D. C.

Chairman MADDEN. And what is your business?

Mrs. SHEA. I am a housewife now.

Chairman MADDEN. A housewife?

Mrs. SHEA. Yes, sir.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Chairman, I would like to read a letter I received from Mrs. Shea after the invitation I extended on your behalf for her to appear before this committee. The letter is from the Westchester, Washington, the date November 8, 1952. It is addressed to me as chief counsel of this committee:

Dear Mr. MITCHELL: Before talking to you in your office, I had not reread, since 1944, the testimony that I gave in that year before the select committee appointed by the House of Representatives in the Seventy-eighth Congress to investigate the Federal Communications Commission. This testimony was given on April 18, 19, and 20, 1944, and appears at pages 3051-3059, 3063-3088, 3083-3119 of the official report of the hearings of that committee. On rereading my testimony I find, as might be expected, that my recollection in 1944 was much clearer about the events that happened in 1943 than it is now, and the reading of the transcript has refreshed my recollection on several points that you asked me about in our informal conference. If there are any inconsistencies between what I told you in our informal conference and my testimony before the House committee in 1944, and to the extent that my testimony before that committee covers details of which I no longer have an independent recollection, I believe that the testimony is to be regarded as a more reliable source of information because it was given at a point of time much closer to the events which I was discussing. While I shall be glad to assist the committee in any way I can, I am inclined to think that I am not now in a position to add anything to the testimony that I gave to the House committee in 1944, because I find that with the passage of time my recollection on many of these events has become vague. I assume that you know my prior testimony, but in the circumstances I thought I should like to call it to your attention.

Sincerely yours,

HILDA D. SHEA.

Mr. O'KONSKI. May I make just one remark. One of my prior statements where I made the remark concerning Mr. Shea, I was con-

fused with names. It was not Mr. Shea I meant, it was Mr. Cranston I meant. So will you correct the record.

Mr. MITCHELL. Yes, sir.

Mr. MITCHELL. Mrs. Shea, when did you first enter Government employment?

Mrs. SHEA. March 1934.

Mr. MITCHELL. Where were you employed at that time, and in what position?

Mrs. SHEA. At the Agricultural Adjustment Administration, as an assistant attorney, I believe.

Mr. MITCHELL. How long were you there at that agency?

Mrs. SHEA. From March 1934 to July 1935.

Mr. MITCHELL. What was your next employment?

Mrs. SHEA. At the Resettlement Administration, until I believe January 1936.

Mr. MITCHELL. In what capacity were you employed at that agency?

Mrs. SHEA. As an attorney.

Mr. MITCHELL. What was your next position in Government service?

Mrs. SHEA. I then went to the National Labor Relations Board, as an attorney.

Mr. MITCHELL. How long were you at the National Labor Relations Board?

Mrs. SHEA. With the lapse of about 9 months, I was there until the fall of 1942.

Mr. MITCHELL. You were employed as an attorney?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. What Government agency did you go to in the fall of 1942?

Mrs. SHEA. The Federal Communications Commission.

Mr. MITCHELL. What was your employment there, as an attorney?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Who was responsible for your employment at the FCC?

Mrs. SHEA. Mr. Denny appointed me, I believe.

Mr. MITCHELL. Who was the counsel when you reported there?

Mrs. SHEA. Mr. Denny, Charles Denny.

Mr. MITCHELL. You have been present in the hearing room this afternoon during the course of the testimony that has been taken here today?

Mrs. SHEA. I arrived in the middle of Mr. Davis' testimony.

Mr. MITCHELL. Mr. Davis' testimony?

Mrs. SHEA. Yes, about 2 o'clock.

Mr. MITCHELL. Then you have been here through a majority of the testimony and practically all of it. Do you deny having attended that meeting in New York that was referred to by Mr. Lang and Mr. Simon?

Mrs. SHEA. No, sir.

Mr. MITCHELL. You have heard the comments that they had to make this afternoon. Would you like to make a statement in that connection?

Chairman MADDEN. In what connection? Be more specific on it.

Mr. MITCHELL. They have said that you were present at this meet-

ing in New York when a license of Mr. Lang, although up for renewal at that time, was not discussed at the meeting. Weren't you attending that meeting as an attorney for the FCC?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Could you explain to the committee how you came to attend such a meeting?

Mrs. SHEA. I was employed at the time as head of the Foreign Language Studies Section in the Law Department of the FCC, and part of my job, as I understood it, was to work in liaison—

Chairman MADDEN. Could you speak a little louder, please? We can't hear you.

Mrs. SHEA. Yes, sir. With my opposite numbers in other agencies handling similar problems. I am a little puzzled at this point on how far afield to go. Do you want my version on what happened?

Mr. MITCHELL. I want to know specifically. Did you know Allen Cranston?

Mrs. SHEA. I had met Allen Cranston as head of the foreign language problems in the OWI. I knew him in that capacity.

Mr. MITCHELL. Did you have many conferences with Allen Cranston?

Mrs. SHEA. Very few.

Mr. MITCHELL. Will you explain to the committee how you came to attend this meeting in New York with Allen Cranston?

Mrs. SHEA. Yes, sir. Mr. Cranston called me and said that he had been informed by letter from the OWI office in Detroit, that a broadcaster in the Polish language on a station there was upsetting the Polish population by pro-Russian broadcasts, and asked me whether, as a lawyer in the field, I knew of anything that might be done about it. I told him that the FCC itself had no power to do anything in a situation of that kind, and that the Office of Censorship in Washington had expressed no interest in problems of that kind, and the one group that might be of any assistance if it cared to be on a purely voluntary basis was the radio wartime control, headed by Mr. Simon and Mr. Lang.

Mr. Cranston then called them and made an appointment and I went along as an observer for the FCC.

Mr. MITCHELL. Why did you go along as an observer for the FCC when it was not a problem or in any way connected with the FCC, which you have just stated to the committee?

Mrs. SHEA. Well, I just told the committee that the FCC is without power to interfere in anything that is said by a broadcaster on the air. But it is interested in knowing what he says, and in how the station handles problems of the kind for purposes of evaluating the stations' use of its license. And so, I was instructed to go as an observer, purely, but not to put forward any views or suggestions.

Mr. MITCHELL. Who instructed you to go to that meeting?

Mrs. SHEA. Mr. Denny.

Mr. MITCHELL. Did you present this problem to Mr. Denny in such a way that he thoroughly understood it at that time?

Mrs. SHEA. I don't believe I am in a position to say whether he did. He seemed to. He generally is very able to understand things.

Mr. MITCHELL. Did he have access to the German propaganda broadcast on Katyn at that time?

Mrs. SHEA. I don't know, sir.

Mr. MITCHELL. They came in and they were monitored right within the FCC. FBIS, wasn't that under FCC?

Mrs. SHEA. Yes, sir. I think matters of Mr. Denny's knowledge ought to be referred to Mr. Denny. The record shows that before the conference I had asked Mr. Denny's permission to go, and the permission was expressly given. That is on page 2802, of part 3 of the House committee record.

Mr. MITCHELL. Page 2802?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Do you refer to the record of the committee to investigate the Federal Communications Commission?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Mrs. Shea, notwithstanding your statement, you will recall we had that informal talk in my office, at that time you made the following statement to me. Well, I asked you this: "How did you come to get into this meeting in New York?" "Mrs. Shea: In New York?"

I said, "Yes, in May of 1943 with Cranston."

"Mrs. Shea: Well, Lang's license was up for renewal. We were inquiring about the type of material that was going out over his foreign-language radio programs. The field staff was doing a study on it, and I believe I went up there in connection with that study."

Now, this afternoon two witnesses appeared here who specifically stated that there was no discussion concerning the license at this particular meeting. Could you explain that, please?

Mrs. SHEA. Yes, sir. When you questioned me a few weeks ago I had forgotten, as I stated in the letter that you read into the record, this whole Katyn incident, and it was only after I read the record that I recalled those details. However, while I was in New York on that occasion I was at the New York offices of the FCC and I did talk over with them pending cases.

Mr. MITCHELL. You knew at the time that this meeting was set up by Cranston that this did not concern the licensing of Mr. Lang, the purpose of the meeting that Cranston arranged.

Now, Mr. Elmer Davis this afternoon, when he testified here, said that he thought that Allen Cranston was outside the scope of his duties.

Mrs. SHEA. Well, I can't comment on the scope of Mr. Cranston's duties.

Mr. MITCHELL. Don't you think that you should have inquired about the scope of his duties at the time when he brought this to your attention? You were an attorney employed by the FCC then.

Mrs. SHEA. I was concerned with the scope of my duties, sir.

Mr. MITCHELL. Don't you think that you should inquire about the scope of an individual's duties that you are going to go into a conference with, if he has the power to do that? You are an attorney. I always like to know what an attorney is going to do who accompanies me, or what the individual does, has he got the power to do it, or has he not got the power to do it.

Mrs. SHEA. Do you wish to know what assumption I made at the time?

Mr. MITCHELL. Yes.

Mrs. SHEA. I don't recall. I was questioned by Mr. Cranston as to whether the FCC had any power to do anything about his problem.

My answer was unequivocally no. He said "Well, who might?" I said "Well, if the radio wartime control wants to do anything about it, perhaps it will."

Mr. MITCHELL. All right, then, why did you go near that meeting at all is what I would like to find out definitely.

Mrs. SHEA. Well, I can answer that question.

Mr. MITCHELL. Just a minute until I tell you something.

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. You had investigators at that time who were employed in the field for that specific purpose of finding out if the radio stations were conforming with their licensing arrangement. You were an attorney, you were not an investigator. You went along on this particular meeting, after having told Cranston that this was not within the scope of the FCC's functions. I would like to know why you decided to do that.

Mrs. SHEA. Well, I went along partly because I had a problem, described here in the record, which was also without the scope of the Commission's power, and I raised that problem with Mr. Simon and Mr. Lang as well. Our field people in Texas had reported that the war-bond drives and so forth, were using the slogan "Remember the Alamo," and the persons of Mexican extraction were very incensed by this reference to a past unfortunate incident.

Mr. MITCHELL. But that wasn't raised at this particular meeting?

Mrs. SHEA. Yes, sir, at great length. Mr. Simon so testified at length. The State Department had written us about it.

Mr. MITCHELL. Where did Mr. Cranston fit in with that particular problem?

Mrs. SHEA. Not at all, sir. After Mr. Cranston had talked about the Polish problem, I said, "Here is another problem that you people at the wartime control could do something about if you wished to," and left it there.

It was a purely voluntary matter. As a matter of fact, as far as I know the control did nothing about it, and we did nothing about it.

Mr. MITCHELL. Did you participate in this discussion on the Katyn or the Polish situation in Detroit, the radio station there during this meeting, you specifically?

Mrs. SHEA. No, sir.

Mr. MITCHELL. Did you realize at that moment that by your presence there you were in the position of lending support to Cranston's position?

Mrs. SHEA. Mr. Mitchell, I did not think so, and may I tell you why?

Mr. MITCHELL. Go right ahead.

Mrs. SHEA. Mr. Lang, as he just told you on the stand, was not an ordinary broadcaster. He was very well acquainted with the scope of the authority of all of the agencies in Washington, working on the matter, and had shown complete independence of judgment and action all the way through. And he did in this case. He was not a man to be intimidated and I don't believe he was intimidated. He testified he was not intimidated.

Mr. MACHROWICZ. Let me see if I understand your situation correctly. Mrs. Shea, as an attorney you had advised the Federal Communications Commission that they had no authority to censor editorial comment?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. And that is your opinion?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. And you told them also that the only body that could do that would be the foreign-language wartime control?

Mrs. SHEA. In effect, yes, sir.

Mr. MACHROWICZ. So then, since Mr. Cranston, or Mr. Denny, wanted to do something about it, and couldn't do it legally, you suggested meeting with the Federal foreign-language radio wartime control and do indirectly what you couldn't do directly?

Mrs. SHEA. No, sir. We were unable to handle the matter, so we passed it on, openly, and without any color or pressure, to a group that could handle it if it wished to.

Mr. MACHROWICZ. Well, your desire was to control or to censor these editorial comments, and you knew you couldn't do it, so you suggested a meeting with the foreign-language radio wartime control?

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. Is that not what you told us before?

Mrs. SHEA. My desire was to get the problem off my desk, into the hands of the group that could act on it if they wished to.

Mr. MACHROWICZ. And in order to see that it would be acted upon by them, both you and Mr. Cranston went to a meeting with that committee?

Mrs. SHEA. No, sir; we went there or I went there—I can only speak for myself—in order to call the matter to the attention of that body.

Mr. MACHROWICZ. Call it what you may. But now I notice you have a copy of the volume of the hearings of the committee investigating the Federal Communications Commission. I wish you would open that book to page 3076. Do you have that page?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. There, if you note, you identified a letter that was sent out on the week of May 24, 1944, as a result of that conference you and Mr. Cranston had with the foreign-language radio wartime control. Am I correct?

Mrs. SHEA. Would you read the question again, please, sir?

Mr. MACHROWICZ. As a result of the conference that you and Mr. Cranston had with the members of the foreign-language radio wartime control, this letter was sent out, which I am about to read. If you will follow me, I will ask you if it is correct:

It is urgently recommended by the officers of the foreign-language radio wartime control that news and war commentators be requested to cease, immediately, the broadcasting of editorial or personal opinion.

Am I correct in that?

Mrs. SHEA. That is what the letter says; yes.

Mr. MACHROWICZ. That is what the Federal Communications Act says you cannot do, so you passed it on to the foreign-language radio wartime control to do what you couldn't do legally yourself; am I right?

Mrs. SHEA. That is your view of it, Mr. Congressman.

Mr. MACHROWICZ. Well, you are asking them to cease immediately the broadcasting of editorial and personal opinion, and you say further this is especially hazardous in the Russian, Polish, and Croatian situation; right?

Mrs. SHEA. Sir, this isn't my letter.

Mr. MACHROWICZ. But that is the letter that resulted from the conference you and Mr. Cranston had with the members of the foreign-language radio wartime control after you advised the FCC that they couldn't do this very thing legally; am I right?

Mrs. SHEA. This is the letter that went out after that conference, sir; yes.

Mr. MACHROWICZ. And that was after you advised the Federal Communications Commission they couldn't do that very thing legally.

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Now, you have referred to page 2802, previously in your testimony. What is that, on page 2802? Is that the letter?

Mrs. SHEA. No; this is part of the testimony of Mr. Denny, the General Counsel.

Mr. MACHROWICZ. You referred, in your testimony a while ago, to a commentator in Detroit who was known for his pro-Communist comments; is that right?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Was his name Mr. Novak?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. And you knew about the fact that he was a pro-Communist commentator?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. He never was suspended was he?

Mrs. SHEA. Mr. Congressman, the immediate matter that occasioned Mr. Cranston's calling me, and my subsequent course of action in this connection were the broadcasts of Mr. Novak. He was the commentator in Detroit who was complained about by the local Detroit office of the OWI, and the question that was put before the radio wartime control was precipitated precisely by Mr. Novak's broadcasts.

Mr. MACHROWICZ. Did you consider his comment as derogatory to the best interests of the United States?

Mrs. SHEA. As I testified, this was Mr. Cranston's problem. Mr. Cranston put the question to the radio wartime control. I did not participate in that part of the discussion at that meeting.

Mr. MACHROWICZ. But you do know that Mr. Novak was the pro-Communist commentator?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Now, I will refer to that very page that you testified to, page 2802, Mr. Denny's testimony. I will refer you to what was said then, "No specific complaints against Novak's alleged communism were ever received by the Commission in Washington."

Do you find that in the third paragraph on the page?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ (reading):

No specific complaints against Novak's alleged communism were ever received by the Commission in Washington. The Commission's field representatives who were apprised of the general situation in the Detroit area reported nothing in Novak's program—

that is, the pro-Communist program—

which could be considered propaganda detrimental to the war effort, or otherwise contrary to the public interest of the United States.

Is that correct?

Mrs. SHEA. As far as you are reading, sir, yes.

Mr. MACHROWICZ. That is Mr. Denny's testimony, is it not?

Mrs. SHEA. Mr. Denny goes on to testify further on that.

Mr. MACHROWICZ (reading) :

However, in any event there was no occasion for a Commission investigation of Novak's alleged communism.

There was evidently some reason to investigate the acts of Mr. Kreutz, who was anti-Communist, but there was no occasion for a Commission investigation of Novak's alleged communism. It was a matter of public knowledge that Novak had been fully investigated by the Federal Bureau of Investigation for Communist affiliations. He had been indicted on December 11, 1942, in proceedings for denaturalization. Is that correct?

Mrs. SHEA. That is the testimony; yes, sir.

Mr. MACHROWICZ. You didn't think it was hazardous or your Commission didn't think it was hazardous to the best interests of the United States to permit a pro-Communist commentator to continue his broadcasts in Detroit, but you thought it necessary to send letters to the various radio stations warning against commentators who were anti-Communist?

Mrs. SHEA. Mr. Congressman, the letter of Mr. Lang which you previously read was occasioned precisely by Mr. Cranston's calling Mr. Novak's broadcast to the attention of the radio wartime control. And may I point out that Mr. Denny's testimony goes on to say, "Mr. Novak's program was canceled in February 1944."

Mr. MACHROWICZ. But that was by no action of the Federal Communications Commission or by the foreign-language radio wartime control, was it?

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. But the broadcasts which were anti-Communist were censored and suspended because of action of the Federal foreign-language radio wartime control.

Mrs. SHEA. No, sir. I must disagree, sir.

Mr. MACHROWICZ. You heard the testimony of these two gentlemen that testified this afternoon?

Mrs. SHEA. They testified, so far as I followed their testimony, that Mr. Lang's letter suggested a policy to the stations of curbing editorial comment by both pro-Soviet and pro-Polish commentators, and that whatever action was taken against people who failed to follow the recommendation was taken exclusively by the station owners, not the Commission.

Mr. MACHROWICZ. After a little prodding by the Federal Communications Commission, right.

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. Did you agree with Mr. Denny's statement that Mr. Novak, the Communist—

Mr. Novak's programs could not be considered propaganda detrimental to the war effort or otherwise contrary to the public interests of the United States?

That is the third paragraph of page 2802.

Mrs. SHEA. Mr. Denny is simply summarizing here the results of analyses made of Novak's programs.

Mr. MACHROWICZ. Of course, in his opinion, the Communists like Mr. Novak were much less dangerous than anti-Communists like Mr.

Krentz, who tried to point out the Russian guilt of the Katyn massacre.

Mrs. SHEA. Mr. Krentz is a radio personality I had never encountered before, sir; and I hesitate to testify at all on whether Mr. Denny knew of him or what he thought of him. I can't.

Mr. MACHROWICZ. Have I misstated Mr. Denny's analysis of Mr. Novak's broadcasts.

Mrs. SHEA. Well, I think the statement speaks for itself.

Mr. MACHROWICZ. I think so, too.

That is all, Mr. Chairman.

Mr. O'KONSKI. Now, this report that my colleague read from, Mr. Denny's report, did you have anything to do with the compiling of that report?

Mrs. SHEA. Yes, sir; I compiled part of that material.

Mr. O'KONSKI. You did?

Mrs. SHEA. Yes.

Mr. O'KONSKI. Are you positive, in your statement, that whenever you were confronted with a question of what can the FCC do about these broadcasts, are you positive in your statement that you always said as far as the FCC was concerned you were powerless?

Mrs. SHEA. Yes, sir.

Mr. O'KONSKI. I am very glad to hear that, because if it isn't that would be very bad.

Did you have anything to do with the drafting of that letter that Mr. Machrowicz read?

Mrs. SHEA. No, sir; nothing whatever.

Mr. O'KONSKI. In other words, your contention is that your position in this entire matter was one of representing the legal arm of the FCC, of that branch, and whenever you were confronted with the question of what can you do about this objectionable commentator or that objectionable commentator, your answer was always that as far as the Commission was concerned under the Federal Communications Act of 1934, they are powerless to do anything about it?

Mrs. SHEA. Yes, sir.

Mr. O'KONSKI. And to your knowledge, Mrs. Shea, you don't know, do you, of any attempt that was ever made by the FCC by you or any other employee to use the FCC to browbeat these radio station owners who discharged what they considered to be objectionable people?

Mrs. SHEA. No, sir.

Mr. O'KONSKI. That is your contention?

Mrs. SHEA. Yes, sir; that is.

Mr. MITCHELL. Mr. Chairman, I would like to interrupt for a moment. Will you refer—

Chairman MADDEN. Wait a minute. Let the Congressman finish.

Mr. O'KONSKI. Go ahead.

Mr. MITCHELL. Would you refer to part 1? You have it there, I believe. Page 603. I would like to start reading for the members of the committee. Mr. Richards is testifying before the same House committee investigating the FCC, page 603:

Mr. Howard was the head of the press section of censorship at that time. He had some discussions with the Office of War Information with regard to censorship. I am not familiar with the discussion except that it took place on the basis of whether Office of War Information was getting into our field, or whether we

were getting into their field, and what the relationship should be under the agreement we had reached.

Mr. Garey, the counsel to the committee, resumed reading, and he had this to say:

Mrs. Shea called to ask whether or not it was true that this Office had relaxed its censorship requirements among foreign-language stations by withdrawing our request for English translations. I told her we had, after consultation with Mr. Jack, of our censorship operating board. In reconstructing our conversation from that point, I am relying on notes, and there might be some slight error but the general idea is as follows: Mrs. Shea said: "If you are not to ask the managers of radio stations to examine the material on their stations, what curb will there be on opinions expressed by some of these foreign-born broadcasters?" I told her that in censorship we did not recommend any restrictions on expression of opinion, as long as such opinion did not cloak facts which would cross codes. I reproved her mildly for suggesting that there should be such censorship, and she said maybe she didn't mean opinion, maybe she meant propaganda or the Government line. "Who," she asked, "is going to force these managers to see to it that the propaganda on their stations follows the right pattern?"

"Somebody else, not us," I said.

This is a member of the Office of Censorship talking, who had written this memorandum:

She said that there was a definite shadow zone in censorship which went beyond the definitions contained in our codes, and some supervision should be exercised in this zone "for the good of the war effort and for the good of the people." I held stoutly to our function as censors for security. This bit had the melody if not the lyrics of the score that the Office of War Information sang to Mr. Howard.

"What would you think," Mrs. Shea asked, "if we in the Federal Communications Commission undertook to censor programs in this shadow zone." I told Mrs. Shea I thought she would want to mull that over a long time before she took definite action, because this office was charged with censoring. She then rephrased her hypothesis. "What if we should merely suggest to station managers that they should maintain only English translations in order to guide properly the propaganda output of their stations?"

"That is coming pretty close to dictatorship in radio."

That is a comment by the counsel.

I told Mrs. Shea that suggestion from the Federal Communications Commission might be unfortunate since it would countermand this office request, but that I wouldn't presume to advise her on what the Federal Communications Commission should do, beyond the fact that it should leave censoring to us. Mrs. Shea said the Federal Communications Commission would not attempt to censor, it would merely encourage managers to take fuller cognizance of their own responsibility. She asked me to think it over for a couple of days and see if my mind changed. I assured her it wouldn't, and she recommended she check my opinion by talking it over with Mr. Ryon.

Mrs. Shea, it seems that you were terribly interested as an attorney for FCC in the censorship problem during the course of these hearings that we have been quoting here. Now, Mr. Machrowicz has asked you was Mr. Novak removed from the air, in Detroit, the pro-Communist?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Was he removed?

Mrs. SHEA. He was removed.

Mr. MITCHELL. When?

Mrs. SHEA. His contract was canceled—

Mr. MACHROWICZ. You mean his contract was canceled and wasn't renewed, is that right?

Mrs. SHEA. On page 2803 of part 3 of the House committee record, Mr. Denny testified that—

on February 7, 1944, the management of the station WJBK canceled its contract with the Ray of Truth program.

That was Novak's program. Novak then sought a court injunction against this action, and he failed to get judicial relief. He also asked the Commission to intervene and the Commission replied that the matter was outside its jurisdiction.

Mr. MITCHELL. But the thing that this committee is trying to find out is this: that the subject matter referred to the Polish commentators who were also our allies at that time, who were anti-Communist. They seemed to be the ones that were having the difficulty, not Novak.

Mrs. SHEA. No, sir.

Mr. MITCHELL. I am sticking strictly on Polish. I am not speaking of Italian or anything else.

Mrs. SHEA. Mr. Denny's testimony, if you will read on page 2803 to 2804, and my testimony at the time—I can't testify on it from present recollection—my testimony at the time was that in point of fact the pro-Polish commentators continued very actively to present their point of view in many instances.

Mr. MITCHELL. And under very difficult conditions.

Now, why were you so specifically interested in the censorship policy when you as an attorney for the FCC shouldn't have been in that field, as Mr. Machrowicz pointed out from the statement of Mr. Denny, and as you, yourself, have admitted when you talked to Cranston about it. You said, "That isn't our problem." Yet here is a memorandum to an official committee of Congress, quoting members of the Office of Censorship.

Mrs. SHEA. The memorandum from which you read was a memorandum, I believe, by Mr. Richards?

Mr. MITCHELL. That is correct.

Mrs. SHEA. After numerous inaccuracies and personalities, he concluded with one of the few accurate statements in the memorandum, reasserting my recognition of the limitations of FCC authority in the field.

Mr. MITCHELL. What are you reading from? What page?

Mrs. SHEA. House committee hearings, page 604:

Mrs. Shea said the Federal Communications Commission would not try to censor. It would merely encourage managers to take fuller cognizance of their own responsibilities.

Mr. MITCHELL. And that was in the line of duties?

Mrs. SHEA. My duty was to make inquiries as to whether managers were exercising their licensing powers in the public interest.

Mr. MITCHELL. Their licensing powers, that is correct?

Mrs. SHEA. No, sir. I mean their licenses, excuse me.

Mr. MITCHELL. Their licenses.

Mrs. SHEA. Yes.

Mr. MITCHELL. Now, if I am correct in this—and maybe I am not thoroughly familiar with the operations of the FCC, I understand that they have field offices for that specific job. I understand that they also had investigators for that particular job.

Mrs. SHEA. Do you mean the FCC?

Mr. MITCHELL. The FCC.

Mrs. SHEA. May I—

Mr. MITCHELL. And they had monitoring stations.

Mrs. SHEA. Yes, sir. May I amplify that statement? The problem under discussion in this memorandum was specifically whether station managers should require English translations of foreign-language programs and monitoring of the programs, so they could see that their submitted scripts were adhered to. Now, that is a procedural problem, not related to the substance of the broadcast.

Mr. MITCHELL. I know.

Mrs. SHEA. And our inquiries as to whether the managers were doing that, I think, were well within the scope of our authority.

Mr. MITCHELL. As to procedure?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Not as to substance?

Mrs. SHEA. No, and that is not censorship.

Mr. MITCHELL. As to procedure.

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. That was your sole scope.

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. The commentator always files his broadcast, right, what he is going to talk about on the air? It is filed? It is just as these Polish commentators had to file theirs? If they complied with what they filed, then they were in line, as far as the FCC is concerned. That is procedure, as I understand it.

Mrs. SHEA. Well, that was one of the questions we inquired into.

Mr. MITCHELL. What that commentator had to say didn't make any difference to the FCC; correct?

Mrs. SHEA. Precisely.

Mr. MITCHELL. But yet all afternoon we have been getting at the point that these Polish commentators were having their difficulties, they were suspended, they were taken off the air, all because of this meeting in New York.

Now, let me ask you a question: Why wasn't the Office of Censorship present at that meeting in New York? Were they invited to attend that meeting in New York with Simon and Lang, Cranston and yourself, by you? Did you invite them to attend? You?

Mrs. SHEA. I don't remember precisely whether I invited them to attend, but the record is clear that they were invited, and the Washington group refused to go.

Mr. MITCHELL. Why did they refuse to go?

Mrs. SHEA. Well, I don't believe I am the person to answer that question, Mr. Mitchell.

Mr. MITCHELL. Well, didn't you extend the invitation to them? You must have gotten a reason why they didn't want to go.

Mrs. SHEA. I don't recall extending it. The invitation was extended, but just now I can't recall who extended it.

Mr. MITCHELL. No further questions.

Mr. SHEEHAN. Mrs. Shea, these meetings that we have reference to over here, particularly the one that we have discussed most, the one in New York, was that meeting initiated by the OWI, or was it initiated by the FCC?

Mrs. SHEA. By Mr. Cranston.

Mr. SHEEHAN. He was with the OWI?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. In other words, the FCC had nothing to do with initiating that particular meeting, is that correct?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. It was at the invitation of the Office of War Information?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. That clears up a lot of things. Did you personally have any hand in fixing the FCC policies in this respect, or were you told to go and attend that meeting as a legal representative of that division of the Federal Communications Commission? In other words, was your attendance at that meeting of your own volition or were you instructed to go by a higher authority in the Federal Communications Commission?

Mrs. SHEA. I called Mr. Denny's office, and he authorized me to go.

Mr. SHEEHAN. After you were invited by the Office of War Information to go to that meeting?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. And you got his authority to go?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. Did you, Mrs. Shea have any personal feelings of your own pertaining to, well, particularly the Polish-Russian controversy over Katyn? Did you have any personal feelings in that matter at all?

Mrs. SHEA. No, sir.

Mr. SHEEHAN. Did any of your feelings ever come into that matter, any of the decisions that you had to make when this matter came up?

Mrs. SHEA. No, sir.

Mr. SHEEHAN. It was purely on your standing, legal standing, representing the Federal Communications Commission?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. Now, this meeting that was finally called, in New York, was that the result of OWI just calling the meeting, or was that meeting called as a result of some complaints that they were receiving over certain broadcasts?

Mrs. SHEA. The local office of OWI wrote Cranston saying that it had come to their attention that the Poles in Detroit were being upset by this acrimonious controversy.

Mr. SHEEHAN. That clears up a lot of things for me.

Again, as far as you know, Mrs. Shea, there definitely was not any FCC threat to hold the license-renewal proposition, which is the blood stream of the radio industry, as far as you know there was no attempt to scare them into thinking that their license would not be renewed, if they did not conform? You don't know of any such thing?

Mrs. SHEA. That is correct.

Mr. SHEEHAN. Well, did you have a feeling in these feelings that have been outlined, Mrs. Shea, that probably the OWI was going too far afield in its attempt to censor these broadcasts? That will have to be conjecture on your part. Did you, anywhere down the line, as these things developed, you yourself being a legal representative of that division of FCC, get an inkling that somewhere down the line they were trying to exert too much pressure down the line of censorship? Did that feeling ever occur to you in the developments that transpired?

Mrs. SHEA. Actually I had little contact with the OWI. My predecessors had worked more closely with them. I saw Mr. Cranston very few times, and had barely a nodding acquaintance with him.

Mr. SHEEHAN. Did you at any time get the feeling that probably the OWI, with your presence at this meeting representing a certain legal division of the FCC, didn't you get the idea that probably, unknowingly to you but purposely known to them, the fact that they had you there, that they could hold over their heads that you were representing the FCC, although you openly were not in any way connected and you told them that you had no legal authority? But didn't you get the idea that with your very presence there that probably the OWI was using you as a handle to whip these people into line? Did you get that impression?

Mrs. SHEA. Well, I might have felt that had the persons involved not been Mr. Lang and Mr. Simon. They had so repeatedly demonstrated their complete immunity from intimidation of any kind, particularly from the FCC.

Mr. MACHROWICZ. May I ask you, were there any attempts of intimidation?

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. How could they show immunity from intimidation if there were no attempts of intimidation?

Mrs. SHEA. The Cox committee hearing shows that there were several disagreements on policy between the FCC and the Wartime Control, and the OWI, and the Wartime Control, and that Mr. Simon and Mr. Lang stuck to their position and carried it through every time.

Chairman MADDEN. Is there another witness?

Mr. MITCHELL. Yes; there is one, but I would like to put just one other statement in.

Chairman MADDEN. Wait a minute. Is there another witness after this one?

Mr. MITCHELL. Yes; just one.

Mrs. Shea is in Washington. We can recall her if we want to. I would like to put Mr. Richards on now.

Chairman MADDEN. Well, Mrs. Shea, you stand by just for a little while, and we will have Mr. Richards' testimony. If there are no further questions of Mrs. Shea, she can stand by.

Chairman MADDEN. Mr. Richards, will you be sworn. Do you solemnly swear the testimony you shall give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RICHARDS. I do.

TESTIMONY OF ROBERT K. RICHARDS, WASHINGTON, D. C.

Chairman MADDEN. State your name, please, your full name.

Mr. RICHARDS. Robert K. Richards.

Chairman MADDEN. Where do you live, Mr. Richards?

Mr. RICHARDS. 3458 Macomb Street NW., Washington.

Chairman MADDEN. What is your business?

Mr. RICHARDS. I am assistant to the president of the National Association of Radio and Television Broadcasters.

Chairman MADDEN. All right, Mr. Counsel.

Mr. MITCHELL. What was your position during the wartime years?

Mr. RICHARDS. Well, during most of them I was in the Office of Censorship as the assistant to the Assistant Director in charge of broadcasting.

Mr. MITCHELL. That was the Office of Censorship?

Mr. RICHARDS. Yes, sir.

Mr. MITCHELL. Therefore you had a great deal of business or work, then, between the FCC and the OWI; is that correct?

Mr. RICHARDS. Yes, yes; of course.

Mr. MITCHELL. Will you briefly state—I know it is already in the record of the congressional committee which investigated the FCC in 1943, but I would like you to briefly summarize for the committee the difficulties that the Office of Censorship had to the extent where the problem had to be referred to the Attorney General.

Mr. RICHARDS. Well, you carry me back pretty far, Mr. Mitchell, but I will tell you as my memory serves me about the specific problem we encountered, some of which has emerged in testimony I have been able to hear this afternoon. The Office of Censorship was established by Executive order of the President, and his wartime power as the censor over domestic communications was passed along by Executive order to the Director of Censorship, Mr. Price, who in turn delegated such actions as he wished to delegate to various staff members. Censorship was established under Mr. Price's direction, and the advice of our policy-control board, domestically, among the press and the broadcasters as a voluntary effort. We established voluntary procedures for stations, for example, to follow, areas in which, as unit identification of ships sailing, the security of the Nation could be violated. Broadcasters were asked to voluntarily observe these guidepoints.

Mr. MITCHELL. That was the code.

Mr. RICHARDS. That was the voluntary code of wartime practices. In the course of establishing this system among the broadcasting stations of the country, we had one specific problem that was peculiar to broadcasting, I guess, because we were dealing with about, 150 to 200 so-called foreign-language broadcasting stations employing as many as 35 or 40 different languages. The committee may even be interested in knowing that one of those languages we encountered was Cajon, and it was pointed out to us that it wasn't a foreign language and they didn't have an alphabet. We set up these special controls in the case of foreign-language broadcasting stations. In the course of operating this voluntary system we did encounter, if I may use the term, an inclination on the part of other executive agencies, and I ascribe no ulterior motives to them, to invade the area of censorship which properly was vested in the Office of Censorship. We felt this was dangerous, not that we were jealous of our authority, but most of us being out of the public media we were zealous about what would happen to that authority after the war was over. Among the agencies where we encountered this, and I believe your record in the select-committee investigation reflects this, were the OWI and the Federal Communications Commission. As a matter of fact, at one time, the situation reached a point where Mr. Price, as Director of the Office of Censorship, asked Mr. Ryan, as assistant in charge of broadcasting, who in turn asked Mr. Bronson and me to find out what was going on, and if there was an invasion of censorship and if we were sacrificing our responsibility to some other agency, to stop it.

We did investigate it, and again I say, ascribing no motives, we did encounter an interest on the part of the other agencies in censorship, and it was stopped, in an agreement between Mr. Price and Mr. Davis, and certainly in agreement between Mr. Price and the Commission.

Mr. MITCHELL. Could you give us then a few specific illustrations, not too elaborate, but just one that you can recall, where the occasion was necessary to go to the extent of getting the Attorney General to rule, barring these other agencies from the field of censorship?

Mr. RICHARDS. Well, yes. Again this is going back quite a way, and I think the record in the select-committee investigation would be more accurate than my recollection. But I recall that at least one foreign-language broadcaster, I believe his name was Andre Luotto, was either removed from the air or his reputation was apparently somewhat damaged, as a result of the enthusiasm of people employed by agencies other than ours to enter into a consideration of the type of broadcasting that was going on the air.

By that, I mean opinion, the opinions that were being expressed. I think that is one specific case. Doubtless there are others. They must be available to you.

Mr. MITCHELL. Did a member of the Office of Censorship attend this meeting in New York with Mr. Simon and Mr. Lang?

Mr. RICHARDS. Well, if I am thinking of the same meeting that you have been discussing here, no.

Mr. MITCHELL. Were they invited to attend, do you recall?

Mr. RICHARDS. It is my recollection we were invited to attend; yes.

Mr. MITCHELL. Do you recall why you did not attend?

Mr. RICHARDS. Well, yes. We felt that it wasn't properly within the scope of our activity to discuss what should be done about a commentator, expressing an opinion on the air, unless that opinion contained facts endangering the security of the Nation.

Mr. MITCHELL. Therefore, the primary duty of censorship was in the Office of Censorship; it rested in the hands of your organization. That was determined.

Mr. RICHARDS. Absolutely; definitely.

Mr. MITCHELL. Therefore, this particular meeting in New York, to which the OC was invited, but which no member of the OC attended was—Did you hear all of the testimony this afternoon here?

Mr. RICHARDS. I came in toward the end of Mr. Lang's testimony, I believe.

Mr. MITCHELL. All right. In your opinion, on recollection today, it was in the field of censorship, because it concerned comments by a Polish commentator?

Mr. RICHARDS. Well, any time you use any method to stop freedom of speech, it enters into the area of abridging it, and that, I presume, constitutes censorship, yes. In other words, it was our assumption, gentlemen, that taking a man off the air was censorship as much as putting a blue pencil on his copy.

Mr. MITCHELL. I would like to read for the record, page 612 of the committee investigation, part I, Federal Communications Commission. Mr. Garey is talking to you.

Chairman MADDEN. When was this letter sent?

Mr. MITCHELL. This memorandum is dated May 15, 1943—

Now, you received from Mr. Bronson a memorandum dated May 15, 1943, on the further talk he had with Mrs. Shea, did you not?

Mr. Richards replies, "Yes, sir."

Mr. GAREY. That memorandum is dated May 15, 1943. It is addressed to Mr. Ryan and Mr. Richards, and it is from Mr. Bronson. The subject is, *Now My Week Is Complete*. It reads: "Up until 3:16 p. m. today there had been something lacking in the week's activities, and then the phone rang and it was Mrs. Shea, attorney for the FCC. She asked if I was retaining my figure—personal item—and then went on to inquire if we would be interested in the latest wrinkle between the Office of War Information, Federal Communications, and the Foreign Language Radio Wartime Control. I assured her I was the kind of a person who was interested in just an average wrinkle, but one like that was most intriguing. She went on to say that the Federal Communications Commission (herself), the Office of War Information (Mr. Cranston), and the Foreign Language Radio Wartime Control Committee (Mr. Simon and Mr. Lang) had met in New York last Wednesday for a cozy little chat on what to do about the broadcasters coming to blows over the Russian-Polish situation. It was agreed in this event that the foreign-language broadcasters would read only the news as received in the stations, via the recognized news printers, and not allow any commentary on this topic. She wanted to know if I had been asked to attend would I have gone."

Evidently they didn't, I am sorry.

"I said that most likely I would have, or that someone from this Office would have done so, but I supposed the parties involved assumed it was a discussion that did not involve censorship, therefore we weren't asked. Mrs. Shea rallied quickly by saying that it was Mr. Cranston who put out the invitation. I later learned from Mr. Ryan that we had been invited to send a representative but had declined. Mr. Ryan said Mr. Cranston had asked us to attend but due to pressure of other work, and the unlikelihood that the meeting would concern censorship, no one from this Office went. Then she said that she recalled seeing a letter by Mr. Price or Mr. Ryan urging the controversial issue should be treated quietly and not ballooned up, as it were. (She is referring here to the Russian-Polish impasse, I believe.) I said I was unfamiliar with such a letter, and then she said Mr. Marks at her elbow had just advised that the letter was signed by Mr. Ryan and would be in Mr. Ryan's files. She then said that she supposed Mr. Simon's outfit was putting out something about the New York office and was that all right with us. I said this office was not concerned with it since we had no part of the meeting, unless the bulletin crossed into censorship problems or quoted or inferred that we were a party to such a release. In the latter event, it should be submitted here. She said she didn't know just how the Foreign Language Radio Wartime Control Committee went about such things, and we both rambled along about what we didn't know. She then said that our relations, Government agencies involved and broadcasters, should be more formalized so that we would all know what was going on. Having had the feeling now for 9 months that I was trying to watch the entire field of play through a knothole, and a sturdy oak knothole at that, I agreed, as we have agreed to such things before. She then hung up on our mutual pledges of cooperation. Two minutes later at 3:31 she called back to say she had forgotten something."

That was on another subject matter other than the Polish-Russian situation.

Now, that letter in the record definitely shows that, (1) no member of OC went to the New York meeting; (2) the reason for not going to that meeting was because no censorship problem was supposed to have been involved.

Now that you have heard the testimony of this afternoon, and particularly that of Mr. Kreutz—did you hear his testimony?

Mr. RICHARDS. I was here, but I didn't hear it very well. I was in the back of the room. But I think I got it.

Mr. MITCHELL. Would you say that the subject matter was within the scope of censorship or within the scope of FCC and OWI? I am asking for an opinion.

Mr. RICHARDS. Well, I would say it is my opinion it was not within the scope of censorship. Others would have to speak as to whether or not they thought it was within their scope.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Any further questions?

Mr. MACHROWICZ. It is your opinion that the section of the FCC attempting to control the commentaries on this matter was strictly improper, irregular, and outside of their jurisdiction, is it not?

Mr. RICHARDS. Yes, sir. Of course the Communications Act forbids censorship.

Mr. MACHROWICZ. That is right. And that was your impression at this time?

Mr. RICHARDS. It was certainly our impression that that was their intent, and that they shouldn't do it. It was our proper responsibility.

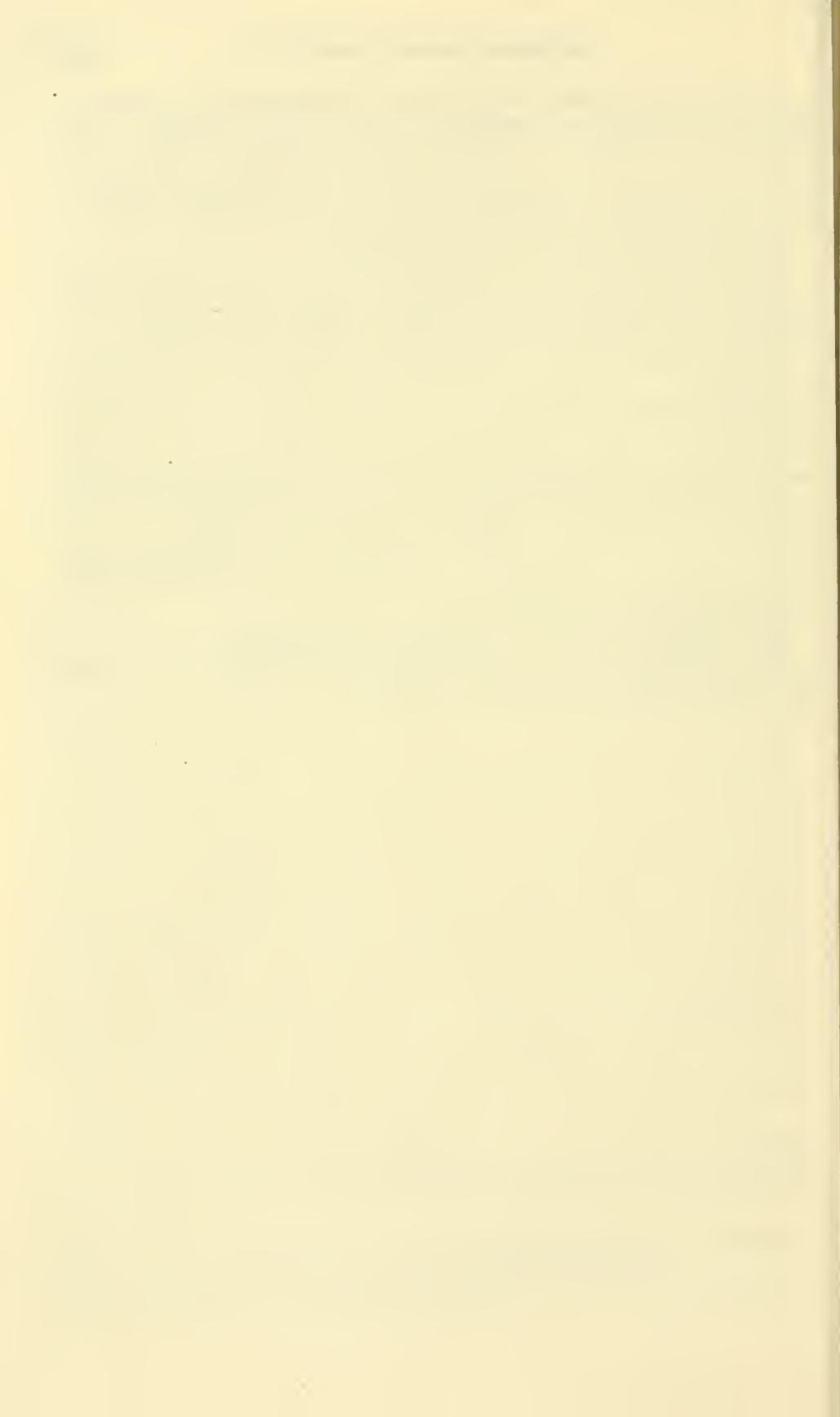
Mr. MACHROWICZ. Can you see anything that was outlined here, other than an attempt to intimidate these broadcasters?

Mr. RICHARDS. I have testified to that at some length before, Mr. Congressman, and I think that my answer is evident in the record that was previously made at the time.

Chairman MADDEN. Thank you for your testimony.

We will adjourn until 10 o'clock tomorrow morning.

(Whereupon, at 5:25 p. m. the hearing was recessed, to reconvene at 10 a. m., Wednesday, November 12, 1952.)



THE KATYN FOREST MASSACRE

WEDNESDAY, NOVEMBER 12, 1952

HOUSE OF REPRESENTATIVES,
SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,
Washington, D. C.

The committee met at 10 a. m., pursuant to call, in room 1301, House Office Building, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order. Will you proceed, Mr. Mitchell?

Mr. MITCHELL. Mr. Chairman, the purpose of today's hearings before the committee is to put forth the documentation of the records that were in the Government agencies on the subject of the Katyn massacre and the missing Polish officers.

You will recall that yesterday Mr. Jackson said that if sufficient documentation had been available at the time of Nuremberg, the case would not have been brought up at Nuremberg. At least the hands of the United States Government, namely, Mr. Justice Jackson at that time, would have been able to prevent it or would have been strengthened.

Now, through the cooperation of the Department of State, the committee has had made available to it all of the records that have been in the file since early 1942. This morning we have as the first witness former Ambassador William Standley, a retired admiral of the United States Navy.

At the time that Admiral Standley was Ambassador, he had conferences with Maj. Joseph Czapski and General Anders, and he had instructions from the State Department to assist the Polish cause.

Admiral Standley, in the opinion of the committee staff, having carefully read all of the documentation, predicted—

Chairman MADDEN. Let him testify. That will be his testimony.

Mr. DONDERO. Let him take the stand.

Chairman MADDEN. I should think that the witness himself, if he desires to refresh his mind, can refer to the letters. We can then introduce the letters in evidence; and, if the witness desires to refresh his mind, we will be glad to submit the letters to him.

Mr. MITCHELL. Call the first witness, please.

Chairman MADDEN. Admiral Standley.

**TESTIMONY OF ADMIRAL WILLIAM H. STANDLEY, UNITED STATES
NAVY, RETIRED, CORONADO, CALIF.**

Chairman MADDEN. Admiral, will you raise your right hand and be sworn. Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Admiral STANDLEY. I do.

Chairman MADDEN. Admiral, for the record, will you state your full name, please?

Admiral STANDLEY. William H. Standley.

Chairman MADDEN. And your address, please?

Admiral STANDLEY. 862 G Avenue, Coronado.

Chairman MADDEN. California?

Admiral STANDLEY. Yes, California.

Chairman MADDEN. What is your capacity now?

Admiral STANDLEY. I am an admiral on the retired list.

Chairman MADDEN. Will you proceed, Mr. Counsel.

Mr. MITCHELL. Admiral Standley, will you please tell the committee what date you reported to Moscow as the Ambassador for the United States?

Admiral STANDLEY. I think it was the 14th of April 1942.

Mr. MITCHELL. Would you, at this time, like to make a statement to the committee of your knowledge of the missing Polish officers and the Katyn massacre, stating what efforts you made and what instructions you may have had, sir? A brief statement, if you wish.

Admiral STANDLEY. Of course, the committee will recognize that this situation occurred some 10 or 11 years ago and that, naturally, my memory is rather deficient in the facts of the case. I have told your counsel that I had made a complete statement concerning my relations with the Polish situation, including the Katyn Forest murder, and that it was published in the Naval Institute Proceedings of October. That statement, that article in the Institute contains a complete notation of my connections with the Polish situation in Moscow and the Katyn Forest murder.

Chairman MADDEN. Admiral, October of what year?

Mr. MITCHELL. This year.

Admiral STANDLEY. That was October of this year, the current year.

Now, naturally, my association or connection with the Polish situation began even before I was named as the future Ambassador to Moscow. When I went into Moscow with the Beaverbrook-Harriman mission in September, 1941, the Polish situation was being discussed there then, and I became cognizant of the general situation, the fact that the Russians had seized a great many Polish soldiers when they invaded east Poland and had taken some 10,000 Polish officers.

The effort was being made then to locate these Polish officers especially.

When I was named as Ambassador to Russia in the latter part of 1941 and when I was confirmed, I was immediately importuned by many agencies or many individuals who were interested in the 10,000 Polish officers, that is, in their location and in whether or not they were alive, and everything concerned with them.

As soon as I arrived in Moscow—I had received a briefing before I left Washington as to the questions I should take up. Even before I made my report to Mr. Kalinin, the President of the Soviet Union, I received a message from the State Department advising me that I was not to take up any of those questions that I had previously been briefed upon, a message which I didn't understand, and about which I protested immediately.

But that left me in a position where I couldn't take up the Polish question on my first interview with Mr. Molotov.

Chairman MADDEN. Who gave you those admonitions or instructions?

Admiral STANDLEY. They were general instructions and briefing from various individuals in the State Department. I think Mr. Sumner Welles was one of them, the Secretary himself. There were various other officials. I can't now recall just who they were, but they were from various individuals in the State Department.

So, as I say, I could not and I did not take up these Polish questions.

My first interview with Mr. Molotov and my first interview with Mr. Stalin—I would like to refresh my memory from this article—the first occasion when I took this matter up was in an interview with Mr. Stalin some time in April 1942. At that time I told Mr. Stalin of the knowledge I had of the missing Polish officers.

Well, let me go back. Even before that, on my way into Moscow, on arrival at Teheran, I found that there were 28,000 Polish soldiers that had been evacuated with their families and children from Russia. I inspected this camp with their children and with their people in it, and observed the terrible condition that these people, and particularly the children, were in. They were in all stages of malnutrition, some of them practically dying. It was a terrible situation, indicating the conditions under which the Poles had been existing, particularly the women and children, in Russia.

As I say, my first interview with Mr. Molotov in which I mentioned this was some time after the 14th of April. Then I advised him of my knowledge of the situation and of my interest in the Polish situation.

No satisfaction whatever was obtained from Mr. Molotov at that time, and there was only a casual mention of the fact that I was interested in the Polish question, and that I came from the United States Government, which was also interested in this question of the situation and location of these Polish officers.

At that time the interpreter, Mr. Pablov, advised me that Mr. Molotov had a question which he wished to take up with me, and that it was the desire of the American Government to set up in Moscow an American officer as liaison between the Russians and the Poles. Mr. Molotov expressed the view that he saw no reason for such liaison as the naval attachés and the military attachés were there and that the Poles had their own liaison. I knew nothing of the question, so I did nothing about that.

As you will recall, the Government had been evacuated to Kuibyshev, and the representatives there were Mr. Vyshinski and Mr. Lozovski. Mr. Molotov had gone to Kuibyshev, but had returned to Moscow. Mr. Stalin had never gone to Kuibyshev, but had remained in Moscow.

So we had to start our negotiations with the seat of government in Moscow or rather in Kuibyshev, and then go up to Moscow to get

the answer because Mr. Vyshinski and Mr. Lozovski never made any decision on anything. So we had to go to Moscow to get your answer from Mr. Molotov and Mr. Stalin. That necessitated trips back and forth.

When I went down to Kuibyshev, I met Dr. Kot. Dr. Kot at that time was the Polish Ambassador or Minister, I think he was, to the Soviet Government. Immediately began a contact with the Polish representative in regard to the missing Polish officers and men. From then on there was almost a constant conversation between Mr. Kot and myself as long as he stayed there—Mr. Kot, the Polish representative, and the Ambassador.

My next contact with the Russian authorities was on May 27, 1942, when I went to see Mr. Vyshinski. My conversation at that time with Mr. Vyshinski was along these lines: That our Government was concerned with the welfare, situation, and location of these officers and was very anxious that there should be friendly relations between the exiled Polish Government in London and the Russians, and I urged that there should be close cooperation and a greater effort on the part of the Russians to conform to the agreements they had made with the Poles in regard to the release of Polish officers and men.

There was an agreement at that time in regard to the release of these officers in order that they could serve under General Anders in the war effort. The 28,000 Polish soldiers that had been released, the troops that had been released and that I had found in Teheran later served with General Anders in the Italian campaign; and there was an understanding that more of these officers and men should be released.

My efforts in the beginning were to obtain further cooperation with the Polish Government. Then later I sought an interview with Mr. Molotov in the Kremlin.

MR. MACHROWICZ. What was the reaction of Mr. Molotov and of Mr. Vyshinski at that time to your requests?

Admiral STANDLEY. As I expressed it then and as I have quoted, Mr. Vyshinski was silent for a long time while looking down at his hands folded on the table before him. The color flooded into the thin face. Finally he looked around at me and said, "I will present your views to my government."

Later I had an interview with Mr. Molotov, and I presented the same views to Mr. Molotov. Mr. Molotov made a long statement in reply. It was, in substance, that the Polish question was a very difficult question to deal with, that to evacuate these women and children—

At that time our Government had a proposition to evacuate these Poles from Russia and relieve the Russians from taking care of them and sending them down somewhere in Africa, North Africa, or somewhere else. That was part of my interview with Mr. Molotov at this time.

Mr. Molotov's reply was in substance as follows: "If we had evacuated the Polish women and children in the beginning, it would have been all right. But to evacuate them now would give the Germans the idea that we couldn't take care of them. It would create a disturbance, and we just feel that we are not in a position now to evacuate these women and children and soldiers."

Chairman MADDEN. Will you pardon me, Ambassador. I hand you a telegram dated Moscow, July 5, 1942, to the Secretary of State,

Washington, signed "Standley," and ask if that is the telegram that you sent to Washington as of that date?

Admiral STANDLEY. That is the telegram.

Chairman MADDEN. I will ask the reporter to mark it as exhibit 9 and insert it at this point into the record.

(The document referred to was marked exhibit 9 and follows:)

EXHIBIT 9—TELEGRAM FROM AMBASSADOR STANDLEY TO THE DEPARTMENTS OF STATE

[Paraphrase of telegram]

Moscow, July 5, 1942.

SECRETARY OF STATE,
Washington.

In describing to Molotov the Polish evacuation project, I expressed the sincere hope of the U. S. Government that the Soviet authorities would allow the evacuation of the Polish women and children concerned. I based this on the opinion of the U. S. Government that the women and children in question could be taken care of more easily in a country where there was no fighting in progress, and also on the fact that the evacuation of these women and children would make it unnecessary for the Soviet Union to feed and care for them.

This was not a simple evacuation question, Molotov said, which would not be an important matter. The question involved was really a fundamental problem affecting the basic relations between the Soviet Union and Poland. He added that the question might have been satisfactorily disposed of if this group had been evacuated along with the first group, although there was no certainty that this would have solved the matter, since there were always difficulties where Poles were concerned. A second evacuation could create added difficulties and instability among the Poles in the Soviet Union, and unfriendly comment against the Soviet Union among the Poles in that part of Poland which was occupied by Germany, as well as in the world in general, inasmuch as it would most certainly be said that the Soviet Union was not able to feed and care for the Poles in question and therefore had to send them to Africa. Molotov said that during his recent visit to London he had suggested to Sikorski that an attempt be made to better the situation of the Poles in the Soviet Union, but he did not elaborate to me about how this should be done. Molotov said, however, that the Poles could and would be fed by the Soviet Government. He stated that he would bring our interests in the matter to the attention of his government.

Later Molotov referred to the general Polish question with a certain animosity, saying, in effect: "Since there are many too many contradictory elements concerned in Polish politics, there is always trouble whenever Polish questions arise."

Some of these elements are conducting policies unfriendly to the Soviet Union in contradiction to the policies of the London Polish Government, Molotov said, and even the sternest measures failed to subordinate these elements to Soviet law. Although other elements wished to foster friendly relations with the Soviet Government, and tried to do so, it is in general impossible to reconcile the two groups.

My impression on leaving was similar to that I received when I last discussed Polish matters with Vysbinski, namely, that the Soviet Government has a purely political view of this whole question, and that it is not influenced by considerations of humanity. It is displeased and even irritated when another power takes an interest in Soviet-Polish relations.

(Signed) STANDLEY.

Chairman MADDEN. Mr. Ambassador, if you have no further comment, I will ask you to identify a message from Secretary of State Hull to you of August 19, 1942.

Admiral STANDLEY. This is a portion of a telegram. I would like to say that this covers an interview which comes later on.

Mr. MITCHELL. The Ambassador says that he has some further comments to make apropos exhibit 9.

Chairman MADDEN. All right; proceed, Admiral.

Admiral STANDLEY. In the succeeding months after this interview with Mr. Molotov, my notes show that the Polish situation in con-

nection with the Polish military units and civilians still in Russia steadily worsened. When the Nazis and the Italians became established in Egypt that fall and almost stabbed into Alexandria, threatened the whole Middle East, the Russian Government agreed to allow three divisions of Poles and members of their families to leave Russia for the Middle East.

The Polish military authorities were trying to obtain the release of 10,000 officers whom they needed badly, but were repeatedly put off. No reasons or excuses were given. General Anders and Dr. Kot were not informed. That is hearsay; I can't testify as to that.

I was informed that General Anders and Dr. Kot were not informed that the Germans had captured the prison camps before the Poles could be evacuated or that they had been transferred to other camps or indeed anything at all as far as the Polish authorities could learn.

These officers had suddenly and completely disappeared from the face of the earth. That was shortly after my interview with Mr. Molotov.

Chairman MADDEN. About what date was that, Admiral?

Admiral STANDLEY. My interview with Mr. Molotov was after July. That was about August, I think, 1942. It was after my interview and after that telegram that I sent in regard to my interview with Mr. Molotov.

Mr. MITCHELL. Admiral, I would like to ask you this: Do you know who made the decision to forget the idea of having Colonel Szymanski go to Moscow as the liaison officer?

Admiral STANDLEY. The decision came through a telegram from the State Department. I don't know who made the decision.

Mr. MITCHELL. Thank you, sir.

Admiral STANDLEY. A telegram of that kind always came, of course, from the State Department; so, I presume the Secretary of State made the decision.

Chairman MADDEN. Admiral, we will mark this exhibit 10, and I will ask the court reporter to insert exhibit 10 at this point in the record.

(The document referred to was marked "Exhibit 10" and is as follows:)

EXHIBIT 10

PORTION OF MESSAGE FROM SECRETARY OF STATE HULL TO THE AMERICAN AMBASSADOR AT KUBYSHEV OF AUGUST 19, 1942

* * * On instructions from the Polish Government, the Polish Ambassador in Washington has asked the President's intervention with the Soviet Government in order to effect an improvement in Polish-Soviet relations. * * *

* * * Referring to the hope which he expressed on several occasions that the Soviet Government would find it possible to interpret as liberally as circumstances would permit its agreements with the Polish Government, the Ambassador particularly mentioned the desire of the Polish Government to restart recruiting of its nationals in Russia for the Polish armed forces and also to the desire for the release of some five to eight thousand Polish officers who are reported still held by the Soviet authorities. * * *

* * * You are therefore authorized to raise with the Soviet authorities the question of Soviet-Polish relations. You should point out that this Government hopes that the spirit of collaboration evidenced in the removal to the Middle East of additional Polish divisions may be promoted to the utmost and that there will be found for the various problems mutually beneficial solutions. * * *

MR. MITCHELL. Now, Admiral, you have told us that they were forming the Polish Army in Russia at that time. Can you tell us something about the formation of that army that you may have found out from your discussions with General Anders and Dr. Kot?

Admiral STANDLEY. My only information in connection with that was very general. I have no detailed knowledge of the military set-up or organization except through my conversation with Dr. Kot.

Now, I would like to inject there as part of this, before I get to that message, what was happening in the interim. The Polish situation, as I stated, was definitely worsening, as was the question of the Polish representatives receiving Polish supplies that were being sent in for the Polish citizens into Murmansk and into Archangel. The Soviet authorities eventually seized those officials and finally got rid of all of them, and there was no one there to represent the Polish interests in receiving goods that were sent in for the Poles.

Our representative there endeavored to take that over, but he eventually found that the problem was one that he couldn't handle. So that was part of the situation.

The Polish situation was worsening up to the time this message was sent. Then I have this message in August 1942, when I received the dispatch that you have just read. I have quoted here extracts from that dispatch. Shall I read that?

MR. MITCHELL. Yes, sir, if you please.

Admiral STANDLEY. In August 1942, I received a dispatch from our State Department, the conclusion of which may be paraphrased as follows. I am not quoting, but rather paraphrasing. [Reading:]

The question of Polish-Soviet relations may be brought up at your discretion with the Soviet authorities. While the United States Government does not wish to interfere in this matter, you may point out it nevertheless hopes that the splendid collaboration shown in transferring additional Polish divisions to the Middle East may be furthered to the maximum. It is also hoped that solutions which are mutually beneficial may be found for the various problems under discussion.

At the same time, it is realized that only direct negotiations between the two governments involved can effect a solution of some of these extremely complicated problems.

That is the end of the paraphrase.

Chairman MADDEN. Will you proceed, Mr. Sheehan.

MR. SHEEHAN. Ambassador, just to get the situation straight, as I understand, when you left Washington from Moscow you were given instructions to be concerned with Polish affairs. After you got to Moscow, as you said, you got instructions not to pay any attention to Polish affairs.

Admiral STANDLEY. It didn't mention Polish affairs specifically.

MR. SHEEHAN. The missing officers?

Admiral STANDLEY. When I was being briefed I was given information on matters that I should take up, and the Polish question was one of them. When I got to Moscow and before I submitted my credentials in Moscow, I received a telegram from the State Department saying that I was not to take up any of these questions that I had been briefed on before I left. They didn't mention the Polish question specifically.

Mr. SHEEHAN. Then in 1942, according to the telegram that you just read, you got instructions to go forward with the Polish question; namely, the Polish officers?

Admiral STANDLEY. Yes.

Mr. SHEEHAN. Now, did they give you any information as to why they were interested in the Polish officers at that time? Was it for humanitarian reasons or was it for military reasons?

Admiral STANDLEY. They were interested both from the standpoint of the military as well as because of the humane reason of getting the Polish citizens out.

Mr. SHEEHAN. In other words, we had now reached a position where we needed the Polish divisions and thereby needed the officers to man the divisions; is that right?

Admiral STANDLEY. That is as I understood the message to me; yes.

Now, in order to get that message across, I sought an interview with Mr. Lozovski, and I met Mr. Lozovski on September 9, 1942.

Mr. MACHROWICZ. Will you explain who Mr. Lozovski is?

Admiral STANDLEY. Mr. Lozovski was one of the Soviet Foreign Office representatives in Kuibyshev. As I previously stated, Mr. Vyshinski and Mr. Lozovski remained in Kuibyshev as the representatives of the Soviet Government. So, I sought an interview with Mr. Lozovski, which was granted on September 9, 1942.

In that interview, as I stated in the paraphrase, our Government stated that they did not want to interfere. Mr. Lozovski came right back and said, "This is the best thing that the American Government could do."

In furthering the purpose as expressed in that paraphrased message, I still pressed the question of the status of the Polish relief and that of the 180 Polish officers that had been delegates and who had been arrested in Murmansk and Archangel. Mr. Lozovski again came right back bluntly and said, "This work can be carried on by the remaining delegates in a perfectly satisfactory manner. There were too many delegates in the first place. We can't have a bunch of hostile Poles running all over the Soviet Union unsupervised."

Again I expressed to Mr. Lozovski the hope that they could collaborate with us further.

Chairman MADDEN. I will ask the reporter to mark this document "Exhibit 11", and I will ask the admiral if he can identify it. It is a message from the Secretary of State.

(The document referred to was marked "Exhibit 11" and is as follows:)

EXHIBIT 11

PORTION OF MESSAGE FROM THE SECRETARY OF STATE TO THE AMERICAN AMBASSADOR AT KUIBYSHEV, DATED SEPTEMBER 5, 1942

Mr. Willkie was requested by the President to consult with you and Mr. Henderson and then express to Stalin the American Government's hope that all efforts will be made to effect an improvement in Polish-Soviet relations. * * *

The Polish Ambassador today asked whether there had been any representations for the release of "3,400" Polish officers who are reportedly still held by the Soviet authorities in Arctic areas. You may make these representations together with Mr. Willkie or separately. * * *

Mr. MITCHELL. Admiral, can you tell us something about what transpired at that time? How did Mr. Willkie get into this picture?

Admiral STANDLEY. As I stated in that message which I recognize as one received from the State Department, Mr. Willkie arrived in Moscow with his staff, I think, on September 17. I immediately took Mr. Willkie to call upon Mr. Molotov. At that meeting Mr. Molotov was asked to arrange for a meeting of Mr. Willkie and Mr. Stalin, to which he agreed. As we were leaving, Mr. Willkie said to Mr. Stalin, "How will I be informed of that meeting?"

Chairman MADDEN. Not to Mr. Stalin?

Admiral STANDLEY. To Mr. Molotov, "How will I be informed of that meeting?"

Mr. Molotov replied, "You will be informed through the American Embassy."

I waited for some time. In the meantime Mr. Willkie's plans had been made so that he could visit certain plants, and one morning we were to go out to visit an aircraft battery. Before leaving—I had left Eddy Page behind; Eddy Page was my State Department representative who spoke Russian fluently—I said to Eddy, "I am going to accompany Mr. Willkie to this aircraft battery, and, if they have not heard anything about Mr. Willkie's interview with Mr. Stalin, I want you to make an appointment for me to see Mr. Molotov, because I don't understand the delay. When a special representative from a foreign government arrives here and asks to see Mr. Stalin, I don't understand why there is this delay."

So, I went over to Mr. Willkie's residence, the residence that is kept there for Americans. They had a guard at the door, a Russian who spoke English. When I went in and asked Commander Peale, who was Mr. Willkie's brother-in-law and who had accompanied him, whether Mr. Willkie had received any word about a visit with Mr. Stalin, Commander Peale replied "No."

But the man at the door had said, "Oh, yes, Mr. Willkie has information. He is going to see Mr. Stalin tonight."

That was the first I had heard of Mr. Willkie's visit to Mr. Stalin. Later I understood that this meeting was arranged by Mr. Joe Barnes, who accompanied Mr. Willkie, and through some of the Reds over there, the reddest of the Reds, Mr. Omanski, and Mr. Lozovski and some of those other Red Russians. They had arranged for this meeting with Mr. Willkie.

So, I promptly telephoned Page to never mind, that the meeting had been arranged. On the way out I said to Mr. Willkie, "I understand that you have received an invitation to call on Mr. Stalin. You remember that you were informed that you would get that information through the Embassy, but I have received no information about it, Mr. Willkie. I wonder if you had anything to do with this interview?"

His reply was, "No, I had nothing to do with it."

Then I said, as this had been arranged for Mr. Willkie entirely without my knowledge, "I presume that I am not supposed to go with you?"

Mr. Willkie said, "That is correct. You are not supposed to go."

I said, "Well, Mr. Willkie. I am going to make some inquiries about that, because I can't understand how the Ambassador has been bypassed here by a special representative, and I want to know why."

"Oh," he said, "Admiral, you mustn't do that. I think you are a big man, but, if you do that I think you are a little man."

I give you that because that in a sense describes my relations with Mr. Willkie during his time there. He entirely bypassed me, and later on he went to see Mr. Stalin. They brought Mr. Barnes and Mr. Coles in and had their pictures taken together, from which, of course, the Ambassador was excluded. Their whole attitude there was one to discredit the American representative in the Soviet Union. Those were really my relations with Mr. Willkie while he was there.

Now, after that interview, Mr. Willkie was leaving the next morning at 4 o'clock to go to the front. So, about 11 o'clock at night he called me up and asked if he could come back and tell me what Mr. Stalin had said.

I said, "Well, Mr. Willkie, it is too late now. You are going to leave at 4 o'clock. Tell me when you come back."

So, when he did come back he came over and gave me some information and then told me that he had received some other information which was so secret that he couldn't even tell it to the American Ambassador.

As a result of this whole episode of Mr. Willkie, I asked the State Department to bring me home for consultation in that the situation had gotten sort of out of hand and I felt that I needed some evidence of confidence in the representative from the President of the United States if I were to remain in Moscow. So, I came home for consultation.

Mr. MITCHELL. When did you come home, sir?

Admiral STANDLEY. I left there in September of 1942. I am sorry. That should be October 10, 1942. I came home then. I went back in January and reported back on January 6, 1943.

Mr. MITCHELL. Mr. Chairman, at this time I would like to introduce this document.

Mr. DONDERO. While the Chairman is looking that over, may I ask the admiral whether all of this took place in Moscow or in Kuibyshev?

Admiral STANDLEY. It was mostly in Moscow. You are getting me into a long story, Mr. Chairman.

Mr. DONDERO. Don't blame the chairman. It was me that asked the question.

Admiral STANDLEY. Oh yes, you, Mr. Dondero.

Mr. Willkie's controversy, or rather the controversy with Mr. Willkie started before he even got into Moscow. When he arrived in Turkey I received a message from Mr. Willkie stating that he did not want to go to Kuibyshev but that he did want to come to Moscow. He wanted to come direct to see Mr. Stalin. I replied that the seat of government was in Kuibyshev.

Mind you, I had already made application for visas for Mr. Willkie to enter, and I had told the Russian authorities of his coming. They had made plans and had arranged for him to visit state farms, collective farms, factories, and had arranged quarters for him in Kuibyshev. So I replied to Mr. Willkie that the seat of government was in Kuibyshev and that there was the proper place for representatives of foreign governments to make their entry, stating that "The Soviets have made plans for your visit here, and unless you have instructions which are contrary to those I received when I obtained your visas, I insist that you come to Kuibyshev."

So Mr. Willkie then came to Kuibyshev, under protest.

Chairman MADDEN. This is off the the record.

(There was a brief statement off the record.)

Chairman MADDEN. I will hand you exhibit 7.

Mr. DONDERO. Just a moment. Admiral Standley, I have one question. What was the purpose of Mr. Willkie's visit to Moscow or to Kuibyshev? Was it a visit on the part of a representative of the Government or was it a personal visit of his own?

Admiral STANDLEY. Do you want my opinion or the statement made by the State Department?

Mr. DONDERO. I want whatever is the fact.

Admiral STANDLEY. There are two facts. There are the facts made by the State Department's message when it came in. The other facts are my opinion based on what happened while he was there. Now, which do you want?

Mr. O'KONSKI. Tell us both.

Mr. DONDERO. Whatever the truth is.

Admiral STANDLEY. The State Department stated—and, of course, this is 11 years ago and my memory may be a little bit faulty—but, in effect, the State Department said, "Mr. Willkie is contemplating a visit to the Middle East to mingle among the people and see for himself and get for himself information from the people as to their attitude toward the war effort. In that connection Mr. Willkie would like to visit Moscow, and I request that you obtain visas for Mr. Willkie to enter Moscow."

Then it continued: "Mr. Willkie was my opponent in the last campaign. Mr. Willkie received a large number of American votes. But Mr. Willkie is now interested in getting on with the war effort, and I feel that this visit will further the war effort. So I would like you to furnish every opportunity for Mr. Willkie to accomplish the purpose for which he is coming there."

Now, that was practically the statement on the basis of which he came. He was a special representative of the President. That is the way he was spoken of.

Mr. Willkie came to Kuibyshev under protest, as it were. We made a trip up the river. I took him about 50 miles up the Volga River to a state collective farm, and so forth. At that time Mr. Willkie was talking about the second front practically everywhere he went. Nearly everyone he spoke to would come right back, "Mr. Willkie, how about this second front?"

Now, after I had insisted that Mr. Willkie come to Kuibyshev, he acquiesced and came to Kuibyshev. But he said in his message, "There will be no interviews and no press releases from Kuibyshev."

When it came to the newspaper boys, the only one who came down was Shapiro. Eddy Gilmore didn't come and none of the other newspaper boys came. Apparently they had the idea that Mr. Willkie was going to Moscow. So as long as they didn't come, Mr. Willkie obviated the question of the press release by saying that there would be no press releases from Kuibyshev.

Later on, as was the custom at that time whenever a special representative of the President came, as Mr. Willkie was, when they had completed their mission, Mr. Stalin gave him a Kremlin banquet. It was at this Kremlin banquet that one of the representatives of Mr. Willkie, after we had left the banquet room and had gone out into the smoking room and were sitting around the table—and at that table

was Mr. Stalin, Mr. Willkie, Mr. Molotov, Mr. Vershilov, General Bradley, and myself, and one other whose name I can't recall now.

Mr. Coles and Mr. Barnes were sitting over at another table. One of them pointed over and said, "There is the next President of the United States."

From the events that happened there it was my opinion that Mr. Willkie was over there furthering his political fences rather than primarily for the Government's interests. Now, that was my personal view of the situation.

Mr. MITCHELL. Mr. Chairman, may I now introduce exhibit 12?

Chairman MADDEN. Yes.

Mr. MITCHELL. This is a portion of the message from the Ambassador at Kuibyshev dated September 10, 1942.

(The document referred to was marked "Exhibit 12" and follows:)

EXHIBIT 12

PORTION OF MESSAGE FROM THE AMERICAN AMBASSADOR AT KUIBYSHEV DATED SEPTEMBER 10, 1942

* * * On a number of occasions I have, as instructed, taken up with Soviet authorities different Polish problems such as the evacuation of children, recruitment for the army, the release of five thousand to eight thousand Polish officers, relief, and the question of moving soldiers together with their families from Tashkent to Iran.

As instructed, I have said that my government did not desire to interfere in Polish-Soviet relations. Early in July, I reported that Molotov was considerably irritated when I spoke of the Polish question. Yesterday when I again said my government did not wish to interfere in Soviet-Polish relations Mr. Lozovski remarked, "that is the best thing for it to do."

* * * It is my judgment that Mr. Willkie or other representatives should approach the Premier in a firm and frank manner and as a party in interest and not apologetically. The attitude might be expressed that the friction which has developed between officials of the two governments, i. e., Polish and Soviet in the Soviet Union is distressing to our government and that friction of this kind between allies will be detrimental to our cause and will profit Hitler; that the President therefore wants it frankly stated that our government hopes both parties will make every effort to resolve their problems generously and in a friendly manner, realizing that knowledge of the dispute in the hands of the Axis will be a valuable weapon; that a review by both parties of the problems can, the President is confident, lead to an understanding provided there is present a spirit of good will and mutual confidence. * * *

Mr. MITCHELL. Now, Admiral, that message is from you, dated September 10, 1942. Did Mr. Willkie approach the Premier in a firm manner?

Chairman MADDEN. Wait a minute. You might ask the admiral if that is the message he sent?

Admiral STANDLEY. Yes; that is the message I sent.

Mr. MITCHELL. Now, did Mr. Willkie approach the Premier, by whom I assume you mean Mr. Stalin, in a firm and frank manner, and as a party in interest and not apologetically, to your knowledge?

Admiral STANDLEY. I have no knowledge of Mr. Willkie's attitude when he approached Mr. Stalin because I was not there. Later, before Mr. Willkie left, and in an effort, as I told him, to be put into the position of knowledge of the questions which he had taken up with Mr. Stalin so that I could carry on, I asked him what had developed, what had happened between him and Mr. Stalin.

The answer that I got was that "I have told you some of it, but the rest of it is so secret that I can't even tell you."

So I got very little information from Mr. Willkie about what happened between him and Mr. Stalin.

Mr. DONDERO. Mr. Chairman, unless the visit of Mr. Willkie can be connected up with the Katyn massacre, it seems to me that the whole matter ought to be expunged from the record. I cannot see the slightest relevancy between Mr. Willkie's visit—and this is no reflection on you, Ambassador—but unless it can be connected up so that it is in some way associated with the Katyn massacre, it has nothing to do with the picture at all, and ought to be stricken from this record.

Mr. MACHROWICZ. Mr. Chairman, I disagree. I think we should have the entire picture. A lot of this matter may have no direct bearing on the Katyn affair, but it certainly has an indirect bearing; and I don't see how we could get a complete picture without having the Willkie incident in the record.

Mr. DONDERO. Unless you can associate it in some way, I shall ask—

Mr. MACHROWICZ. It has already been associated. The matter of the missing Polish officers was at issue at this time.

Mr. DONDERO. That might have been an issue at that time, but what did Mr. Willkie have to do with it?

Mr. MACHROWICZ. I think it has already been established that the question of the missing Polish officers was an issue that was discussed at the time, and the messages between the American Ambassador and the Department of State indicate that. I see no reason why the fact that it happened to be Mr. Wendell Willkie should mean that that should be excluded from the record. With all of the rest of it included, that would give us a very incomplete picture.

Mr. DONDERO. Well, I still insist that there is the question of relevancy. The subject of Mr. Willkie's visit there had nothing to do with the Katyn massacre at all. He was not a representative of the Government.

Mr. MACHROWICZ. Oh, yes; he was a representative of the Government.

Mr. DONDERO. I did not so understand.

Mr. MACHROWICZ. Was he a representative of the Government, Admiral?

Admiral STANDLEY. I have so stated, that is, that he represented the President of the United States and was so treated.

Chairman MADDEN. Admiral, does this testimony that you are presenting lead up to the Katyn controversy or the Katyn question in any way?

Mr. MITCHELL. Did you discuss the Polish situation with Mr. Willkie?

Admiral STANDLEY. Yes; I discussed the Polish situation with Mr. Willkie and the efforts that I had made. I discussed that with him.

Chairman MADDEN. I think the admiral should proceed.

Mr. MITCHELL. May I have this document marked as "Exhibit 13"?

Admiral STANDLEY. I would like to add, gentlemen, that Mr. Willkie's visit and the fact that he had entirely bypassed the American Ambassador made it difficult for me to continue the discussions in regard to the Polish situation.

Mr. MACHROWICZ. That is with regard to the missing Polish officers?

Admiral STANDLEY. Yes; with regard to the missing Polish officers, because I did not know what Mr. Willkie had said to Mr. Stalin and what Mr. Stalin, in turn, had said to Mr. Willkie.

Mr. DONDERO. Did he mention that subject to you?

Admiral STANDLEY. I asked him in regard to it, and he stated in regard to the Polish question, "I have other matters that are so secret that I can't tell you about them."

Mr. MITCHELL. Mr. Chairman, I would now like to introduce exhibit 13.

Admiral, this is a report from the Ambassador in Moscow regarding Mr. Willkie's conversation with Stalin concerning the Polish situation.

(The document referred to was marked "Exhibit 13" and follows:)

EXHIBIT 13

REPORT FROM THE AMERICAN AMBASSADOR AT MOSCOW REGARDING MR. WILLKIE'S CONVERSATION WITH STALIN CONCERNING THE POLISH SITUATION

Mr. Willkie called at the Embassy on September 25 (1942) and informed the Ambassador that he had taken up the Polish question with Mr. Stalin along the line that had been indicated in the Department's telegram of September 10, pointing out particularly that it was in the common interest of the United Nations that there should be the maximum cooperation and the least possible cause for friction between the different nations fighting against the Axis, that Mr. Stalin had asked specific questions in regard to the Polish complaints but that he had replied that he did not wish to argue the details of the case. Mr. Stalin finally said that he would be willing to discuss the Polish question with Polish officials with a view towards ironing out existing difficulties.

Mr. MACHROWICZ. When you refer to the Polish question, you refer to the question of the missing Polish officers, do you not?

Admiral STANDLEY. I couldn't say definitely that I did, but, as a matter of fact, the Polish officers were always in the foreground.

Mr. MACHROWICZ. That was the most important problem that caused the differences between the Polish Government and the Russians?

Admiral STANDLEY. Yes.

Chairman MADDEN. I believe the admiral's testimony is apropos.

Mr. DONDERO. If the admiral states, as he now states, that it had to do with the missing Polish officers, I have no objection. I just wanted the thing straightened out. That was all.

Admiral STANDLEY. It had so much importance that immediately upon Mr. Willkie's leaving I asked to be sent home for consultation because the situation, as a result of Mr. Willkie's visit, had developed to the point that I felt I could no longer remain there without further evidence that the Department had confidence in me and wanted me to continue.

Mr. DONDERO. There is one question I want to ask. Did you discuss this Polish question—and I refer to the missing Polish officers—with Stalin up to that time?

Admiral STANDLEY. I don't think I ever discussed the Polish question with Mr. Stalin. It was always with Mr. Molotov. I don't recall that I ever discussed it with Mr. Stalin.

Mr. DONDERO. Now, at the time you discussed it with Mr. Molotov, was a man by the name of Beria, who was the head of the secret police of Russia, present, or any other officer of that organization?

Admiral STANDLEY. Not obviously present, but many times they are present when you don't know about it.

Chairman MADDEN. What do you mean by that, Admiral?

Admiral STANDLEY. Well, you always have somebody around when you are in Russia. There are always some NKVD boys around. Sometimes, though, you know where they are, and sometimes you don't. So I can't say when they were there.

Chairman MADDEN. You mean that they were concealed some place?

Admiral STANDLEY. Yes, probably concealed or in a room where they could hear. That is one of the conditions in the Soviet Union as has been described by Bedell Smith, by Kirk, and by everybody else. The American Ambassador is always followed by the NKVD boys.

Mr. MACHROWICZ. Now, Admiral, one matter that we are particularly interested in is to know whether or not the Department of State or the Department of Defense or any other governmental agency had information in 1942, 1943, and in 1944 regarding the missing Polish officers. I want to ask you in connection with that whether you, on February 7, 1942, transmitted to the Department of State a report by Major Czapski with regard to these missing Polish officers.

Admiral STANDLEY. I was not in Moscow at that time. I was not there at that time. I was in Washington.

Chairman MADDEN. Show this to the admiral and see if he can identify it.

Mr. MACHROWICZ. Can you identify that photostatic copy?

Admiral STANDLEY. No, sir.

Mr. MACHROWICZ. Who was your predecessor?

Admiral STANDLEY. Ambassador Steinhardt.

He may not have been there, because Steinhardt came out and the counselor was Walter Thurston, and he might have been chargé d'affaires at that time. I am not sure.

Mr. MITCHELL. Admiral, when did you report to Moscow as the United States Ambassador?

Admiral STANDLEY. In April 1942. It was April 14 I presented my credentials and became the Ambassador. I presented my credentials to Mr. Kalinin of the Soviet Republic and became the Ambassador.

Mr. MITCHELL. When you were being briefed by the Department of State officials, as you told us this morning, before you went over there, I assume that would be in February 1942, since you reported in April of 1942?

Admiral STANDLEY. I cannot recall just the date that I was confirmed here, but I was confirmed by the Senate here before I reported to Moscow, and I remained in Washington here until February 1942.

Mr. MITCHELL. But you were being briefed by the State Department officers as to what your functions and duties were going to be, were you not?

Admiral STANDLEY. Yes.

Mr. MITCHELL. Were you ever shown this message at that time?

Admiral STANDLEY. I do not recall ever having seen any messages of that kind.

Mr. MITCHELL. Mr. Chairman, this is an official State Department document dated February 7, 1942, with no signature. It comes from the Foreign Service of the United States of America, American Embassy, Moscow, U. S. S. R., February 7, 1942, subject, "Transmitting memorandum concerning Polish prisoners of war in the Soviet Union."

We have already received the information contained in this document on the record in our hearings. The import of this whole thing is that before Admiral Standley went to Moscow, this was in the files of the Department of State.

Chairman MADDEN. Admiral Standley could not identify it.

Mr. MITCHELL. He said he never saw this before he went over there. Certainly a man who was going to represent the United States Government—

Chairman MADDEN. I would like to have that identified if you want it in the record here.

Is that already in the record?

Mr. MITCHELL. No.

Chairman MADDEN. If you can identify it we will submit it for the record.

Mr. MACHROWICZ. Mr. Chairman, may I suggest that probably we have Mr. Brown, of the Department of State, identify this instrument, and then Admiral Standley can continue his testimony. That will save a lot of time.

TESTIMONY OF BEN H. BROWN, JR., ACTING ASSISTANT SECRETARY OF STATE FOR CONGRESSIONAL RELATIONS

Chairman MADDEN. Mr. Brown, will you state your full name, please?

Mr. BROWN. Ben H. Brown, Jr.

Chairman MADDEN. And your address?

Mr. BROWN. 3501 North Edison Street, Arlington, Va.

Chairman MADDEN. May we have the capacity in which you are acting here?

Mr. BROWN. I am Acting Assistant Secretary of State for Congressional Relations.

Chairman MADDEN. Will you raise your hand and be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROWN. I do.

Chairman MADDEN. You may submit that copy to Mr. Brown, counsel.

Mr. MITCHELL. Mr. Brown, will you kindly identify that document for the committee, please?

Mr. BROWN. Mr. Chairman, this is a photostatic copy of a dispatch from the American Embassy in Moscow, dated February 7, 1942.

I am identifying this on the basis of my knowledge of the original of this document in the Department's files, and the fact that it was on my instruction that this document was photostated and the photostatic copy turned over to the committee.

Chairman MADDEN. What is that document?

Mr. MITCHELL. Whose signature appears on that document?

Mr. BROWN. Mr. Chairman, I will have to look at the original of the document to determine whose signature appears on it. I would assume it was the chargé d'affaires or the Ambassador at the time.

Mr. MACHROWICZ. As far as this committee is concerned, I do not think it is tremendously important who signed the document. The fact is that on February 7, 1942, the Department of State did receive

from the chargé d'affaires or the Ambassador at Moscow a letter transmitting a report by Major Czapski concerning these missing Polish officers; is that correct?

Mr. BROWN. No, sir. The date stamp on this document shows that it was received in the Department of State on April 13, 1942, at something after 2 o'clock in the afternoon. Now, the document was dated February 7, but the date of receipt was April.

Mr. MACHROWICZ. But in April 1942 the Department of State would have in its possession Major Czapski's extensive report regarding these missing Polish officers; is that not correct?

Mr. BROWN. That is correct, sir.

Chairman MADDEN. Will you mark that as an exhibit and receive it in evidence, Counsel?

Mr. MITCHELL. This is exhibit 14.

(The document referred to was marked as "Exhibit 14" for identification and is as follows:)

EXHIBIT 14—LETTER AND ONE ENCLOSURE FORWARDED TO UNITED STATES STATE DEPARTMENT BY AMERICAN AMBASSADOR TO MOSCOW ON FEBRUARY 17, 1942, DETAILING SEARCH FOR POLISH OFFICERS

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

AMERICAN EMBASSY,
Moscow, U. S. S. R., February 7, 1942.

No. 11.

Subject: Transmitting memorandum concerning Polish prisoners of war in the Soviet Union.

The Honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: I have the honor to enclose herewith a translation prepared by this office of a memorandum on Polish prisoners of war in the Soviet Union which was handed to me by its author, Jozef Czapski, a captain in the Polish Army in the Soviet Union. Captain Czapski informed me in strict confidence that not only had Stalin promised the Polish Ambassador that the Polish officers concerned would be liberated but that he had given the most solemn assurance to this effect to General Sikorski. Captain Czapski came to Moscow in an effort to obtain the implementation of these promises but has been unable to obtain any further information as to the whereabouts of these prisoners. He thinks it possible, however, that some of them may be imprisoned on Franz Joseph Island and as it would be impossible to bring them back from there before the month of June, there is a slight possibility that the Soviet authorities are withholding any information until such time as they can actually release the prisoners. As illustrative of the attitude taken by the Soviet authorities on this question, Captain Czapski told me in the strictest confidence that two officers of the Polish army in the U. S. S. R. were suddenly arrested in Kuibyshev and re-imprisoned without notice to the Polish Embassy or Military Authorities. The Polish Embassy has been unable to secure their release despite the most strenuous efforts. The Soviet authorities have merely stated that the officers in question are believed to be pro-German. Captain Czapski said he thought the real reason for their arrest was the fact that they were members of the Polish Bund. Captain Czapski, who was himself a prisoner of war, said that he had been fortunate in being imprisoned in a camp where the prisoners received relatively good treatment. He said that the reason for this special consideration was the desire of the Soviet authorities to prepare a nucleus of Poles who would be favorably disposed toward the Soviet Union and would be useful to the Soviet Government after the war, possibly for intervention in Polish internal affairs. He said that while he had no direct evidence he suspected that similar tactics were being used with respect to German prisoners of war. Some support to this theory is furnished by the recent visit of American correspondents to a Soviet

prison camp near Gorky, where the German prisoners receive a more liberal ration than the citizens of Moscow, although it cannot be said that the conditions of life there would be likely to win adherents to the Communist Regime.

Respectfully yours,

(COMMITTEE NOTE.—The signature on this document was deleted by the State Department. See previous testimony.)

[Translation]

AIDE MÉMOIRE CONCERNING MISSING POLISH PRISONERS OF WAR

The prisoners of war concentrated at Starobielsk, Kozielsk, and Ostachkow in the year 1939-40 (April-May) amounting to over 15,000 men, of which 8,700 were officers, have not returned from their captivity and the place where they were located is absolutely unknown with the exception of 400 or 500 men, about 3 percent of the total number of prisoners of war at Starobielsk, Kozielsk, and Ostachkow who were freed in 1941 (most of them having passed through the camp at Grazowietz).

THE CAMP AT STAROBIELSK

The prisoners arrived at the camp of Starobielsk from the thirtieth of September to the first of November 1939. At the beginning of the liquidation of the camp, about April 5, 1940, the number of prisoners of war amounted to 3,920 men, aside from the generals and colonels who lived apart. In this number there were some dozens of civilians for the most part judges, lawyers, and civil servants, and about 20 officer candidates (Podchorazy). All of the rest were officers of whom at least 50 percent were regular officers, 8 generals, more than 100 colonels and lieutenant colonels, nearly 250 majors, about 1,000 captains, nearly 2,500 lieutenants and sublieutenants distributed among all branches of the service; among others, 380 of the most outstanding doctors of Poland, some university professors, etc.

Kozielsk and Ostachkow were similar prison camps and were liquidated about the same time and in the same manner as Starobielsk.

OSTACHKOW

When the liquidation of this camp began on April 6, 1940, there were a total of 6,570 men, of which 380 were Polish officers, in addition to Polish frontier guards and frontier regiments.

LIQUIDATION OF STAROBIELSK

On the fifth of April 1940 liquidation was announced and the first group, 195 men, were sent from Starobielsk. The Soviet commander, Colonel Berejkow, and the commissar, Kirehin, assured our camp directors that the camp was in process of final liquidation and that everyone would be sent to centers of departure from which all would be sent to their own country, the Russian side as well as the German (none of them were sent).

They were sent from the fourth of April to the twenty-sixth of April in groups of from 65 to 240 persons. On April 25, after the customary lecture, more than 100 persons were to leave. There was read a special list containing the names of 63 persons who were ordered to hold themselves completely apart during the departure at the station.

After this there was a pause between the twenty-sixth of April and the second of May. On the second of May 200 more were sent by little groups of 8, 11, 12 (my own departure took place in a group of 16) and the rest were sent. This group in which I found myself was taken to Pawlichtchew Bor (Smolensk Oblast) and we there met the "special group" of 63 persons. We were accordingly 79 officers of Starobielsk all freed in 1941 (including some officer candidates "Podchorazy"). If we add to this number the officers sent from Starobielsk individually during the winter of 1939-1940 (General Jarnuszkiewicz, Colonel Koc, Colonel Gielgud-Aksentowicz, Chaplain Tyezkowski, Colonel Szymanski, Captain Rytel, Lieutenant Evert) and who have been freed, we have all together 86 out of 3,920, a little over 2 percent of the total number of prisoners of Starobielsk.

The liquidation of the camps of Kozielsk and Ostachkow was carried out in a similar manner.

In the camp of Pawlichtchew Bor there were about 200 officers from Kozielsk and about 120 persons from Ostachkow (police, subofficers, and some officers and civilians). The ratio between the number of men that came to Pawlichtchew and the total number of prisoners in the camps of Kozielsk and Ostachkow differed little from those I have cited for Starobielsk.

THE CAMP OF GRIAZOWIETZ NEAR VOLOGDA

After a stay of a month at Pawlichtchew the whole camp, amounting to about 400 persons, was transferred from Pawlichtchew to Griazowietz, where they remained from April 18, 1940, to the time of their liberation (on July 2, 1941, a group of 1,250 officers and soldiers interned in Lithuania, Latvia, and Estonia arrived at Griazowietz). According to our information the camp of Griazowietz is the only camp existing in the U. S. S. R. after June 1940, in which the officer prisoners of war were in the majority, which was liquidated in September 1941.

It will soon have been six months since the day of the proclamation of the armistice of Polish prisoners on the twelfth of August 1941. The Polish army in the U. S. S. R. is constantly receiving, whether by groups or individually, officers and soldiers of the Polish army who had been arrested on the spot or at the time of their passage of one of the frontiers after September 1939 and who now are free to come to us from Siberia, from Kolyma, from Workuta, Komi, ASSR, from Karagande, from all Russia, but contrary to the solemn promises given to our Ambassador by Stalin himself in November 1941, categoric promises of Stalin given to General Sikorski on December 4, 1941, to search for and deliver to us the missing prisoners and soldiers of Kozielsk, Starobielsk, and Ostachkow, *there is not a single prisoner of war of Starobielsk, Kozielsk, Ostachkow* (aside from the group named above) *who has returned*. Not a single cry for help has come to us from them. Having questioned thousands of compatriots who came from camps and prisons all over the Soviet Union, we have no news whatever of their location apart from vague rumors, usually carried third hand, such as: that six to twelve thousand officers and subofficers were sent to Kolyma in 1940; that more than five thousand officers have been concentrated on Franz Joseph Island and Nowaya, Zemlya; that transports have been sent to Tschukotka, Kamtschatka; that 630 prisoners of Kozielsk are located 180 kilometers from Piostraya Dreswa (Kolyma); that on the thirtieth of August 1941, 150 men in tattered officers' uniforms were seen on the banks of the Gari north of Soswa (tributary of the river Ob); that Polish officers were sent to islands in the north in large barges containing 1,700 to 2,000 men each and that three of these barges were sunk. But none of this information is completely certain although that concerning the northern islands and Kolyma seems the most probable.

Can it be that the solemn promises of Stalin himself would not allow us to hope that we shall at least know where our prisoners of war companions are and if they have perished where that took place? It is more than improbable that the heads of the N. K. V. D. should not know where these 15,000 men are. During our stay at Starobielsk, Kozielsk, and Ostachkow (1939-1940) lists of prisoners of war were made many times on special paper with numerous and detailed printed questions. These papers were sent to the places of detention of the prisoners everywhere. To them were added the records of numerous examinations on the past, the political views, etc., of each prisoner. Verified photographs were added to the documents, and papers of each prisoner were kept in a special dossier "Dielo," which included such documents as the officer's certificate, passport, etc.

The point to which these registrations were made with care is shown by a detail: many Polish officers received all of their papers in December 1941, documents which had been taken from them at Starobielsk, Kozielsk, and Ostachkow two years earlier.

THE OFFICERS

The day of the beginning of the liquidation of the camp of Starobielsk, April 5, 1940:

The number of prisoners, all officers except some dozens of civilians, and about thirty candidate officers (Podchorazy) amounted to	3,920 persons.
The number of prisoners of Kozielsk the day of its liquidation, April 3, 1940, was 5,000 officers.....	4,500 officers.
The number of prisoners at Ostachkow the day of its liquidation was 6,570 of which.....	380 officers.
Total.....	8,800

Subtracting the dozens of civilians at Starobielsk we have at least----- 8,700 officers.
 There have returned to the Polish army some 300 officers of Giazowietz (ex-prisoners of Starobielsk, Kozielsk, and Ostachkow) and some dozens of prisoners sent from prisons where they had been held individually after Starobielsk, Kozielsk, and Ostachkow, in all not more than----- 400 officers.
 Accordingly the officer prisoners of war who have not returned from the camps Starobielsk, Kozielsk, and Ostachkow amounted to the figure of----- 8,300 officers.

All the officers of the Polish Army in the U. S. S. R. of which the number amounted to 2,300 more or less on January 1, 1942, are with the exception of the group of 400 officers mentioned above not as prisoners of war but political prisoners arrested after the campaign of 1939 as well as those interned from Lithuania, Estonia, and Latvia.

This note sets forth the status of the officer prisoners of war not liberated. With regard to the soldier prisoners of war not liberated, the question cannot be described in such a precise manner. According to official Soviet information (Krasnaya Zvezda, September 18, 1940), on the Ukraine front alone the Soviet army took 181,223 soldiers and more than 4,000 under officers prisoners. The soldiers have been partially sent back, the rest having been held in work camps in Komi, A. S. S. R., in Siberia, in the DonBass, in Soviet-occupied Poland, in Kazakstan, and in all the prisons of the U. S. S. R. A part of these men have been liberated and have formed the cadre of our army in the U. S. S. R. Another part not being able to be received in the army drifted toward the south seeking their families exported to Kazakstan. A large part have perished in work camps as well as being freed from cold and from hunger.

Accordingly, it is only the prisoners of war of Kozielsk, Starobielsk, and Ostachkow, for the most part officers, that we have been able to determine in exact figures. In enlarging the cadres of our army in the South, the need for these officers becomes more and more pressing. We lose in them the best that we had of military specialists, men of character, and patriots. In increasing our army the quality of the army is tied to this question of the disappearance of our best cadres of officers, to say nothing about how much more difficult this makes the creation of confidence in our army towards our Soviet allies, confidence so necessary for the decisive moment when our army goes into action again.

JOZEF CZAPSKI, *Captain.*

Moscow, January 29, 1942.

Mr. BROWN. Is that all for me at this time, sir?

Chairman MADDEN. That is all, Mr. Brown. Thank you.

TESTIMONY OF WILLIAM H. STANDLEY—Resumed

Mr. MITCHELL. Admiral, we have now reached the point in your career as Ambassador where you asked to be called home as a result of the visit Mr. Willkie made.

Could you tell us what happened, briefly, in Washington, at the time you came back, which I believe you stated was October 1942?

Admiral STANDLEY. When I returned to Washington, I reported, of course, directly to the State Department and then had an interview with the President. I reported to the President virtually what I have told this committee about Mr. Willkie's activities over there.

Then I told the President that I had asked to be recalled because of the situation Mr. Willkie left me in, and that if I returned to Russia I must go back with increased prestige and evidences of that.

And I told him three things that must happen to indicate that evidence. One was that my naval attaché, who was a captain, should be made an admiral; that my military attaché should be made a general, and that General Faymonville, the representative of Lend-Lease,

should be directed to report to the Ambassador and not act independently, as he had been doing.

Those things were accomplished before I went back.

MR. MITCHELL. In other words, you are telling the committee this morning that all of your requests were granted by the President; is that right?

Admiral STANDLEY. Yes.

MR. MITCHELL. And that you then returned in your official capacity?

Admiral STANDLEY. Yes.

MR. MITCHELL. Now, during your conversation with the President, was the subject matter of the missing Polish officers discussed?

Admiral STANDLEY. I cannot recall generally, but I did discuss it with the President. I cannot remember in detail what the discussion was, but it was, in general, along the lines that I have indicated to the committee here. I informed the President of the situation as it had developed up to that time.

MR. MITCHELL. In October 1942?

Admiral STANDLEY. Yes.

MR. MITCHELL. Now, will you proceed to tell the committee what happened upon your return to Moscow, confining it to the Polish question?

Admiral STANDLEY. When I returned to Moscow, I found that Dr. Kot, who had informed me before I left that he had asked to be recalled, had been recalled as the Polish representative, and that Dr. Romer had been assigned as the Polish representative in Moscow.

Upon my return, Mr. Romer made the usual call, and he seemed very much pleased because he felt that the Polish situation had improved, and he felt encouraged and felt that he was going to accomplish some results in connection with that question.

Then Mr. Romer informed me that on subsequent visits the attitude of Mr. Molotov seemed to stiffen again, and then the Polish question became again a sore point and became quite a question of controversy.

Later on Mr. Romer brought a message which stated that their Polish Government in London had been informed that the British Ambassador and the American Ambassador would receive identical notes, which they were supposed to present to the Soviet Government.

And in due time, I think in about a week, those messages were received and the British Ambassador and myself made appointments to see Mr. Molotov.

We did not go together on this occasion, and when I went into the office—we had appointments and mine was after the British Ambassador's—as I went in, the British Ambassador was coming out. And the British Ambassador stated:

I have talked with Mr. Molotov in regard to the Polish situation. I have urged that they withhold their statements in regard to the Polish situation and not make it public.

And, of course—

he said—

I did not have much success. I hope you will have better success.

That was in connection with the note that the Soviet Government was going to make in regard to the breaking of relations with the Polish Government.

Chairman MADDEN. We have here now a document which should be marked as the next exhibit.

Mr. MITCHELL. That will be exhibit 15.

Chairman MADDEN. Wait just a minute. I think the admiral had something further to say.

Admiral STANDLEY. I had gotten ahead there.

Mr. MITCHELL. Yes; I think you had. I would like to bring you up to the point.

I have here a paraphrase of a telegram from Moscow, dated April 26, 1943; which I would like to introduce at this point as exhibit 15.

(The document referred to was marked "Exhibit 15" and is as follows:)

EXHIBIT 15

[Paraphrase of telegram from Moscow]

Moscow, April 26, 1943.

SECRETARY OF STATE,
Washington.

* * * * *

Two. I called on Molotov at his request this afternoon. As I arrived Clark Kerr was leaving and he said in passing "see if you can persuade him to delay the publication of the note. This is madness—I have been trying for the past hour but I am afraid I was not successful."

Molotov told me of a message of April 21 addressed to Churchill and to President Roosevelt concerning Polish-Soviet relations. He said that in the absence of the President and of Mr. Hull this message was given to Mr. Welles on the 24th. The message, he said, was almost identical to the note which he was "forced" to give last night to Ambassador Romer. The message was sent to the President to explain the position of the Soviet Government in the present controversy, and he felt certain that the Soviet position would be understood by the American Government. After reading the note Molotov said, in reply to my question, that no answer to Stalin's message had been received from the President. I said that the President's absence would account for the lack of a reply, and added that I was certain the President would be greatly disturbed at this development. When informed that the note would be published this evening, I said that, speaking without instructions, I was certain the American and British Governments were exporing the question of Polish-Soviet relations in an attempt to find a solution which would make unnecessary a rupture in relations. I added that I sincerely hoped that publication of the note could be held up long enough to permit a complete examination of the question.

(Signed) STANDLEY.

Chairman MADDEN. That will be received as exhibit 15.

Mr. MITCHELL. Do you acknowledge having sent that message, Admiral?

Admiral STANDLEY. Yes. And that brings me back. I had gotten ahead of that in my testimony.

As I stated, Mr. Romer found that conditions were worsening as he went along, and eventually, on April 13, 1943, came the break. And at that time, Mr. Goebbels, the German representative, had announced the finding of these 5,000 or 8,000 Polish officers and that they had been murdered by the Russians.

At that time it was announced that the Polish Government in exile had requested the International Red Cross to investigate this murder to determine who had committed the murder, whether it was the Russians or the Germans.

My next knowledge in connection with that was when Mr. Romer came into my office the next or following day and asked to see me. He made this statement:

Mr. Ambassador, I would like to get your advice. I was called for an appointment with Mr. Molotov last evening, at which time I was presented with a letter of such tenor that after I had read it I handed it back to Mr. Molotov, and I said, "Mr. Molotov, that letter is couched in language which no ambassador can receive," and I refused to receive it. And I left the office.

He continued, "About 12 o'clock, between 12 and 2 o'clock last night"—I think he told me about 12 o'clock—

a messenger rapped at my door in the hotel, and when he opened the door he presented me with a letter from the Russian Foreign Office. And the messenger left. When I opened the letter, I found it was the identical letter that he had given me in the afternoon, with no change whatever in it. It was the identical letter.

"So," he said, "I came over to ask what you would do about it."

I first said to Mr. Romer, "Have you seen the British Ambassador?"

"Yes."

"Probably," I said, "it will be no use for me to tell you what I would do, but if you asked me, if it was my case, I would take that letter back to the Kremlin gate and say to the messenger that it was the identical letter I had refused to receive, and I could not receive it and was returning it, evidently it had been sent to me by mistake."

As I anticipated, Mr. Romer did not take my advice. He referred the matter to the Polish Government, and so that was the breaking of relations, and in a short time Mr. Romer left Moscow for home.

Chairman MADDEN. At this time I will have the next document marked "Exhibit 16," which is entitled "Private and Confidential Message of Premier Joseph V. Stalin to President Franklin D. Roosevelt."

The document will be received for the record.

(The document referred to was marked "Exhibit 16" for identification, and is as follows:)

EXHIBIT 16

MARSHALL STALIN'S PERSONAL LETTER TO PRESIDENT FRANKLIN D. ROOSEVELT

(Note in panel in upper right hand corner states the message was received in the State Department "about 3 p. m., April 24, 1943")

The recent conduct of the Polish Government towards the Soviet Union is regarded by the Soviet Government as absolutely abnormal and contrary to all rules and standards governing relations between allied countries.

The campaign of calumny against the Soviet Union, initiated by the German fascists regarding the Polish officers they themselves slaughtered in the Smolensk area, on German-occupied territory, was immediately taken up by the Sikorski government and inflated in every possible way by the official Polish press. The Sikorski government, far from taking a stand against the vile fascist slander of the Soviet Union did not even see fit to ask the Soviet government for information or explanations.

The Hitlerite authorities, after perpetrating an atrocious crime against the Polish officers, are now engaged upon an investigation farce for the staging of which they have enlisted the help of certain pro-fascist Polish elements picked up by them in occupied Poland, where everything is under Hitler's heel and where honest Poles dare not lift their voices in public.

The governments of Sikorski and Hitler have involved in these "investigations" the International Red Cross which is compelled to take part, under conditions of a terroristic regime with its gallows and mass extermination of a peaceful population, in this investigation farce, under the stage management of Hitler. It should be clear that such "investigations," carried out, moreover, behind the Soviet Government's back, cannot inspire confidence in persons of any integrity.

The fact that this campaign against the Soviet Union was launched simultaneously in the German and the Polish press and is being conducted along similar lines does not leave any room for doubt that there is contact and collusion between Hitler, the enemy of the Allies, and the Sikorski government in the conduct of the campaign.

At a time when the peoples of the Soviet Union are shedding their blood in the bitter struggle against Hitlerite Germany and straining every effort to rout the common foe of all liberty-loving democratic countries, the government of Mr. Sikorski, pandering to Hitler's tyranny, is dealing a treacherous blow to the Soviet Union.

All these circumstances force the Soviet Government to infer that the present government of Poland, having fallen into the path of collusion with the Hitler government, has actually discontinued relations of alliance with the U. S. S. R. and assumed a hostile attitude toward the Soviet Union.

In view of these circumstances, the Soviet Government has come to the conclusion of the necessity for breaking relations with the present Polish government.

I deem it necessary to inform you of the above and trust that the Government of the United States will realize the inevitability of the step which the Soviet Government has been compelled to take.

APRIL 21, 1943.

Chairman MADDEN. This next document will be marked "Exhibit 17" and received for the record. It is a message from President Roosevelt to Stalin, dated April 26, 1943.

(The document referred to was marked "Exhibit 17" for identification and is as follows:)

EXHIBIT 17—MESSAGE FROM PRESIDENT ROOSEVELT TO STALIN, DATED APRIL 26, 1943

I have received your telegram while on my Western inspection trip. I can well understand your problem, but I hope in the present situation you can find means to label your action as a suspension of conversations with the Polish Government in exile rather than a complete severance of diplomatic relations.

It is my view that Sikorsky has not acted in any way with Hitler gang, but rather that he made a mistake in taking the matter up with the International Red Cross. Also, I am inclined to think that Churchill will find ways and means of getting the Polish Government in London to act with more common sense in the future.

Let me know if I can help in any way, especially in regard to looking after any Poles you may desire to send out of Russia.

Incidentally, I have several million Poles in the United States, very many of them in the Army and Navy. They are all bitter against the Nazis, and knowledge of a complete diplomatic break between you and Sikorski would not help the situation.

Mr. MITCHELL. Mr. Chairman, I would like to ask the admiral a question.

Admiral, is this message from Stalin to President Roosevelt the one that was referred to in your dispatch when Molotov told you about it April 21?

Admiral STANDLEY. I never saw that message. Mr. Stalin told me about it.

Mr. MACHROWICZ. Did you see that message, Admiral?

Admiral STANDLEY. No.

Mr. MACHROWICZ. Now, I am going to ask you, Admiral: In your relations with the Polish representatives in Moscow, did you find a desire on their part to find a way out of the situation with the Russian authorities? Did they seem to be acting in good faith?

Admiral STANDLEY. Do you mean the Polish authorities?

Mr. MACHROWICZ. The Polish authorities.

Admiral STANDLEY. Oh, yes.

Mr. MACHROWICZ. Was there any indication that they did not act otherwise than in good faith?

Admiral STANDLEY. Not the slightest. On the other hand, there seemed to be every effort of the Poles, Mr. Kot and Mr. Romer, to get along, and to solve the problem.

Mr. MACHROWICZ. Was there anything that you found in your relations with Ambassador Kot, Ambassador Romer, and the others, which would indicate to you that the desire of the Polish Government to ask for an International Red Cross investigation was instigated by the Germans?

Admiral STANDLEY. No. The only information we got about that came over the radio. We got this word over the radio, and then we got the news in regard to Mr. Romer's relief.

Mr. MACHROWICZ. Your impression, based on the negotiations and the discussions you had with Ambassador Kot and Ambassador Romer, was that this was an independent request to the Polish Government, with which the Germans had nothing to do; is that correct?

Admiral STANDLEY. That was the impression we had at the time.

Mr. MACHROWICZ. Did you see anything in this action of the Polish Government which would give any reason to ask the President to have them act with more common sense in the future? Was there anything that was not in common sense in requesting the International Red Cross to make an investigation?

Admiral STANDLEY. Not that we could see at the time. There was no particular reason why they should not ask a neutral agency to investigate, as long as there was a dispute.

Mr. MACHROWICZ. Did it not appear to you that it was, on the contrary, acting with common sense in the case of a controversy between the Russians and Germans, both of whom were equal enemies of the Poles, that the Polish Government wanted an unbiased organization like the International Red Cross to investigate?

Admiral STANDLEY. That is how it appeared to us there, that the Polish Government was acting in good faith in endeavoring to get an honest solution of the controversy.

Mr. MACHROWICZ. Then, of course, you disagree with the former President's statement that they did not act with common sense in asking such an unbiased investigation?

Admiral STANDLEY. I do not know whether I would agree with that or not.

Mr. DONDERO. Mr. Chairman.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Before you proceed further let me ask: Did the Polish representatives at all times contact you in regard to the effort they made with the Russian Government to find these Polish officers?

Admiral STANDLEY. I could not say that they contacted me in regard to, or informed me of every occasion, but they were continually discussing the Polish question with me.

As a matter of fact, our relations with Minister Kot were very friendly. He was a great bridge player, and we played bridge back and forth continually.

At these bridge tables we would discuss these questions. Of course, they are not a matter I can recall, but I know we were constantly discussing the Polish question.

Mr. DONDERO. When you speak of the Polish question or Polish problem, Ambassador, you really mean these missing Polish officers, do you?

Admiral STANDLEY. Yes. That was the problem.

Mr. DONDERO. Now, there is something about which you have aroused the curiosity of all members of this committee.

Did you at any time after Willkie's visit to Europe learn what was the supersecret information that he had which you did not have?

Admiral STANDLEY. No. At least, if it came to me, it came to me in a way that I did not know it was information through Mr. Willkie.

Mr. DONDERO. That is all I have at this time, Mr. Chairman.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. I have one question. Admiral, referring to this break that finally came between Russia and the Polish Government, that was not a surprise to you, was it? In other words, were you not of the opinion that Russia's attitude, considering the situation and the way they had to be babied by everybody with regard to even talking to the Poles, was it not your opinion that eventually the break would come, and that if it had not been on this incident of the Red Cross, that they would have found some other incident because of the plan they had set? Eventually the break would have to come and they had it in mind. It was just a question of falling upon the first opportunity to do it with grace; is that right? Is that your opinion?

Admiral STANDLEY. Would you state that again?

Mr. O'KONSKI. This break that finally came between the Polish Government and the Russian Government was scheduled to come for a long time, was it not? In other words, if Russia had not found this particular incident as an excuse to sever relations with the Polish Government, they would have found some other excuse because it was definitely in their plan to eventually sever relations, was it not?

Admiral STANDLEY. That was not in our minds in Moscow.

Mr. O'KONSKI. It was not?

Admiral STANDLEY. No. We did not anticipate a definite and final break between the Poles and the Russians.

Chairman MADDEN. Our next document will be marked "Exhibit No. 18." It is a telegram to the Secretary of State from Ambassador Standley, dated in Moscow April 28, 1943.

That will be received for the record.

(The document referred to was marked as "Exhibit No. 18" for identification and is as follows:)

EXHIBIT 18

[Paraphrase of telegram from American Ambassador in Moscow to Department of State]

Moscow, April 28, 1943.

SECRETARY OF STATE,
Washington.

FOR THE PRESIDENT AND THE SECRETARY—SECRET.

In my conversation with Molotov which took place at 5 o'clock on the day prior to the receipt of the President's message to Stalin, I want you to know that I requested him very earnestly during almost an hour to hold up publication of the Polish note until after the President could reply to Stalin's mes-

sage. The President had been absent from Washington, I explained, and I expressed the earnest hope that if publication could be delayed for even two or three days so that the President could communicate with Stalin, this might have an important bearing on the unfortunate developments. However, Molotov was as intransigent as I am informed he had been earlier with the British Ambassador. Later I learned that the note had been read at about the same time to the Chiefs of Mission in Kuibyshev and had been released to the press.

I realize now that intercession on my part or on the part of the British Ambassador could not have helped, since the Kremlin policy was set before my interview with Molotov. It would seem, from what I can gather here, that hopes for reconciliation were apparently destroyed with the publication today in *Izvestiya* of an article by Wanda Wasilevskaya, the so-called chairman of the Union of Polish Patriots, editor of *Wolna Polska* and incidentally the wife allegedly of Kornechuk who was recently appointed Vice Commissar of Foreign Affairs. "The Polish Patriots are against the Government of General Sikorski" was the title of this article, which held strongly that the Polish Government in London, a left-over from Rydzsmigly's "Government of Poland's September defeat," was not chosen by the Polish people, did not represent them, and is presently controlled by Hitlerite elements. The Army leadership under General Anders is accused of anti-Semitism, Chauvanism, anti-Sovietism, and even cowardice for "refusing to fight and withdrawing its forces from the Soviet Union." The diplomatic representation in the Soviet Union of the Sikorski Government are accused of robbing the Polish exiles of both supplies and money, and the links of the Polish Government with Berlin are said to be as clear as its imperialistic intentions toward Soviet territories. The article concludes that the Polish Patriots Union has asked for the organization in the Soviet Union of Polish units "which would proceed to the front to fight shoulder to shoulder with the Red Army rather than sitting for months in tents." A fuller summary of the article is being telegraphed.

It may be noteworthy that whereas at first the foreign correspondents here had to use the phrase "suspension of relations," later Soviet censors allowed them to call the development a "break" or "rupture" in relations. However, it is the consensus here that the article mentioned above has now closed the door definitely to any rapprochement between Moscow and the present Polish Government.

STANDLEY.

Mr. MITCHELL. Do you acknowledge having sent that telegram?

Admiral STANDLEY. Yes.

Mr. MITCHELL. Could you explain to the committee what went on at this time? It is evident from this telegram that the breaking off of relations had a more important meaning behind it since it looks like they were trying to form another Polish Government. Could you explain that to the committee, please?

Admiral STANDLEY. I think that that could be explained by what actually happened, because when these relations were broken off, the Russian Government set up a Polish representative government in Moscow.

Mr. O'KONSKI. Plans for setting up that kind of government just do not happen overnight. Where did they find this Wanda Wasilewska and where did they find these other people?

In other words, this thing must have been planned long before they even broke diplomatic relations with the real Government of Poland. Do you not feel that way: That they must have been planning for it for quite some time, otherwise how would they have all these people ready?

Admiral STANDLEY. You know, hindsight is one thing and foresight is another. You are asking me what I thought at that time. At that time I did not have the belief or feeling that the rupture was imperative.

MR. O'KONSKI. But now, subsequent developments convince you, do they not, Admiral, that this thing was planned long beforehand?

ADMIRAL STANDLEY. At the present time, with hindsight, I would say "yes"; there is not any question but that that was the plan.

CHAIRMAN MADDEN. Admiral, I will present to you exhibit 19, headed, "Paraphrase of telegram, Moscow, April 28, 1943," addressed to the Secretary of State at Washington, signed by "Standley," and I will ask counsel to have you identify it.

(The document referred to was marked "Exhibit 19" for identification and is as follows:)

EXHIBIT 19

[Paraphrase of telegram from American Ambassador in Moscow to United States State Department]

Moscow, April 28, 1943.

SECRETARY OF STATE,

Washington:

According to many qualified observers here, there may be formed in the near future on Soviet soil a "Free Polish Government" which would hold that it alone represented the real Polish people in Poland occupied by Germany and not the "reactionary" emigre Polish circles abroad. This "Free Polish Government" would be an offspring of the Union of Polish Patriots and as such a satellite of the Soviet Government. I am not convinced that these observers are right although it is quite possible they may be. In the first place, I doubt whether the realistic Kremlin has forgotten its unsuccessful attempt at the beginning of the Finnish War prematurely to publicize and organize the Terioki Government. *In the second place, there do not appear to be any Polish leaders here who would have sufficient stature to make such a government popular.* It would appear more likely that there will be formed here an organization similar to the French National Committee in London. We should in any event be prepared, I think, for some move of this sort whether it be in the form of a committee or of a Free Polish Government, and we should realize that an organization of this kind on Soviet soil must be completely under Soviet domination. In addition, a development of this kind is possible in the case of any Slavic or bordering country outside the 1941 Soviet frontiers which does not agree to the policy of the Soviet Union.

Within the Soviet Union can be found the nucleus of any European Government and especially of those governments in which the Soviet Union has strategic or geographic interests.

We may, it seems to me, be faced with a reversal in European history. To protect itself from the influences of Bolshevism, Western Europe in 1918 attempted to set up a cordon sanitaire. The Kremlin, in order to protect itself from the influences of the west, might now envisage the formation of a belt of pro-Soviet states.

(Signed) STANDLEY.

MR. MITCHELL. Admiral Standley, this message is dated April 28, 1943. Do you recall having sent that?

ADMIRAL STANDLEY. I recall having made that rather military estimate of the situation; yes.

MR. MACHROWICZ. Admiral, I want to compliment you. I think you were very prophetic in your statement there. I think the facts proved to be exactly as you prophesied at that time.

ADMIRAL STANDLEY. Thank you, sir.

MR. MITCHELL. Now, Admiral, could you briefly summarize the rest of your tour of duty in Moscow and approximately the time that you were succeeded in the position, and by whom?

ADMIRAL STANDLEY. I would like to give you in summary, give the committee, sort of a picture of what happened there when the German broadcast claimed the finding of these 10,000 Polish officers in the Katyn Forest near Smolensk.

Mr. MITCHELL. Please do.

Admiral STANDLEY. Two days after this, radio Moscow broadcast an indignant denial of the Nazi charge. "At last," it said, "these new German lies reveal the fate of the Polish officers whom the Germans used for constructive work in the Smolensk area."

The next day, Tass explained that these Polish prisoners had been captured alive by the Germans during the Red Army retreat from Smolensk in the summer of 1941, and information which combined the efforts of the British, American, and Polish Governments has been unsuccessful in extracting from the Soviet Government until that day. The Poles were wild. They knew that many of their officers had been removed from the three prison camps in April 1940. If the Soviet Government knew that they had been captured by the Germans in 1941, why had the Russians let the Poles hunt and hope for almost 2 years?

Ambassador Romer urged caution. The Polish Government in London proceeded cautiously.

On April 17, the Polish Cabinet issued a statement, of which I obtained a rather poor translation. If you will bear with me, I will read that rather short statement:

There is no Pole who is not deeply shocked by the information loudly proclaimed by German propaganda of the discovery near Smolensk of the huge graves filled with corpses of massacred Polish officers missing in the U. S. S. R. and about their execution. At the same time, the Polish Government, in the name of the Polish nation, refuses to permit the Germans to promote discord among the United Nations by shifting that crime in self-defense to the Russians. The hypocritical indignation of the German propaganda will not conceal from the world the cruel crimes committed by the Nazis against the Polish nation.

Then that statement went on into a list of a long series of crimes, and so forth.

Now, that was the attitude that was presented to us over there, and the committee should realize that sitting over there we were rather also behind the iron curtain and we did not know very much about what was going on except in messages we got that came through from the State Department. We had no general news, no general broadcast, or anything of that kind. So we were in a way sort of blanketed, too. And many of these things that possibly happened on the outside, we had no way of knowing.

Mr. MACHROWICZ. Admiral, you mentioned there that the Russians suddenly announced the fact that these Polish officers were taken prisoners by the Germans and killed by them. I am going to ask you a question.

In the course of your various talks with Molotov, Stalin, and others, did they at any time give you any inference that these Polish officers became prisoners of the Germans?

Admiral STANDLEY. No, not the slightest. I never received any information as to the location or disposition of these Polish officers.

Mr. MACHROWICZ. The first time the story came out that they were taken prisoners by the Germans was after German discovery of the graves; is that not correct?

Admiral STANDLEY. Yes, sir.

And let me give you this instance. While I was being briefed in Washington, a lady came in and she said, "I am the wife of an officer who was taken out of Poland by the Russians, and I have not heard

from him. They tell me he is dead. I don't believe he is dead. I am giving you this letter to present to this officer when you find him."

I took the letter with, of course, rather a hopeless feeling. And a year and a half later, or a year later, I was informed that a civilian wanted to see me. When he came in and I asked him his name, he gave me his name, and I reached down into the drawer and pulled out this letter from his wife and handed it to him.

This man was a doctor. I think he was from Lithuania. He had been taken prisoner and he had been sent to prison up in Siberia, and they had an outbreak there of some sort and they released this doctor in order for him to aid the sick and disabled. And as a result of his efficient work, they released him, and he came into my office on his way home. I tried to get him to tell me about his story and I got nothing out of him. He refused to talk, to say anything. But I asked him if there were any Polish officers in this camp, and he said, "No, there were none."

That was really the only positive information I got.

In connection with that investigation—this I am telling you is information that came to me there—the Russians held an investigation of this murder case when they took over Smolensk again on the way back, and they invited various people down there.

Now, two newspapermen, William W. N. White and Lauterbach, the men who were over there with Eric Johnston, were invited down there. Mr. White was rather anti-Communist and said that the testimony given there would not convince a British or an American jury.

Mr. Lauterbach, on the other hand, who had received quite a few favors from the communistic government, said that the testimony given there was all convincing that the Germans did the work.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Admiral, at that time, did Mr. Harriman's daughter also go with that group to see the graves?

Admiral STANDLEY. I have been informed that she did.

Mr. MITCHELL. You were not stationed there at the time; were you?

Admiral STANDLEY. I was not there at the time; no.

As a final summing up, as my summation there—well, I will give you this information. It may be of use. You might say it is hearsay.

But last week, in Coronado, the admiral who was my naval attaché in Moscow at the time we were discussing this very problem—I had then received the letter from the committee—stated to me at that time that it was the impression of the people in Moscow that the Russians had committed those murders. That was at the time the Katyn Forest broke. So, finally, when I left there, I had this question in my mind.

I stated in regard to this, in summing up, that there were a few questions that remained unanswered.

First, if the Polish officers were captured alive by the Germans in December of 1941, why were not the Polish officials told at once? Why was the quest of the Polish military authorities for their lost officers allowed to continue for over 2 years? Would the uniforms and boots be in such excellent condition after 2 years in Russian prison camps? Why were there so many letters and documents dated February and March 1940, and only a few dated in 1941? Why were the news dispatches from Moscow so peculiarly censored by Narkomandil—that is the censorship—that all the correspondents' doubts of German guilt were eliminated from the dispatches?

Those were my last reactions to this Katyn Forest murder.

Mr. DONDERO. I might say to you, Admiral, that one statement does not quite agree with the evidence we received in Europe. The last date of any letter or post card or newspaper found on the bodies of these men was May 1, 1940.

Mr. O'KONSKI. Admiral, your suspicions have been verified because this committee, after making a thorough investigation, has come to the unanimous conclusion that there is not one iota of evidence anywhere to prove that anybody but the Russians did it.

Admiral STANDLEY. I was just going to add one other thing.

The testimony I have given is from the best of my recollection and taken from extracts from an article I have written in the Naval Institute. These notes were taken from stenographic notes made at the time of the interview.

For instance, I would go to see Mr. Stalin. I would come back and sit down immediately and make stenographic notes of my interview. The information I got and have given you here is from those stenographic notes. And, of course, they are only extracts. The notes are complete and I have them for reference if anybody wants to use them.

So, as I say, in addition, I have made a complete report. I have written a story, and a manuscript is completed of my entire regime in Moscow. Maybe it will be published, maybe not; I don't know. But the complete story of Mr. Willkie is in that. So if anybody wants to read it, get my book.

And as I sum up these remarks, I conclude with this: There is a lesson. Let my fellow citizens beware that they never be caught like the Poles, between the upper and the nether millstones.

Thank you, gentlemen.

Chairman MADDEN. Do you have any questions, Mr. Sheehan?

Mr. SHEEHAN. No questions.

Chairman MADDEN. Mr. O'Konski?

Mr. O'KONSKI. You were there, Admiral, when the graves were discovered by the Germans; were you not?

Admiral STANDLEY. Yes.

Mr. O'KONSKI. You were there when the Soviet Government broke relations with the Polish Government; were you?

Admiral STANDLEY. Yes.

Mr. O'KONSKI. That was a very critical time, and it involved, evidently, the murder of somewhere between ten and fifteen thousand Polish officers.

Admiral STANDLEY. Yes.

Mr. O'KONSKI. Now, Admiral, was there any honest effort by your superiors here in Washington to find out who really was guilty of this massacre by asking you, or was there, in your opinion, an obvious attempt to hush it up because it was too hot to handle and to lay hands off?

Admiral STANDLEY. The reasons back of no request—I could not even offer a suggestion—but I received no intimation that I would look for that.

Mr. O'KONSKI. How long were you there after the graves were discovered?

Admiral STANDLEY. That was in April, and I left there in October 1943. That is about 7 months.

Mr. O'KONSKI. And you were our representative there, our highest representative there?

Admiral STANDLEY. Yes, sir.

Mr. O'KONSKI. During all that time you received no communication whatever from your superiors in Washington asking you to send some kind of report to find out which side is telling the truth; no attempt whatever was made to ask you?

Admiral STANDLEY. None whatever.

Mr. O'KONSKI. Did not that seem rather strange to you?

Admiral STANDLEY. No, because the situation was so turbulent otherwise that I would feel that any effort of our Government to inject themselves into it would just muddy the water so much more.

Mr. O'KONSKI. In other words, at that time, your impression is that, from the standpoint of your superiors, Soviet friendship, even if they were criminals, meant more to them than finding out who murdered 15,000 Polish officers?

Admiral STANDLEY. I think that is somewhat true. But take this situation: The way we felt there, when Mr. Romer left, taking his departure, the British Ambassador and myself went to the depot to see him off and presented going-away presents to Mr. Romer as indicating where our sympathies lay.

Mr. O'KONSKI. Did you leave the service voluntarily, Admiral; that is, that particular post at Moscow?

Admiral STANDLEY. Yes; and then again, no. Do you mean leave the Ambassador service?

Mr. O'KONSKI. In Moscow; yes, sir.

Admiral STANDLEY. Yes. I submitted my resignation. The last words I said to the President when I left, going back, as I left the door in the White House, I said, "Mr. President, you got your fingers burned with Mr. Willkie; don't do it again."

And when I got word that Mr. Joe Davies was coming in with a secret letter which I was not to know about, I sent in my resignation, and it was accepted in October.

Mr. O'KONSKI. The reason I ask that is that the history of ambassadors at that time was that those that evidently knew what was going on, particularly Governor Earle and Bliss Lane and a few others, did not last very long; and I wondered if you went the way of all those who knew what was going on at that time.

So, I am glad to hear it was the way it was.

Admiral STANDLEY. No. I submitted my resignation.

If you recall, there was an upheaval there in my relations with the Russians when I made the announcement to the press that the Russians were not informing their people as to the receipt of Red Cross relief supplies and lend-lease supplies. That created an upheaval, and I think the press in the United States and I think Mr. Sumner Welles, who was probably here, thought I should be relieved at once.

Mr. O'KONSKI. In regard to the lend-lease negotiation, here we were giving Russia billions of dollars' worth of lend-lease, and do you know if an effort on our part was made, by our representatives in Government, to use that more or less as a weapon to get the Russians to treat the Poles a little more kindly rather than just having our President say "Well, if you don't want the Poles in Russia, let me know, we will take care of them"?

Admiral STANDLEY. No. As far as I know, that effort was not in evidence.

You see, I was there with the Beaverbrook-Harriman Mission, who forced the lend-lease on them.

Mr. O'KONSKI. They forced it on them?

Admiral STANDLEY. We practically forced it on them; yes, sir.

Then they received the lend-lease and we were giving them the lend-lease in an effort to further the war effort. As far as I knew, it did not have anything to do with the Polish situation.

Mr. O'KONSKI. They were not very anxious to take it; were they? What do you mean when you say "we practically forced it on them?"

Admiral STANDLEY. Their attitude was one of rather not wanting to accept help from the outside. They had four meetings with them. In the first meeting, they went in and they came back, and Mr. Harriman and Mr. Beaverbrook said: "I wish we would have had the agreement ready for them to sign, and I think he would have signed last night."

They had another meeting with Mr. Stalin and said: "Oh, my God; we don't know what we are going to do now. We don't know what to give him to get him to agree."

The third night they came back and said: "Get your papers ready. It is all over. We are going to sign the agreement the next morning." And this was done.

We left in a gale of wind on Saturday. No pilot in our country would take to the air in those conditions, but we went out. Everybody got airsick. It was a terrible storm. The reason for it—and the reason, as we realized afterward, that Mr. Stalin agreed to take lend-lease and got rid of us—was the fact that the Germans had started their attack on Moscow 2 days before, and he wanted to get us out of there in order to avoid the embarrassment of having us stranded.

Mr. O'KONSKI. In other words, they played like the bride, hard to get, because they knew they would get more?

Admiral STANDLEY. Maybe that was it. But I think their desire to get us out in a hurry was the reason Stalin finally agreed.

Mr. SHEEHAN. Admiral, in your reference to Mr. Willkie and Mr. Davies, apparently there were many instances when the President bypassed you as Ambassador to get to other people in Russia.

Admiral STANDLEY. That is right.

Mr. SHEEHAN. And they never let you know what was happening?

Admiral STANDLEY. Some parts. The secret letter Mr. Davies brought over, Mr. Davies told me that the President felt it would be better if I was not there when he presented the letter. And I not only did not see the letter to know what was in it, but I was not there to see when the letter was presented to Mr. Stalin.

And the telegrams you just read here, is the first time I have ever seen those telegrams, which Mr. Stalin sent to Mr. Roosevelt and Roosevelt sent to Stalin, showing you how I sat in the dark behind the iron curtain.

Mr. SHEEHAN. Only, of course, I realize that both Mr. Willkie and Mr. Roosevelt had a lot in common, both being the so-called barefoot Wall Street lawyers. It would seem to me that as a Republican, we have been screaming for the last 20 years about Government by crony, and I think we have had also international diplomacy by

crony, from the looks of things, where individuals worked for the President, reported to him, and the rest, even the State Department many times did not know what was going on.

Mr. MACHROWICZ. Mr. Sheehan, do you want to add Mr. John Foster Dulles to that group?

Mr. SHEEHAN. Yes.

Mr. MACHROWICZ. Would both of you gentlemen?

Mr. SHEEHAN. You must remember all this time Poland was an ally of ours. We were supposed to be fighting for them. Jimmy Byrnes points out that when he was at Yalta, Mr. Roosevelt, instead of being an advocate for the Polish cause was an arbiter, trying to settle the dispute by giving away what we had little right to give.

Mr. DONDERO. I would like to suggest to the chairman that it is past noon.

Chairman MADDEN. Is there anything further?

Now, Admiral, on behalf of the committee, we want to thank you for coming here today. You came a long way to testify, and your testimony has certainly been very valuable to this committee. Since it has been in operation over a year, this committee has been trying its best to bring out all the facts regarding the Katyn massacre and some of the incidents leading thereto. Your testimony has been highly valuable, and we wish to thank you for your inconvenience in coming here to testify.

Admiral STANDLEY. Thank you very much, Mr. Chairman.

Chairman MADDEN. We are, unfortunately, a little behind our schedule.

Ambassador Welles, could you be here at 1:30?

Mr. WELLES. Yes, sir; Mr. Chairman.

Chairman MADDEN. Thank you.

Ambassador Welles will go on at 1:30 as the next witness.

(Whereupon, at 12:20 p. m., a recess was taken until 1:30 p. m., this same day.)

AFTER RECESS

Chairman MADDEN. The committee will come to order.

I would like to make this announcement for the information of some of the news reporters. Last summer, before the committee filed its interim report on the first phase of the Katyn hearings, we set up in our report the following:

The first phase of the Katyn hearings was to establish the guilt of the nation responsible for the massacre, and the second phase was primarily to complete testimony regarding the facts and circumstances leading up to and concerning the disappearance of certain reports, documents regarding the Katyn massacre. I will set that out by reading the two paragraphs as they were printed in our interim report, to wit:

Fully aware then that this was the first neutral committee ever officially authorized by any government to investigate the Katyn massacre, this committee divided its investigation into two phases:

(1) Assemble evidence which would determine the guilt of the country responsible for the mass murder of these Polish Army officers and intellectuals in the Katyn Forest.

(2) Establish why the Katyn massacre with all of its ramifications never was adequately revealed to the American people and to the rest of the world. The committee likewise included in this phase an effort to determine why this crime

was not adjudicated in the Nuremberg trials—where it should have been settled in the first instance if the Germans were guilty.

Now, the reason for this second phase is that when our resolution was authorized by Congress, a great number of the Members of our Congress inquired as to whether or not the committee would go into the phase of the hearings as is set out in part two of our investigation. That is the reason for the hearings this week.

I will ask Mr. Sumner Welles to take the stand, please.

**TESTIMONY OF HON. SUMNER WELLES, FORMER UNDER
SECRETARY OF STATE, OXON HILL, MD.**

Chairman MADDEN. Will you be sworn, please. Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WELLES. I do.

Chairman MADDEN. Sit down, Mr. Welles, please. Will you state your name.

Mr. WELLES. Sumner Welles.

Chairman MADDEN. And your address?

Mr. WELLES. Oxon Hill, Md.

Chairman MADDEN. And your present capacity?

Mr. WELLES. Author, writer.

Chairman MADDEN. You are a former Ambassador and Under Secretary?

Mr. WELLES. I am a former Ambassador to Cuba, and later Assistant Secretary of State and then Under Secretary of State from May 1937 until the latter part of the summer of 1943.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Welles, when did you first enter the diplomatic service of the United States?

Mr. WELLES. In 1915.

Mr. MITCHELL. You have held successive posts all over the world; is that correct?

Mr. WELLES. That is right.

Mr. MITCHELL. You became Under Secretary of State on what day?

Mr. WELLES. I think it was May 26, 1937.

Mr. MITCHELL. And you remained in that position how long, sir?

Mr. WELLES. Until July 1943.

Mr. MITCHELL. What did you do after July 1943?

Mr. WELLES. I then wrote a column for the newspapers and wrote several books.

Mr. MITCHELL. In other words, from July 1943 until the present time, you have been an author?

Mr. WELLES. In private life, yes.

Mr. MITCHELL. Were you present in the hearing room this morning when Admiral Standley, former Ambassador, testified?

Mr. WELLES. I was.

Mr. MITCHELL. You heard all of the exhibits that were read into the record at that time of the communications that went back and forth between Washington and Moscow at that time?

Mr. WELLES. I did.

Mr. MITCHELL. Mr. Chairman, at this time I would like to introduce this document as exhibit 20.

Chairman MADDEN. This document will be marked "Exhibit No. 20." It is a letter from Mr. Sumner Welles to the President of the United States.

(The letter referred to was marked "Exhibit No. 20" at the John
 EXHIBIT 20—LETTER FROM UNDER SECRETARY SUMNER WELLES TO
 ROOSEVELT

SPECIAL
 DELIVERY
 MAY 20 1942
 DEPARTMENT OF STATE

DEPARTMENT OF STATE
 WASHINGTON

MAY 18 1942

MAY 18 1942

MAY 18 1942

My dear Mr. President:

When the Polish Ambassador called recently he left with me a memorandum which contained in part a request for our assistance in expediting the evacuation from the Soviet Union of Polish military and civilian prisoners and deportees. The Ambassador added in this connection that General Sikorski had asked that this matter be brought to your attention.

There is attached, for your consideration and possible approval, a draft telegram to Admiral Standley. The substance of the pertinent portions of the memorandum of the Polish Ambassador appears in the draft telegram.

Faithfully yours,

Sumner Welles

Enclosure:
 Draft telegram.

The President,
 The White House.

PC/18/1

of Polish forces, particularly to Iran or to the Middle East, I think General Sikorski became as disconsolate as Dr. Benes must have been

Now, months of his life since he made the same attempt without was an

Confer in that connection to a message that was read this morning which I myself have not previously seen. It was a message addressed by President Roosevelt to Mr. Stalin. I think the reference in that message, if I may dare to interpret, that President Roosevelt made to Sikorski's attempt with regard to the Katyn massacre was not that it showed lack of common sense in its objective but in its method.

It seems to me that what the President deplored was the fact that General Sikorski had not taken him or Prime Minister Churchill into consultation before taking the step which otherwise would seem to be altogether well-advised. At that time there was no League of Nations; there was no United Nations.

There was no international body of any kind except the International Red Cross that could be regarded as respectable, impartial, and international in its character; and it seemed to me that General Sikorski's idea was altogether well taken. However, what the President regretted was that what had been taken precipitously was without prior consultation with the other two governments that had been working so closely with him to better the relations between the Soviet Government and the Polish Government in exile.

Mr. MITCHELL. Do you care to proceed?

Mr. MACHROWITZ. In connection with that, may I ask a question, Mr. Welles. Would you consider that the action, whether it was ill-advised or not, was such an action that would justify the severing of relations between Poland and Russia?

Mr. WELLES. Decidedly not. And it seems to me that the point that was brought out in the testimony this morning is altogether sound, that is, that that step was merely a pretext for a policy that had been determined upon some time before.

Mr. DONDERO. Mr. Welles, may I just add my view as to what the chairman said. What we want to know from you as Under Secretary of State of this Nation is what you know took place in regard to the Katyn massacre from 1939 up until 1943. That is the point.

Mr. WELLES. Unfortunately, without having refreshed my memory by going all through the memoranda that are on file in the Department of State and some of which I had hoped to see this morning, it would be quite impossible for me to go into it in any detailed way. There is very little I can add to what has been brought out this morning.

Mr. SHEEHAN. Mr. Secretary, did I understand you to say that the position taken this morning with reference to this development of the breaking of the Polish-Russian relationship was of long standing? Did you say that position was unsound?

Mr. WELLES. No; I said quite the contrary, Mr. Congressman.

Mr. SHEEHAN. That it was sound?

Mr. WELLES. What I said was that what was brought out this morning seemed to be entirely correct, that the severance of relations on the basis of the attempt of the Polish Government to get the International Red Cross to make a survey and an investigation was merely a pretext for a policy that had already been determined upon by the Soviet Government some time before.

Mr. MACHROWICZ. Mr. Welles, would you say that if General Sikorski had consulted the United States Government at the time, the United States Government would have agreed to the request for an investigation by the International Red Cross?

Mr. WELLES. I am quite certain that the President would have regarded it sympathetically, and insofar as I myself was concerned I most certainly would have urged it.

Mr. MACHROWICZ. Do you feel that the British Government would have done so?

Mr. WELLES. I am quite sure of it.

Mr. MACHROWICZ. Then what harm was there done in making that request?

Mr. WELLES. Simply that it afforded the Soviet Government the opportunity for breaking relations, which otherwise could conceivably have been averted for at least a while.

Mr. MACHROWICZ. You just stated that they had planned severing relations anyway sooner or later. It was just a question of finding some pretext.

Mr. WELLES. I said that that had been brought out clearly this morning, but unfortunately we were not aware of that at the time.

Chairman MADDEN. Mr. Welles, you mentioned the assassination of General Sikorski. Could you elaborate on that somewhat?

Mr. WELLES. I have always believed that there was sabotage. You will remember, Mr. Chairman, that he was brought down in the plane just as he was taking off from Gibraltar. The plane crashed. There had been two or three incidents of that kind before. I remember that when General Sikorski came to the United States the year before, his plane, in taking off from Montreal, had crashed when it was only about 100 feet above the ground.

To put it mildly, it would seem to be a coincidence.

Mr. O'KONSKI. Was it not generally conceded that both Molotov and Stalin had certain commitments that they had made to General Sikorski and that they knew that if he were out of the way they could possibly get around them?

Mr. WELLES. I don't know whether it is generally conceded or not, but it is certainly conceivable.

Mr. SHEEHAN. Mr. Secretary, in your position in the State Department, were you informed of the fact from various of our Ambassadors that Russia was contemplating this breaking off of Polish relations?

Mr. WELLES. Not that I recall; no.

Mr. SHEEHAN. On May 2, 1943, there was a telegram to the Secretary of State from Ambassador Winant in London, who pointed out that as early as January 16, 1943, when Russia declared all Poles to be Russian citizens, that was the beginning of this break-off. The Ambassador in London wired on April 21, 1943, pointing out that the British Foreign Office felt all the time that this was motivated by Russian desires to reinforce and give expression to her territorial expansion.

In other words, our Ambassador sends information in. Who does it go to? Who follows through on it?

Mr. WELLES. Mr. Chairman, undoubtedly we all of us realized that the situation was deteriorating rapidly, but an immediate break of relations of that character was not evident.

Mr. SHEEHAN. Well, it seemed to our Ambassadors and our military attachés, who were sending in information to the Secretary of State and to the Under Secretary, that these things should be called to your attention because the mere fact that Russia was going to break off relations with one of our allies, Poland, was not a small matter. That was quite a significant matter.

Mr. WELLES. We were doing everything in our power to avert it. I was aware of that.

Mr. DONDERO. Mr. Welles, when did the item of the Katyn massacre first come to the attention of the State Department, if you can recall?

Mr. WELLES. There again, Mr. Chairman, I am sorry to say that I would have to refresh my memory by looking at the files; and I have not been given that opportunity.

Mr. DONDERO. Can you fix it reasonably as to year or month?

Mr. WELLES. Well, I think that what was brought out this morning, Mr. Congressman, by Admiral Standley makes that very clear.

Mr. O'KONSKI. When this atrocity was announced to the world first by the Germans, was there any concern in the State Department to have liaison, for instance, with G-2 of our military service and other branches of the service that could get some information on it? Was there any honest effort on the part of the State Department to pin the responsibility of the crime, or was the policy one of being fearful that it might further antagonize the Russians and that we had better not take the chance?

Mr. WELLES. No; I don't think that was the case. I think that at the beginning we were rather definitely confused as to the responsibility for the crime. Certainly there is nothing in the history of the Nazi government nor of the Nazi authorities which would have put it beyond them to undertake such a massacre because I must remind you that the facts came out very slowly and that by the time I had left the Department of State—and I have forgotten whether that was late July or early August 1943—very little had yet leaked out.

Mr. O'KONSKI. Did the State Department, to your knowledge, send any request to neutral countries like Switzerland and Sweden and Spain, and we had connections with the Vatican? They had information on this. Was any attempt made by your Department to get information from them on this massacre? After all, they were neutral countries.

Mr. WELLES. Mr. Chairman, I am sure that such an effort was made as soon as the facts began to become more evident.

Chairman MADDEN. I have here a document dated June 24, 1942, signed by Sumner Welles to General Watson. I will ask the counsel to submit this to the witness so that he can identify it.

Mr. PUCINSKI. Mr. Chairman, you might point out that that is a photostated copy, and Mr. Welles' signature is not on this copy.

Chairman MADDEN. It speaks for itself. It is a photostat. Mark this document as exhibit 21 and the counsel will please read it to the committee.

EXHIBIT 21

My dear General Watson:

There are enclosed herewith copies of Mr. Biddle's strictly confidential despatches, nos. 156, June 2, 1942 and 159, June 2, 1942 which were marked for the President.

The despatches are concerned with conversations which took place in May between Ambassador Biddle and General Sikorski regarding, respectively, missing Polish officers in Russia, and the evacuation of Polish children from Russia.

Sincerely yours,

Enclosures

From Ambassador Biddle,
nos. 158 and 159 of
June 2, 1942.

Major General Edwin M. Watson,
Secretary to the President,
The White House.

Oct 24 1944



EMBASSY OF THE UNITED STATES OF AMERICA

DIVISION OF
JUN 24 1949

near the Polish Government

London, June 24, 1949

No. 158.

SECRETARY OF STATE
JUN 24 1949
NOTED

Subject: General Sikorski's conversation regarding missing Polish officers in Russia.

JUNE 24, 1949

UNDER SECRETARY OF STATE
JUN 24 1949
MR. WELLES

*Mr. Welles
Mr. Clegg
Mr. Egan*

Administrative routing slip with multiple checkboxes and fields, partially obscured by a diagonal line.

The Honorable
The Secretary of State,
Washington.

Sir:

Reference is made to your letter of June 24, 1949, enclosing a copy of a report dated June 1, 1949, in which you stated that you had in effect, no information regarding the missing Polish officers in Russia.

Very truly yours,
[Signature]

[Signature]

JUN 24 1949
[Vertical stamp]

-2-

thousands of Polish officers prisoners of war, who were kept in 3 camps in Central Russia (Ostaszkov, St.royelsk, Kozelsk) were taken to an unknown destination in the Far North of Russia. Since then they have not been heard of. Their number has been variously described but is usually accepted as 6,500; 1/3 of whom are professional officers and 2/3 reserve officers. The latter are for the most part professional men including about 600 physicians and many University professors and lecturers as well as a number of distinguished specialists. The Polish Military authorities have lists covering over 4,000 of these officers. These lists have been communicated to Stalin. The Soviet Government have many times been requested to release them. They invariably replied that every available prisoner of war in Russia had already been released. This statement is obviously inaccurate. There are reasons to believe that the officers in question have been deported to Franz-Joseph Islands, North of Spitzbergen, and to North-Eastern Siberia to camps on the river Kolyma, in the North of the Yakut Republic. It is here that probably most of them have died of hunger, scurvy and cold. In the supposition as to their places of imprisonment is correct, there are two routes of escape that for technical reasons they could be brought back to Russia. Or, in the other case, they could either be transported via the Kolyma River to Alaska or from Franz-Joseph Islands to Iceland. The shortage of these officers is the principal reason of the shortage of officers in the Polish forces in Russia, whether officers from Scotland had to be sent lately.

The/

-3-

The possible death of these men, most of whom have superior education, would be a severe blow to the Polish national life. Their execution during the present winter would be the last chance to save them and we shall be alive.

In concluding this journal, the General said that he felt especially keenly in the course of recent conversations with the American and British, our sympathies and interest were in respect of interest in the above-mentioned matter, the Russian... of... in the... .

Respectfully,
 Yours,

ag. D. B. S. r.

Mr. [illegible]

Mr. MITCHELL. Mr. Chairman, this letter is dated June 24, 1942, and states:

MY DEAR GENERAL WATSON: There are enclosed herewith copies of Mr. Biddle's strictly confidential dispatches, Nos. 158, June 2, 1942, and 159, June 2, 1942, which were marked for the President.

The dispatches are concerned with conversations which took place in May between Ambassador Biddle and General Sikorski regarding, respectively, missing Polish officers in Russia and the evacuation of Polish children from Russia.

Sincerely yours,

SUMNER WELLES.

Enclosures: From Ambassador Biddle, Nos. 158 and 159 of June 2, 1942.

Maj. Gen. EDWIN M. WATSON,
Secretary to the President,
The White House.

The attachment to that letter is as follows:

EMBASSY OF THE UNITED STATES OF AMERICA,
Near the Polish Government, London, June 2, 1942.

No. 158

Subject: General Sikorski's conversation regarding missing Polish officers in Russia.

For: The President, the Secretary, and the Under Secretary.

The honorable the SECRETARY OF STATE,
Washington.

SIR: Supplementing my dispatch Polish series No. 157, June 2, 1942, I have the honor to report that in recent conversation with General Sikorski he said, in effect, the following:

Missing officers.—In summer 1940 several thousands of Polish officers, prisoners of war, who were kept in three camps in central Russia (Ostashkov, Starobyelsk, Kozelsk) were taken to an unknown destination in the far north of Russia. Since then they have not been heard of. Their number has been variously described, but it is usually accepted as 8,300, one-third of whom are professional officers and two-thirds reserve officers. The latter are for the most part professional men, including about 800 physicians and many university professors and lecturers as well as a number of distinguished specialists.

The Polish military authorities have lists covering over 4,800 of these officers. These lists have been communicated to Stalin. The Soviet Government have many times been requested to release them. They invariably replied that every available prisoner of war in Russia had already been released. This statement is obviously inaccurate. There are reasons to believe that the officers in question have been deported to Franz Joseph Islands, north of Spitzbergen, and to northeastern Siberia to camps on the River Kolyma in the north of the Yakut Republic. It is more than probable that most of them have died of hunger, scurvy, and cold.

If the supposition as to their places of imprisonment is correct, there are but 2 months of summer when, for technical reasons, they could be brought back to Russia. Or, on the other hand, they could either be brought via the Kolyma River to Alaska or from Franz Joseph Islands to Iceland. The absence of these officers is the principal reason of the shortage of officers in the Polish forces in Russia, whither officers from Scotland had to be sent lately. The possible death of these men, most of whom have superior education, would be a severe blow to the Polish national life. Their evacuation during the present summer seems to be the last chance to save those who may still be alive.

In concluding his remarks, the General said that he felt confident that if in the course of pending conversations with the Russians in Washington our authorities concerned were to express an interest in the above-mentioned problem, the Russians might act favorably in the matter.

Respectfully yours,

A. J. DREXEL BIDDLE, JR.

(In quintuplicate.)

Mr. Welles, do you acknowledge this document?

Mr. WELLES. I do.

Mr. MITCHELL. This morning, Mr. Welles, Admiral Standley told us that he had never seen the dispatch from Moscow dated January 1942.

Mr. WELLES. I think it was February.

Mr. MITCHELL. February 1942, because he was en route to Moscow. Mr. Brown, of the Department of State, revealed that it did not reach the Department of State until April 1942. Now, from Moscow, through Admiral Standley later, and from London through Mr. Biddle, come practically the same story to the Department of State regarding this. There are also the conversations that took place between Stalin, Vishinsky, Molotov, Beria, General Anders, Ambassador Kot, and General Sikorski about these missing officers.

Now, our Department of State knew about all of these. There was no explanation for the missing officers. Could you elaborate on that?

Mr. WELLES. May I ask, Mr. Chairman, whether any attempt has been made to search the memoranda of conversations between the Secretary of State and the several Soviet Ambassadors in Washington at that time or my own conversations? I am very familiar, now that I have read this document, with all of the facts set forth, and I know that I have discussed them many times.

Mr. MITCHELL. No effort has been made because we didn't know about it. An effort will be made.

Mr. SHEEHAN. Did we ask the State Department to surrender all of the documents on this case?

Mr. MITCHELL. Yes, sir.

Mr. SHEEHAN. Have they surrendered those documents referred to?

Mr. MITCHELL. I have not seen those documents.

Mr. MACHROWICZ. In answer to Mr. Welles' question, the answer should be made that we made a request of the Department of State to furnish all of the pertinent documents in connection with these matters, and we have been furnished documents, and those you refer to have not been included. Is that correct?

Mr. MITCHELL. These are not memoranda of conversations between officials of the Soviet Union here in Washington and Mr. Welles or others. We have not received any of those.

Mr. MACHROWICZ. I think Mr. Chairman, that while we are on that subject the representative of the Department of State should be asked if those documents are in their possession and if so why they have not been turned over.

Chairman MADDEN. Mr. Brown is in the hearing room. He has been sworn. Will you propound the question to him, Mr. Counsel?

Mr. DONDERO. If he heard the question, why not let him answer it?

Mr. BROWN. Mr. Chairman, I did not hear the question. I was out of the room and just came back in.

Mr. MITCHELL. Mr. Brown, the question is this: Mr. Welles has raised the question as to whether the committee has seen the memoranda of record of conversations that transpired between himself, other State Department officials, and those of officials of the Russian Embassy here in Washington. I stated that I have not seen these memoranda. The question is now: Are they available?

Mr. BROWN. Mr. Mitchell, I frankly cannot answer that question. We asked for the files on everything connected with the subject matter, and I have not seen those documents. I will immediately call back and have a further search made.

Were these on the subject of the Katyn massacre?

Mr. MITCHELL. Missing Polish officers. Maybe Mr. Welles can identify them better.

Mr. WELLES. May I make a suggestion, Mr. Chairman?
Chairman MADDEN. Proceed.

Mr. WELLES. There were a great many conversations, Mr. Brown, between the various Soviet Ambassadors and myself and between them and Mr. Hull. Very often they had to do mainly with complaints of the Soviet Union that they were not getting sufficient lend-lease or something of that kind. But very often in those conversations some reference would be made to other matters. That is the reason that I think a search might be useful.

I want to add this, which is of the utmost importance: The President, unfortunately, very rarely had the habit of keeping memoranda of his conversations with foreign diplomats or visiting foreign statesmen, and I have every reason to believe that this matter was taken up by him very frequently both with Mr. Litvinof and Mr. Molotov when he came.

Mr. MITCHELL. Did you say that he had the habit or that he did not have the habit?

Mr. WELLES. He did not have the habit of keeping memoranda of conversations.

Mr. MITCHELL. Can you recall, or can you to the best of your ability tell us, what transpired during your conversations relative to this subject, your conversations with those representatives?

Mr. WELLES. Well, whatever representations I made were entirely along the lines that were discussed this morning, that nothing could be worse for relations between the United Nations than for this deteriorating situation between Poland and the Soviet Union to continue and that the interests of the United States in Poland were well known to the Soviet Government. I think certainly General Sikorski and the Polish Government in exile in London were very definitely of the opinion that the early steps that had been taken—and I am now speaking of the period before 1942—to release divisions of Polish soldiers or refugees to go to Iran and other parts of the Middle East were due to the interests displayed by the United States.

Mr. MITCHELL. Throughout this testimony we have continually heard that the Soviet officials never gave any kind of explanation for these missing Polish officers. The United States Government knew they were missing. The British knew they were missing. But no question was raised at the time of Katyn concerning the missing Polish officers. Rather it was looked at as a German atrocity, and as a Nazi atrocity. Can you explain why, with all of the background, and the wealth of material, and all of these conversations that they had, the Nazis were suspected rather than the Russians when the Russians hadn't given any explanation?

Mr. WELLES. The crime perpetrated against Poland was perpetrated by two great powers, Germany and Russia. I don't think that we felt that there was any distinction between the two of them insofar as the kind of atrocities that they perpetrated were involved; and there was nothing, in my judgment, at the outset to indicate that these particular officers referred to in that dispatch from Ambassador Biddle were the same who were later found to be massacred at Katyn. I think it took some time for the facts to be assembled and for the testimony to become conclusive.

Mr. MITCHELL. That is true, but the Germans formed an international medical commission which went in there and found documents on these bodies which proved that they had been in those graves in the spring of 1940, April and May 1940.

Mr. WELLES. I don't think we had very much——

Mr. MITCHELL. That was made available to the entire world on April 30, 1943, after they had left Smolensk.

Mr. WELLES. I don't think that in the spring of 1943 we had very much reason to put faith in the truth of anything that the Nazi Government put out.

Mr. MITCHELL. This was signed by Dr. Naville, a Swiss neutral.

Mr. O'KONSKI. What reason was there why we should have put faith in what the Russians said?

Mr. WELLES. I beg pardon?

Mr. O'KONSKI. What reason was there to put faith in what the Russians said and did?

Mr. WELLES. At that particular time, of course, we were fighting on the side that the Russians were fighting on. We were making every effort to have a joint war effort.

Mr. O'KONSKI. Did not you people in the State Department know that already Russia had never kept a commitment, had never kept an agreement, had violated every treaty of aggression that they had ever had? Did not you people know that? In other words, you people are always willing, which is all right, to throw the responsibility to the Germans, which they deserve, and to say that because they were so vicious they must have been guilty, and that it is hard to conceive that the Russians could do it when anybody who knows anything about the world situation and Communist history knows that their record was just as bad as that of Hitler. But you are willing to accept one at face value and not the other.

Mr. WELLES. Mr. Chairman, may I remind the Congressman that two gentlemen who are certainly not Communists, namely, Mr. Winston Churchill in the House of Commons, and Admiral William D. Leahy, have both publicly stated in writing that during the war and up to that time the Soviet Government had meticulously kept its agreements.

Mr. MACHROWICZ. I don't think this committee is going to give too much credence to what Mr. Churchill said. There are a lot of things that he said that this committee does not take much cognizance of.

Mr. WELLES. We were under that impression at that particular moment and hoped that it might turn out that way.

Mr. SHEEHAN. Mr. Chairman, may I point out for the members of our committee and for the press: Too frequently they think that our committee is interested only in the fact that the Katyn murder of officers had something to do with the Polish question. I might point out that I understand a telegram will be read into the record a little later which points out that the British Foreign Office was also very interested in the disappearance of the Polish officers because, in a telegram which was sent to the Secretary of State, our Ambassador pointed out the fact and emphasized the fact that not only are the Polish armed forces in this country, meaning those in England, affected by a continuation of the present Russian attitude, but the Polish troops in the Middle East, totaling over 100,000 soldiers who were fully equipped and who would prove to be a valuable armed force, are becoming dissatisfied.

In other words, England and the United States had a Polish Army ready and willing and able, but without officers. So, from our standpoint, not only were we interested in the Katyn massacre, but our allies were interested in getting officers to man soldiers for our armies. So everyone was cognizant that the State Department and the British Foreign Office were vitally interested in this matter in 1943. Therefore, I think you will agree that, as you stated, there were many conversations on this matter because of the importance of more soldiers for the allied cause. Do you agree with that?

Mr. WELLES. I agree entirely. I also think that our efforts in the earlier years to which I referred before did prove determining in getting out several divisions of Polish troops and officers and women and children.

Mr. DONDERO. Mr. Welles, the Germans made known to the world the finding of these graves, and the 12 doctors signed this graveside protocol some time, I think, in May 1943. Did that come to the attention of the State Department?

Mr. WELLES. It undoubtedly must have come to the attention of the Department, Mr. Congressman. I can't specifically recall at this moment.

Mr. MACHROWICZ. Mr. Welles, you stated, I believe, some time ago that there was no reason to doubt the good faith of our then ally, the Soviet Union. Was there any reason to doubt the good faith of our other faithful ally, the Polish Government, at the time?

Mr. WELLES. None whatever.

Mr. MACHROWICZ. And the Department did have information from the Polish Government definitely indicating Russian guilt for the Katyn massacre, did it not?

Mr. WELLES. I think it had later what I would call determining evidence. Now, whether that was available as early as the date that you fixed, Mr. Congressman, I do not remember.

Mr. MACHROWICZ. Did you find anything in the attitude of the Polish Government officials which would indicate anything but a desire to settle their differences with Russia in an amicable manner?

Mr. WELLES. From beginning to end, Mr. Congressman, I found nothing but a consistent desire on the part of the Polish Government in exile and, I repeat, particularly on the part of General Sikorski, to find a way out of the impasse through negotiation. I think no man could have done more than he did to that end.

Mr. MACHROWICZ. Mr. Welles, looking now in retrospect, don't you think the whole difficulty was that our Government looked too much toward appeasing Soviet Russia as opposed probably to some of the firm steps recommended by people of the type of Ambassador Standley and others? Would not a little more firmness probably have helped the situation at the time?

Mr. WELLES. It is a very difficult thing to answer in the light of hindsight, Mr. Congressman. As I look at it today, I think you are entirely correct. As we looked at it then, of course, the success of the war effort was the major effort; and I must remind the members of the committee that the one overshadowing fear on the part of our military authorities at that time was a separate peace on the part of the Soviet Government with Germany.

Mr. O'KONSKI. That is the point I was driving at. In other words, Mr. Welles, the overshadowing thought and the governing policy of

our leaders at that time was to go easy with respect to anything that might antagonize Russia? The fact that there were 10,000 to 15,000 officers involved didn't make any difference? If there had been 100,000, 150,000, or 500,000, the policy would have been still the same? In other words, there was a general fear, unfounded, in my opinion, but in existence at that time that nothing must be done to antagonize good old Soviet Russia, so go easy on everything, no matter what ghastly crimes they commit and no matter how many treaties they violate and no matter how much they insult us? We still have to go easy on them because we need them as an ally. Wasn't that really the governing policy?

Mr. WELLES. No, I would not go nearly as far as that, Mr. Congressman; but I think that all of us must agree that at that moment the overshadowing consideration was winning the war, and we had a mighty difficult time in establishing decent relations with the Soviet Union.

If some of these memoranda do come to the committee, you will see that I sat in, I think, 40 conferences with the Soviet Ambassador to try to ease things over way back in 1939 and 1940 at the time when they were allied with Germany in order to prevent them from going too far.

Mr. DONDERO. Mr. Welles, did it come to your attention or to the attention of your Department at that time that the Soviets or Russia at first refused or, I would say, discouraged any foreign aid from us and that lend-lease had to be forced upon them, as Admiral Standley testified?

Mr. WELLES. I frankly was surprised by Admiral Standley's statement this morning because that had never been my impression. Of course, he was one of the early negotiators, and I was not; but I can assure you that when they came to the point where they were receiving lend-lease every request I got was for more and not for less.

Mr. O'KONSKI. In fact, it continued even after the war, did it not?

Mr. WELLES. Why, certainly.

Mr. MACHROWICZ. Did you at any time in your conversations with the President urge the recall of Mr. Standley because of the firmness of his position?

Mr. WELLES. Well, Admiral Standley made that statement this morning. I think, frankly, it was unfortunate; that is, the remark that he made at that particular moment; but I do not remember going nearly so far as he has in mind.

Mr. MACHROWICZ. Can you tell us how far you did go?

Mr. WELLES. I don't think I actually took any step in that direction, if I remember correctly.

Mr. SHEEHAN. Mr. Secretary, Admiral Standley this morning stated something to the effect that Col. Henry Szymanski, who had been a military attaché, I believe, in Cairo, was being thought of for the post of military attaché in Moscow, and then, apparently at the last minute, the order was rescinded. Do you know anything about that?

Mr. WELLES. Nothing whatever. That would have been a matter, then, for the War Department, not for us.

Mr. SHEEHAN. They determined that policy?

Mr. WELLES. Yes.

Chairman MADDEN. Mr. Pucinski, did you have some questions?

Mr. PUCINSKI. Yes, Mr. Chairman. May we introduce this document as exhibit 22?

Chairman MADDEN. Exhibit 22 is a communication addressed by the Embassy of the United States to the Premier of the Polish Government. This can be identified as exhibit 22.

(The letter referred to, dated May 20, 1943, was marked "Exhibit No. 22," and follows:)

EXHIBIT 22—REPORT AND EVIDENCE COMPILED BY POLES REGARDING DISCOVERY AT KATYN FORWARDED TO UNDER SECRETARY SUMNER WELLES BY AMBASSADOR BIDDLE ON MAY 20, 1943

EMBASSY OF THE
UNITED STATES OF AMERICA,
Near the Polish Government,
May 20, 1943.

No. 316.

Subject: Referring to my Despatch Polish Series No. 158, June 2, 1942, and to my Cable Polish Series No. 19, April 23, 1943 (7 p. m.); attaching copies of a secret report from Polish Military Intelligence concerning the missing Polish Officers in Russia; outline of report; observations; article by Colonel Berling, Polish officer, attacking Polish forces evacuated to Iran; Vishinsky's subsequent attack; factors calling for consideration in light of potential bearing upon Russia's forward-looking political-military policy vis-à-vis the "Middle Zone" in general.

For the President, the Secretary and Under Secretary

The Honorable the SECRETARY OF STATE,
Washington.

SIR: Referring to my Despatch Polish Series No. 158, June 2, 1942 and my cable Polish Series No. 19, April 23, 1943 (7 p. m.), I have the honor to forward the attached copies of a secret report from the Polish Military Intelligence concerning the missing Polish officers in Russia.

Outline of secret report

This report, based upon information from all available confidential sources, is divided into seven parts:

The first part gives information dating from before the Polish-Soviet Pact of 1941.

The second part deals with diplomatic intervention: a démarche by Ambassador Kot, immediately upon the establishment of a Polish-Russian diplomatic relations in 1941.

The third part cites the various methods employed by Polish sources in gathering information about the missing, following the refusal by the Soviet authorities to give any information whatsoever concerning them.

Part four (a) deals with the discovery of the grave near Smolensk, according to a telegram received from Poland on April 13, 1943 (It was late in the evening of that same day that I first heard mention of the alleged massacre in the German broadcasts.); and (b) gives a chronological summary of the principal developments in the resultant Polish-Russian controversy, which led up to the suspension of diplomatic relations.

Part five reports on the present state of information in possession of the Polish Government.

Part six is a résumé.

Part seven, entitled "Forecasts", suggests that if the present suspension should pass into a severance of diplomatic relations, there may be expected the formation of an "Independent Polish Government" in Moscow. This the "Forecast" continues, would probably not proclaim Communist ideas, but would pursue the indefinite policy represented by the WOLNA POLSKA (published in Moscow), which proclaimed a Polish program of a vague nature, based on the Soviet Union. The "Forecast" goes on to suggest that "should such a government be created, an 'independent' Polish Army may be expected to appear in the U. S. S. R."

Observations: Articles by Colonel Berling, Polish officer in Russia, attacking Polish Forces which evacuated to Iran

In this connection, WOLNA POLSKA, edited by Wanda Wasilewska, the wife of Dr. Kornechuk, the Ukrainian vice-Commissar of U. S. S. R. Foreign Affairs, has already carried an article by Colonel Berling, a Polish officer, to effect that he was prepared to organise and lead a Polish armed force at the side of the Red Army. In this article, Colonel Berling stated he had refused to leave for Iran with the rest of the Polish Army under General Anders. He bitterly criticised the General and the forces under his command for having refused to fight shoulder-to-shoulder with the Red Army. Moreover, he accused the Military Intelligence of these Polish forces of having engaged, among other activities, in espionage in Russia, collecting information regarding Soviet farms, plants, and army depots.

This article appeared in the London DAILY WORKER on May 6, the day following its publication in the Moscow WOLNA POLSKA. My interest was engaged, among other aspects, by the fact that in conversation, several days previously, with Ambassador Bogomolov, he had pointedly cited the same points, but without mentioning Colonel Berling's name. Moreover, the Ambassador presented the points in approximately the same form in which they subsequently appeared in the article.

Vyshinsky's subsequent attack

I, therefore, have the very definite impression that Bogomolov had had the article in his hands for some days in advance of its publication; that its actual publication, both in Moscow and here, was timed as a tactical forerunner for the following day's (May 7) release of Vice-Commissar for Foreign Affairs Vishinsky's blast against the Poles on similar counts. It was apparent to my mind, that in emphasising these, Vyshinsky meant to exploit them, on the one hand, for the benefit of Russian policy; on the other hand, to discredit the Polish Government and its armed forces. For example, I have the impression that Vishinsky emphasized the following points for the reasons indicated:

(a) the espionage charge, by way of justifying the Russian authorities' having closed down the Polish Welfare Organisation in Russia;

(b) the charge that the Polish forces had refused to fight at the side of the Red Army, by way of attempting to discredit, in the eyes of the people in Poland, those and other Polish forces outside Russia, as potential forces of liberation; this, with a view to bringing the Polish people to look to the Red Army and the Polish units at its side, for their deliverance.

Factors calling for consideration in light of their potential bearing upon Russia's forward-looking political-military policy vis-à-vis the "Middle Zone" in general

In connection with this aspect, the following factors, to my mind, call for consideration in light of their potential bearing upon Russia's forward-looking political-military policy vis-à-vis the "Middle Zone" in general:

(a) in several of my conversations with Ambassador Bogomolov, during the course of the recent Polish-Russian controversy, which led to the suspension of diplomatic relations, he pointedly referred to a public utterance which General Sikorski had made several months ago, and which was subsequently published in the Polish papers here. In this statement the General had in effect stressed the importance that Poland be liberated by British, American, and Polish forces. Bogomolov said that, under the circumstances, this idea seemed highly impracticable. The fact that the Allied Forces of the West had not yet launched a Continental invasion, together with the proximity of the Red Army to Poland, made it sufficiently clear as to which of the Allied Forces was the one to which Poland would have to look for its liberation. If Sikorski and the military authorities of the Western Allies, he continued, could show him *when* and *how* they might propose to march eastward past Berlin to liberate Poland, he had no doubt that such a plan would meet with a hearty welcome in Russia. However, in absence of evidence of any such plan, he could only return to his original thought: that the natural liberator of Poland, under the circumstances, was the

Red Army. On each of the several occasions that Bogomolov underlined this point, he concluded by pointing out on his map the proximity of the Red Army to "that general area";

Respectfully yours,

A. J. Drexel Biddle, Jr.
A. J. DREXEL BIDDLE, Jr.

AJDBJr: JS

In triplicate.

Enclosure: ¹ as stated.

[Enclosure No. 1 to Despatch Polish Series No. 136. Dated May 20, 1943, from the Embassy at London]

I. INFORMATION DATING FROM BEFORE THE POLISH-SOVIET PACT OF 1941

1. On the basis of correspondence with Poland, the Polish authorities knew that a large number of officers and men, taken prisoner by the Soviet authorities, had been concentrated in about 100 camps. It was established on the basis of the same information that officers and cadet officers, as well as State Police officers and men and members of the gendarmerie were concentrated in three camps, i. e., KOZIELSK, STAROBIELSK, and OSTASZKOW (in the last-mentioned the police and gendarmerie were concentrated). As far as officers taken prisoner after the capitulation of Lwow are concerned, this was a definite violation by the Soviets of the conditions of the capitulation, Paragraph 8 of which granted personal freedom to officers, and even envisaged their journey to other countries. The number of officers staying in KOZIELSK and STAROBIELSK was calculated at the time at approximately 9,500 and the number detained in the camp at OSTASZKOW at approximately 10,000.

2. In the middle of 1941 a report on the subject of these camps was forwarded from Poland. This report had been drawn up on the basis of secret reports sent in by men specially sent to Soviet Russia for that purpose; these men had stayed in Russian territories up to October 1940. The figures contained in the report agreed with data already in the possession of the Polish authorities; the report also confirmed the liquidation of the camps in April 1940—a matter also known—with the additional information that small groups of officers from all these three camps had been found in a new camp in GRIAZOWIEC.

II. DIPLOMATIC INTERVENTION

Immediately upon the establishment of diplomatic relations the Polish Government started the following interventions:

1. The first demarche was made by Ambassador Kot in his conversation with STALIN and MOLOTOV. He received the evasive reply that the Soviet authorities were quite unaware of the whereabouts of these officers, that they had been released like all the others, and that the Soviet authorities did not possess any lists of the above-mentioned camps. In view of this state of affairs attempts were made by the Polish Embassy at KUIBYSHEV to draw up a list of the missing officers on the basis of statements made by officers who had arrived from the camp at GRIAZOWIEC and on the basis of letters from the families of these officers which had been deported together with a large part of the civilian population from Poland to the U. S. S. R. In this way a list comprising 3,845 names was drawn up.

2. This list was handed by General SIKORSKI to STALIN on 3.12.41. During a conversation on the subject, STALIN stated for the second time that they had probably become scattered, had possibly crossed over to the Germans, or had possibly escaped to Manchuria. In any case there was no mention whatever of their having allegedly been sent to do fortification work in the region of SMOLENSK and had subsequently been rounded up by the Germans.

3. On 18.3.42. General ANDERS, in a conversation with STALIN, handed him an additional list of about 800 names and was given the same evasive answers.

4. In May 1942, the Polish Embassy deposited with the People's Komisarariat for Foreign Affairs an exhaustive memorandum concerning the results of the action taken on behalf of Polish citizens, of which an enormous number were still detained in Soviet prisons in contravention of the Polish-Soviet Pact. This memorandum again mentioned the case of the missing officers. The Soviet reply, dated 10.7.42. contained the following sentence: "With regard to the Polish offi-

¹ See my Despatch Yugoslav Series No. 6, January 7, 1942.

cers, mentioned in Para 3 of the Embassy's memorandum * * * it is the opinion of the People's Komisarjat for Foreign Affairs that it is impossible to reach the conclusion that the decree of 19.8.41 has not, as alleged, been applied to a large number of Polish officers."

III. THE GATHERING OF NEWS ABOUT THE MISSING

Since the Soviet authorities refused any information whatsoever about the missing officers, the Embassy and the Command of the Polish army started investigations on their own. As rumours began to circulate stating that large numbers of Polish officers had been deported to the far North, and that some barges, loaded with these officers had capsized, or possibly been expressly sunk in the ARCTIC OCEAN, and that some of these officers, who survived, were working in the mines in FRANZ JOSEPH LAND, NOVAYA ZEMLYA, and the KOLYMA region (Eastern Siberia), men were sent out to investigate these rumours; nowhere, however, were any traces found of these officers, and men sent to FRANZ JOSEPH LAND and NOVAYA ZEMLYA never even returned from their search.

The possibilities of finding the missing officers were now regarded with pessimism, especially in view of certain remarks dropped en passant by the highest Soviet dignitaries. For example, BERIA, in a conversation with Colonel BERLING, an officer of the Polish Army who had been won over by the Soviet authorities, when talking about the camps at KOZIELSK and STAROBIELSK, stated twice: "My z nimi zdielali bolszuju oszybku"; MARKULOV said in a conversation with General ANDERS: "U nas wyszla kakaja to oszybka."

No one, at that time, made even the slightest mention of the version published a few days ago by the TASS Agency, that officers from the KOZIELSK camp had been sent to do fortification work in the SMOLENSK region and had been rounded up by the Germans, although such a version, were it true, would clear the Soviet authorities to a large extent. It should be pointed out here, that among the officers in the KOZIELSK camp there were many elderly men on the retired list, such as General BOHATYREWICZ (aged 75) whose body was identified by the Germans in the KATYN grave.

The general opinion of the Poles in Russia on the subject of the missing officers which was current at that time was the following:

From all the three camps, the Soviet authorities had removed small groups (totalling several hundred persons) for camouflage and show purposes; these were formed into a normal prisoners' camp at GRIAZOWIEC which was handed over to the Polish authorities after the conclusion of the Pact in 1941. The huge majority of the prisoners was sent by a circuitous route, with all traces obliterated, to the concentration camps in the North and to the mines in NOVAYA ZEMLYA and FRANZ JOSEPH LAND; during this process part of them were drowned accidentally or deliberately in the ARCTIC OCEAN, and the rest perished in the camps owing to the appalling conditions. It is possible that such a very small handful of them remains, that, fearing revelations, the Soviets do not wish to show them.

IV. DISCOVERY OF THE GRAVE NEAR SMOLENSK

1. On 13.4.43. a telegram was received from Poland announcing the discovery of the grave by the Germans. The telegram stated that the grave near SMOLENSK had been seen by Poles, who were taken there by the German authorities, that the fact was undoubtedly authentic, and public opinion in Poland was deeply stirred.

2. On 13.4.43. the first German broadcasts on the subject were heard.

3. On 15.4.43. the first mention, of a general nature, appeared in Polish papers published in Great Britain, with strong reservations as to the truth of the revelations.

4. On 16.4.43. General KUKIEL's communiqué was published in LONDON.

5. On 16. 4. 43. a telegram was sent by the Polish F. O. to Berne, with the instructions that the International Red Cross should be approached. The memorandum in question was deposited by the Polish delegate in the offices of the International Red Cross at 16.30 on 17. 4. 43.

6. On 17. 4. 43. the Polish Government published its declaration.

7. On 20. 4. 43. the Polish Minister for Foreign Affairs addressed a Note on the subject to the U. S. S. R. Ambassador to the Polish Government, Богомолов, asking him for an elucidation of the matter in view of the German revelations.

8. On 21. 4. 43. a telegram was received from Poland, giving the composition of the Polish delegation which, acting under the compulsion of the German authorities, states the telegram, proceeded to SMOLENSK. The telegram at the

same time explains the fact of so late a discovery of the grave near **SMOLENSK**, a fact of which Soviet propaganda made full use. The telegram states that the first persons to pay attention to the grave were Polish workers, brought there by the Germans for earthworks. It was these Poles, for whom it was easier than for the Germans to communicate with the local population, who learned from the local people that there was a grave of Polish prisoners of war in the **KATYN** wood. The workers, not knowing what it was all about, only put up two birch wood crosses on the grave. In the first months of 1943 this was learned by the German I. S., which carried out investigations among the local population. The investigations established the fact that in March and April 1940 numerous executions had taken place in that wood. Polish prisoners of war were brought there. One of the local inhabitants stated that while working on the railway, he had seen documents showing that wagons had come from **KOZIELSK**. The prisoners were taken to the wood in lorries. Learning this, the Germans started exhumations. The telegram further stated that the German authorities had already taken the Polish delegation to **SMOLENSK** by air by 10. 4. 43. Details brought back by the Polish delegation prove the absolute authenticity of the facts. The bodies were identified on the basis of letters, notes and diaries, not dated later than March and April 1940.

9. On 24. 4. 43. another telegram was received from Poland, giving further details. The group of Poles who had travelled to **SMOLENSK** did so under strong compulsion from the Germans, without being authorized to do so by the secret Polish authorities. German propaganda on this subject in Poland has gone berserk. At the same time, the Germans have become more lenient in their attitude towards the Poles; for example, the principle of collective responsibility has been abandoned. The reaction of the Polish people is a tremendous indignation against the Bolsheviks, but at the same time analogous murders by the Germans are also stressed. The Germans are sending further groups of Poles to view the grave at **SMOLENSK**. So far 3000 bodies have been exhumed and 200 identified.

10. On 25.4.43. the Soviet Government addressed a Note to the Polish Government suspending diplomatic relations.

V. PRESENT STATE OF INFORMATION IN THE POSSESSION OF THE POLISH GOVERNMENT

1. Several score names of massacred officers identified by the Germans figured on the incomplete list drawn up by the Polish Embassy at **KUIBYSHEV**, which was handed by General **SIKORSKI** to **STALIN**.

2. After the German revelations, investigations were resumed and a few details were noted to which previously no great importance had been attached owing to the general prevailing opinion that these prisoners of war had been deported to the far North. For example: Cadet-officer (Air Force) **FURTEK** (who was in **KOZIELSK**, and, later on, was taken to the camp in **GRIAZOWIEC** together with a small group of men saved, and who, on release, after the conclusion of the Polish-Soviet Pact, volunteered for service in the Polish Army and is now in Great Britain) stated that when travelling from **KOZIELSK** in a prison-wagon, he had discovered on the wall of the wagon an inscription, made by one of the previous groups of prisoners deported from the **KOZIELSK** camp, stating that they were being detained at the second station beyond **SMOLENSK** and that from the barred windows of the prison wagon they could see waiting lorries. The same inscription is remembered by **ZEJMA**, a captain of the Polish navy, who was travelling by the same convoy as **FURTEK**. Irrespective of these statements, a telegram was received from General **ANDERS** stating that two Polish officers in the Polish Army in the East, who also escaped from **KOZIELSK** in a similar manner to that of **FURTEK** and **ZEJMA**, had seen the same inscriptions. Captain P. H., also with General **ANDERS'** army, had seen a similar inscription as late as August 1940, when he was being taken from prison in **BIALYSTOK**, to the concentration camp in **KOTLAS**. Finally, Lieutenant St. S., who is also now in the Middle East, stated that on 30.4.40 when he was being deported to the camps in the North, he had seen a convoy of officers from **KOZIELSK**, being detained from 10-20 kms. north west of **SMOLENSK**. It should be stressed here that all the names identified by the Germans and found in the list of 3,845, were on that latter list noted down as names of prisoners from **KOZIELSK**. But no names of persons from the **STAROBIELSK** camp have been found.

With regard to the **STAROBIELSK** camp, a statement was made by 2nd Lt. **KAFEL**, M. D., now attached to the Polish Medical Section of the University of Edinburgh, to the effect that when travelling from **STAROBIELSK** with that group which was sent to the **GRIAZOWIEC** camp, he had seen on the wall of

the prison-wagon an inscription, made by one of the previous groups, stating that their lot was being detained in KHARKOV. KAFEL himself, during the stop at KHARKOV, started a conversation with a Soviet worker who was cleaning the wagon, who told him: "Your companions were detained here, but you are going further." General ANDERS, too, mentions a similar inscription, without giving any more details.

With regard to the camp at OSTASZKOW—no information whatever has as yet been obtained.

VI. RÉSUMÉ

On the basis of information so far at hand, one may reconstruct in a few words the fate of these three officers' camps in the following manner:

In March or April 1940, the highest Soviet authorities decided upon the liquidation of the camps. In order to obliterate all traces, a small group was taken from each camp and transferred to the camp at GRIAZOWIEC, which was given over by the Polish authorities after the conclusion of the Polish-Soviet Pact.

The remainder were liquidated in the following way:

KOZIELSK—by mass execution in the KATYN wood.

STAROBIELSK—either by mass executions in the vicinity of KHARKOV or by deportation to the Far North and accidental or deliberate sinking of the whole transport or a considerable part in it in the ARCTIC OCEAN. It is possible, though not very likely, that there are small numbers of survivors in the concentration camps in the North or in the mines mentioned before.

OSTASZKOW—not known.

VII. FORECASTS

If the present suspension of diplomatic relations, contained in the last Note of the Soviet Government, should pass into a severance of relations, then we may anticipate that in the nearest future an "Independent Polish Government" will be formed and proclaimed in MOSCOW. This government would most probably not proclaim Communist ideals, but would follow the indefinite policy represented by the "WOLNA POLSKA" published in MOSCOW, which proclaims a Polish program of a vague nature, based on the Soviet Union, and expressed in patriotic generalisations.

Should such a "government" be created, one may assume that an "independent" Polish army will appear in the U. S. S. R.; we have already had information about its formation by the Soviets. The creation of such a government and such an army would probably be preceded by a press campaign, expressed in letters to the editors of "WOLNA POLSKA" and "NOWE WIDNOKREGI" edited by WANDA WASILEWSKA, and written by "indignant Polish patriots" wishing to separate themselves from the "incomprehensible moves of the government of General SIKORSKI, who is assailed by the influence of Fascists and GOEBBEL'S agents, hidden in his entourage, or something of this kind.

Mr. MACHROWICZ. Mr. Chairman, another indication of the appeasement policy at that time is this expression: "Near the Polish Government." They were afraid to antagonize the Russians by addressing it to the Polish Ambassador. That is a very new phrase.

Mr. SHEEHAN. Did they say how near?

Mr. MACHROWICZ. No.

Mr. WELLES. I may be wrong, Mr. Chairman, but I think we used that phraseology for all of the governments in exile. I don't think there is any distinction.

Mr. MACHROWICZ. I think that is true for fear of antagonizing the Russians.

Mr. WELLES. Oh, no.

Mr. MACHROWICZ. What was the reason?

Mr. WELLES. Because they were not in their own capital. They were not in control of their own sovereign territory.

I see that it is marked on this, Mr. Chairman, that I have read it, so I assume that I have. I must have.

Mr. PUCINSKI. Mr. Welles, I wonder if I could ask you a few questions?

Mr. WELLES. Yes, sir.

Chairman MADDEN. Will you identify that?

Mr. PUCINSKI. This has been admitted as exhibit 22. I wonder if we can establish a little chronology here.

When did you, as Under Secretary of State, first come to realize that there was a vast pool of Polish soldiers in Russia that could be helpful to the Allied cause? When did you first realize that?

Mr. WELLES. Considerably before December 1941.

Mr. PUCINSKI. Then through the efforts of the State Department you did encourage or rather the United States did encourage the forming of this army; is that right?

Mr. WELLES. Decidedly; yes.

Mr. PUCINSKI. Can you tell us why this Polish Army was regarded as of potential value?

Mr. WELLES. It had potential value for two reasons: First, because of the assistance that the Soviet Union could get at the time in defending itself against Germany; and, second, for the reasons that have already been brought out, for military operations in the Near East.

Mr. PUCINSKI. Now, you have just identified this exhibit 22, which is a memorandum sent to the Department of State by Ambassador Anthony J. Drexel Biddle on May 20, 1943. Do you recall seeing this?

Mr. WELLES. It is stamped with the stamp of my office, but I think I must point out that in the days which I was living through at that time it would have been practically impossible for me to have read every long dispatch that came in. But I have no doubt that while it did pass through my office it was actually taken care of by some other official in the Department.

Mr. PUCINSKI. Earlier this morning we had introduced as exhibit 14 a document sent to the State Department by the Ambassador who preceded Mr. Standley. Do you recall that document?

Mr. WELLES. Yes.

Mr. PUCINSKI. In that document is included a rather long report by Captain Czapski on the search for these Polish officers.

Mr. WELLES. That was referred to this morning. I don't remember ever having seen it.

Mr. PUCINSKI. You do not recall having seen it?

Mr. WELLES. No.

Mr. PUCINSKI. Well, the only thing I was trying to get straight in my mind here, in assembling all of this information on Katyn, is what is the relative measure in weight—I mean where did the Polish Army stand in your considerations in the State Department, not as a humanitarian move toward Poland but as a realistic military effort to win the war?

Mr. WELLES. My impression was very strong, after the many conferences I had with General Sikorski, that they could be of far greater value in north Africa or in Italy.

Mr. PUCINSKI. And it was because of that opinion and that impression that efforts had been made by this Government to locate or help locate their officers?

Mr. WELLES. Well, I think you are limiting it too much, Mr. Pucinski. I say again that I think there had been a traditional and very close friendship between Poland and the United States; and I think that when the Polish Government in exile asked us to use our best efforts for their benefit it was more than natural for us to

do it, quite apart from strategic considerations, although, of course, those came into it.

Mr. PUCINSKI. When you discovered that these intellectual leaders of Poland and the leaders of this potential army on which you were counting—and I think we have had mention of many instances where the United States was counting on this Polish Army—when you learned that these men had been massacred in Katyn, what sort of reaction did that create in the State Department?

Mr. WELLES. I think you are now asking about a reaction that probably took place after I had already gone.

Mr. PUCINSKI. If I understood you correctly, sir; you did not leave until July of 1943?

Mr. WELLES. That is right.

Mr. PUCINSKI. Exhibit 22, which I have just shown you and which has been identified, bears a rubber stamp indicating that it had gone over your desk at least and is dated May 20, 1943.

Mr. WELLES. That is quite right.

Mr. PUCINSKI. Now, that was some time before you left.

Mr. WELLES. But may I say again that I think that at first the situation was too confused for us to evaluate it as it later proved it should have been evaluated. There was no absolute certainty at that time as to who was responsible.

Mr. PUCINSKI. At the beginning of the hearing this afternoon, Mr. Madden said that we are now in the second phase of our investigation to try and determine whether or not there was any deliberate effort made by the various agencies in this country and other countries to suppress the knowledge about Katyn and also to keep from the American people the real meaning of this thing. What was your reaction? What was the attitude on this whole Katyn affair in the State Department at that time?

Mr. WELLES. To the best of my knowledge and belief, until I left there was never the slightest effort to play it down or to keep it quiet for reasons of appeasement of Russia. It had to do solely with our uncertainty as to what the real facts were.

Mr. PUCINSKI. But you think the fact of the matter is that Poland, who at that time was an ally of the United States, was of secondary consideration as compared to Russia, which was the first consideration? Is that a fair assumption?

Mr. WELLES. It is very difficult for me to attempt to make the balance that you request. It seems to me that the two things are separate. Here you have the Soviet Union that was not a government in exile that actually was fighting, and that was of the utmost assistance to us at that time. For traditional reasons or for reasons of sentiment, for reasons of justice and honor, we wanted to do everything we could to assist the Polish Government in exile, to get everything that we could out of the Russians for their benefit, for the primary purpose of reestablishing after the war, as I have said before, a free and independent Poland governed by the Polish people themselves according to their own desires.

I don't think you can balance those two things.

Mr. DONDERO. I would like to ask a question on this subject. The Ambassador from Poland to Moscow testified before this committee that over a period of about 2 years they made 50 separate and distinct requests of the Russian Government regarding these missing

Polish officers. Did the Embassy here in Washington—and I refer to the Polish Embassy—make known to our Embassy, or our State Department rather, the information that they were requesting the Russian Government to disclose the whereabouts of those officers?

Mr. WELLES. Do I understand correctly, Mr. Congressman, that you asked whether the Polish Embassy in Washington made that known to the State Department?

Mr. DONDERO. Yes.

Mr. WELLES. That is, made known that their Ambassador in Moscow was making these requests?

Mr. DONDERO. Yes.

Mr. WELLES. By all means; certainly.

Mr. DONDERO. And you knew that?

Mr. WELLES. Decidedly, yes. I think the Ambassadors for 2 years before I left the Department brought it up constantly in every conversation.

Mr. DONDERO. Now, those 2 years would be before the Germans made it known to the world in 1943; so, it must have been in 1941 and 1942?

Mr. WELLES. I should think it would have begun as early as 1941, Mr. Congressman. Here again it is a matter of record. All of those conversations are on file in the Department, the conversations that I ever had.

Mr. SHEEHAN. Mr. Secretary, if I might give an expression of opinion on this, as I recall, you left in 1943. Prior to that, being in the Government service for so long, naturally, in your high position, you had occasion to know about the many, many agreements with Russia since the recognition in 1933. And you knew and there came across your desk information about which agreements were kept and which were not kept, because in the Eightieth Congress, if my memory serves me right, a congressional committee showed 14 printed pages of agreements that were broken with Russia.

Now, in your position as one of the high-level policy advisors—and there came across your desk the various broken agreements—can you say what was the position of our Government in 1942 and 1943 about Russia? Did they think that sometime they could come to a general agreement with Russia on contractual obligations, or was this a desire to go on with the war only?

Mr. WELLES. I think the primary desire, of course, was to go on with the war successfully, to a successful conclusion. But I think that certainly—and probably some of the members of the committee will agree with me—we would never have gone into the United Nations if we had not thought that there was a reasonable chance that we could bring the Soviet Government to cooperate rather than to be antagonistic.

Mr. SHEEHAN. Of course, that is one of the places where we on the Katyn Committee are very much interested because quite a few of our members feel that if this famous Van Vliet report, which was missing, had been revealed to the American public in May 1945, when it was brought up and when it disappeared from the Army Intelligence—if that had been revealed to the Government or to the American public, there would have been a sufficient hue and cry and clamor about relations with Soviet Russia to the extent that some of us think, as I personally think, the United Nations would never have come into being.

That is one of the reasons why I think some of us think this report was suppressed.

Mr. WELLES. I am not familiar with that report.

Mr. SHEEHAN. The Van Vliet report, for your information, was made in May of 1945.

Mr. MITCHELL. It was dated May 24, 1945.

Mr. SHEEHAN. That was while the United Nations was in progress and while there was a rupture between Poland and Russia as to who was going to represent Poland. An American officer came back and stated to General Bissell that, in his opinion and in the opinion of another Army man, the Russians had committed this particular crime. Of course, we feel that the disappearance of this report and many other reports of a similar nature in the Army Intelligence and in the State Department and throughout our Government shows that someplace along the line there were people at the top echelon of the Government trying to protect Russia's interests. That is the only conclusion I can come to.

Mr. WELLES. Mr. Chairman, I am testifying under oath, and I can state with complete conviction that I have never participated in the suppression of anything of the character that has been mentioned.

Mr. O'KONSKI. Mr. Welles, do you now see any difference between Stalin and Hitler, judging from subsequent events?

Mr. WELLES. From the general standpoint, they are both of them authoritarian dictators, utterly ruthless in their methods. I suppose that if you get into details you can point out differences. But, so far as the main lines are concerned, I think one authoritarian totalitarian regime is as objectionable as another.

Mr. O'KONSKI. Do you think that Stalin was always that way or that he got that way since he got all of the lend-lease he received from us in 1945?

Mr. WELLES. If you read, as I have read recently, the political biography of Stalin, I should say that there has been no change intrinsically in his character from the beginning until the present moment.

Mr. O'KONSKI. In other words, summarizing this from my viewpoint, we just guessed badly and made a very bad gamble, and we lost. Is that correct?

Mr. WELLES. I suppose that is one way of putting it.

Mr. MACHROWICZ. Of course, that partially answers my question, but I would like to have you answer this, if you feel that you would like to. Do you feel now, looking back at the facts as they look today, that if our Government had adopted a more firm policy toward Soviet Russia in those fateful days of 1942 and 1943 much of our difficulties in the world today would have been avoided?

Mr. WELLES. I would like to answer that categorically, but I don't think I can because it seems to me there are imponderables there. I have never yet known to my own satisfaction how much truth there was in the idea of a further arrangement with Germany. After all, it had taken place in 1939. Germany had then broken it by invading Poland. It is conceivable that it could have happened over again.

Mr. MACHROWICZ. I agree with you, but that avoids the question.

Mr. WELLES. I did not wish to avoid it.

Mr. MACHROWICZ. My question is not asked as to our position toward Germany, but rather our position toward Russia. I agree 100

percent that there is very little difference between Stalin and Hitler as far as their totalitarian methods are concerned; but don't you think that if we had adopted a more firm policy toward Soviet Russia, and particularly toward its demands with regard to Poland and other similar situations, that we could have avoided much of the troubles of the world today?

Mr. WELLES. As it has turned out, the answer to your question, I think, is clearly "Yes."

Mr. MACHROWICZ. That is all.

Mr. WELLES. But I do want to make a reservation. Hard pressed as they were in the winter of 1942, if we had told the Russians that they were not going to accomplish anything in the world that they wanted, it might easily have been possible for them to turn around and try to sue for a separate peace with the German Government all over again.

Mr. O'KONSKI. Following through on that, now that you know what the conditions of the world are and now that you know what Hitler was and what Joe Stalin was, do you really think that it was possible for those two mad dogs to get together and make an agreement and keep it?

Mr. WELLES. Not keep it; no.

Mr. O'KONSKI. Of course not.

Mr. WELLES. Not definitely, but very much to our inconvenience for a short time.

Mr. DONDERO. They did keep it up until at least June 21, 1941?

Mr. WELLES. That is right.

Chairman MADDEN. Are there any further questions?

Mr. MITCHELL. Mr. Chairman, I would like to at this time ask a question of opinion. You will recall this morning that when we put on the record exhibit 14 from Ambassador Standley to the Department of State, dated April 28, this one phrase was in that dispatch:

In the second place, there does not appear to be any Polish leader who would have sufficient stature to make such a government popular.

Mr. WELLES. He was talking about the Polish Communist leaders in the Soviet Union.

Mr. MITCHELL. I would like to have you give your opinion, in the light of then and now, because—

Mr. WELLES. I am wholeheartedly in accord with that evaluation. I think all of the Polish leaders with ability sufficient to lead their country out of the tragic situation it finds itself in are either still in occupied Poland or outside in the rest of the world. I don't think they are in the Soviet Union.

Mr. MITCHELL. I asked you that question because that leads us to Yalta and what happened at Yalta about the formation of a free Polish Government. I know that you were not in the Department of State at that time, but I would like to know whether you would like to comment. You are aware that all of Yalta has been declassified now.

Mr. WELLES. I think it is preferable for me not to attempt to make that estimate now. There are many of us who will make it. I was not on the scene, as you have said. I was not behind the scenes. I was no longer in touch with all of the secret information that was passing over the desks at the various agencies of Government. But I think,

without having had all of that information, it would be very difficult fairly to evaluate what was then done.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Mr. Secretary, I have just one final question, and this is merely asking for a comment that has nothing whatsoever to do with this hearing. Judging from your long experience in international affairs, the committee would be interested in getting your thoughts regarding the similarity of the actions of the Russian leaders, Stalin, Molotov, Vishinsky, regarding the disappearance of these Polish officers, and when they postponed and stalled the Polish leaders for almost 2 years, giving them no satisfaction whatsoever, although they knew that these Polish officers had been murdered and massacred—do you find a similarity in their tactics with the Polish leaders, the free Polish Government, and the negotiations that they are now carrying on with the United Nations in Korea?

Mr. WELLES. I think there is a similarity in objective and a similarity in technique.

Chairman MADDEN. That is all.

We wish to thank you, Mr. Secretary, for your testimony. The testimony has been very valuable, and we appreciate your taking the time to come here and present it.

Mr. WELLES. Thank you, Mr. Chairman. I express my thanks to the committee for its great courtesy to me.

Chairman MADDEN. Thank you.

Mr. MITCHELL. Mr. Chairman, I wonder if we could take a recess for 10 minutes to give Mr. Harriman a chance to look over some papers.

Chairman MADDEN. Let's reduce that to 5 minutes. We will take a 5-minute recess.

(A short recess was taken.)

TESTIMONY OF HON. WILLIAM AVERELL HARRIMAN, DIRECTOR FOR MUTUAL SECURITY

Chairman MADDEN. Mr. Harriman, will you be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARRIMAN. I do.

Chairman MADDEN. Please state your full name for the record.

Mr. HARRIMAN. My name is William Averell Harriman.

Chairman MADDEN. And your address, Mr. Harriman?

Mr. HARRIMAN. My address here in Washington?

Chairman MADDEN. Yes.

Mr. HARRIMAN. 1800 Foxhall Road.

Chairman MADDEN. And your business?

Mr. HARRIMAN. I am Director for Mutual Security.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Chairman, at this time I would like to summarize for the benefit of Mr. Harriman how far we have progressed with this hearing.

Mr. Harriman, it is my understanding that you became Ambassador to Soviet Russia in October 1943?

Mr. HARRIMAN. That is my recollection. It may have been September. I have forgotten when I was confirmed by the Senate, but I went

to Moscow with Secretary Hull to the Moscow Conference in the middle of October 1943.

Mr. MITCHELL. The committee has progressed to the point now in its investigation where dispatches, telegrams, memorandums of record, have been received over the period 1941-42-43, concerning the missing Polish officers and that all of these communications were in the Department of State, from both the Ambassador in Moscow and the Ambassador in London. Now, you participated in the discussions at Yalta, and the formation of the new, or what is today known as the Polish Provisional Government. They were in control during 1945 through 1947, until after the "free and unfettered" elections of 1947. Also, there is the matter of the 16 underground members of the Polish Government in exile who came out of hiding and were taken to Moscow in approximately April of 1945.

I am sure that you can tell us something about what transpired then.

Chairman MADDEN. Mr. Counsel. I think that if Mr. Harriman so desires, the committee would be interested in hearing his statement.

If you care to, Mr. Harriman, we would be glad to hear your statement of any points which you have, regarding your knowledge of the Katyn massacre, or the disappearance of the Polish officers, or any knowledge you have, as Ambassador, that is connected with the investigation of the committee. Would you care to make a statement? Whether it is a statement of a few minutes or 5 or 10, whatever you care to make, the committee would be glad to hear it, if you desire.

Mr. HARRIMAN. I imagine most of this has been gone over by the committee. I do not know that I can contribute anything to it. I was very much involved in my work in England. I made two trips to Moscow, one in 1941 and one in 1942.

Chairman MADDEN. The committee would be very much interested in hearing your impressions and versions concerning the facts of the Katyn massacre.

Mr. HARRIMAN. I have very little knowledge about it. I was sent to Moscow by President Roosevelt with an Anglo-American Commission, in which Lord Beaverbrook represented the British, in September 1941, and I was chairman of the American Commission. I had some contact with the Polish problem at that time, and I got to know General Sikorsky well because his government was in exile in London, and at the suggestion of the President, I did send a telegram to Stalin asking for the cooperation of the establishment of the Polish Army, and I have a letter coming from the Polish Government in exile, thanking me for my efforts, and indicating that it was of great use in establishing the first basis for this army.

Then there was a question, I think, at that time, of moving them to Persia for training. I had no knowledge of the missing officers, because I was so occupied with my work in London.

I, of course, do recall the announcement of the Germans of this massacre, but I had no knowledge of it except what I saw in the British press at that time.

I do recall seeing General Sikorsky after the event, after the Polish Government had asked the International Red Cross to make an investigation. General Sikorsky told me that he had been quite ill at the time and regretted that that particular request had been made, that led to the breaking off of relations between the Soviet and Polish

Governments, and he felt that the better way would have been to have handled it directly with the Soviet Government, as I recall it. That was recorded by Mr. Biddle, who was the Ambassador at that time to the Polish Government. General Sikorsky died, and I, of course, had no further contact with him.

The subject came up again when the Soviet Government invited the American press in Moscow to go to Katyn and witness the examination of the graves. At that time I thought it would be useful if a member of the Embassy went along. At that time it had not been the custom of the Soviet Government to invite members of the Diplomatic Corps to go with the foreign press, and I asked my daughter whether she would be willing to go, believing the Russians would be more likely to let her go than only an Embassy official. I therefore asked the Foreign Office to permit my daughter and a member of the American Embassy staff, Mr. John Melby, to go with the press. They did go, both of them, and they submitted their reports independently, of what they had seen, and their impressions. I forwarded the reports to the State Department, and sent a brief message to the President and the Secretary of State, recounting briefly what their impressions were. Beyond that I have no knowledge of or information regarding the interchange of information that existed in the requests for information about the officers or the details which were available in Washington or elsewhere regarding the Katyn massacre.

That is a brief summary of the background of my knowledge of those particular events.

Of course, constantly while I was Ambassador, there were discussions with the Soviet Government about recognition again of the Polish Government in London, and there were a number of different negotiations, of which Yalta was one, in regard to attempting to get the Soviet Government to agree to a Free Poland, and acceptance of the principles which the Government of the United States had set forth for protection of the Polish interests.

Mr. MITCHELL. Mr. HARRIMAN, you have read exhibit 19, sent by Admiral Standley to the Secretary of State, dated April 28, 1943, in which he predicted the formation of a Free Polish Government. In that exhibit is this statement:

In the second place, there do not appear to be any Polish leaders here who have sufficient stature to make such a government popular.

That was April 28, 1943, about 15 days after the disclosure of the finding of the mass graves at Katyn.

Now, I assume that at least a copy of this dispatch was in the files at Kuybishev or Moscow when you took over the post of Ambassador?

Mr. HARRIMAN. I do not recall ever having read it. I did not send the telegram. I do not recall reading it until I was shown the telegram a short time ago. I think it is a sensible telegram.

Mr. MITCHELL. Certainly the subject matter must have been up for discussion in the high-level discussions at the time that you were negotiating and discussing Yalta. You were present at Yalta; were you not?

Mr. HARRIMAN. I was; yes.

Mr. MITCHELL. With this statement in the files of the Department of State and in Moscow, and with all of the other information that was available at that time, the leaders were the ones that were found

in Katyn. This statement specifically says that there is not any Polish leader here who would have sufficient stature to make such a government popular. I would like to ask you to explain to the committee just who were the Polish leaders in Moscow when you arrived there, and what was your knowledge of them?

Mr. HARRIMAN. I don't know any of them. Of course, when it came to Yalta, you will recall, the Soviet armies were in substantial occupation of the entire Poland, and they had established what we called the Lublin Government. Mr. Beirut was the head of it, and the list of Ministers I cannot recall now, but it is available. They had been established by the Soviet Government under the force of the Red Army as the ruling government in Poland.

Mr. MITCHELL. In Lublin?

Mr. HARRIMAN. Yes.

Mr. MITCHELL. But the Polish Government in exile maintained their headquarters in London at that time?

Mr. HARRIMAN. That is correct.

Mr. MITCHELL. At the same time you knew, when you were Ambassador to London, that the Polish Government also had underground leaders, the Polish Government in exile?

Mr. HARRIMAN. No; I was not our Ambassador in London. I was a special representative of the President, dealing with supply and shipping questions during the period I was in London. I was not involved in the diplomatic aspect of our Embassy in London.

Mr. MITCHELL. Certainly, General Sikorski, somewhere along the line must have told you that they had their people. In effect, there were two governments.

Mr. HARRIMAN. I was not familiar with the underground movement. I knew that one existed, but I was not familiar with the details of that.

Mr. MITCHELL. Can you explain to the committee why the Polish Government in exile, since they were then recognized by this Government, was not present at Yalta and since it concerned the subject matter of Poland?

Mr. HARRIMAN. There were no governments present at Yalta, with the exception of the British and the Soviet Government and the American Government, those three Governments. It was a tripartite meeting.

Mr. MITCHELL. Can you tell us what transpired concerning the formation of this new government at Yalta?

Mr. HARRIMAN. There was at the time of Yalta the so-called Lublin Government, which had been established by the force of the Soviet Government. It had jurisdiction over the civilian affairs of Poland, because Poland by that time had been freed from German control by the Red army, and the Lublin government had taken over. The discussions in Yalta related to a broadening of the base of that Government, so as to include democratic leaders from within Poland and from outside of Poland, which, of course, included the London government. Agreements were reached at that time with Stalin, in which he undertook to cooperate with the American and the British Governments in the establishment of a broadly based democratic government, with the participation of the other leaders, both from within Poland and from outside, and the holding, as promptly as possible, of free and unfettered elections.

That agreement was reached, and the fact that Stalin broke that agreement is the reason why Poland is now still under Soviet domination.

Mr. MITCHELL. But, Mr. Harriman, at that particular time, and all during the war, Poland had been an ally of the United States and Great Britain, and the Soviet Union, during the latter stages of the war.

Mr. HARRIMAN. That is correct.

Mr. MITCHELL. The Government was recognized as the legal government of Poland. They were situated in London. What conferences took place or may have taken place which preceded Yalta, with the Polish leaders then?

Mr. HARRIMAN. I have no knowledge of that.

Mr. MITCHELL. Who brought up the subject of the broad base of representative government in Poland when all three, except the Soviet Union, which broke off diplomatic relations, as a result of it—

Mr. HARRIMAN. There had been discussions for a considerable period of time, over attempting to get the Soviet Government to recognize again the Polish Government in London as the Government of Poland. Those negotiations failed, and the Soviet Government went forward with its plan to set up this Lublin Government.

Mr. MITCHELL. Did the United States have to give in to the Soviet requirements? The Lublin Government was not recognized by the United States?

Mr. HARRIMAN. No; the Lublin Government was never recognized by the United States.

Mr. MITCHELL. The United States continued to recognize the government in exile, until July 5, 1945; is that correct?

Mr. HARRIMAN. That is correct.

Mr. MITCHELL. But yet, at the same time, the Government of the United States was negotiating for putting the Lublin Government into existence, without telling the Polish Government in exile what was going on?

Mr. HARRIMAN. I have no knowledge of what was told or not told the Polish Government in London. I do know that President Roosevelt, and also Prime Minister Churchill attempted to work out arrangements which would insure Poland's freedom, and that, I believe, they thought they had accomplished by the pledge of Stalin to hold free and unfettered elections. Now, that was the objective of President Roosevelt, to overcome what was the then existing fact, which was the occupation of Poland by the Red armies, the control of Poland by the Red army, and the establishment of this government, which was done through force, by the Soviets. That was a fact which existed at that time. The diplomatic negotiations having failed to bring about the recognition of the Polish Government in London by the Soviets, the President attempted to develop another means by which Poland would be free, and the Polish people would be protected from this new enslavement.

Mr. MITCHELL. Why could not the Polish Government in exile in London return to Poland after the war and hold those free and unfettered elections?

Mr. HARRIMAN. Because the Soviet Government refused to permit them to do so.

Mr. MITCHELL. Yet the United States and Great Britain went along and accepted the line of the Soviet Union.

Mr. HARRIMAN. No; the Lublin Government was never recognized. There was an attempt to set up a provisional government which would insure that there would be, with the cooperation of the British and American Governments, a free election in Poland, so that the Polish people would again have their freedom, and that this enslavement would then end.

Mr. MITCHELL. But at the time of Yalta, the United States Government representatives had information about the missing Polish officers and they had never received a satisfactory explanation during 1941 and 1942. These were the leaders of Poland, found at Katyn. Admiral Standley tells us there was no individual in Moscow of sufficient stature to be a leader.

Was that subject considered? We knew at the time of Yalta that the Soviets never kept their word.

Mr. HARRIMAN. Number 1, the Lublin Government, as I recall it, were selected from people that came to Moscow subsequent to 1943. I do not remember when they came, but they were largely leaders who came from Poland, who had been working among the Communists in Poland. They were not people sitting in Moscow, but, as I recall it, they were the Poles who were brought out of Poland, who had been working to develop a Communist movement within Poland.

This idea that the Soviet Government did not keep its agreements is not fully true. The most important agreement during the war which was reached with the Soviet Government was the agreement for the Red army to attack the German forces shortly after our landing in Normandy. I think that one should recall that when we landed in Normandy there were 199 German divisions on the eastern front, the Russian front, and about 50 satellite divisions, whereas, if I remember correctly, there were some 60 German divisions in France and in the Low Countries, and our Chiefs of Staff were gravely concerned over the possibility of the Germans transferring from the eastern front a substantial number of their divisions, which would make the landings difficult or, possibly, the German forces would have been able to drive us back to the sea.

Now, Stalin made that agreement, and he kept it. He made that agreement at Tehran, and he kept it, and the Red army attacked a few weeks after our landing in Normandy and broke through this very large German force, and it was because of the keeping of that agreement that our successes on the western front were possible.

I think you will find that our military leaders at that time would substantiate that statement, and the keeping of that agreement was one of the factors which did influence both the American and British in terms of having hopes that the Soviets would cooperate in the peaceful solution of the problems which were concerning us at the end of the war.

Mr. MITCHELL. Mr. Harriman, you are familiar with the terms of the Atlantic Charter, of course?

Mr. HARRIMAN. Yes.

Mr. MITCHELL. One of the provisions of the Atlantic Charter was that there would be no territorial gains on the part of any of the Allies. Yet the United States Government and Great Britain participated in discussions—and I am not sure whether it was in Tehran or Yalta—

which in effect was determining the future boundaries of Poland, and it was a territorial gain for the Soviet Union. Can you explain that?

Mr. HARRIMAN. I am not an expert on the question of the eastern borders of Poland. You will have to ask somebody with the State Department about that, where the discussions were, but the Russians had contended—and I am not justifying the contention, but I am merely stating the fact—they had contended for a considerable period of time that the eastern borders of Poland had been unfairly made and that ethnologically there was a larger percentage of white Russians and Ukrainians in that area and that the agreement at the end of World War I was unfair to the Soviet interests.

I assume that was the reason why this discussion took place and was not considered to be perhaps a violation of the Atlantic Charter. It was a correction, as far as the Russians contended—I am not saying that was a correction, actually, but the Russians contended that that was a rectification of an injustice which had previously been forced on them by the military situation at the end of the First World War.

Chairman MADDEN. Mr. Harriman, did I understand you to say that that was an unfair designation of the eastern border?

Mr. HARRIMAN. No—I am saying that was the Russian contention. I am just acting as a reporter. I am saying that that was the Russian contention.

Mr. MITCHELL. But here are the United States and Great Britain violating one of the terms of the Atlantic Charter because of a demand by the Soviet Union. Why could not that discussion have taken place after the war, after the Polish Government had gone back, and then they could have had the government? In effect, what happened was that the Soviets, because of the lack of leaders, due to Katyn, put the people they wanted into Poland, and the United States and Great Britain participated in Yalta or Tehran in violation of one of the provisions of the Atlantic Charter. You were there as one of the individuals at Yalta.

Mr. HARRIMAN. I was not involved in terms of the selection of the Curzon line. That was a proposal which I don't know the basis of. But this discussion was, as I say, in relation to the Soviet contention that a wrong had been done after World War I.

As far as I understand, President Roosevelt's objective was to relieve the Polish people at the earliest possible date, of their enslavement, and make it possible to help Poland rebuild her economic life. Everyone was generally familiar with the appalling conditions in Poland, and an attempt to help the Polish people regain their independence and to help them both through relief and economically rebuild their lives was made, and to alleviate the distress in which the people were then living.

So that that, I believe, was the main, or among the reasons why President Roosevelt thought it was extremely important to get the earliest possible settlement.

Mr. DONDERO. Mr. Harriman, right at that point let me ask: Was there ever a speedy action, as contemplated, a free election, as contemplated, in Poland?

Mr. HARRIMAN. Never.

Mr. DONDERO. Under the Lublin Government, or any other?

Mr. HARRIMAN. Never. There were never any free elections in Poland.

Mr. O'KONSKI. Mr. Ambassador, I do not ask this question to embarrass you, or cast any reflections, because I have a high regard for you, but just clear up the record and to get the motives that were operating.

Will you tell us what part Alger Hiss played in the Yalta Conference? What was his capacity?

Mr. HARRIMAN. I barely knew him. He was a young man that was carrying papers for Mr. Stettinius. I had no conversations with him. I had a general knowledge that he was one of the men working on the United Nations. He never participated in any of the discussions at which I was present.

Mr. O'KONSKI. Was he ever consulted on matters pertaining to the future of Poland?

Mr. HARRIMAN. Not that I know of. I understood that he was one of the men that had been working on the terms of the United Nations, but beyond that, I never knew that he was consulted.

Mr. O'KONSKI. His capacity, then, at Yalta, was more or less preliminary footwork, so to speak, to get the preliminary steps started toward the organization of the United Nations, and that, as far as you know, was his capacity at Yalta?

Mr. HARRIMAN. That is, as far as I know; and he never participated, as far as I can remember, in any discussions, whatsoever. He was a young man from the State Department who had some of the papers which Mr. Stettinius would call for.

Mr. O'KONSKI. Thank you.

Mr. SHEEHAN. Mr. Harriman, might I put some questions to you?

Mr. HICKERSON, from the State Department, when he was here yesterday, testifying, stated that, as an outcome of the Yalta Conference, that three men were appointed to go over and see if they could consult with the Polish leaders and the Polish people with reference to working out some sort of situation or agreement. Those were Ambassador Clark Kerr, yourself, and Mr. Molotov. Could you tell us what happened at those conferences?

Mr. HARRIMAN. I can only tell you from memory, as I have not had access to any papers.

The three of us met in Moscow, as was provided by the Yalta agreement, shortly after the end of Yalta. There was a slight delay, as I recall it, because Sir Archibald Clark Kerr, the British Ambassador, returned by train and it took him a few days. We could not come to an agreement, and it ended in a deadlock.

As I recall, one of the issues was that we wanted to bring in some of the Poles in the London Government and some of the Polish leaders who were known to be in Poland. We could not get agreement with Mr. Molotov. If my recollection is right, the thing we broke on was Molotov insisting that we talk to the so-called Lublin Poles first and then talk to the others subsequently. Sir Archibald Clark Kerr and I took the point of view we should consult them together, and I think we broke on that basis and never got any further. I would have to refresh my memory to recall that, but they broke down completely, and nothing was accomplished.

Mr. SHEEHAN. As I understand, you were at Yalta. Were you at Tehran?

Mr. HARRIMAN. I was at Tehran also.

Mr. SHEEHAN. Were you at Potsdam?

Mr. HARRIMAN. I was at Potsdam also.

Mr. SHEEHAN. In all these conferences, did you participate in the high-level discussions, or were you, like Mr. Hiss—

Mr. HARRIMAN. I was in some of them, not in all of them, but I was in some of them.

Mr. SHEEHAN. Then permit me to ask you this: As I understand the Yalta Conference—

Mr. HARRIMAN. You see, there were conferences going on between the staffs, our Chiefs of Staff, the combined Chiefs of Staff, and the Soviet, and there were certain other discussions. Mr. Roosevelt and Mr. Churchill and Mr. Stalin had some discussions. I think I was in most of the conferences between Roosevelt, Churchill, and Stalin.

Mr. SHEEHAN. According to Mr. Byrnes, who was Secretary of State at the time of the Yalta conference, if my memory serves me right—

Mr. HARRIMAN. No, he was not Secretary of State. He came as an adviser to President Roosevelt. He was not Secretary of State at that time.

Mr. SHEEHAN. As I remember this situation—and the reason why we are bringing it in is to try to find out whether there was any question about the Poles involved—he stated the conference had broken up February 10 and most of them had departed, and then the conference went on for another 1 or 2 days. According to the history, Hiss stayed on and was with Mr. Roosevelt and Stalin, when a very small, select group, made further arrangements or commitments at Yalta. Do you know anything at all about that? Were you in that group?

Mr. HARRIMAN. Mr. Hiss had nothing to do with any of these discussions. There were some discussions at the last day or two of the Yalta Conference, in regard to the Far East and Russia's participation in the war against Japan. Those were the last discussions that took place in Yalta, if my memory is correct.

Mr. SHEEHAN. As far as you know, at Tehran, at Yalta, and Potsdam, did you engage in any discussions at all, with any of our officials or foreign officials, with reference to the missing Polish officers, or their problem?

Mr. HARRIMAN. No; I do not recall the subject came up.

Mr. SHEEHAN. However, I do know, unfortunately I do not think the State Department has paraphrased it, that as early as November 1941 you yourself had sent a message to Mr. Stalin in which you had asked about the Polish Army and the Polish officers, with a view toward finding when the Polish forces could be gotten into a fighting unit. And Mr. Stalin later sent you some telegrams and some information on that. I would like to have the counsel show this to you to see if you can recall it.

Mr. HARRIMAN. Yes; I sent a telegram to Mr. Stalin on November 7, as I recall it, at the request of the President. I would be glad to read this into the record, if you wish.

Mr. MITCHELL. Mr. Harriman, I believe we have a copy of that paraphrased.

Mr. HARRIMAN. Then I got two replies from Stalin, one that he would consider it, and then another one about a talk with Ambassador Kot, and then I have a letter from Raczynski in London. I was in London at that time. In it he says:

Beyond doubt, your telegram to Mr. Stalin was instrumental in breaking a very undesirable deadlock and facilitating General Sikorski's visit to Russia.

then he goes on and thanks me for the Polish Government for my efforts.

Chairman MADDEN. Mr. Harriman, I offer you what will be marked for identification as "Exhibit 23," which you can peruse, and ask you if that is the authentic message which you sent on November 7. That includes also the attachments to it. I think this is a paraphrase.

Mr. HARRIMAN. Yes, this seems to be a correct copy of the telegram I sent.

Chairman MADDEN. Group exhibit 23 is accepted in evidence.

Mr. SHEEHAN. If this other one is a paraphrase, I think it would be important as part of the record the telegram of November 14 from Mr. Harriman to Mr. Stalin, so that we know our Government was informed, and Mr. Harriman was cognizant of the fact that the Polish situation was of importance even as early as 1941, in November.

Chairman MADDEN. Is that in the exhibit?

Mr. MITCHELL. This is exhibit 18, and one of four attachments to it.

(The document was marked "Group Exhibit 23" and received for the record.)

EXHIBIT 23—MESSAGE FROM HARRIMAN TO STALIN OF NOVEMBER 7, 1941

The problem of the most effective ways of using unarmed Polish troops now in Russia has had close attention and, at the President's suggestion and after consulting with him I am bringing certain phases for your consideration to your direct attention. It is our understanding that these Polish forces are in the general region of the lower Volga and east of there, and that owing to the great strain on Soviet resources it is not possible for the Soviet Government fully to equip or utilize these troops. The problem therefore would appear to be one of reconditioning these troops to their greatest effectiveness under the terms of the understanding with the Polish Government that these troops are to fight as a national unit against Nazism. These troops are located in an area bordering vital regions whose defense is of joint interest to all who oppose the Nazi regime.

It is our suggestion that these Polish forces be assembled and sent to a designated area in Persia, and that this should be done with the agreement as well as the assistance of the Soviet Government. With American and British help these Poles might there be uniformed, armed, and reconditioned so that they could most quickly become a part of the fighting forces in the expectation that they would be sent to the Soviet Russian front.

In cooperation with the British we are conducting a survey which it is hoped will quickly ascertain the supplies necessary and the availability of material and the means by which supplies may be delivered to the Poles not only quickly but also with the least possible interference with transportation lines for supplying materials to the Soviet Union.

It would be deeply appreciated if you would express your general views on this subject. If you agree it would be helpful if you could inform us when and in what numbers it would be possible for the Polish forces to arrive at places outside the Soviet Union where our plans as discussed above could be put into operation.

EXHIBIT 23A—AMBASSADOR HARRIMAN'S DISPATCH TO WASHINGTON

EMBASSY OF THE UNITED STATES OF AMERICA,
London, December 1, 1941.

The Honorable CORDELL HULL,

Secretary of State, Department of State, Washington, D. C.

DEAR MR. SECRETARY: I am sending you herewith, for the records, copies of two cables I have received from Stalin, as delivered to me by M. Maisky, in reply to a cable sent in my name to Stalin on November 12th.

I am enclosing also copy of a letter from Count Raczynski, the Polish Ambassador.

Yours sincerely,

(Signed) A. HARRIMAN.

EXHIBIT 23B—MARSHAL STALIN'S FIRST REPLY TO AMBASSADOR HARRIMAN

14TH NOVEMBER, 1941.

Mr. AVERELL HARRIMAN : Your telegram of the 12th November received. I have not yet had the possibility to acquaint myself with all the details of the Polish question in the U. S. S. R. In the course of two or three days, after studying this question, I will let you know the attitude of the Soviet Government. In any case you should have no doubts that the wishes of the Poles, as well as the interests of the friendly relations between the U. S. S. R. and Poland will be taken into account by the Soviet Government.

(Signed) STALIN.

EXHIBIT 23C—MARSHAL STALIN'S SECOND REPLY TO AMBASSADOR HARRIMAN

27TH NOVEMBER, 1941.

Mr. AVERELL HARRIMAN,
% *American Embassy.*

DEAR MR. HARRIMAN : I am instructed to forward to you the following reply of M. Stalin to your telegram :

"I had recently a conversation with the Polish Ambassador to the U. S. S. R., Monsieur Kot. I received the impression that the U. S. S. R. and Poland have all the reasons and possibilities to settle all fundamental questions in which both parties are interested. For your information, I would like to point out that Monsieur Kot did not raise the question, during the conversation, of sending Polish military forces from the U. S. S. R. to any other country.

Yours sincerely,

STALIN."

(Signed) I. MAISKY.

EXHIBIT 23D—POLISH EMBASSY LETTER TO AMBASSADOR HARRIMAN

POLISH EMBASSY,

47 Portland Place, London, W. 1, November 26, 1941.

Mr. WILLIAM AVERELL HARRIMAN,
Minister Plenipotentiary,
Dorchester Hotel, Park Lane, W. 1.

DEAR MR. HARRIMAN : I feel it to be my duty to present to you the Polish Government's very sincere and cordial thanks for your help in our difficult conversations with the Soviet authorities regarding the formation of the Polish Army in Russia. It is beyond doubt that your telegram sent to M. Stalin was instrumental in breaking a very undesirable deadlock and in facilitating General Sikorski's visit to Russia. It is the very sincere hope of the Polish Government that this visit may bring all the expected results. That it will lay solid foundations for the establishment of our army in Russia and contribute to improve the position of our civil population in the Soviet Union.

Believe me,

Yours sincerely,

(Signed) EDWARD RACZYNSKI.

Mr. MITCHELL. Did you want some of these read?

Mr. SHEEHAN. On November 4 Mr. Harriman's telegram to Mr. Stalin, and the reply.

Mr. HARRIMAN. That was November 7, 1941.

Mr. SHEEHAN. Yes.

Mr. MITCHELL. This is exhibit 23, message from Harriman to Stalin, November 7, 1941:

The problem of the most effective ways of using unarmed Polish troops now in Russia has had close attention and, at the President's suggestion, and after consulting with him, I am bringing certain phases for your consideration to your direct attention. It is our understanding that these Polish forces are in the general region of the lower Volga, and east of that, and that owing to the great strain on Soviet resources it is not possible for the Soviet Government fully to equip or utilize these troops. The problem, therefore, would appear to be one of reconditioning these troops to their greatest effectiveness, under the terms of the

understanding with the Polish Government that these troops are to fight as a national unit against nazism. These troops are located in an area bordering vital regions whose defense is of joint interest to all who oppose the Nazi regime.

It is our suggestion that these Polish forces be assembled and sent to a designated area in Persia and that this should be done with the agreement as well as with the assistance of the Soviet Government. With American and British help, these Poles might there be uniformed, armed, and reconditioned so that they could most quickly become a part of the fighting forces in the expectation that they would be sent to the Soviet Russian front. * * *

Mr. SHEEHAN. Mr. Counsel, I think that is sufficient reading, because the rest of it just goes on out.

That is just to prove the fact that our Government in 1941 was conscious of the Polish Army situation.

Mr. MITCHELL. This is another part of the same exhibit, being dated November 14, 1941, addressed to Mr. Averell Harriman:

Your telegram of November 12 received. I have not yet had the possibility to acquaint myself with all the details of the Polish question in the U. S. S. R. In the course of 2 or 3 days, after studying this question, I will let you know the attitude of the Soviet Government. In any case you should have no doubts that the interests of the Poles, as well as the interests of the friendly relations between the U. S. S. R. and Poland will be taken into account by the Soviet Government. signed "Stalin."

Mr. SHEEHAN. Mr. Harriman, my thought here is this:

Starting in 1941, were you acquainted with the problem of the Polish Army and the formation of it, and then in 1943, when you became Ambassador, was there any more question now about the Polish Army, because at this point, when you were Ambassador, the massacre had been discovered?

Mr. HARRIMAN. As I recall it—and I may be wrong on it—a good many of the Polish soldiers had been brought to Iran and had been trained and equipped there, and they did not go back into Russia, they went into, I think, the first place, Italy, and fought very gallantly there.

The problem that I was involved in was attempting to get the Soviet Government to recognize again the Polish Government in Exile as the Government of Poland. They had broken off relationships, as you well know, in the spring of 1943. Mr. Hull, as I recall it, took it up while he was in Moscow, at the time of the Moscow Conference, in October 1943, and we exerted constant pressure on the Soviet Government to recognize again the Polish Government in London as the Government of Poland. All of those endeavors were unsuccessful.

Mr. SHEEHAN. Mr. Harriman, this is calling for an expression of opinion, insofar as it relates to the Polish situation.

When Mr. Byrnes was assistant to the President at Yalta, was he fairly well informed as to what happened there up to the point where he left the negotiations and conversations?

Mr. HARRIMAN. I do not recall which meetings he was in. I do know he was not in the discussions between Stalin and President Roosevelt on the Far East. To my own recollection, I do not know which meetings he attended.

Mr. SHEEHAN. The reason why I ask that is that Mr. Byrnes had made a statement which, to us in the committee, brings up a question. I will read the statement, with your permission, because he agreed with you with reference to your conversations, about the Lublin Govern-

ment, but he also brings out another phase about negotiations with Poland. I will quote directly. He says:

Not only Poland's boundaries, but Poland itself was one of the most serious issues of the entire conference. More time was spent on this subject than any other. Because of the intensity of the argument, Mr. Roosevelt would assume the role more of an arbiter than of an advocate, although he, as well as Prime Minister Churchill urged the establishment of a new Polish Government in Warsaw. The Soviet Union, on the other hand, wanted to continue the Lublin Government. Stalin was willing to add a few persons, but he wanted to make certain that those that were added did not affect the Soviet Union's control of the Government.

that last part substantially agrees with what you said in your negotiations with the three men.

Mr. HARRIMAN. I would think that he was right, that of all the political subjects, there was more time spent on Poland than any other. There were, of course, considerable military discussions.

Mr. SHEEHAN. Would you care to comment on Mr. Byrnes' remarks? He said Mr. Roosevelt spent more time as an arbiter rather than as an advocate.

Mr. HARRIMAN. I would be inclined to think my recollection is correct, as far as the boundary is concerned, but he was very anxious to get an early agreement on the establishment of a government which would insure the protection of the freedom of the Polish people and the holding of a free election at the earliest possible moment.

Mr. SHEEHAN. Thank you.

Mr. MACHROWICZ. Mr. Harriman, I think this has been partially covered but I would like to get your answer to it.

Were any representatives of the Polish Government consulted regarding the Yalta agreement, prior to the agreement?

Mr. HARRIMAN. Not that I know of. But there may have been talks. There have been a number of talks, in London, and Mr. Mikolajczyk had come to Moscow in August of 1944 and also in October of 1944.

Mr. MACHROWICZ. That was after the Yalta agreement; was it?

Mr. HARRIMAN. No; before the Yalta agreement. Mikolajczyk was the Prime Minister of the Polish Government in London after General Sikorski's death, and he remained as such during this period.

Mr. MACHROWICZ. Was he consulted?

Mr. HARRIMAN. He was not consulted, so far as I know, about the Yalta agreement, but there were discussions with Mr. Mikolajczyk on the subject of a settlement in order to get a provisional government established, which would insure the possibility of holding a free election.

Mr. MACHROWICZ. Can you explain why, at the time of the settlement of the question involving the independence of the nation and the future territorial integrity of that country, that no representative of that country was invited?

Mr. HARRIMAN. There were no other representatives of any governments at Tehran, except the three governments, the three principal allies. There had been discussions with Mikolajczyk over possible settlements, both in Moscow and in London.

Mr. MACHROWICZ. But no representative was invited to confer?

Mr. HARRIMAN. No representative was invited.

Mr. MACHROWICZ. Do you consider that the agreement which you and Mr. Kerr worked out in Moscow in June of 1945 was a satisfactory solution of the agreement in Yalta?

Mr. HARRIMAN. I never thought it was a satisfactory solution. It was the one hope that possibly an interim government might be established which would have enough non-Communist members, in order to insure that there would be a free election held.

Of course, this agreement was unsuccessful and it was the best that it appeared at that time that could be obtained and gave some hope that there would be a free election and that what we call the democratic elements—you know, the Soviets have used that word "democratic" in quite a different way than we use it—that the democratic forces in Poland would rise, and there could be a free election held.

Mr. MACHROWICZ. What guaranty did we obtain at Yalta that there would be a free and unfettered election in Poland?

Mr. HARRIMAN. The only guaranties were the pledged words of Stalin.

Mr. MACHROWICZ. Was that satisfactory to you?

Mr. HARRIMAN. I don't know what other pledges you could have had.

Mr. MACHROWICZ. Do you think an election controlled by the powers which made the Yalta agreement could have been held?

Mr. HARRIMAN. There was agreement. It was that the three governments would work together, and see that a free election would be held. We did not bow out of it. In the agreement it was recognized that the United States and British Governments had a joint responsibility with the Soviet Government in seeing that they were held. But the Soviet Government always refused to permit that to happen, and no free elections were held in Poland.

Mr. MACHROWICZ. And there was nothing that we could do about it, was there?

Mr. HARRIMAN. There was nothing we could do about it.

Mr. MACHROWICZ. Because of the agreement made at Yalta.

Mr. HARRIMAN. No, not because of the agreements made at Yalta, but because of the physical occupation of Poland by the Red army. That was a reality at Yalta and was still a reality in the summer of 1945.

Mr. MACHROWICZ. While you were at Moscow you wired various Polish leaders to come to Moscow to help work out the agreements; is that correct?

Mr. HARRIMAN. I do not recall those wires, I have not seen them.

Mr. MACHROWICZ. Do you remember the message to Witos?

Mr. HARRIMAN. Yes, sir. We had certain of them.

Mr. MACHROWICZ. You had urged him to come to Moscow.

Mr. HARRIMAN. Yes.

Mr. MACHROWICZ. He was the Peasant leader.

Mr. HARRIMAN. Yes.

Mr. MACHROWICZ. And he refused?

Mr. HARRIMAN. I would have to refresh my memory about that, because I have not seen the telegrams recently.

Mr. MACHROWICZ. I would like to have Mr. Harriman see these documents to see whether that refreshes his memory.

Mr. HARRIMAN. I have no doubt that is the message I sent him.

Mr. MACHROWICZ. You remember you urged Witos to come to Moscow to participate in these deliberations?

Mr. HARRIMAN. That was in June of 1945.

Mr. MACHROWICZ. That is right.

Mr. HARRIMAN. Yes; that is right.

Mr. MACHROWICZ. What do you know about the 16 Poles who came to Moscow as a result of invitations and urgings on the part of both the Russian Government and the United States Government, who have never been seen since?

Mr. HARRIMAN. I do not recall any representation by the United States Government to have them come to Moscow. As I recall it—and I do this from recollection of 7 years—the first I heard about this was when I was back here after President Roosevelt's death, and this information was received, that they had been brought to Moscow and were imprisoned under charges. Mr. Stettinius took it up with Mr. Molotov, as I recall it, and protested vigorously. And that subject, as I recall it, was one of discussion between Mr. Hopkins at the time he visited Moscow, in June of 1945. As I recall it, as a result of representations, a number of them were released, although not all of them were.

Mr. MITCHELL. Mr. Harriman, I believe those discussions took place at the United Nations Conference on May 7, 1945.

Mr. HARRIMAN. Yes; I believe so.

Mr. MITCHELL. And at that time Mr. Molotov admitted the imprisonment. As a result of the imprisonment of the 16 leaders, did you not go to the President and plead with him to send Harry Hopkins over there, as reported in the book, Roosevelt and Hopkins, by Sherwood?

Mr. HARRIMAN. That was one of the questions. The major question up with Molotov when he was over here, one of the major questions, was carrying out the Yalta agreement that there should be a broadly based democratic government. And Mr. Hopkins' primary mission to Moscow was to try to work out an agreement with Stalin to carry out the Yalta agreement. And, of course, we were all shocked by this imprisonment of these Polish leaders, and that was one of the things that was discussed, as I recall it, by Mr. Hopkins, in Moscow.

Mr. MACHROWICZ. Let me get this correct so that we will all understand.

The 16 Polish leaders were invited to Moscow——

Mr. HARRIMAN. Not by the United States Government.

Mr. MACHROWICZ. No; not by the United States Government, but with the knowledge of the United States Government.

Mr. HARRIMAN. No. I don't recall hearing anything about it until we learned about it when I was back here in this country.

Mr. MACHROWICZ. The declared purpose for the invitation of these 16 Polish leaders to Moscow was the discussion of the possibility of the formation of a so-called representative Polish Government; am I right?

Mr. HARRIMAN. I would have to refresh my memory as to on what basis the Soviet Government induced them to come out, under which they were seized and brought to Moscow.

Mr. MACHROWICZ. At that time you were Ambassador?

Mr. HARRIMAN. I was in the United States at that time. I came from Moscow to Washington, I think, 2 or 3 days after President Roosevelt's death.

Mr. MACHROWICZ. You know now that most of those, after having been invited to Moscow, presumably for discussions, were either assassinated or placed in prison and not heard from.

Mr. HARRIMAN. We knew they had been brought to Moscow. As I recall it, the first I knew of it was after I had returned to this country and, as I say, Mr. Stettinius took it up with Molotov at San Francisco. They were put in prison, and we were all very much shocked by it.

Mr. MACHROWICZ. I believe you testified previously that, in your opinion, Stalin and Soviet Russia have never kept the terms of the agreement entered into at Yalta; is that correct?

Mr. HARRIMAN. That is correct, as far as any of the political agreements were concerned. The military agreements, they kept, made during the war.

Mr. MACHROWICZ. Did you not think it would have been wiser for us to have taken some precautions to guarantee the fulfillment of these agreements by Soviet Russia?

Mr. HARRIMAN. I do not know what guaranties you could have had. The areas under political discussion were those areas which either had already been occupied by the Red army, or would in all probability be occupied by the Red army.

Mr. MACHROWICZ. Was the possibility of elections under the control of the three powers who agreed to the terms of Yalta discussed?

Mr. HARRIMAN. Yes. I think the agreement specified that we should work together to see that free elections were held.

Mr. MACHROWICZ. No—not to work together; to have the elections conducted under the control of the three powers. Would that not have given some assurance of free elections?

Mr. HARRIMAN. I would have to refresh my memory as to the language of the agreement. But, as I recall it, it was clearly understood the three powers would work together to see that free elections were held.

Mr. MACHROWICZ. Of course, "working together" is a rather loose statement, which has no meaning unless we specify in just what way we work together.

Mr. HARRIMAN. If we specified them, they would have still broken the agreement, because they broke the basic agreement.

I think we have to be realistic about it, that other than the use of force on the part of the United States and the western allies, there would have been no way to have gotten the Soviet Government to agree to carry out their agreements.

Mr. MACHROWICZ. What advantage did the United States get in the agreement at Yalta?

Mr. HARRIMAN. The protection of the Poles in terms of holding free elections. If there had been no negotiations at all, there would have been no chance of free elections and the occupation by the Red army would have been, without a doubt, perpetuated, and, of course, that is what finally happened. But President Roosevelt made every effort to get an agreement with Stalin, which he got, and the fact that Stalin broke those agreements, not only with relation to Poland, but other agreements, was the first notice to the civilized world of the duplicity

and the aggressive intentions of the Soviet Union. I think we are better off to have made the agreements, than if we had not made the attempt. I think if President Roosevelt had not made the attempt, he would have been subjected to great criticism.

Mr. MACHROWICZ. That protection was more or less based on the bare word of Stalin; is that right?

Mr. HARRIMAN. There is no other physical protection which we could have had, unless we had maintained our forces in Europe and induced our allies to remain mobilized.

Mr. MACHROWICZ. That is all.

Mr. HARRIMAN. It is a curious thing—they did hold a free election in Hungary. That was either in September or the first of October in 1945. You probably recall that the Communists got a small percentage of the vote and a non-Communist government was established, the leading party being what was known as the Freeholders Party, which was a small Peasants' Party.

Mr. SHEEHAN. May I say, Mr. Secretary, at that point, that there are some of us on the committee that would not agree with the reasoning that it was in 1945 that you first knew about the duplicity of the Russian Government.

Mr. HARRIMAN. No, I said the free world.

Mr. SHEEHAN. Because in our State Department, ever since 1943, you will recall the evidence of Katyn, reports from various Ambassadors, and then since 1933, when we first recognized Russia, there were many violations of our agreements with her.

Mr. HARRIMAN. I have been on record, as is generally known, that it was my judgment we would have grave difficulties with the Soviet Union; that it was a new force in the world which might be as difficult to deal with as the Nazi force. That is recorded in Mr. Forrestal's diary, and many people know that is the view I expressed when I came back from Russia in the spring of 1945.

Mr. SHEEHAN. Do you think the Polish Government, as it exists today, as it does apparently, as I gather from you—which is in violation of the Yalta agreement—is a good thing?

Mr. HARRIMAN. The present Government of Poland?

Mr. SHEEHAN. They broke their agreement at Yalta in setting up a government, because there was no free election. Is that right or wrong?

Mr. HARRIMAN. This present Government is not representative of the people. It is a puppet government of the Soviet Union.

Mr. SHEEHAN. And it is not representative of the agreement entered into at Yalta for the forming of such a government?

Mr. HARRIMAN. That is correct; it is not.

Mr. SHEEHAN. Then would you care to pass an opinion, in light of the fact that it is an illegal government, as to our Government's recognizing the Polish Government today?

Mr. HARRIMAN. That is a question as to whether we are better off to break all relations with the iron-curtain countries, or not. My own judgment is that it is better to maintain relationship and to strengthen the free world and to expect the day to come when Poland again can be free. I do not think that it will contribute to the welfare of the Polish people for us to break relations with the Polish Government, even though it is a government which was established in violation of the Yalta agreement.

Mr. SHEEHAN. I was going to say that at the time we were sort of giving sanction to a moral wrong.

Mr. HARRIMAN. That is true of the other governments in Eastern Europe.

Mr. SHEEHAN. After all, as Members of Congress, we are naturally interested in our foreign policy and what we are going to do in the future, and we ask questions of experienced people like yourself, who might help or guide us. As I understand it, you were one of the few men, fortunately or unfortunately, who were at the three main conferences, Yalta, Tehran, and Potsdam. In the light of your experience in all of the negotiations with Russia and the agreements she has not kept, especially the political agreements, in your judgment should we keep on making agreements with somebody who does not want to perform?

Mr. HARRIMAN. I do not think any agreements with the Soviet Union are of any value, unless they are based on a position of strength, so that they can be forced to carry them out.

Mr. SHEEHAN. Therefore, any agreements we make should be where we have the strength to enforce them?

Mr. HARRIMAN. I think we want to get to the day as rapidly as we can when the free world is so strong that we can compel the Soviet Union to live up to its obligations.

Mr. SHEEHAN. In the conference that the Katyn committee had with President Truman, with reference to getting his cooperation, President Truman stated to our committee when we were talking about Russian agreements—and I think he specifically named the date—he said that on January 6, 1946, was the date he realized that there would be no more use or no more hope of making agreements with Russia. Would you care to comment on that in any particular way?

Mr. HARRIMAN. No; I cannot comment on that. I think you will have to ask him exactly what he meant by that. But I do know that when I saw him in April of 1945, he had a clear understanding of the difficulties we were going to have with the Soviet Union, and he pressed Mr. Molotov very hard, in the first talk we had with Mr. Molotov when he came here in 1945, April of 1945, to fulfill the obligations of the Soviet Union toward Poland.

At the same time, we have got to continue at various places where we have contact in the United Nations and elsewhere, to attempt to get the Soviet Union to agree to proper behavior and to deal with the problems which are currently up, including, of course, the Korean situation.

Mr. MACHROWICZ. Mr. Harriman, did you invite Mikolajczyk to come to Moscow to the conference?

Mr. HARRIMAN. In June 1945.

Mr. MACHROWICZ. Do you remember that under the Yalta agreement this was to be called a provisional government?

Mr. HARRIMAN. That is right.

Mr. MACHROWICZ. But at the time of your conference with Mr. Kerr and yourself, the Russians insisted that the word "provisional" be left out; am I right?

Mr. HARRIMAN. I think that is true. I would have to refresh my memory.

Mr. MACHROWICZ. And the British objected to it; did they not?

Mr. HARRIMAN. I don't recall that.

Mr. MACHROWICZ. For your information, in one of your messages in the Department of State you reported that the British objected to it, but you finally agreed after Beirut and the Poles said they would be satisfied to have the word "Provisional" left out, and they very much resented the British objection to that. Does that refresh your recollection?

Mr. HARRIMAN. That is 7 years ago. I would have to review it.

Mr. MACHROWICZ. Did you get the impression that the Poles were satisfied with the arrangements made by you and Mr. Clark Kerr with regard to the formation—

Mr. HARRIMAN. I looked upon it as a last attempt to develop the situation within Poland which would lead to the freedom of Poland. None of us was very optimistic about its outcome, but it was the final attempt to obtain freedom for the Poles. That undoubtedly it is.

Mr. MACHROWICZ. Do you feel the United States has really shown a continued interest in insuring a free election?

Mr. HARRIMAN. Well, they have done everything they could. As I understand it, the State Department has consistently done everything it could to insist on the holding of the elections; and, short of military action, there is nothing further that I know of that we could have done.

Mr. MACHROWICZ. Unfortunately, because of the agreement at Yalta, we had no guaranties, and all we could do was plead with Stalin; is that not right?

Mr. HARRIMAN. It was not a question of the agreements at Yalta; it was the situation of the occupation of Poland by the Red Army, which gave them the power to do it, and nothing could dislodge them other than the use of force.

Mr. MACHROWICZ. After Yalta, there was nothing we could do but count on Stalin's word; is that correct?

Mr. HARRIMAN. There was nothing we could do but hope that Stalin would keep his word, and the opinion of the free world, which he has, of course, completely—

Mr. MACHROWICZ. Knowing Soviet Russia as we do today, on the basis of facts which occurred subsequent to the Yalta agreement, do you feel that, had you known all those facts, you still would have recommended the agreement at Yalta?

Mr. HARRIMAN. I think this: that, whether there had been an agreement at Yalta or whether there had not been, events in Poland would have gone forward just as they did, except that the Polish people would have suffered more. There would have been no basis for bringing UNNRA goods in and helping the individual Poles in the distress which they have had.

I see no loss by the Yalta agreement, or any of the agreements that were made. It proved beyond contradiction to all of the nations of the free world, including the people of the United States, the duplicity and aggressive intents of the Soviet Union, and the fact they broke these agreements has been one of the reasons why the free world has become more and more united.

Mr. MACHROWICZ. Did you not believe that a firmer position by the United States at that time, rather than a position of appeasement, as undoubtedly took place at Yalta, would have increased the respect for the United States today in free Europe?

Mr. HARRIMAN. I do not accept the word "appeasement"; I accept the earnest attempt on the part of President Roosevelt to obtain an

agreement by Stalin to hold free elections, and he succeeded in obtaining it. Anything else short of force would have had no other avail. We had no troops in that area. Any further language would have been broken, just as the language which was written was broken.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Ambassador, you said that we agreed to all these things with Russia because we wanted certain military commitments from Russia. You admit that they violated the political commitments, and you say they kept the military commitments.

Mr. HARRIMAN. That is right.

Mr. O'KONSKI. What military commitments or agreements did Russia keep with us?

Mr. HARRIMAN. The principal one was the one that I told you.

Mr. O'KONSKI. At the time of the Normandy invasion?

Mr. HARRIMAN. Which was the attack on the eastern front 2 weeks after we landed in Normandy.

Mr. O'KONSKI. As I understand, the Normandy invasion was June 6, 1944. The Yalta Conference was in February 1945, when Hitler was already kaput. He was finished when you were in Yalta.

Mr. HARRIMAN. Yes.

But someone made a statement that Stalin had kept none of his agreements. I was explaining he had kept military agreements, and there were other agreements that we made which he kept.

Mr. O'KONSKI. Like what?

Mr. HARRIMAN. Such as the establishment of bases at Poltava and otherwise. And a number of other military agreements that were made he kept.

Mr. O'KONSKI. Do you include in that his entering the Japanese War?

Mr. HARRIMAN. His entry in the Japanese War was one that took place when it was quite obvious that Japan was about to surrender.

Mr. O'KONSKI. He had 750,000 Japanese prisoners at stake and Manchuria, but he certainly did not enter into that war to keep an agreement with us; did he?

Mr. HARRIMAN. No. As I have said a number of times, I was always convinced that the Soviet Union would enter the war against Japan in their own due time. But the objective of our Government, on the strong recommendation of the Chiefs of Staff, was to get agreement from the Soviet Union to come into the war when it would help us and avoid the necessity of what was thought to be probable, of landing forces on the plains of Tokyo, which would have been a very costly operation in terms of American lives. And there was a constant desire on the part of our Chiefs of Staff to bring the Russians into the war against Japan shortly after the defeat of Germany.

Mr. O'KONSKI. In September 1944, when 250,000 Poles of the Polish underground were slaughtered in Warsaw and Joe Stalin had his army perched for 90 days waiting while they were slaughtered, and would not move an inch forward, he kept his military agreement with us pretty well then, too; did he not?

Mr. HARRIMAN. That Warsaw uprising was one of the very great tragedies.

Mr. O'KONSKI. That was at the height of the Normandy invasion. That is when we needed him most. And he sat on his hands. So, he certainly did not keep his military agreement.

Mr. HARRIMAN. He did not move until early in 1945. Whether, militarily, he could have crossed the Vistula or not, I do not know.

Mr. O'KONSKI. Do you still think, Ambassador, that Russia would ever make any military maneuver that would benefit the United States of America, or that she would make a military maneuver only if it benefited Joe Stalin?

Mr. HARRIMAN. Of all the men I have ever known, Mr. Stalin is the most hard-boiled individual and always considers everything from his own standpoint.

Mr. O'KONSKI. I have just a few more questions here.

The thing that I am driving at here is: As I view this whole set-up, Ambassador, there is no question in my mind that you boys were ready to give Stalin anything he asked for. The thing that I am most glad about is that Stalin did not know that. If he had known how ready you boys were to give up and give in, he could have asked not only for free elections in Poland but he could have forced us to sign an agreement that we would have free elections in the United States of America, the way he wanted it. That is how anxious we were to go along with him.

Mr. HARRIMAN. Wait a minute, I must have exception to that. President Roosevelt was trying to get Stalin's agreement about the treatment of the countries which would be occupied or were occupied by the Red army, where we would be unable to exercise any influence or force. And there were no concessions made at Yalta. The concessions—if you want to call them such—were basically made by Stalin. The great tragedy of Yalta was that Stalin did not keep his agreements. Eastern Europe would be free today if he had kept those agreements.

In other words, what I am trying to tell you is that the situation was one where Stalin dominated eastern Europe. That was not the situation which we created. That was the situation which was created by the war.

Mr. O'KONSKI. Here was a Polish general, Sikorski. He was looking for somewhere in the neighborhood of 15,000 Polish officers. All of a sudden they find the graves of these officers, and it is announced to the world, unfortunately, by the Germans.

Is it not only humane and natural on General Sikorski's part that he, as a general of a great country, first had the courage to resist Nazi aggression by force and, being least prepared, that it should only be natural for him to say "why don't we get an international body like the Red Cross to come over here and investigate what happened to our officers?"

But then that gives the Russians the reason for severing diplomatic relations with them. And then our President writes a letter of apology to Joe Stalin that he acted rather without reason; that "It is too bad that he acted in that way, but won't you please, Mr. Stalin, at least talk to Sikorski once in a while?"

Can you imagine anything so ridiculous as that inquiry and going to the point where our President actually apologizes because he asks

for that investigation? Would you not say that was downright appeasement?

Mr. HARRIMAN. I will tell you what General Sikorski himself told me: That he was ill at the time; that if he had not been ill he would not have made that particular proposal. He certainly would have followed up with the Russians the question of investigation of this case. But all I can tell you is that was his view.

Mr. O'KONSKI. As to these reports that you sent in, Ambassador, you daughter Kathleen's and Melby's, were those sent in at your own initiative?

Mr. HARRIMAN. My own initiative.

Chairman MADDEN. Might I interrupt here a moment?

Mr. Harriman, I will hand you what we will mark for identification "Exhibit 24," which is a telegram from Moscow, dated January 25, 1944, to the Secretary of State in Washington, signed "Harriman," and I will ask you if you can identify the same?

Mr. HARRIMAN. Yes.

Chairman MADDEN. That will be received for the record.

(The document referred to was marked "Exhibit 24" for identification and is as follows:)

EXHIBIT 24—TELEGRAM FROM UNITED STATES EMBASSY, MOSCOW, JANUARY 25, 1944

[Telegram]

Moscow, *January 25, 1944.*

SECRETARY OF STATE,
Washington.

(For President and Secretary—strictly confidential.)

Member of Embassy staff and my daughter have returned from trip Smolensk with British and American correspondents. While there they were shown evidence being collected by special commission to investigate German shooting of captured Polish officers in Katyn Forest close to Smolensk.

None of party was able to judge scientific evidence of autopsies which were performed in their presence. Moreover, they were not permitted to make independent investigations except for formal questioning of few witnesses made available. Correspondents filed reports telling what they saw without expressing opinions, but for some reason censor has held up these stories. The general evidence and testimony are inconclusive, but Kathleen and Embassy staff member believe probability massacre perpetrated by Germans.

Appears Soviets conducting very detailed examination each body by autopsy and by examination clothing, remaining personal effects, and papers. Evidence which made greatest impression to strengthen Russian case was:

(One) Most soldiers exhumed to date were enlisted men rather than officers, as Germans claimed.

(Two) Methodical method of execution, each having been killed by one shot at base of skull.

(Three) Dates of papers exhibited from November 1940 to June 1941.

(Four) Testimony by witnesses re unsuccessful attempt to evacuate Poles at time of German breakthrough to Smolensk and re Poles engaged road work in area for Russians and Germans in 1941.

HARRIMAN.

Mr. O'KONSKI. These reports, Ambassador, were sent on your own initiative; were they?

Mr. HARRIMAN. Yes. I asked my daughter and assigned Mr. Melby to go there.

Mr. O'KONSKI. The reason why I ask that is that it leads up to the second question I have.

All during this time that you were the Ambassador, there were some 15,000 Polish officers murdered, and our Government here in Washington did not show enough interest to request you to find the essential

facts concerning the case; is that correct? Not once were you communicated with for information. They did not care what happened to those officers; did they?

Mr. HARRIMAN. I cannot say they did not care, but it is a fact they did not ask me to do it. I assume they did not think I had any means of finding out how it occurred.

Mr. O'KONSKI. If the answer is not that they did not care, the other answer is that they were so afraid they might learn the truth about who murdered them that again they might get afraid of that great big thing; that Joe Stalin might get mad at us and make a separate peace with Hitler.

Mr. HARRIMAN. I don't think that would be the case at all. I never saw any evidence of that. There was a constant effort on the part of the United States Government to protect the interests of the Poles insofar as it was possible to do so.

Mr. O'KONSKI. In that report, as you said, you were more or less inclined to believe that the Germans were guilty of the crime; were you not?

Mr. HARRIMAN. You see, I did not express any personal opinion. I sent the reports on as they were given to me, and I expressed no personal view. I sent it on for such value that it would have.

Mr. O'KONSKI. I want to say I respect your honesty in regard to that, because being over there and being on one side of the controversy, seeing the one side, you might be mistaken. That, in my judgment, does not condemn you in any way.

Mr. HARRIMAN. Or my daughter or Mr. Melby. They went and saw it, and many of the other correspondents. It was the only evidence that they had, and it was such a plausible idea that the Germans had started this thing in order to create difficulty among the Allies that I think it was a natural thing to draw the conclusions they did.

If you notice, I did not express any opinion. I simply sent it on for what it was worth.

Mr. O'KONSKI. Let me ask you this further question: Your being in there and getting their side of it and, naturally, seeing only their demonstration and their propaganda, I can see how that kind of report would be made.

Do you think differently now, from what you did then?

Mr. HARRIMAN. I read over the preliminary report of your committee, and it certainly appears as if the preponderant evidence shows that the Russians did it.

Mr. O'KONSKI. In your negotiations all the way down the line, and particularly at Yalta, was there any information of any kind given to you by briefing officers of our State Department, or G-2, or Military Intelligence? Was there any information given to you, for example, to the effect that, well, to mention a few names, in Moscow the Russians had Giorgi Dimitrov ready to go over into Bulgaria, they had Klement Gottwald in Moscow all ready to go and take over Czechoslovakia, they had Thorez ready to take over France, which he did not; they had Togliatti and Luigi Longo all ready to take over Italy, and they had Joseph Broz, commonly known as Tito, waiting in Moscow, all ready to go over and take over Yugoslavia; they had Anna Pauker all ready to take over Rumania?

At the time of Yalta, these people were already in school and developed. They had the traitor Bronislaw Beirut, who turned out to be the man they set up to take over Poland.

Was not there any intelligence service of any kind that relayed that information to you people when the Yalta Conference took place?

Mr. HARRIMAN. We had no information of the kind you speak of. There was no way to get it in Moscow.

Mr. O'KONSKI. It was available, because I read it in December 1944 in a book written by Earl Browder, in a little pamphlet entitled "Life Begins at Tehran." It was all there.

Mr. HARRIMAN. I did not see it.

I was frankly concerned, and it was recorded in Forrestal's book that I was concerned over the aggressive intentions of the Soviet Union, and that I felt we should do everything we could to help strengthen Western Europe, or else we would find Western Europe in the hands of the Communists. That is recorded in Mr. Forrestal's book, and it is, as I recall, what I said to many people at that time.

But, as to the details of who was being trained for what, I do not recall having that detailed information. But I was gravely concerned at that time that they would attempt, through subversion, to take over the countries of Western Europe, and that, with the bad economic conditions, it was important for us to assist the western European countries as much as possible to reestablish their economic life.

Mr. O'KONSKI. To show you what difficulties you encountered to get that kind of briefing and that type of information which I feel you should have had, would you be interested in knowing that in G-2 that type of information was being developed, and just as soon as it was developed along those lines that the Communists had designs and plans along all those countries the men who wrote that report were called in by the head of G-2 and they were told that they were too anti-Soviet and they had better start writing different articles if they wanted to keep their jobs?

Mr. HARRIMAN. I had no knowledge of that whatsoever because my statements to my Government and also some background information which I gave to the press were in the opposite direction: that we must be on our guard and help the western countries against Communist subversion in those countries.

That was based on my general knowledge of the situation, and I do not recall knowing of the individuals in different places, although we did have knowledge, of course, of some of the Communists in France and in Italy who already were working.

Mr. O'KONSKI. I agree with you on this point to a degree, Ambassador. Strength alone does not mean anything. When were we stronger than in 1945, when you men were at Yalta? We had the greatest Army in the world; we had the greatest Air Force in the world; we had the greatest Navy in the world. We were sitting on top of the world. We had more than the rest of the world put together, ready to go, while you men were at Yalta. Yet Stalin almost got the shirts and pants off our men at Yalta. It shows that strength does not mean much at all. There must be truth, courage, and honor.

Mr. HARRIMAN. We must remember that Yalta was just after the conclusion of the Battle of the Bulge. General MacArthur entered Manila, I think, in one of the early days of the conference. The bloody battles of Iwo Jima and Okinawa were still to come, and no

one knew how long it would take to win the war against Japan. Estimates were made as high as 18 months after the defeat of Germany. We were still right in the midst of the battle to win the war in Europe, and there was ahead very difficult fighting, in the view of our military, as far as Japan was concerned.

Those are the realities of the atmosphere of Yalta. It is hard to recapture those thoughts because so quickly did Germany collapse and so quickly did Japan collapse thereafter. But those were the views of the military advisers which President Roosevelt had at that time; and, therefore, the military cooperation of the Soviet Union was one of prime importance to conclude the war in both sides of the world with the minimum loss of American life.

Mr. O'KONSKI. Do you go along with the impression that I have: that this Katyn massacre is in the position that it is today because of our policy of not trying to create ill will toward Soviet Russia, and that is why it was hidden from the people of the world and the people of America?

Mr. HARRIMAN. Of course, I was in Moscow during that time. All the information about it was in the press. I have no knowledge of where our Government hid it.

Mr. O'KONSKI. That is all.

Chairman MADDEN. Mr. Machrowicz?

Mr. MACHROWICZ. Mr. Harriman, at the time you sent that message to Washington relating the findings of Miss Harriman and Mr. Melby, did you make any inquiry as to the findings of the 9 or 10 American correspondents who went with Mr. Melby and Miss Harriman?

Mr. HARRIMAN. I suppose I talked to them. That is 9 years ago. I do not remember the detailed talks, but I rather recall that most of them had about the same attitude as the reports of my daughter and Mr. Melby.

Mr. MACHROWICZ. For your information, I might state that Mr. Cassidy testified before this committee and said that, outside of Mr. Melby and Miss Harriman, they all had the conviction that the Russians were guilty. That is a part of the condition. I was wondering how that portion of findings was not included in your report to Washington.

Mr. HARRIMAN. I do not recall. It is up to the committee to ask each one of them. But I know they all felt the same way: that there was no conclusive evidence.

Mr. MACHROWICZ. Mr. Cassidy testified it was quite obviously a staged proposition and they all had the impression that the Russians were the guilty party. And it rather occurs to me that it is rather unusual that that was not included in your report.

Mr. HARRIMAN. I do not recall the conversations, and I do not want to quote anybody because I do not recall talking to them. But I have a general recollection that all of them felt that it was staged, including my daughter and Mr. Melby, but that—a number of them, I think, if I remember correctly—on balance it was probably a German atrocity.

Mr. MACHROWICZ. Why was not that contained in your report to Washington?

Mr. HARRIMAN. I do not recall why it was not. I do not know that. Because correspondents were interested in filing a story of what they had seen; which they did. That was their objective. I did not know that I had any right to ask them what their opinions were.

Mr. MACHROWICZ. I would like to complete the record regarding the matter I brought up previously.

I asked you whether or not you had any recollection of the fact that the British objected to omitting the word "provisional" from the title of the Government set-up in June 1945 in Poland, as provided in the Yalta agreement. I said that at that time you consented to having the word "provisional" stricken out and that the Poles—I am speaking of the Moscow Poles now, of course—concurred with you.

I now have your message of June 23, 1945, in which you yourself state that Clark Kerr received his instructions from the British Government to object to the word "provisional."

Subsequently you consented to having the word "provisional" stricken from the record. I would like to show you this message of June 23, and ask if that will refresh your memory as to that portion of the discussions.

I might state that we have just received this instrument today. It has not been paraphrased yet; so I do not want to put it into the record at this time.

(NOTE.—The documents referred to have been paraphrased and appear in the appendix of this record.)

Mr. HARRIMAN. I want to point out that they were supported by Mikolajczyk and other Poles to provide for the elimination of the word "provisional."

Mr. MACHROWICZ. I concur with you that Mr. Beirut and Mr. Mikolajczyk agreed to that.

Of course, Beirut was Stalin's representative; was he not?

Mr. HARRIMAN. Yes. Certainly.

Paraphrasing it, it says:

This subject came up in discussion between Mr. Vishinsky and myself that afternoon, and Vishinsky agreed that the word should be retained. In spite of that agreement, Molotov supported Beirut. Clark Kerr supported my position. I was arguing.

Then I said "It would be impossible for me to get any answer for at least 48 hours. I asked Beirut to accept the title as laid down by the decisions in Crimea."

Mr. MACHROWICZ. Of course he said "No."?

Mr. HARRIMAN. No; he agreed. But he had a further proposal, that the new government, after it had been organized, should take the matter up with the three governments for elimination of this word "proposal." To this Molotov agreed.

Then I also explained that the decisions in Crimea would not have been carried out until free elections had been held to establish a permanent government.

Mr. MACHROWICZ. That is right. But the word "Provisional" was to be left out of the title of the government; was it not?

Mr. HARRIMAN. I indicated that I was not holding out any hope that my Government would favor the elimination of the word.

It is a very long telegram. I showed that I was strongly against any changes from the Yalta agreement, which was insisting on pledges from the new Polish Government in regard to holding free elections and the other details in regard to setting up the government, and that our Ambassador should go to Moscow or Warsaw just as quickly as possible to see things carried out.

Mr. MACHROWICZ. The word "Provisional" was to be stricken out of the title of the government; am I right?

Mr. HARRIMAN. No. I objected to it. You can see that there.

Mr. MACHROWICZ. You objected to it originally, but you finally did agree to it; did you not?

Mr. HARRIMAN. I don't think I did. I read that rather quickly. I said I could not give an answer to it under 48 hours, or something like that.

Mr. MACHROWICZ. We will have that put in the record subsequently.

Mr. HARRIMAN. When you get that paraphrased, you can put it in the record.

It sounded to me when I read it as if I was firmer than the British Ambassador.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Harriman, I have a couple of questions I would like to put to you.

Mr. HARRIMAN. Yes, sir.

Mr. SHEEHAN. With reference to the Yalta agreement, will you agree that we had a moral responsibility to see that there were free elections in Poland?

Mr. HARRIMAN. I certainly do.

Mr. SHEEHAN. Did we attempt to send any observers, or anybody, to make sure they had free elections?

Mr. HARRIMAN. We sent our Ambassador there as he had already been appointed, as I recall it, and he was awaiting arrival there. It took him some time to get there. I was rather disturbed over the delay of his getting there.

Mr. SHEEHAN. Did he get there before or after the elections?

Mr. HARRIMAN. He got there long before the elections. I think he got there early in August. I was anxious for him to arrive early in July.

Mr. SHEEHAN. The second thought I would like to present to you is this: We, in the committee here, after having seen the disappearance of all these different types of documents, after having seen the hiding of documents, have been informed by members of G-2, the Army intelligence, that there was a pro-Russian core in the Army intelligence in which they contributed to the disappearance of a lot of documents.

Do you think, in the light of all these various things, that there existed in our Government either Communist forces or Communist sympathizers who had something to do to overemphasize this fear of Russia that was being built up in our country?

Mr. HARRIMAN. I do not think there were any Communist sympathizers. I have no knowledge of what went on in G-2.

I had, of course, constant relationships during the war with General Marshall and Admiral King when I came home, and also, of course, in the early days when I was in London in the various conferences; but I saw no evidence of any Communist infiltration into the Army, or any place in our Government.

Mr. SHEEHAN. During the war you saw no such evidence?

Mr. HARRIMAN. I saw none; no.

Mr. SHEEHAN. You admit there has been some?

Mr. HARRIMAN. The Alger Hiss case stands on its own evidence and conviction.

Mr. SHEEHAN. Did President Roosevelt at any time give any specific instructions to you while you were in Moscow, before you went there, or at any time at all, about playing down the Russian aims?

Mr. HARRIMAN. None whatsoever. My basic mission there was to help keep Russia an effective ally fighting for us in the defeat of Germany and early entry to help in the defeat of Japan.

But President Roosevelt wanted to begin very early in trying to develop with the Russians a basis on which peace might be maintained. And, of course, it was for those reasons, with which you are familiar, the various undertakings, that various people induced the Russians to sign commitments which they later violated.

Although I was involved in the mission that had to do with helping to supply the Russians as early as September 1941, I went to Russia as President Roosevelt's representative when Mr. Churchill talked with Stalin on the strategic side of the war.

My first discussions about the future relations with the Soviet Union were at the Moscow Conference, where, if you will recall, there was a Moscow Declaration which reaffirmed the agreement on the part of the Soviet Union to cooperate in all of the high principles which later became adopted in the Charter of the United Nations.

But consistently through the war, by diplomacy, we were able to get commitments from Stalin on their behavior after the war, and those in the political field they have consistently refused to honor.

Mr. SHEEHAN. Who set our basic foreign policy during the war? Was that Mr. Roosevelt?

Mr. HARRIMAN. Mr. Roosevelt did, in consultation with Mr. Hull. And, of course, as far as the military operations were concerned, he was in constant contact with the military advisers, Mr. Stimson, Mr. Knox, and, of course, Joint Chiefs of Staff; Admiral Leahy, who was his own personal chief of staff.

Mr. SHEEHAN. Who was the final authority?

Mr. HARRIMAN. Mr. Roosevelt.

Mr. Hopkins was in the White House as Assistant to the President and was involved.

Mr. SHEEHAN. How do you mean "involved"? Was he setting policies, too?

Mr. HARRIMAN. No, sir. He was an adviser to the President in seeing that the President's policies were carried out. He was Chairman of the Munitions Assignments Board. He was very active in the supply question.

Mr. MITCHELL. I would like to ask you one question there.

Mr. HARRIMAN. May I say Mr. Hopkins played a very effective role in getting action for prosecution of the war.

Mr. MITCHELL. As you know, Mr. Harriman, one of the obligations of this committee is to search for the missing Van Vliet report. That report was made to Maj. Gen. Clayton Bissell on May 22, 1945, delivered to him personally, personally labeled by him "Top secret." At the same time, you had gone to the President and asked him to send Harry Hopkins to Moscow specifically in connection with the 16 leaders who were then in prison, which was admitted by Molotov.

Now, what would the reaction have been at the United Nations and throughout the world if the Van Vliet report, given by an American Army officer, who was neutral and impartial, who had visited the graves in 1943 and who stated in that report that the Soviets had committed this atrocity; what would the result have been at that time, as far as the 16 leaders are concerned and as far as the United Nations is concerned? That is asked for an opinion answer, sir.

Mr. HARRIMAN. That is a rather difficult question to answer as to just what effect it would have. The actions of the Soviets in so many directions are cruel and ruthless, and this would have shocked everyone, no doubt. I cannot put myself back exactly to what the reaction would have been. There were a series of misdeeds by the Russians, from our standpoint, beginning with the Ribbentrop treaty, that it would have contributed, I think, to further distrust of the Soviets.

My own views are well known. I was full of distrust of the Soviets at that time.

Mr. PUCINSKI. I have one short question.

In your telegram of January 25 of 1944, which is already in the record as exhibit 24, you stated that correspondents filed reports telling what they saw, without expressing opinions, but that, for some reason, the censor held up the stories. Now, subsequent to this telegram, did you ever find out why these stories were held up by the censor?

Mr. HARRIMAN. I do not recall. They were let out, as I recall it, in a couple of days. They were often held up. I do not recall why they held it up.

Mr. PUCINSKI. I can tell you Mr. Cassidy testified before this committee and said these stories were held up because on the way back from Katyn these American correspondents pointed out this situation to the Soviets. The Soviets had claimed that these men, these officers, had been murdered in September 1941. These correspondents asked the Soviet officers on the train if these men were murdered in September of 1941, why had most of them been buried with overcoats on when the temperatures in that area, at that time, range somewhere between 65 and 75 degrees. The Soviets were stunned with that question. They did not know just exactly what to answer and it took them several days to figure out an answer. Their answer was that they moved up the execution period from September to December 1, 1941.

Had you ever heard that in Moscow?

Mr. HARRIMAN. I may have known it. I do not recall it. That was 9 years ago.

Mr. PUCINSKI. I have no further questions.

Chairman MADDEN. Are there any further questions?

Mr. HARRIMAN, we are very thankful to you for your testimony here today.

Mr. HARRIMAN. I appreciate the opportunity of appearing before you and the courtesy of you and all the other gentlemen of the committee.

Chairman MADDEN. Thank you.

Mrs. Mortimer, will you come up, please?

TESTIMONY OF KATHLEEN HARRIMAN MORTIMER,
NEW YORK, N. Y.

Chairman MADDEN. Will you raise your right hand and be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MORTIMER. I do.

Chairman MADDEN. Please state your full name.

Mrs. MORTIMER. Kathleen Harriman Mortimer.

Chairman MADDEN. And your address?

Mrs. MORTIMER. 149 East Seventy-third Street, New York City.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. MITCHELL. Mrs. Mortimer, I believe you have a copy of your report there on this subject; have you not?

Mrs. MORTIMER. I do.

Mr. MITCHELL. Mr. Chairman, I would now like to put in the record exhibit 25.

Chairman MADDEN. I now present to you a document entitled "Enclosure No. 2 to Dispatch No. 207," dated February 23, 1944, from American Embassy, Moscow.

We will mark this "Exhibit 25."

Mr. MITCHELL. I would like the record to show also that the enclosure No. 1 attached thereto is Mr. John Melby's report.

(The document referred to was marked "Exhibit 25" for identification and is as follows. Enclosure No. 2 is Mrs. Mortimer's report and enclosure No. 1 is Mr. Melby's report:)

EXHIBIT 25—AMBASSADOR HARRIMAN'S COVERING LETTER FORWARDING REPORTS ON THEIR VISITS TO KATYN BY MR. HARRIMAN'S DAUGHTER AND AN EMBASSY ATTACHE IN JANUARY 1944

(The two reports also constitute part of this exhibit)

EMBASSY OF THE UNITED STATES OF AMERICA,
Moscow, February 23, 1944.

No. 207

Subject: Investigation by Soviet Authorities of the Massacre of Polish Soldiers in the Katyn Forest, near Smolensk.

Secret

The Honorable the SECRETARY OF STATE,
Washington, D. C.

SIR: I have the honor to refer to my secret telegram No. 247 of January 25, 7 p. m., concerning the activities of the Special Commission to Establish and Investigate the Circumstances of the Shooting by the German Fascist Invaders of Captive Polish Officers in the Katyn Woods. On January 21-23, 1944, the foreign correspondents in Moscow made a trip to Smolensk to witness the proceedings of the Commission: The correspondents were accompanied by my daughter, Kathleen, and Mr. John F. Melby, Third Secretary of the Embassy. I am enclosing copies of their memoranda containing their observations on this trip. I am also enclosing a copy of the January 29, 1944, Moscow News which contains an abridged version of the formal report of the Commission.

Respectfully yours,

WILLIAM AVERELL HARRIMAN.

File No. 711.6.

Enclosures: 1-2-3-/ as stated.

REPORT WRITTEN BY MRS. KATHLEEN HARRIMAN MORTIMER AFTER VISITING KATYN
IN JANUARY 1944

[Enclosure No. 2 to Despatch No. 207 dated February 23, 1944, from American Embassy, Moscow]

On January 23, 1944 members of the foreign press were taken to Smolensk to get first hand the evidence compiled by the Commission on the Katyn incident.

The party was shown the graves in the Katyn Rorest and witnessed post mortems of the corpses. As no member was in a position to evaluate the scientific evidence given, it had to be accepted at its face value.

The testimonial evidence provided by the Commission and witnesses was minute in detail and by American standards petty. We were expected to accept the statements of the high ranking Soviet officials as true, because they said it was true.

Despite this it is my opinion that the Poles were murdered by the Germans. The most convincing evidence to uphold this was the methodical manner in which the job was done, something the Commission thought not sufficiently important to stress. They were more interested in the medical evidence as conclusive proof and the minute circumstantial evidence surrounding the crime.

Following is a description of what we saw and most particularly the manner in which the story was presented.

1. *Inspection of Katyn Forest graves*

The Katyn Forest turned out to be small unspectacular little wood, sparsely filled with young trees, the bigger ones having been apparently chopped down by the Germans. The soil was orange and very sandy.

To date the Commission has found seven graves in all—six in the general area called Goat Hill, about the size of an acre, and one more several hundred yards away. They are still looking for more graves and expect to find from twelve to fifteen thousand bodies in all.

The senior member of the Medical Committee, Burdenko, took us around each and every grave—asked that we scrutinize each detail. He willingly answered every question put to him of medical bearing and was most helpful.

On the basis of a meticulous post mortem of seven hundred corpses we were given the following information.

1. The corpses were Poles—the majority enlisted men with no rank badges, but some officers. Where, as the privates ranged from twenty-five to thirty, the officers were considerably older—forty-five to fifty years.

2. The majority of the corpses were dressed in topcoats, had long underwear. Those wearing just tunics had sweaters.

3. The pockets of the uniforms had been ripped and their documents taken out—except for a few that apparently had been missed.

4. On the basis of a thorough autopsy, the doctor stated that the bodies had been in the ground about two years—certainly not four. We were told that although sandy soil in a dry climate tends to mummify bodies, the soil in Katyn is damp hence had no preservative qualities.

5. Two graves had the bodies laid out meticulously in rows three deep, the top row being about three meters from the surface. Each one of these corpses had a metal tag—(put on by the Germans when they themselves dug up the bodies in the spring of 1943). The other graves had either six or eight layers of bodies thrown in helter-skelter—the pockets of these soldiers had been ripped.

6. Each corpse bore the markings of a single wound made either by a 7.65 mm. bullet or a 9.00 mm. bullet that entered the head at the base of the skull and came out at the top of the forehead. We saw enough skulls to see that the wounds were all identical, except that a very few had received two bullet wounds instead of just one. To date no body wounds have been found. In fact the corpses were all proclaimed to be in "good physical condition". The minority of the corpses had their hands tied. We were told that the bullets had been fired at close range from an "automatic weapon".

7. Evidence that the bodies were little more than two years old was on the basis of the following information. Some skulls still had hair, at any rate epidermis; the internal organs, though considerably flattened and shrunken, were only partly decayed; the liver and spleen green. There was still firm colored meat on the thighs.

The autopsies were conducted in heated tents by teams each headed by a qualified doctor with several assistants, including a secretary who took page long notes on each case.

Two. Evidence given by Atrocity Commission

We had two meetings with the members of the "Special Commission to Establish and Investigate the Circumstances of the Shooting by the German Fascist Invaders of Captive Polish Officers in the Katyn Wood." The first, during the afternoon, lasted three hours. We were read prepared statements and allowed to ask questions. Besides a detailed story of the sequence of events, we were told the substance of data collected from witnesses, much of which was repeated verbatim by the witnesses later on that night. Alexey Tolstoy, a member of the Commission, was of greatest assistance. Some questions we asked required information not on hand. He had it for us by night. In the main during this session our questions were answered willingly.

Our second meeting was conducted in the same room. This time there were Klieg lights and movies and photos were taken throughout the proceedings. The Committee sat along a long table covered by red baize at one end of the room, the press were strung along a similar table down one side. Witnesses sat directly opposite the Committee and were brought in one at a time. Aside from the photographer and one stenographer, there was no one else present.

At first the Committee refused to interrupt the testimonies for translation, but when the members of the press objected they agreed with some lack of grace. During the testimony the committee chatted and whispered between themselves and most didn't appear to listen. We were told we could question any witness, through the Committee, but the questions appeared to annoy them though not apparently due to their substance. Only one question was called irrelevant and not answered—the present job of one of the witnesses. Tolstoy later gave it to us.

The witnesses themselves were very well rehearsed, and they appeared subdued rather than nervous, their pieces having been learned by heart. Only the girl had an air of self-assurance.

When the last witness had been heard general questions were asked, some of import to the Katyn Incident, others not. Shortly, however, the representatives of the Foreign Office Press Department got up and said we'd better break up as our train was due to leave shortly. I got the distinct impression that the Committee was relieved. They had been told to put on a show for us—the show was over—and they did not want to be bothered any further. The meeting broke up without any informal chatting.

3. Members of Commission

- (1) N. N. Burdenko, Member of U. S. S. R. Academy of Sciences.
- (2) Alexei Tolstoy.
- (3) Metropolitan Nikolai of Kiev, Galovski and the Ukraine Republic.
- (4) Lieutenant General A. S. Gunderov, Chairman of the Pan-Slav Commission.
- (5) S. A. Kolesnikov, Chairman of U. S. S. R. Red Cross and Red Crescent.
- (6) V. P. Potemkin, Commissar of Education of the R. S. F. S. R.
- (7) Colonel General E. I. Smirnov, Chief of Central Medical Service Administration of the Red Army.

(8) R. E. Melnikov, Chairman of Smolensk Regional Executive Committee. The above-mentioned arrived at Smolensk "a few days" after the Germans evacuated Smolensk on September 25, 1943, to look into various German atrocities committed in the Smolensk region. The Committee did not start to investigate the Katyn graves until January 16, 1944. The reason given was that they had other atrocities to investigate first. We were given no information about these other atrocities, except the statement that 135,000 Russians and Jews had been killed in the Smolensk area. Presumably it is significant that Russians didn't think the Katyn graves were worth bothering about until after Polish-Soviet relations again became a big issue.

On January 16 the Commission's scientific experts opened up the Katyn graves, exhumed bodies and started meticulous postmortems on each body. Simultaneously, other members of the Commission questioned witnesses of the crime and compiled the evidence of the witnesses, and documented all papers found on corpses.

As a result of the work and exhumation of 700 bodies out of an estimated total of 12,000 the Commission reach the following conclusions:

1. Between August and September 1941 the Germans killed Polish prisoners of war on Goat Hill (one area of the Katyn Forest);

2. Later in the Spring of 1943, feeling their position unstable, the Germans hastily covered up evidence of their crime;

3. For this purpose the Germans:

(a) Re-opened graves on Goat Hill.

(b) Tortured witnesses into giving evidence that the Russians murdered the Poles.

(c) Dug up other bodies of Poles murdered elsewhere and brought them to the Katyn Forest and buried them there.

4. *The Commission's story*

(1) Position of Polish Prisoners of War Prior to German Invasion. After the Russo-Polish campaign 2,932 Polish soldiers, mostly officers, were evacuated to Siberia. The rest were put in three camps: one thirty-five kilometers West of Smolensk on the Moscow-Minsk highway, a second, twenty-five kilometers west of Smolensk on the Smolensk-Vitebsk highway, and a third, forty-five kilometers West of Smolensk in the Krasnenskoye area. (This information was supplied at our asking by Tolstoy.)

The Polish prisoners of war were brought to the above camps back in 1939. They were employed by the Soviets for work on the roads and when the Russo-German war began, the Polish prisoners remained in the West Smolensk province and continued their work digging and building roads.

With a sudden tank thrust, the Germans suddenly broke through to Smolensk on July 15-16. The question immediately arose how should the Polish prisoners be evacuated. The Commission told us, and their testimony was later upheld by a witness, Ivanov, the station master of Gnezdov railway (village outside Smolensk) that in mid-July 1941 Ivanov received a phone call from the Administrator of the Polish prisoners of war camps asking that he provide empty railway cars in which to evacuate the Polish prisoners. He had none, but tried to get some from the Smolensk station. The Commission told us that railway cars could not be provided from Smolensk because that section of the railway running between Smolensk and Gnezdov was already under artillery fire. Furthermore, the Soviet Government "had to reconcile itself to the fact that even the local inhabitants could not be evacuated. So, due to artillery fire along the railway and lack of box cars, the Polish prisoners of war, along with the native population, had to remain in this district."

After the arrival of the Germans, the Poles remained in their prison camps. A number of witnesses testified (we did not hear any) that the Poles continued to do road repair work for the Germans. When autumn came, all ditches were cleared and the mud taken away. (Here it was made clear to us that there wasn't any more useful work for the Poles to do.)

We were then told that although many witnesses confirmed that for a short time the Polish prisoners remained in the Smolensk region, no witness had yet been found who saw any Pole after September 1941.

(2) How atrocity was committed: The Katyn Forest is situated fifteen kilometers outside of Smolensk and during peacetime was the favorite Sunday picnicking ground for the Smolensk population. One section of Katyn Forest is known as Goat Hill. Here the NKVD had a datcha which they used for a rest home. The Smolensk population were allowed to walk freely through the NKVD property, but when the Germans arrived the whole Katyn Forest area was surrounded by barbed wire; sentries were stationed at all road entrances and signs posted saying to the effect that any trespasser would be shot at sight. The NKVD datcha was taken over by the Germans and used as headquarters for the 537th "Construction Battalion."

This headquarters employed three girls from the neighboring village of Borok. All three have given evidence on what happened and we heard one of the girls testify.

Thirty German officers and noncommissioned officers lived in the datcha. They got up late in the morning, ate well, etc. The servants did not live in, but were escorted to and from the main road by guards and were not allowed to clean the bedrooms except when a guard was present.

We heard one girl testify (Anna Mihailovna Alexeyeva) that towards the end of August 1941 she and the other girls noted that often opened and closed cars and trucks could be heard turning off the highway at the Goat Hill entrance. When this happened invariably the Germans in the datcha would go out into the woods. About ten minutes later single shots, fired at regular intervals, would be heard. When the shots ceased the officers, accompanied by German noncommissioned officers and enlisted men driving empty trucks, would return to the

datcha. Always on these days the bath house water was heated. The men went directly to the baths and returned to be served a "particularly tasty meal" plus double the usual hard liquor ration. The girl said on these days the soldiers seemed noisier than usual and talked more. Once Alexeyeva was asked to wash off fresh blood from one of the noncommissioned officers' sleeves.

We were told that "the girls guessed without difficulty that the Germans living in the datcha were engaged in killing." The Commission asked witness Alexeyeva how she guessed it was Poles, not Russians, who were being killed. She answered readily that one day she was ordered to return home early even though her work was not yet finished. She was escorted to the main Smolensk-Vitebsk road as usual. En route to her village she noticed some German sentries and Polish prisoners walking along the highway. She recognized the Poles by their characteristic cap. The group turned off at the Goat Hill entrance. Alexeyeva hid in the bushes and waited and soon heard the familiar shots, one after another.

Another day one girl heard noises near the datcha and looked out and saw two Poles hovering around under guard. She was ordered back into the kitchen, but her "feminine curiosity" got the best of her. She went back to the window and saw the Poles were being led away into the woods. Soon after two single shots were heard.

Alexeyeva said that walking down the side road to the highway each day she frequently noticed German soldiers digging sand heaps. These grew as time went on. Once she asked her sentry what was going on. The reply was, "we are digging dugouts." The Commission was asked to ask Alexeyeva if she ever noticed any odd smell around Goat Hill and she said "no."

During this whole period the Germans were combing the countryside for Poles—tracking them down. We were told that numerous inhabitants have confirmed these searches. In particular, the Metropolitan told us about the statement of one Father Oblobin, priest at Kuprino, a village in the neighborhood of Katyn Forest. Prior to the German invasion he had been priest at the village of Katyn, but the Germans tore down his house and he moved to Kuprino. The Metropolitan told us that Oblobin was able to give particularly valuable information due to his contact with his parishioners. Oblobin had told him that during August 1951 there was much talk among the parishioners about the Poles. Many people reported seeing groups of twenty to thirty being taken into the Katyn Forest. During 1942 Polish prisoners of war were not mentioned; but in the Spring of 1943 Poles again became a current subject of talk.

Aside from information obtained from the girls working in the datcha and the peasants living nearby, the Commission told us that they had received further evidence of the Germans' actions from the assistant burgomaster, Boris Bazilevsky.

We heard Bazilevsky testify. Prior to the German invasion he had been a professor of astronomy in Smolensk. He had been asked by the traitor burgomaster, Menshagin, to serve as his assistant. He protested on grounds that he knew nothing about civil affairs, but on being threatened with death if he refused, he took the job and held it from July 1941 until October 1942, hoping thereby "to be able to help the plight of the local population in some ways."

Once he approached Burgomaster Menshagin with the request to help get a local school teacher out of concentration camp, also to try to improve general conditions in camps as epidemics were starting and there was fear that soon the entire population might become infected. Menshagin reluctantly agreed. A few days later, mid-September 1941, he informed Bazilevsky that von Schwetz, head of the German Gestapo in Smolensk, had turned down his request on the grounds that he, von Schwetz, had received word from Berlin demanding that harsher treatment be given in the Smolensk concentration camps. Bazilevsky asked Menshagin if he figured that was possible—to make things any tougher than they already were—to which Menshagin replied "yes". Then confidentially he whispered in Bazilevsky's ear that things were going to be made tougher for the Russian prisoners so that they would die a natural death due to exposure, disease, etc., but that the Polish prisoners were going to be liquidated * * * liquidated in the most precise and literal meaning of the word * * * Some days after this meeting in the beginning of October 1941 Menshagin told Bazilevsky that the directive about the Poles had been carried out, that they had been shot in the neighborhood of Smolensk.

Bazilevsky relayed this information to his close friend, Professor Yefimov. Yefimov, we were told, upholds Bazilevsky's story. As Menshagin left Smolensk with the Germans his testimony was not available.

Aside from this verbal testimony the Commission told us they had some written evidence in the form of Menshagin's personal notebook. (We were shown a photostatic copy of the crucial pages of this notebook.) A committee of experts had confirmed that these notes were in Menshagin's own handwriting.

An insert dated August 15, 1941, said "all escaped Polish prisoners of war should be detained and turned over to the German headquarters." A few pages further on was an annotation to remember to ask the chief of the Russian police "if there are any rumors circulating among the population about the shooting of the Polish prisoners of war." The Commission stressed to us the significance of this note, that the Germans must have been worried about talk among the villagers of the atrocity, which apparently they wanted to keep secret.

The Commission told us that they had wanted to get information on the motive of the crime. Here again Bazilevsky proved useful. He told us about a "very candid" conversation between himself and the Gestapo chief in which the latter had told him that "the Poles are harmful people and inferior, therefore, the Polish population can serve usefully only as manure and so create space for the widening of the Lebensraum of the Germans." The Gestapo chief went on to tell him that no intellectual class had been left in Poland itself.

We were later told that other reasons for the German mass killing of the Poles was due to the tendency of Poles to go over to the Red Army.

From September 1941 on until the spring of 1943 all discussion of Polish prisoners stopped.

The Metropolitan quoted Father Oblodin (priest of nearby village) as saying that beginning in 1943 there was a marked nervousness amongst the Germans and an increase in their harshness. He pointed out that this general change of atmosphere for the worse coincided with the end of the battle of Stalingrad. Oblodin believed that the Germans spread rumors of the Russian mass killing of Poles so as to try and strengthen their position among the local population.

In the spring of 1943 the Germans published stories in the three quisling local papers telling of the murder of Poles at Katyn during March and April 1940, by the NKVD. The Commission told us that they had interviewed the stenographer who had typed the articles.

Next the Germans searched out witnesses to confirm their story. We saw three men who had been questioned and beaten by the Gestapo, one of whom was the Gnezdov station master, the two others peasants. All three were tortured into signing documents, the contents of which they did not understand.

Failing to get any direct information from the local population, the Germans next issued a poster (we saw a photostat of it) written in grammatically incorrect Russian saying the following: "Who can give testimony on the mass murder of the Bolsheviks against Polish prisoners and members of the clergy? Who saw the Polish prisoners of war in Goat Hill adjoining the Katyn highway? Who observed Poles going from Gnezdov to Goat Hill? Who saw or heard the shots fired? Who knows members of the population, who can testify? Every bit of information will be rewarded. Send information to German Police Headquarters in Smolensk and Gnezdov." The poster was dated May 3, 1943 and signed by an officer of the German police. The Commission told us that the Germans, failing to get the needed information, then began the work of setting up the proper "stage scenery" on Goat Hill. First, they set about the gruesome work of digging up Polish corpses. From concentration camp No. 126 they imported 500 Red Army prisoners of war to do the work, and when the work was completed the Soviet prisoners of war were marched away to be shot. One managed to escape and sought shelter in the house of citizen Moskovskaya. Though the Gestapo later found him, she had full details of the story which the Commission gave us.

It goes as follows. Not only did the Germans dig up the Polish bodies in the Katyn Forest, but by night they imported in big tarpaulin-covered German trucks bodies of Poles that they had massacred elsewhere at the Kozelsky Camp (in the South Smolensk Province) and from the Starobelsky Camp (in the Ukraine between 200 to 250 kilometers from Smolensk). We were told that a number of witnesses confirmed the story of trucks coming into the Goat Hill, their load identified by the unmistakable stench.

As they were dug up, the Germans tagged each corpse with a metal number, slit open the pockets and removed all papers they could find that bore dates later than March and April 1940 and looted the pockets of any money and valuables. They imported a corpse specialist called "Butz" from Berlin to make an investi-

gation and to prove scientifically that the bodies found were buried in the Spring of 1940.

The German authorities organized compulsory excursions to Goat Hill, so that the local Smolensk population could see for themselves. Among the visitors was Zubkov, a Soviet doctor, whom we saw. Zubkov testified that, as a pathological anatomist, he could rightly say that at that time none of the bodies could possibly be more than a year and a half old. The Commission stressed Zubkov's statement to us that to his knowledge the Germans conducted no autopsies, that the German specialist Butz was not interested in conducting a scientific investigation—loot from the pockets of the dead was what he was after, and dated documents that would compromise the German story. It took Butz three months to accomplish his task.

3. Documents found on the Polish Corpses: The final act of the Germans was to route out and either kill or deport any person who might have information proving the whole Polish incident was a fake. They caught all but a few of the men they had beaten into signing false evidence and the three girls who had been servants at the Goat Hill datcha.

Despite the thoroughness of the pocket ripping by the Germans, out of the seven hundred corpses the Commission have so far investigated, 146 items have been found. The earliest date was found on a postcard—March 1940—and the latest—an unmailed postcard dated June 20, 1941. We were shown all these documents and trinkets and the most important and significant ones were translated for us. They included letters from Warsaw and Moscow dated in the winter of 1940, receipts for valuables dated in the Spring of 1941 and numerous newspaper clippings dated from early 1940 through early 1941. In particular we were shown documents with communist leanings. The Commission inferred that the Polish prisoners of war had pro-Soviet rather than pro-German leanings.

REPORT WRITTEN BY MR. JOHN MELBY AFTER VISITING KATYN IN JANUARY 1944

[Enclosure No. 1 to Despatch No. 207 dated February 23, 1944, from American Embassy, Moscow]

Trip to Smolensk and the Katyn Forest, January 21-23, 1944

We left Moscow, in company with seventeen newspaper men and including Czech, Polish, and Spanish newsmen, at 4:00 p. m., January 21, for Smolensk on a special train which had been put at the disposal of the party. We were the first foreigners to visit Smolensk since its occupation by the Russians on September 25, 1943. We did not arrive in Smolensk until 10:00 a. m. the following morning, 220 kilometers from Moscow, presumably because military traffic had the right of way on the railroad. Since most of the trip was made by dark there was small opportunity to observe along the way. During the daylight hours little rolling stock was seen on the sidings and almost no military supplies along the single-track line. We saw only one troop train of a dozen boxcars, dirty and with straw covering the floor. The troops appeared to be work battalions rather than line troops. Outside Smolensk there were some seventy-five boxcars and three locomotives which had been turned off the track and burned. The closer we came to Smolensk the more evidence there was of destroyed buildings and blown-up bridges. Almost none of the buildings had been replaced and generally only enough bridges to supply one or two lines of traffic in the railroad yards. The railroad yards in Smolensk itself were a complete shambles, only enough having been rebuilt to keep operations along.

We were met in Smolensk by the Secretary of the Special Commission to Establish and Investigate the Circumstances of the Shooting by the German Fascist Invaders of Captive Polish Officers in the Katyn Woods. He took us first on a short tour of the city to witness the damage. The first thing noticeable was that every bridge over the Dnieper had been destroyed, the only crossing point for road and motor traffic being one temporary wooden structure. The railroad does not cross the river at this point. In the city it is difficult to find a structure which has not been damaged. Most of the destruction seems to have been caused by demolition, and there was little evidence of fire. The city once contained 7,000 buildings. There now remain 300, of which only 64 are stone structures, the rest being one-story wooden houses. The remaining population lives in the cellars of the wrecked buildings. The Lenin Library is a total loss, and the books were either burned or removed by the Germans. According to official figures, the population of Smolensk is now about 30,000 as compared with

a prewar figure of 185,000. In and around Smolensk the Germans are alleged to have massacred 135,000 Russians.

After the tour of the city we were taken out to the Katyn Forest, some fifteen kilometers west of Smolensk on the Vitebsk highway. We were met there by a battery of movie cameras and the surgeon who is in charge of the exhumations of Polish bodies and the postmortems. He told us that 700 bodies have already been exhumed from seven graves and that there are perhaps a total of twelve to fifteen thousand. This is pure estimate. The six graves on which the most work has been done are approximately twenty-five feet square and vary in depth from three to ten feet. In two of them the bodies are laid out in rows; in the others they are simply piled in. As each body is exhumed it is taken to a tent for examination, approximately 120 bodies being examined daily by eleven crews. After examination the bodies are laid in rows in a field which we inspected. Despite the freezing temperature, there was no doubt they had been dead a long time.

Every one of the bodies seen wore a Polish Army uniform, a preponderance being uniforms of enlisted men. Each one had a warm topcoat or heavy underwear. All pockets had been ripped open prior to exhumation by the Russians, but a wide selection of documents and miscellaneous items are being found which were missed in the previous searching by the Germans. All items found are taken to Smolensk for examination and classification. Every skull we saw contained a bullet hole at the base of the skull and a second one just above the forehead. The holes were made by bullets varying from 7.6 mm. to 9.5 mm. On the skulls where skin or hair is left powder burns are in evidence. The brain, flesh, and organs of each body are also examined. The doctor in charge said that the state of decomposition proves the men cannot have been dead much more than two years. A number of the bodies had small, rectangular metal clips attached to the lapel of their overcoats, bearing only numbers. The highest number seen was 2032. These were on the bodies said to have been exhumed by the Germans in 1943.

We were later taken to see the dacha which was used as headquarters by the German occupation forces in the forest. It had previously been an NKVD rest home. It lies about a quarter of a mile from the graves and beyond the road, overlooking the river. It was completely destroyed by the Germans when they withdrew.

During the afternoon the Commission held a press conference at which one member, V. P. Potemkin, read a previously prepared statement. Its principal points were as follows: The Commission for the Investigation of Atrocities in Smolensk arrived in the city shortly after its capture from the Germans on September 25, 1943. Experts started to work on the Katyn Forest murders on January 16, 1944. After the occupation by Russia in 1939 of Eastern part of Poland several camps of Polish prisoners of war were established to the West of Smolensk. These prisoners were used on road construction work, officers included. In July 1941, the Germans suddenly broke through the line at Smolensk and enveloped the city. It had been planned to evacuate the Poles to the West and a requisition was put in for a train to do so. This request was refused because of the shortage of trains to move even the civilian population of Smolensk. In any event, the Germans were already shelling the railroad.

After the occupation the German 537th Construction Battalion moved into Katyn and put a wire fence around it. Three Russian girls were put to work cleaning the dacha which was used as headquarters. They were constantly under sentry guard. In August 1941, according to the testimony of one of them, Andreeva, they frequently heard trucks coming into the forest. The officers quartered in the dacha would then go out. Shortly after the girls heard single shots at regular intervals. The trucks would leave and the officers would return, noisy and excited. One time one of the girls noticed blood on an officer's tunic. Another time one of the girls saw two Polish soldiers outside the window. They were led into the forest by Germans. Shortly thereafter she heard shots. Still another time one of the girls while walking down the road saw a group of men approaching. She hid in the bushes and saw they were a group of Poles who were led into the forest. Later she heard shots. All during August and September 1941, Poles were rounded up from the countryside. After the end of September 1941, no one saw any more Poles.

The above statements are further corroborated, according to the Commission, by other testimony. The traitor B. G. Menshagin, a lawyer, was in close communication as occupation mayor of the town, with the German commander in Smolensk, and was assisted by B. V. Bazilevski, formerly director of the Smolensk

Observatory. In August Menshagin told Bazilevski that orders were received "to liquidate Polish prisoners." He added that the Russian prisoners would die of "natural causes." Sometime later he said the orders had been carried out. He is reported to have given the same information to other persons. When Menshagin was later evacuated with the Germans he left behind him his notebook. His handwriting has been verified. An entry of August 15, 1941, states that orders had been issued for all detailed Poles to be turned over to the German authorities. Subsequent entries state that execution orders had been carried out.

With reference to the motive for these executions, Bazilevski testified he had been told by Hirschfeld of the SD that it is "an historical fact the Poles are an inferior race and hence it is a good act to kill them." He added that all Polish intellectuals had been killed.

Father Alexander Oglodin, of the parish of Katyn, testified according to Potemkin, that his parishioners had talked in 1941 of the events in the forest. During 1942 there was no talk. Then it started again in the early part of 1943 at a time when the Germans were exhibiting great nervousness and greater harshness of treatment toward the Russians. The first public notice was in the spring of that year when the local German paper printed a story that the NKVD had murdered Polish officers in Katyn during March and April of 1940. This same story was reprinted in three other papers at the same time and was designed to improve the position of the Germans. The Germans then began searching for witnesses to substantiate their statements, using torture to obtain what they wanted. When the Germans evacuated they tried to take with them or destroy all witnesses they had used. To strengthen their case further they opened some of the graves, using 500 Russian prisoners from concentration camp No. 126 for labor. Once the job was done the Russians were in turn killed, except for one who managed to escape in the melee. He was sheltered by an old peasant woman, Moskovskaya, to whom he told the above story before he was recaptured and executed himself. During the exhumation the Germans removed all documents from the bodies, especially those dated later than April 1940. They did, however, overlook some, including one unmailed postcard dated June 20, 1941. Before closing up the graves the Germans brought to Katyn the bodies of other Poles from other graves and camps in order to concentrate in one spot all the alleged atrocities by the Russians. And finally, in March 1943, the Germans organized compulsory excursions of the local citizenry to the graves before they were again closed.

Potemkin then stated the conclusions of the Commission:

1. During August and September 1941, the Germans killed in the Katyn Forest all Poles in the vicinity of Smolensk.
2. Feeling their position insecure in 1943 they attempted to blame the incident on the Russians.
3. To implement this position the Germans opened the graves, searched the bodies, sought witnesses for their case, and added bodies from elsewhere to those in Katyn.

In answer to a question, it was stated that prior to August, 1941, there were three camps of Polish prisoners: Camp No. 1 was thirty-five kilometers West of Smolensk on the Minsk highway, containing 2,932 Poles who were sent to Siberia finally; Camp No. 2, twenty-five kilometers West of Smolensk on the Vitebsk highway; and Camp No. 3, thirty-five kilometers West of Smolensk.

We were then taken to inspect the collection of miscellaneous items taken from the pockets of the Polish soldiers. This collection consisted of letters, books, newspapers, personal items, money. We were also shown eleven twenty United States dollar gold pieces, one fifty dollar note, and numerous dollar bills. A major portion of the dated evidence, such as letters and newspapers was prior to or during March and April 1940 and included a copy of *Izvestiya* of April 11, 1940. There were, however, letters bearing Moscow postmarks as late as June 1941.

During the evening the Commission held a session devoted to questioning the witnesses whose testimony had earlier been summarized by Potemkin. It soon became apparent that the session was staged for the benefit of the correspondents and that the witnesses were merely repeating stories they had already given the Commission. The show was staged under hot and blinding klieg lights and motion picture cameras. In all, five witnesses were produced who added nothing to what had been said at the press conference. Attempts by the correspondents to question the witnesses were discouraged, and finally permitted reluctantly only through the members of the Commission. All witnesses were shunted out of the

room. . . . as possible upon finishing their statement. There was also an argument . . . translation of the testimony, this finally being agreed to.

The . . . (ness told how he had been forced to turn evidence for the Germans in 1943; . . . second, Alexeyeva, told of her work in the dacha; the third, Bazilevsky, recalled his association as assistant burgomaster; the fourth, Zukhov, an expert in "criminal medicine," told of his "excursion" to the forest in the spring of 1943 and his belief that the bodies could not have been three years old; the fifth, Ivanov, the local station master who had been unable to supply a requisition of forty cars to move the Poles in 1941, told of conditions during the German break-through and of being forced to give evidence for the Germans in 1943.

All the statements were glibly given, as though by rote. Under questioning the witnesses became hesitant and stumbled, until they were dismissed by the Commission. Bazilevsky was ludicrous when one correspondent asked him why he was now so excited by the murder of 10,000 Poles when he also knew that 135,000 Russians had been killed in the same area, and he answered that the Poles were prisoners of war and it was an outrageous violation of international law for them to be massacred.

The atmosphere at the session grew progressively tense as the correspondents asked one pointed and usually rude question after another. At midnight it was announced abruptly that our train would leave in one hour. Just before the meeting broke up Alexei Tolstoy, a member of the Commission, who had apparently sensed that matters were not going well and who has had the most foreign contacts of anyone on the Commission, produced answers to several questions which had earlier been passed over. The members of the Commission were hasty and formal with us in their farewells, and the earlier atmosphere of at least semicordiality had disappeared.

The Polish correspondent who accompanied us, and who slept noisily through most of the press conference, a captain in the Polish Army and the editor of *Wolna Polska* under Wanda Wasilewska, told me that the present investigation has no interest for the Poles in Russia since it is obvious that the Germans committed the crimes and that therefore it is pure "political provocation" on the part of the Russians. Certainly the members of the Commission were not at all pleased when leading questions were asked. On the return trip the Foreign Office officials who accompanied us were almost unduly anxious on the return trip to be assured that we were convinced. It is apparent that the evidence in the Russian case is incomplete in several respects, that it is badly put together, and that the show was put on for the benefit of the correspondents without opportunity for independent investigation or verification. On balance, however, and despite loopholes the Russian case is convincing.

Chairman MADDEN. Can you identify that document, Mrs. Mortimer?

Mrs. MORTIMER. I identify that as my report.

Chairman MADDEN. You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. Mrs. Mortimer, you were in Moscow in February 1944, were you not?

Mrs. MORTIMER. I was.

Mr. MACHROWICZ. And January 1944?

Mrs. MORTIMER. Yes, I was.

Mr. MACHROWICZ. In what capacity?

Mrs. MORTIMER. I was then in the capacity as the daughter of my father, who was Ambassador.

Mr. MACHROWICZ. And in January 1944, members of the foreign press were invited by the Soviet authorities to visit the Katyn place; is that right?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. Do you remember how many there were?

Mrs. MORTIMER. I would say offhand 20.

Mr. MACHROWICZ. How many Americans were in that group?

Mrs. MORTIMER. I would say they were predominantly American and British. I really don't remember how many did go. But I would

say the members of the foreign press corps that were in Moscow at the time went to the Katyn Forest.

Mr. MACHROWICZ. Did you ask permission to accompany them?

Mrs. MORTIMER. My father asked permission for me. Yes.

Mr. MACHROWICZ. And you did accompany them?

Mrs. MORTIMER. And I did accompany them.

Mr. MACHROWICZ. And is this exhibit 20 a copy of the report which you filed?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. In that report you state your opinion that the Poles were murdered by the Germans. Is that right?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. Can you state how you came to that conclusion?

Mrs. MORTIMER. I can state it by reading what I said in the report. I wrote it 8 years ago, and I have refreshed my memory before coming down here to testify.

Mr. MACHROWICZ. Will you read the first three paragraphs, which are the complete statement of the report. The balance is a report of the inspection; am I right?

Mrs. MORTIMER. That is right. And that was my opinion at that time, having been to the Katyn Forest.

Mr. MACHROWICZ. Would you read those first three paragraphs into the record?

Mrs. MORTIMER. Do you want me to read them aloud?

Mr. MACHROWICZ. If you wish. Or would you rather have me read them?

Mrs. MORTIMER. I can read them.

Mr. MACHROWICZ. All right.

Mrs. MORTIMER (reading):

The party was shown the graves in the Katyn Forest and witnessed post mortems of the corpses. As no member was in a position to evaluate the scientific evidence given, it had to be accepted at its face value.

The testimonial evidence provided by the Commission and witnesses was minute in detail and by American standards petty. We were expected to accept the statements of the high-ranking Soviet officials as true, because they said it was true.

Despite this it is my opinion that the Poles were murdered by the Germans. The most convincing evidence to uphold this was the methodical manner in which the job was done, something the Commission thought not sufficiently important to stress. They were more interested in the medical evidence as conclusive proof and the minute circumstantial evidence surrounding the crime.

Mr. MACHROWICZ. The balance of the report is the report of the actual inspection. That completes the statement of the conclusions; am I right?

Mrs. MORTIMER. I believe so.

Mr. MACHROWICZ. As you stated there, no member was in a position to evaluate the scientific evidence and you had to accept it at face value?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. And you stated also that the testimony was petty, by American standards, and you were expected to accept the statements of the high-ranking Soviet officials as true because they said it was true.

Mrs. MORTIMER. Yes.

Mr. MACHROWICZ. But, despite that, you came to the conclusion that the Poles were murdered by the Germans?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. One of the reasons that you give in the sentence which follows that is: "The most convincing evidence to uphold this was the methodical manner in which the job was done, something the Commission thought not sufficiently important to stress."

You felt that because of the methodical manner in which the murder was committed, the Russians were incapable of it. Is that right?

Mrs. MORTIMER. This is trying to remember my train of thought at that time. I believe that there were German atrocities that were found, in which bodies were piled in the same order with the same type of bullet wound, had been found elsewhere.

Mr. MACHROWICZ. You do not have that same opinion today as you had in February 1944, do you?

Mrs. MORTIMER. I can say that before coming down here I read your interim report.

You had access to every side of the picture, which I did not have available to me, and I would say, having read your report, that my opinion is that the Russians did kill the Poles.

Mr. MACHROWICZ. In fairness to you, it must be stated that you did not have access to the information which we have today; did you?

Mrs. MORTIMER. That is right. I merely was a witness of the show that the Russians put on for the benefit of the foreign correspondents in Moscow.

Mr. MACHROWICZ. You considered it a show put on for the benefit of the correspondents in Moscow; at least you so labeled it later in the report; did you not?

Mrs. MORTIMER. Yes.

Anywhere you went in Russia, a show was put on. You could not travel normally anyway.

Mr. MACHROWICZ. At the bottom of page 1, paragraph 1, you state:

The corpses were Poles—the majority enlisted men, with no rank badges, but some officers. Where, as the privates ranged from 25 to 30, the officers were considerably older—45 to 50 years.

Do you know now that actually there were nothing but officers found in those graves? How did you come to the conclusion that the majority were enlisted men, with no rank badges?

Mrs. MORTIMER. I presume I did that on the basis that they wore enlisted men's uniforms.

Mr. MACHROWICZ. In paragraph 2, you state:

The majority of the corpses were dressed in topcoats, had long underwear. Those wearing just tunics had sweaters.

Later on in the report, on page 4, you state that you were informed that the Germans killed these Poles between August and September 1941. Am I right?

Mrs. MORTIMER. Yes.

Mr. MACHROWICZ. Did it not occur to you to be strange that between August 1 and September 1941, that being summer, that the majority of these corpses were still dressed in topcoats, had long underwear, and that those just wearing tunics had sweaters?

Mrs. MORTIMER. That was definitely one of the questions that I know was prime in our minds as we were going back to Moscow and discussing it among ourselves.

Mr. MACHROWICZ. That raised some doubt in your mind as to the truth of the Russians' story; did it not?

Mrs. MORTIMER. Yes.

Mr. MACHROWICZ. But it did not change your eventual opinion? Were you permitted to question witnesses?

Mrs. MORTIMER. My Russian was not that sufficiently good.

Mr. MACHROWICZ. Were you permitted to question them through an interpreter?

Mrs. MORTIMER. I don't believe I asked to.

Mr. MACHROWICZ. On page 3 of your report you state:

At first the committee refused to interrupt the testimonies for translation, but when the members of the press objected they agreed with some lack of grace. During the testimony the committee chatted and whispered between themselves and most didn't appear to listen. We were told we could question any witness, through the committee, but the questions appeared to annoy them though not apparently due to their substance. Only one question was called irrelevant and not answered—the present job of one of the witnesses. Tolstoy later gave it to us.

And then you state the following:

The witnesses themselves were very well rehearsed, and they appeared subdued rather than nervous; their pieces having been learned by heart. Only the girl had an air of self-assurance.

Did the fact that these witnesses appeared to be rehearsed and had learned their testimony by heart raise any question of doubt as to the truth of the Russian version?

Mrs. MORTIMER. I can only say that, as I remember it, in the afternoon or early evening, we were told by one of the members of the Commission what we were going to hear later on that night, and the exact, same phraseology was used both times.

In other words, they were giving us a second showing of what we had already heard.

Mr. MACHROWICZ. You state further:

When the last witness had been heard, general questions were asked, some of import to the Katyn incident, others not. Shortly, however, the representatives of the Foreign Office press department got up and said we had better break up as our train was due to leave shortly.

then you follow up with these words:

* * * I got the distinct impression that the committee was relieved. They had been told to put on a show for us—the show was over—and they did not want to be bothered any further. The meeting broke up without any informal chatting.

Mrs. MORTIMER. That was my impression.

Mr. MACHROWICZ. Did you discuss with the American members of the committee what their impression was?

Mrs. MORTIMER. I remember that going back on the train, certainly we sat around and talked. We brought up various points that had impressed us.

Mr. MACHROWICZ. Mr. Cassidy testified that on the way back to Moscow the correspondents joked among themselves and said that the Russians certainly put on a show, they tried to put on a show, and they remarked about the fact that there was no sincerity about the testimony that was given to them. Do you remember any such comments?

Mrs. MORTIMER. I don't remember sitting at the same table in the dinner car with Mr. Cassidy. I may have but I don't remember that. I said myself they put on a show. And I can't imagine spontaneity coming into this type of investigation, to which foreign correspondents would be invited, at that time, in Russia.

Mr. MACHROWICZ. Mr. Cassidy also testified that the exhibits which you refer to as having been taken from the bodies of the deceased actually were not taken from the bodies in the presence of the committee, but were under a glass case.

Mrs. MORTIMER. They were in a relic museum, in glass cases.

Mr. MACHROWICZ. Actually, then, no member of the group saw these exhibits taken from the bodies of the deceased, but they were already in a museum, in a separate building?

Mrs. MORTIMER. No. I witnessed the post mortems that were going on in the tents by the graves.

Mr. MACHROWICZ. You witnessed the post mortems but, as you stated in your report, as no member was in position to evaluate the scientific evidence, you had to accept it at its face value; is that right?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. But these exhibits that you referred to as having been found on the corpses, were not taken from the corpses in your presence, they were in a museum at the time?

Mrs. MORTIMER. That is right—in Smolensk, which was some distance away.

Mr. MACHROWICZ. Whether or not they were fabricated or taken from some other place you do not know; you just had to take the word of the Russians for it?

Mrs. MORTIMER. I can state that, due to the odor in the room, that there would be no question in my mind that these documents had been taken from bodies that had been buried a considerable length of time.

Mr. MACHROWICZ. There could have been some documents added to those that had been taken, could there not?

Mrs. MORTIMER. I would think so. I would be in no position to judge that.

Mr. MACHROWICZ. And you yourself observed the fact that most of these corpses were in topcoats, with long underwear, and sweaters?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. Despite the fact the Russians claimed the massacre had taken place between August and September 1941?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Mrs. Mortimer, were there any other nationalities present, outside of the American reporters, and the Russian commission?

Mrs. MORTIMER. I believe there was a Frenchman.

Mr. MITCHELL. Was he a reporter?

Mrs. MORTIMER. Yes; a French reporter. And I think there was a Polish one.

Mr. O'KONSKI. Yes, there was, because they slept through the whole performance.

Mr. MACHROWICZ. Two of them.

Mr. DONDERO. Were there any others besides that?

Mrs. MORTIMER. Not that I recall. The press group in Moscow was predominantly American and British, and this one Frenchman.

Mr. DONDERO. Was there any other correspondent—and I refer particularly to the American correspondents—that wrote a report similar to yours, or came to the same conclusion?

Mrs. MORTIMER. I do think that Richard Lauterbach, in his article in *Time*, which came out at that period, I think that you will find that he said that most of us thought that the Germans had done it.

Mr. MITCHELL. Where is Richard Lauterbach today?

Mrs. MORTIMER. He died.

Mr. MITCHELL. Was it very well known that he was pro-Soviet, pro-Communist, at that time, when you were over there?

Mrs. MORTIMER. I could not say so.

Mr. MITCHELL. For your information, Ed Angley, Henry Cassidy, Bill Lawrence, all of whom were with you, said that he jumped the fence and was very pro-Soviet-minded at that time.

Mr. DONDERO. Just a moment.

You news reporters have a saying among yourselves, I am informed, that if a thing is "phony," the story is, you say, "rigged." Did you have any impression while there, from things you observed, that that story might have been "rigged"? And I refer to the statement made that the witnesses seemed to have their words rehearsed, and so forth.

Mrs. MORTIMER. I believe, as already has been brought out, that I did say that they put on a show for us. Well, I had been in Moscow some time before I went to Katyn. It was quite usual, whenever I went anywhere, that a show was put on for you, and that if speeches were made, they were rehearsed. So that did not necessarily surprise me.

Mr. DONDERO. All those who took part, as far as concerned showing you the corpses, in the commission, were all Russians; is that correct?

Mrs. MORTIMER. They were.

Mr. DONDERO. Did they talk English to you?

Mrs. MORTIMER. No; I cannot remember if Mr. Tolstoy spoke English or not. I believe he did.

Mr. DONDERO. How far is the Katyn Forest from Moscow?

Mrs. MORTIMER. It was overnight by train, and I think it was two-hundred-odd kilometers.

Mr. DONDERO. How long did you stay there?

Mrs. MORTIMER. We were there a full day.

Mr. MITCHELL. How long were you at the forest itself, at the graves?

Mrs. MORTIMER. In terms of hours, I would not know. I could not remember. I know we arrived early in the morning, and we probably got back on the train at 2 a. m. the following morning.

Mr. DONDERO. Did the other American correspondents write their conclusions of that visit?

Mrs. MORTIMER. I was not there at the time, so I did not see what they reported. I mean I did not have access to the American press there in Moscow, so I would not know.

Mr. DONDERO. From your statement, there were 15 or 20 in the party, but they were nearly all Americans. Outside of yourself and Mr. Lauterbach, you know of no other story that corresponded with yours, or your conclusions?

Mrs. MORTIMER. The only story that I read was my own.

Mr. DONDERO. You did not see any story of any of the other correspondents?

Mrs. MORTIMER. No.

Mr. DONDERO. Whether they wrote any or not, you are not informed as to that?

Mrs. MORTIMER. I am afraid I am not.

Mr. DONDERO. That is all.

Chairman MADDEN. How many bodies did you view?

Mrs. MORTIMER. There were several graves opened. I know that I had to see more post mortems than anybody else, because each one of the doctors involved wanted me to see one.

Chairman MADDEN. Did you see 10, or 20, or 30?

Mrs. MORTIMER. You mean bodies lying around?

Chairman MADDEN. Yes; that you viewed?

Mrs. MORTIMER. I would say several hundred, or hundreds.

Chairman MADDEN. Did you know that the Germans had made a similar autopsy?

Mrs. MORTIMER. Yes, and they had put little metal tags on the uniforms, numbered tags.

Chairman MADDEN. Did they tell you that a year and a half before, the Germans had made a similar investigation?

Mrs. MORTIMER. I was in London at the time of the German announcement, and I read about that in the British press.

Chairman MADDEN. Did the Russians tell you about that investigation that the Germans had made there at the grave site?

Mrs. MORTIMER. What they told us was subsequently published in their report, and I cannot, offhand, remember if they mentioned the German report, or not.

Chairman MADDEN. Did they not mention anything about the German investigation there, at the grave site?

Mrs. MORTIMER. No. In other words, they did not present it to us as "The Germans said this, and we say it is not so." They presented a case, as I remember it, without any reference.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mrs. Mortimer, your report, in fact, reminds me of a Congressman from my home State who at one time talked about a half hour against a certain bill and he concluded by saying that, "Now I talked myself out of it and I am going to vote for it."

The thing that amuses me about your report is that your reasoning destroys your conclusion. In other words, as I read your report, and, frankly, I read it at least 10 times—you have in it more reasons why the Russians did it and not the Germans, than you have that the Germans did it. I cannot understand how you could have arrived at that conclusion.

Frankly, as I read your report, I come to the conclusion that it was not the Germans who did it, it was the Russians.

That leads me to ask you this question: How old were you when you went on this mission?

Mrs. MORTIMER. Twenty-five.

Mr. O'KONSKI. Would you tell us why your father selected you instead of, perhaps, somebody older and somebody who, perhaps, was a medical authority or something of that nature? Your father touched on it, but, I think, for the record, that ought to be brought out again. Why did your father select you to go on this mission?

Mrs. MORTIMER. My impression is that he selected me because he thought it would be more difficult for them to refuse him if he asked that I go than if he asked a medical officer or somebody else.

Mr. O'KONSKI. That sounds logical.

I asked that question, because the first time your name did come up, that you went on this mission, the average criticism immediately was, "Well, why would so young a girl be picked for so responsible a job?" I am glad to get the answer to that question, because it was a very serious mission that you went on. That clarifies it.

Coming back to my original comment, that as I read your reasoning I cannot agree with your conclusion in your report, that prompts me to ask this question:

Did you arrive at your conclusion independently and entirely on your own reasoning, entirely on your own thinking? Did anybody exert any pressure or any force or any hint to you at all in arriving at your conclusion?

Mrs. MORTIMER. No.

Mr. O'KONSKI. One of the reports, either yours or Mr. Melby's, tells how the Polish representatives—

Mrs. MORTIMER. That was Mr. Melby's report, I believe.

Mr. O'KONSKI. Seemingly slept through the whole demonstration and exhibition. Do you remember that also?

Mrs. MORTIMER. I do remember it was a very small room. As I said, I think I remember we were quite close to this museum where the personal effects of these corpses had been placed. It was terribly hot, there were kleig lights. We were there for many, many hours, and I can well understand how some of the people would have been drowsy, because we had to hear the testimony not only twice, but four times, because it had to be translated to us in English.

Mr. O'KONSKI. But even then, they were not truly representative of the Polish people. Do you think that under those conditions they would be found asleep, when it comes to finding out something about what happened to 15,000 murdered fellow men?

Mrs. MORTIMER. That I truly cannot answer. I know I stayed awake.

Mr. MITCHELL. Were there any pictures taken?

Mrs. MORTIMER. As I remember it, there were certainly facilities, in terms of the kleig lights. How often the cameras were rolling, I don't know.

Mr. MITCHELL. Have you ever seen yourself in that film?

Mrs. MORTIMER. No; I have never seen myself in it.

Mr. MITCHELL. I will be delighted to show it to you sometime. It is a picture of you and the correspondents going there. I would like to have you verify some of the names in that for the members of the committee, of the people who were with you in that film.

Mrs. MORTIMER. I will be very pleased to do so, to the best of my ability.

Mr. PUCINSKI. I wonder if you would straighten out one point for us here.

There has been some speculation that you went to Katyn as a correspondent or adviser or observer for the OWI. Did you have any connections with the OWI at that time?

Mrs. MORTIMER. I was a correspondent in London for News-week magazine, before I went to Moscow, and I resigned from that post when I went to Moscow with my father. I worked for the OWI in a purely unofficial capacity. Everybody there at the Embassy was very short-staffed and, in other words, pitched in and helped.

Mr. PUCINSKI. Did you file any reports for the OWI as a result of your visit to Katyn?

Mrs. MORTIMER. No; this was the only thing I wrote.

Mr. PUCINSKI. I have one more question: You were quite admired in Moscow, were you not? You were 25 years old, and the Ambassador's daughter, and people sort of looked to you with a great deal of respect, did they not?

Mrs. MORTIMER. At the time I went to Moscow I was the only American woman there.

Mr. PUCINSKI. The reason why I asked that question is this: I was wondering, had your observations and had your conclusions been different, had you believed in all the reasoning through your report, which indicated so strongly that the Soviets committed this massacre, could you, or were you in a position to so state; or were you somewhat bound by your position in Moscow to say that it was the Germans who did this?

Mrs. MORTIMER. I would not say that my position in Moscow would have any bearing on what I would write in a report. I have been a correspondent before, and writing up a news story was not something that—

Mr. PUCINSKI. You were free of any pressures, to state your conclusions as you saw them?

Mrs. MORTIMER. When I came home, my father asked me to write down what I had seen, and that is what I did.

Mr. PUCINSKI. And what is your conclusion today?

Mrs. MORTIMER. I have since had the opportunity to read your interim report and read what the New York press has said about your committee, and you had access to every side of the picture, and I think, undoubtedly—

Mr. PUCINSKI. Aside from our report.

Mrs. MORTIMER. Well, that is my information on it.

Mr. PUCINSKI. Aside from our report, can you think of anything that you observed there in 1944 at Katyn, which may strengthen the evidence that we have already compiled, to the conclusion that the Soviets murdered these men? In retrospect today, is there anything that you observed at that time that would strengthen that belief today?

Mrs. MORTIMER. I would say that would be, offhand, hard to answer now, without going over your report here and mine here.

Mr. PUCINSKI. No further questions.

Chairman MADDEN. As a final question let me ask: You would testify today, would you, that the Russians committed the massacre at Katyn?

Mrs. MORTIMER. I would.

Chairman MADDEN. Thank you for appearing before us today as a witness.

Mrs. MORTIMER. Thank you very much for inviting me.

Chairman MADDEN. Mr. Melby.

TESTIMONY OF JOHN F. MELBY, ALEXANDRIA, VA.

Chairman MADDEN. Will you be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MELBY. I do.

Chairman MADDEN. You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. You are John Melby?

Mr. MELBY. John F. Melby; yes.

Mr. MACHROWICZ. What is your address?

Mr. MELBY. 123 Prince Street, Alexandria, Va.

Mr. MACHROWICZ. And in January and February 1944, you were in Moscow as the Third Secretary of the United States Embassy, were you not?

Mr. MELBY. That is correct.

Mr. MACHROWICZ. You filed a report of your investigation of the Katyn massacre, did you?

Mr. MELBY. That is correct.

Mr. MACHROWICZ. And you were present, were you not, at the same time that Miss Harriman was?

Mr. MELBY. That is right.

Mr. MACHROWICZ. And your report also had the conclusion that the Germans were responsible; is that right?

Mr. MELBY. That it was a fairly convincing case.

Mr. MACHROWICZ. I do not think you used the word "fairly" there.

Mr. MELBY. Well, "convincing."

Mr. MACHROWICZ. I would like to point out to you and ask you whether or not you did not include this in your report:

During the evening the Commission held a session devoted to questioning the witnesses whose testimony had earlier been summarized by Potemkin. It soon became apparent that the session was staged for the benefit of the correspondents and that the witnesses were merely repeating stories that they had already given the Commission. The show was staged under hot and blinding klieg lights, and motion-picture cameras. In all, five witnesses were produced who added nothing to what had been said at the press conference. Attempts by the correspondents to question the witnesses were discouraged, and finally permitted reluctantly only through the members of the Commission. All witnesses were shunted out of the room as rapidly as possible upon finishing their statement. There was also an argument about translation of the testimony, this finally being agreed to.

and further on you state as follows:

All the statements were glibly given, as though by rote. Under questioning, the witnesses became hesitant and stumbled, until they were dismissed by the Commission. Bazilevsky was ludicrous when one correspondent asked him why he was now so excited by the murder of 10,000 Poles, when he also knew that 135,000 Russians had been killed in the same area, and he answered that the Poles were prisoners of war and it was an outrageous violation of international law, for them to be massacred.

The atmosphere at the session grew progressively tense as the correspondents asked one pointed and usually rude question after another. At midnight it was announced abruptly that our train would leave in 1 hour. Just before the meeting broke up, Alexei Tolstoy, a member of the Commission, who had apparently sensed that matters were not going well, and who has had the most foreign contacts of anyone on the Commission, produced answers to several questions which had earlier been passed over. The members of the Commission were hasty and formal with us in their farewells, and the earlier atmosphere of at least semicordiality had disappeared.

you further state as follows:

* * * Certainly the members of the Commission were not at all pleased when leading questions were asked. On the return trip the Foreign Office officials who accompanied us were almost unduly anxious on the return trip to be assured that we were convinced. It is apparent that the evidence in the Russian case is incomplete in several respects, that it is badly put together, and that the show was put on for the benefit of the correspondents, without opportunity for independent investigation or verification.

now, this is all in your report.

Then you add one very brief sentence:

* * * On balance, however, and despite loopholes, the Russian case is convincing.

now, can you tell us how that last sentence could be put in there in view of all the statements which you, yourself, put in just preceding that which, of course, created doubt as to the veracity of the Russian story.

Mr. MELBY. As I think you suggested there, I was not 100 percent convinced, by any means. I think it should also be noted that I had had the benefit only of the Russians' side of the story. I was, as a matter of fact, not really aware of what the German charges had been, since I had been in travel status when they came out with them, and I knew nothing of anything they had talked about in any report that they had made. I knew only what the Russians had shown, and also, at that time, anything I might have heard on the Germans would have naturally been discounted, since we had had considerable experience with atrocities on their part at that time, and practically, none as far as the Russians were concerned, because they were not publicizing anything they were doing.

Mr. MACHROWICZ. And earlier in the report you also stated that all of the officers wore overcoats and sweaters and winter clothing.

Mr. MELBY. That is right.

Mr. MACHROWICZ. And that, despite the fact that the story given to you by the Russians was that the Germans had killed them in August 1941—in a summer month?

Mr. MELBY. That seemed curious that they should be in that kind of clothing then. But it is a fairly cool part of the country, and the only thing I could think of there was that perhaps they kept them in year-round clothing at the time, rather than having them change it.

Mr. MACHROWICZ. But you were still convinced that the Russians were telling the truth?

Mr. MELBY. On the basis of what we knew there, it seemed so.

Mr. MACHROWICZ. Is that still your opinion today?

Mr. MELBY. No; it is not.

Mr. MACHROWICZ. Do you feel now that you were in error in filing this report?

Mr. MELBY. That is correct, sir.

Mr. MACHROWICZ. That is all.

Mr. PUCINSKI. Mr. Chairman, I have one question.

Chairman MADDEN. Very well.

Mr. PUCINSKI. Mr. Melby, did you discuss your visit to Katyn, and what you saw there, with the Soviet officials on your way back to Moscow?

Mr. MELBY. I don't remember talking about it to the Soviet officials. There were one or two people from the Foreign Office who escorted us, and I don't remember any others. I don't remember discussing it with them.

Mr. PUCINSKI. Did any Soviet official suggest to you that you might come up with the conclusion that it was the Germans that did this?

Mr. MELBY. The Commission themselves that investigated it.

Mr. PUCINSKI. I mean on the train, in personal conference.

Mr. MELBY. No.

Mr. PUCINSKI. Did you feel at the time you wrote this report—and, obviously, as Mr. Machrowicz said, it is difficult for us to reconcile

how you could write this whole report and then draw a conclusion that the Germans did this—did you feel that that possibly was the answer your superiors in the State Department and Washington would prefer?

Mr. MELBY. No; I had no reason to have any idea as to what kind of answer they would want.

Mr. PUCINSKI. You had no reason?

Mr. MELBY. No.

Mr. PUCINSKI. Nevertheless, you knew that there were very close relations at that time between the United States and the Soviet Union?

Mr. MELBY. Yes, sir.

Mr. PUCINSKI. And did you feel that you might be somewhat putting yourself in an unfavorable light if you drew your conclusions on the basis of your reasoning and the rest of your report, and concluded the Soviets did this?

Mr. MELBY. No, sir; not at all.

Mr. PUCINSKI. There was no such fear in your mind?

Mr. MELBY. No, sir; not at all.

Mr. DONDERO. How long were you there, Mr. Melby?

Mr. MELBY. We arrived early one morning, 7 or 8 o'clock, and were there in the area until about 2 a. m. the following morning.

Mr. MACHROWICZ. Frankly, Mr. Melby, I am at a loss—I am perfectly frank and honest in saying that I am at a loss—to understand why you included so many paragraphs creating a doubt as to the truth of the Russian story if you came to the conclusion that they were telling the truth?

Mr. MELBY. I wanted to put in as much as I saw, so that perhaps somebody else could clarify later on.

Mr. MACHROWICZ. Ninety-five percent of your report is a report stating that the Russians are lying, and then you finally say, in five or six words, that, despite that, the Russians—

Mr. MELBY. Not that they “are lying” but that there are unanswered questions.

Mr. PUCINSKI. Mr. Melby, are you aware of the fact that the Allied correspondents who went to Katyn refused to voice a conclusion? They wrote their stories on what they saw, but they refused to try and voice a conclusion.

Mr. MELBY. I never saw any of the stories that they wrote; we did not get the press back.

Mr. PUCINSKI. Maybe we can clear up a question that Mr. Machrowicz was asking you:

Why did you come to a conclusion when, on your own evidence, you could not reach a conclusion?

Mr. MELBY. Because I had no other basis on which to go except the Russian side of the story.

Mr. PUCINSKI. Were you asked to come to a conclusion?

Mr. MELBY. No.

Mr. PUCINSKI. You volunteered the conclusion yourself?

Mr. MELBY. Yes.

Mr. MACHROWICZ. Would it not be more fair to you to state that the conclusion, under the circumstances, was that “I am unable to state who is responsible for these murders?”

Mr. MELBY. I probably should have put in a qualifying clause in there that, although they may make their case, this is only one-half of the story. I should have known all sides of it.

Mr. PUCINSKI. And you are certain that nobody asked you to voice a conclusion on your visit to Katyn?

Mr. MELBY. Absolutely certain.

Chairman MADDEN. How long were you in Russia before you went to Katyn?

Mr. MELBY. I arrived there in May 1943.

Chairman MADDEN. How many months before?

Mr. MELBY. It would have been about 7 months.

Chairman MADDEN. How long were you there after you went to Katyn.

Mr. MELBY. Until April 1945, a little over a year more.

Chairman MADDEN. Are there any further questions?

(There was no response.)

Chairman MADDEN. That is all, Mr. Melby. Thank you for appearing as a witness.

Mr. MELBY. Thank you, sir.

Chairman MADDEN. The committee will recess now to convene tomorrow morning at 10 o'clock.

(Whereupon, at 3:45 p. m., the committee recessed until 10 a. m., Thursday, November 13, 1952.)



THE KATYN FOREST MASSACRE

THURSDAY, NOVEMBER 13, 1952

HOUSE OF REPRESENTATIVES,
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,
Washington, D. C.

The committee met at 10 a. m., pursuant to recess, in room 1301, House Office Building, the Honorable Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order.

TESTIMONY OF STANISLAW MIKOLAJCZYK, PRESIDENT, INTERNATIONAL PEASANT UNION

Chairman MADDEN. Mr. Mikolajczyk, would you take the chair there and be sworn?

Do you solemnly swear the testimony you are to offer at this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MIKOLAJCZYK. Yes, sir.

Chairman MADDEN. Will you state your full name for the record, please?

Mr. MIKOLAJCZYK. Stanislaw Mikolajczyk.

Chairman MADDEN. And your address?

Mr. MIKOLAJCZYK. 1402 Delafield Place NW., Washington, D. C.

Chairman MADDEN. And your business?

Mr. MIKOLAJCZYK. I am president of the International Peasant Union. Its head office is located here in Washington.

Chairman MADDEN. Mr. Counsel, you may proceed.

Mr. MITCHELL. Mr. Mikolajczyk, where were you born?

Mr. MIKOLAJCZYK. I was born in 1901, in Holsterhausen, Germany.

Mr. MITCHELL. Would you briefly tell the committee what you did prior to World War II? What were you duties at that time? Were you in the Government of Poland?

Mr. MIKOLAJCZYK. I left as a child from Germany and was working as a farmer in Poland.

In 1918 I took part in the uprising against the Germans for a free and independent Poland.

In 1920 I was a soldier in the army fighting the Bolsheviks.

And after that I was working as a chairman of the farm organization, a member of the Parliament, and as a chairman in the youth organization.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. MIKOLAJCZYK. I was at that time in the army. I volunteered in the army, and in September 1939 I was a soldier in the western front of Poland.

Mr. MITCHELL. Will you tell the committee what happened to you after that, please?

Mr. MIKOLAJCZYK. Afterward I was interned in a prisoner-of-war camp in Hungary. From Hungary I escaped to France. Then there I was entrusted by General Sikorski to prepare the formation of a parliament in exile. The chairman was Mr. Paderewski, and I was his acting vice chairman.

Mr. MITCHELL. At the time you were in Hungary, you were in a German prisoner-of-war camp; were you?

Mr. MIKOLAJCZYK. No. I was in a Hungarian prisoner-of-war camp. We were interned in Hungary.

Mr. MITCHELL. You were interned in Hungary?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Then you escaped from there and went to France; is that right?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Were you in the Polish Army in France?

Mr. MIKOLAJCZYK. I repeat, in France I was entrusted by General Sikorski to prepare the creation of the Polish Parliament in Exile, and here, under the chairmanship of Mr. Paderewski, I was acting as a Vice Chairman of the Polish Parliament in Exile in France.

Mr. MITCHELL. In what year was the formation of the Polish Government in Exile?

Mr. MIKOLAJCZYK. In 1939, its seat was first in Paris, later in Angers, in France.

Mr. MITCHELL. When did the Polish Government in Exile go to London?

Mr. MIKOLAJCZYK. 1940.

Mr. MITCHELL. When the Polish Government in Exile went to London, what was your position at that time?

Mr. MIKOLAJCZYK. I was still the Chairman of the Polish Parliament in Exile, and in 1941 I became the Vice Premier and the Minister of the Interior.

Mr. MITCHELL. How long did you remain as Vice Premier and Minister of the Interior for the Polish Government in London?

Mr. MIKOLAJCZYK. Until 1943, when, unfortunately, in the catastrophe in Gibraltar, our Prime Minister, General Sikorski, died.

Mr. MITCHELL. Was that that airplane crash that the committee was told about yesterday?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. On April 13, 1943, Goebbels announced to the world the finding of the mass graves of Polish officers at Katyn. Will you tell this committee exactly what the Polish Government in Exile did at that time, from your own personal knowledge?

Mr. MIKOLAJCZYK. Before I answer your question, I would like to tell the committee that, as Minister of the Interior, I was following very closely the developments in Poland.

Already in 1939 and 1940 we were getting news from Poland that in December 1939 the Polish officers who had been taken prisoner of war in Soviet Russia were expected to be released and be sent back under the German occupation.

Later, all news was cut, and no news arrived in Poland.

After the Sikorski-Stalin agreement, we tried to get the news about these officers from the Soviets. There were many personal conversations between General Sikorski and Mr. Kot, the Ambassador, and General Anders. There were notes sent over to the Soviet Ambassador Bogomolov, in London.

We always got the answer "Your prisoners of war have been released, and they must be free."

Stalin even told General Sikorski personally that maybe they had escaped to Manchuria. But we could not locate these people. They did not appear in the headquarters of the Polish Army, at that time formed in Soviet Russia, and even until March 1942, Bogomolov was answering in his notes to the Polish Government that all prisoners of war were free and had been released by the Soviet authorities.

Mr. MITCHELL. What was Bogomolov's position at that time?

Mr. MIKOLAJCZYK. He was ambassador of Soviet Russia to the Polish Government in London.

Finally, in April 1943, we got the news that the Germans announced that the bodies of the Polish officers had been found near the Katyn Forest.

It was very interesting because the first communiqué which was announced by the Soviets gave the explanation that probably there were misunderstandings because this place which had been announced by the Germans was an old cemetery and maybe the Germans just found the old place with the bodies.

A few days later, the Soviets announced that the Polish officers, being still prisoners of war, had been taken over by the Germans and had been murdered.

We really knew from all the evidence through the underground, through the letters, and also through a special mission sent by the underground to investigate the case, that this was not the case.

Mr. MITCHELL. May I interrupt a minute?

When did the Polish underground in Poland start investigating the missing Polish officers?

You, as the Minister of the Interior, knew a great deal about the Polish underground operations; is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. When did the Polish underground in Poland first start trying to locate or find out any information about the missing Polish officers who were interned in the Soviet Union?

Mr. MIKOLAJCZYK. We were trying to locate these people all the time from 1939, and, as I said before, we were getting the news that they were Soviet prisoners of war. They were writing to Poland until the beginning of 1940, and from that time no news was heard from them.

Mr. MITCHELL. You were telling the committee about the announcement about the old burying ground on the part of Molotov of the Soviet Union; is that correct, when I interrupted you?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Will you please proceed now?

Mr. MIKOLAJCZYK. The Polish Government announced their wish to investigate the case, and thereafter a note was sent to the International Red Cross at Geneva—

Mr. MITCHELL. Before you take that up, sir, let me ask: Did the Polish Government in Exile rely solely on the information of the Goebbels broadcast, or did you receive any information from your Polish underground sources in Poland?

Mr. MIKOLAJCZYK. We did not believe Goebbels at all, and the communiqué at that time released by the Polish Government denounced the Germans.

The Poles knew very well what the Goebbels propaganda was worth after all that the Nazis had practiced against the Polish and Jewish people in Poland. Therefore, we were not viewing this thing from the point of view of Goebbels' propaganda.

But we knew a long time before that that these officers were missing. We knew that something had happened to them, because communication with them and the letters which were being received from them had stopped.

And, more, we got official answers from the Soviets, including the note that they had been released.

Therefore, we were convinced long before. We had such good contacts with Poland under the German occupation, as well as the Russian occupation, that we could locate immediately men or some group of men who would be freed. Therefore, we knew that these men had vanished.

We could not find what had happened to them.

We knew also, and were getting news from Soviet Russia.

Therefore, when the announcement came, there wasn't any doubt on our part that the Soviets did it, and it was our duty to ask the International Red Cross for investigation.

Mr. MITCHELL. Will you proceed with what you did in connection with the International Red Cross? What happened with that?

Mr. MIKOLAJCZYK. Unfortunately, the reaction to the demand to investigate was very bad from the Soviets, who denounced it, saying that it was just purely Goebbels propaganda and they would not participate in it, as well as by the western public opinion and western governments who were of the opinion at that time that this would rather spoil the Allies' relations in the big fight against Germany.

So, finally, General Sikorski, the Prime Minister, after this attempt failed, had to withdraw the demand from the Red Cross.

Mr. MACHROWICZ. Would you care to state now whether you feel, in your own opinion, it was a mistake to ask the International Red Cross to investigate?

Mr. MIKOLAJCZYK. No. I stated in my book, as I also want to state here, that it was the duty of the Polish Government to do so. I stated—and I want to state today—that in the conversation with the British Ambassador to the Polish Government, Mr. O'Malley, I said, "Yesterday there was discussion in the House of Commons. During this discussion, one of the Labor Members of the Parliament, Mr. Shinwell, went up and asked Mr. Eden to ask the Soviet Government to intervene in Japan, where American and British prisoners of war have been maltreated."

And I asked, "Is there a difference between an American or British soldier and a Polish soldier? Haven't we at least the same right to

ask the Red Cross as here is being asked on behalf of the American and British officers and soldiers maltreated in Japan?"

Mr. MACHROWICZ. The point was raised, as you probably know, yesterday, that President Roosevelt felt that your Government erred in not having consulted with the American and British Governments before making that request. Do you have any comment on that?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Did you consult with the American or British Governments before making the request?

Mr. MIKOLAJCZYK. I was not in charge at that time; therefore, I could not tell you how much consultation was going on on the subject.

Mr. MACHROWICZ. That is all.

Mr. DONDERO. I have a question or two, if counsel has completed his questioning on that.

Mr. MITCHELL. Yes, sir.

Mr. DONDERO. Mr. Witness, do you know anything about the files of the NKVD being captured by the Germans at Minsk, Russia?

Mr. MIKOLAJCZYK. No; I don't know.

What I wanted to tell the committee is the other problem about files, namely, when I returned to Poland after June 1945, I was approached by the prosecutor, Mr. Sawicki. Mr. Sawicki one day appeared in my office and asked me about the Katyn case.

Mr. DONDERO. Was that the Russian prosecutor?

Mr. MIKOLAJCZYK. It was the Polish prosecutor in 1946.

He told me, "Myself and the Minister of Justice, Mr. Swiatkowski, are intending to bring a public trial about the Katyn case in Poland. What is your opinion about that?"

I said, "I think it is absolutely necessary to clear the Katyn case and have a public trial."

Mr. Sawicki asked me then, "And what would you like to tell in such a public trial?"

I said, "Only the truth. And I will tell in this trial how we tried to locate these people; how we got from the Soviets all assurances that they had been already been released, and later the communiqué of the Soviets which had been published, that they were still prisoners of war at the time of their death."

At that time, through secret sources, I knew also that there was still some material obtainable in files in Poland.

Mr. Sawicki went back for a conference with Mr. Swiatkowski. They both flew over to Moscow, and later I got the news that Moscow ordered them not to touch the matter at all.

Mr. DONDERO. Do you know anything about these files that were captured by the Germans at Minsk, Russia, being later found in Pilsen, Czechoslovakia, by Patton's United States Army when he moved into that area?

Do you know anything about that?

Those files were later sent here to Washington.

Mr. MIKOLAJCZYK. I was trying to trace what happened with the files which were in possession of the German authorities as well as in the possession of the Polish Red Cross. They were very well kept under guard during the German occupation in Krakow. They seemed to be so valuable to the Germans that they were taking special care of those files.

So when the Russian Army was approaching Krakow, these files were brought, as far as I could trace, to Wotclaw. There in Wotclaw surrounded by Russian troops there was a 3-week fight. There the Germans razed the buildings on the market place, and their airplanes were flying in and out.

And I could still trace that this material had been sent into Germany proper and later into Czechoslovakia.

Mr. DONDERO. Are those the files about which I am asking you?

Mr. MIKOLAJCZYK. I could not exactly say if these are the files about the NKVD. But they were these files which the German authorities were keeping under special guard and evacuating them as the most valuable things.

Mr. DONDERO. Did you know a man by the name of Roman Martini?

Mr. MIKOLAJCZYK. No.

Mr. DONDERO. Did you ever hear that he was appointed by the Lublin government, which is the Russian-dominated Communist government of Poland, being picked out or selected to make a study of the Katyn massacre for the Russians?

Mr. MIKOLAJCZYK. I don't know about that.

Mr. DONDERO. Did you ever publish any article on that subject?

Mr. MIKOLAJCZYK. On this subject of Mr. Martini?

Mr. DONDERO. Yes.

Mr. MIKOLAJCZYK. No.

Mr. DONDERO. Did you know anything of a man being sent there ostensibly to bring in a report favorable to the Russians, but instead of that, he brought in a report holding that the Russians were guilty of killing these Polish officers? Do you know anything about that?

Mr. MIKOLAJCZYK. I don't know about Martini. I know of Mr. Sawicki, who tried to find material favorable to Russia and didn't find it, and has been advised by Moscow to drop the case.

Mr. DONDERO. Do you know, or did you know, anything about Martini later being murdered, and that his murderers had conveniently escaped?

Mr. MIKOLAJCZYK. I read this in the newspapers. Personally, I don't know.

Mr. DONDERO. That is all.

Mr. MITCHELL. Mr. Mikolajczyk, we had reached the point where the Polish Government in exile had requested the International Red Cross to conduct a neutral, international investigation at Katyn.

Could you tell us what happened during that period of time, between April 15, 1943, and May 1, 1943, on the high-level discussions between the British and American authorities on the International Red Cross situation?

Mr. MIKOLAJCZYK. As I said, our demand for investigating that by the Red Cross was received very badly even in the west, and during a cabinet meeting, Prime Minister Sikorski told us that he had exchanged arguments with the British Government about the case and he was going to withdraw the demand for the International Red Cross investigation.

Mr. MITCHELL. General Sikorski was killed on July 4 or 5, 1943; is that right?

Mr. MIKOLAJCZYK. That is right.

Mr. MITCHELL. When did you become Prime Minister of Poland for the government in exile in London?

Mr. MIKOLAJCZYK. I was Acting Vice Premier at the moment when General Sikorski was killed. I sent a telegram to the underground authorities because part of the Polish Government in exile was in the underground, namely, the Deputy Prime Ministers and three Ministers, and there was an underground parliament. I sent a telegram, and in about 2 weeks' time after the discussion, they asked me to take over the prime-ministership, and from that time I was appointed as the Prime Minister.

Mr. MITCHELL. In your official capacity as Prime Minister, when did you first talk to Mr. Roosevelt, the President?

Mr. MIKOLAJCZYK. It was June 1944.

Mr. MITCHELL. Was the Katyn affair mentioned at that time?

Mr. MIKOLAJCZYK. When I became Acting Prime Minister, the Polish situation became much worse. Relations were already broken with the Soviets. The attempts of General Sikorski to restore the relations did not succeed, and we were in a very desperate situation.

Our underground, which at that time grew very strong, about 300,000 soldiers in the home army and peasant battalions, was in the middle between the Nazis, under the occupation, and the advancing Soviet armies.

Therefore, my effort was to find a solution so the situation would be not so that the same people who were fighting against the Nazi occupation would either have to fight the new occupation or be murdered by the Soviets.

Therefore, all efforts were made to restore the relation with Soviet Russia and to find a guaranty and a help both from the United States as well as from the British Government to save the situation in Poland.

Therefore, I approached the American Ambassador in London with the request to see President Roosevelt, especially when we got the news that in a short time the conference in Casablanca would be held.

I asked even by a telegram for the possibility to meet the President on his way to Casablanca.

Later the Tehran Conference was held.

Mr. MITCHELL. When was that, sir?

Mr. MIKOLAJCZYK. December 1944.

Officially, the communiqué which was published speaking about the freedom, independence of Iran and China, seemed very favorable, condemning every totalitarianism and other things.

It was just what we would like also to have for Poland. We also got reports that the question of Poland had been discussed there. But we could not find any proof how this problem had been solved, if it had.

In March 1944 I sent a letter to President Roosevelt, which is a public document—I will not repeat it—emphasizing in this letter the situation of Poland and all the problems which were facing us.

The visit had been delayed for a few weeks still, but finally it was set for June 1944. Here, in a conversation with the President, I discussed all those problems with him which were facing us.

But I must say that we knew that the Soviets were bandits, but sometimes when you are in a situation when you cannot escape the presence of the bandits in your home, in this moment you will not raise the question of the previous murders in Katyn.

Mr. MITCHELL. Mr. Mikolajczyk, at that conference with the President, did you discuss the boundaries of Poland?

Mr. MIKOLAJCZYK. I asked President Roosevelt to back us up in our rights about the Polish territories and the frontiers of 1939. President Roosevelt answered that he would back us up, that he was convinced that he could help us to retain Lwow, Tarnopol, the potash mines in Kaluz and oil in Drohobycz, Kalisz, but he was very doubtful if he could convince Stalin about Wilno.

Mr. MITCHELL. Mr. Mikolajczyk, the Atlantic Charter was in effect at that time. One of the provisions of the Atlantic Charter was that there be no territorial gains on the part of any of the Allies.

Now, you are in the position of discussing the matter with President Roosevelt in June 1944; is that correct?

Mr. MIKOLAJCZYK. Yes, sir.

Mr. MITCHELL. At that time the President is telling you that he is not convinced in his own mind that he can save all the boundaries, but that he can save part of the eastern portion of Poland; is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. What transpired after this discussion? What did you report back to your Government.

Mr. MIKOLAJCZYK. The position of our Government was to ask the American as well as the British Government to not deal with the question of frontiers during wartime. And my discussion with President Roosevelt was along this line.

The Soviets were always bringing two conditions in public for the restoration of the Polish-Soviet relations, one, to make changes in the Polish Government in London; second, to recognize the so-called Curzon line.

Unofficially, the first demand always was that we should denounce our demand for the International Red Cross investigation and should announce that we were wrong in asking for that investigation.

So, as far as July 1944, Lebedeu, in London, was emphasizing that maybe the Soviet demands about the reorganization of the Polish Government, about Poland eastern frontiers, would be changed if we announced that we were wrong in bringing the Katyn case to the International Red Cross.

And the situation was getting worse and worse in Poland. There was a tragic situation. The orders given to the Polish underground by the Polish Government and military authorities were to fight the Germans to the end and then try to go in contact with the advancing Soviet armies.

And for a few months in the eastern part of Poland, I must say that the Soviets were very favorable to collaboration with the Polish underground armies.

But the officers of the Red army were always saying, "Wait 2 or 3 days and you will see what will happen." And exactly after the job had been done in a certain area, the officers and soldiers of the Polish underground army, who were in the common fight first in the underground against the Germans and later in the open fight against the Germans, in view of the Russians' advancing forces, were arrested and sent to Siberia.

Mr. MITCHELL. Are these the Polish underground forces that were there all during the war?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. And as soon as they worked with the Soviets and came out in the open and started to fight against the Germans, after

that particular area was conquered they were shipped off to Siberia; is that correct?

Mr. MIKOLAJCZYK. Yes. Some of them were shot and some were arrested and sent to Siberia.

Now, coming back to the frontier question, we tried to get an agreement, and we announced that maybe a demarcation line would serve this problem. This was rejected. And only at the conference at Moscow in October I got to know that the question of the Polish frontiers was discussed—

Mr. MACHROWICZ. Was that October 1944?

Mr. MIKOLAJCZYK. Yes; had been discussed and settled in Tehran, namely, during the discussion, when I was still fighting in the interests of the Polish state, Molotov—

Mr. MITCHELL. Excuse me a minute so we will understand that.

Who was present at this conference that you had in October in Moscow in 1944?

Mr. MIKOLAJCZYK. There was Mr. Stalin, Molotov, Mr. Churchill and Mr. Eden, and Mr. Harriman, Professor Gravski, and Mr. Romer, and myself.

Mr. MITCHELL. Thank you.

Proceed, Mr. Mikolajczyk, please.

Mr. MIKOLAJCZYK. There during this meeting, when I was arguing with Stalin, Molotov rose and said, "But, gentlemen, what are we speaking about? This problem was already settled in Tehran."

And it was the first official acknowledgment given to me that the problem of the Polish frontiers had been settled in Tehran.

Mr. MITCHELL. When did Tehran take place?

Mr. MIKOLAJCZYK. December 1944.

Mr. MACHROWICZ. Do I understand, then, that the first time you or any other member of the Polish Government in exile knew that the boundaries of Poland had been already determined was in Moscow in December 1944?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. How many months was that already after it had been accomplished?

Mr. MIKOLAJCZYK. I made a mistake about the year. It was December 1943, Tehran. And I was speaking about October 1944.

Mr. MACHROWICZ. Tehran was December 1943, and your Government, the officially recognized Government of Poland at that time, was first notified of territorial changes of Poland how many months after the accomplished fact?

Mr. MIKOLAJCZYK. The Soviets, in their public demand, were demanding it all the time through.

Mr. MACHROWICZ. I mean how many months after Tehran?

Mr. MIKOLAJCZYK. About 9 months.

Mr. MACHROWICZ. Nine months after Tehran you were first notified in Moscow that your own boundaries had been changed and that there was nothing more to do, nothing more to talk about?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. And no representative of the Polish Government was present at Tehran, was there?

Mr. MIKOLAJCZYK. No.

Mr. MITCHELL. Then it was not at Yalta that the boundaries were settled. - Actually, they were settled at Tehran and your first informa-

tion concerning it was at this meeting in Moscow in October 1944; is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Proceed, please. Tell us what happened at Moscow in October 1944.

Mr. MIKOLAJCZYK. The conference did not bring any results because of the demand of the Soviets to recognize these frontiers in the first place. I went back to London.

Mr. MACHROWICZ. Just a moment before you go into that.

At that conference in Moscow in 1944, was the question of Katyn discussed?

Mr. MIKOLAJCZYK. No, sir.

Mr. MACHROWICZ. Did you not raise the question?

Mr. MIKOLAJCZYK. No, sir.

Mr. MACHROWICZ. Why not?

Mr. MIKOLAJCZYK. As I told you, sir, at that time it was a question of life and death of the Polish Nation to make or to find a certain solution in the catastrophical situation in Poland.

At that time it was not only a question of those who are already dead, but those who have been again murdered, transferred to Soviet Russia, arrested. And all our effort was to stop this.

Mr. MITCHELL. You returned to London after this Moscow conference?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. What did you tell your Government at that time? What did you tell your Government in London?

Mr. MIKOLAJCZYK. I reported the situation, all the demands. And the Government sent two letters, one to President Roosevelt, the other to the British Government, asking some explanation and also raising some points about the Polish problem.

I don't want to repeat these documents. The answer of the British Government is publicly known, as well as the letter of President Roosevelt, whose letter was brought to me by Mr. Harriman, who announced, being on his way from the White House to Moscow, that the President asked him to ask the Polish Government if he should raise once more with Stalin the question of the Polish territory. But he was empowered to do so, to speak to Stalin on behalf of the southeastern part, but not about Wilno.

Mr. MITCHELL. In other words, what you are telling the committee this morning is that Mr. Harriman told you that when he went through London on his way to Moscow, he had permission from the President of the United States to discuss only the portion of Poland that you had previously discussed with the President, the southeastern portion, and no other discussion?

Were those the instructions Mr. Harriman had to discuss with Stalin?

Mr. MIKOLAJCZYK. As I say, Mr. Harriman brought the letter which was in answer to the Polish Government to all other questions, and he told me that he was empowered to approach once more Mr. Stalin, if the Polish Government would see that it would be useful, and fight on behalf of us for the eastern territories, concerning the southeastern territories, not the Wilno area.

I want to make it clear that it does not mean he said, "I acknowledge that this territory should be ceded." He said he was empowered to fight for those territories.

Mr. MITCHELL. Only the southeastern part?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Therefore, there was to be a change, in the eyes of the American representatives, of some type?

Mr. MIKOLAJCZYK. I would say that is much of the same line that President Roosevelt told me, that he was convinced that he would be able to save for us from Stalin the southeastern territories, but he was doubtful if we would be able to save Wilno.

Mr. MACHROWICZ. I have one question, turning back again to this Moscow meeting.

When you, as the then Prime Minister of the legally recognized Government of Poland, were informed that several months prior thereto the boundaries of your own country had already been determined, did you make any protestations?

Mr. MIKOLAJCZYK. I asked the question immediately at the meeting.

Mr. MACHROWICZ. I mean during the meeting.

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Did you make any protestations during that meeting?

Mr. MIKOLAJCZYK. I asked, "Is it true?" because it was a shock to me.

From the British side, it was acknowledged. I asked Mr. Harriman. After the conference he said, "It must be a misunderstanding. I will ask the President and will give you all information."

Mr. MACHROWICZ. Did you make any other protestations?

Mr. MIKOLAJCZYK. The whole meeting was a protestation. I was sitting alone against the Big Powers.

Mr. MITCHELL. Now, will you tell the committee what happened in London when you reported back to your Government?

Mr. MIKOLAJCZYK. My Government was of the opinion that if we were getting help only for the southeastern part, that meant we were conceding the other part.

My personal opinion was that we don't concede anything, but in this tragic situation we should seek every help and in every form which is available. Therefore, I resigned.

Mr. MITCHELL. You resigned at that time?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Will you give us a specific reason why you resigned?

Mr. MIKOLAJCZYK. There was a difference of opinion. The majority of the Government was of the opinion that if we could not get the backing of all our interests concerning the eastern frontiers, and if we should ask Mr. Harriman that he would approach once more about the southeastern part, that meant we were giving up the other part, our rights to the other part.

I was of the opinion that we were not giving up our rights and that we, in our desperate situation, should take and ask for every help which was possible under the circumstances.

Therefore, I resigned.

Mr. MACHROWICZ. Do I understand, then, the reason for your breaking with the London Polish government was your insistence on not giving in at all on territorial concessions? Is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Mr. Mikolajczyk, in other words, what you were doing for breaking with the London government is that you were taking the position of President Roosevelt; is that correct?

In other words, you were accepting the fact that it was best to be on the side of the big powers in this discussion?

Mr. MIKOLAJCZYK. I don't think it is a question to be on one side or the other. I was always on the side of the Polish nation.

But I was in the position of the weak, who have to take sometimes, even with humiliation, what is offered to them and ask for help in a terrible situation, even if a big and strong one is not giving you everything which you want.

Mr. MITCHELL. Now will you tell the committee what happened to you from 1944 through June of 1945?

And when I am referring to that period, I refer to the Yalta provisions which provided that the three ambassadors, Molotov, Clark-Kerr, the British Ambassador, and Harriman would get together then to try to work out some kind of an arrangement. I understand that you were a private citizen in England at that time.

Mr. MIKOLAJCZYK. After my resignation I was a private citizen and also the chairman of the Polish Peasant Party.

Mr. MITCHELL. You were chairman of the Polish Peasant Party?

Mr. MIKOLAJCZYK. Yes. Mr. Witos, the former three-times Polish Minister, was in Poland. We tried to bring him out from Poland in 1944. Unfortunately, the airplane that was flying didn't find the right conditions, and the next month it was already too late to bring him out from Poland.

Mr. MITCHELL. Was the Polish Peasant Party still a member of the government in exile after you resigned?

Mr. MIKOLAJCZYK. The Polish Peasant Party was not a member of the government in exile in London, but was still a member of the underground parliament and underground government in Poland. In February 1945 the Yalta Conference took place. After the Yalta Conference, on the 17th of March, the Policy Deputy Prime Minister in Warsaw, Mr. Janrowski, was approached by a Soviet officer named Pimonow.

After the second meeting there, they were asked to meet with Soviet General Iwanow, a member of the Parliament and a member of the underground government, plus General Okulicki, former commander of the underground home army, which at that time had been dissolved. On March 28, 1945, there also went 12 other underground leaders to meet the Soviet general.

Mr. MITCHELL. Had the so-called Lublin government been established by the Soviets at that time?

Mr. MIKOLAJCZYK. There were two stages in establishing the so-called Lublin government. First, after my visit to the White House in June 1944, President Roosevelt telegraphed Stalin if he would receive me for a conversation. He got a negative answer. Then the British Government took over the initiative and pressed for a meeting.

On the 30th of July 1944, I made my first trip to Moscow. Only when I was in Cairo did I get the news that in the meantime, on the

25th of July, the Soviets had recognized the Lublin group, but not as a government, but rather as a so-called administrative body. It turned out later that this administrative body had to sign the concession, on the 24th of July 1944, about the Curzon line, conceding all of the territories, east from that line to Soviet Russia and, secondly, to agree that all of the justice on the whole Polish territory would be done by the Soviet commander of the advancing Red Army.

So I was considering in Tehran whether there was still reason to fly in when the day before this had occurred. I got a telegram encouraging me to go in, and I went to Moscow.

Mr. MACHROWICZ. Was this telegram from Mr. Harriman?

Mr. MIKOLAJCZYK. No. It was a telegram from my Government at that time.

Mr. MACHROWICZ. You mean the London Government?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Mr. Mikolajczyk was still Prime Minister.

Mr. MIKOLAJCZYK. And at this moment there was also an uprising in Warsaw, against the Germans took place. My first duty, therefore, was to ask Stalin for help in the Warsaw uprising. After the first 4 days. I got the answer that there was no uprising at all, that there was no fighting at all, that it was only propaganda of the Polish underground.

After 6 days they acknowledged the flight in Warsaw, and Mr. Stalin promised to send his liaison officers, and there was even some technical advice given from Warsaw through London to Moscow how the contact could be made. But after the conversation and my return to London, Stalin didn't send any help and even acted against the help for the Warsaw uprising.

When I asked Mr. Churchill and President Roosevelt to intervene Stalin opposed it for a long time, although 104 American airplanes were ready to fly from the London airports over Warsaw and drop supplies.

Mr. DONDERO. May I ask whether the uprising was one led by General Bor?

Mr. MIKOLAJCZYK. Yes, sir.

Mr. MITCHELL. That was the first step in the formation of the Lublin government?

Mr. MIKOLAJCZYK. Yes. The second step was in December 1944, when the Lublin administrative body, so-called, announced themselves as the Polish Government. On the 7th of January 1945, they were recognized by the Soviet as the Polish Government. Unfortunately, the text of the Yalta agreement, de facto, recognized this Lublin government and spoke only about the reconstruction of this government.

As I said before, in March 1945, the 16 leaders went in Warsaw supposedly for a conference with General Iwanow. There they were told that they would be flown over to Moscow for a political conversation, a conference. They were even promised that after the conversation in Moscow they would have the right to fly over to London. But instead of a political conversation, they were landed about 100 miles from Moscow, by accident, on snow and were brought by train to the Moscow prison.

In the meantime in April 1945 Mr. Stalin made an agreement with Mr. Bierut, of the Lublin government, about the political and military alliance between Poland and Soviet Russia.

The news about the arrest of the 16 leaders became known when finally Mr. Molotov, at San Francisco, I think in May 1945, announced that the leaders were in prison in Moscow.

Mr. MITCHELL. You were telling the committee that Molotov had conceded or announced in May 1945, at the San Francisco Conference of the United Nations, that these 16 underground leaders who were formerly members of the Polish Government in exile were imprisoned in Moscow at that time. Is that correct?

Mr. MIKOLAJCZYK. Yes, sir.

Mr. MITCHELL. Could you tell us briefly now what happened from then until July 5, 1945? I would like to have you discuss specifically the meeting that you had with Clark-Kerr, Averell Harriman, and Molotov in June 1945, how you happened to be invited to that meeting, and what transpired at that meeting. This was in conformity with the Yalta agreement.

Mr. MIKOLAJCZYK. In June 1945, I got an invitation to participate in the consultation of the three Ambassadors who, it had been announced at the conference, were first to form a provisional Polish Government and, secondly, to secure a free and unfettered election in Poland.

Mr. MITCHELL. Who did you get that invitation from?

Mr. MIKOLAJCZYK. I got the invitation from the three members of the Commission—Mr. Molotov, Mr. Harriman, and Mr. Clark-Kerr.

Mr. MITCHELL. And it was signed by all three of them?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Let me ask you a question there. The Polish Government in exile in London was still functioning?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Were any members of that Government invited?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Did you raise that point at the time you arrived in Moscow?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Why not?

Mr. MIKOLAJCZYK. If I have to answer that question, I will have to use more time to explain the Polish political situation.

Mr. MACHROWICZ. The fact is that the Polish Government in exile was not invited; is that right?

Mr. MIKOLAJCZYK. The provisions of the agreement at Yalta did not foresee that.

Mr. MACHROWICZ. Although you knew that the purpose of the meeting was to discuss the future governmental structure and the territorial boundaries of Poland?

Mr. MIKOLAJCZYK. Not the territory.

Mr. MACHROWICZ. The governmental structure.

Mr. MIKOLAJCZYK. There was the question of the forming of the provisional Polish Government and the question of the free and unfettered elections in Poland.

Mr. MACHROWICZ. But nevertheless the Polish Government in exile and no representative of that government was invited to attend?

Mr. MIKOLAJCZYK. No.

Mr. MITCHELL. At that time, for the record, will you please clarify your position? What were you at that time? You were not a member of any government, the Polish Government, I mean.

Mr. MIKOLAJCZYK. I think since Congressman Machrowicz asked that question, I should explain this situation. Unfortunately, before the war the Polish Constitution, after the coup d'état of Marshal Pilsudski, was a totalitarian one and was thrown on the Polish people without the consent of those people.

Mr. MACHROWICZ. I don't think we want to go into that. Regardless of how that constitution was formed, it did not bar you from becoming a member of that Government.

Of course, Mr. Chairman, if the witness wants to go into the question of the Pilsudski regime, it is all right with me.

Mr. MIKOLAJCZYK. Therefore the forming the first Polish Government in exile was not the question of the constitution. It was a question of the political agreement based on the Polish authorities of the main Polish democratic parties. As a result of this, the Polish Government in exile consisted of members of the Parliament as well as of the underground.

Chairman MADDEN. Let us confine this to the testimony on the Katyn massacre.

Mr. MITCHELL. Mr. Mikolajczyk, let me see if we can get back on the track here. We would like to have you explain at this particular time what transpired at the time of the conference between the three ambassadors, Averell Harriman, Molotov, and Clark-Kerr, and what discussions you had as an individual or as a representative of the Polish Peasant Party at that meeting in Moscow in June of 1945. Just tell us what transpired.

Mr. MIKOLAJCZYK. As I say, my departure from Moscow was delayed for 24 hours because I asked the release of the 16 arrested leaders of the underground. Before going to Moscow I was told that this question would be brought up at the meeting of the three members. Mr. Clark-Kerr telegraphed that he was convinced that this problem would be satisfactorily solved before the consultation took place.

Unfortunately the situation reversed itself. At the same moment when the consultation was taking place the trial of the 16 leaders occurred in Moscow. Secondly, they discussed the candidates from Poland who should be invited and that they again met the opposition of Mr. Molotov or Stalin.

Anyhow, there was the question of inviting Cardinal Sapieha. There was the question of inviting Mr. Trampeczynski. There was the question of inviting Mr. Witos. There was the question of inviting the former President living in Poland, Wojciechowski.

The agreement among the three was to invite from Poland Mr. Witos, Mr. Zulawski, and Professor Kutrzeba.

When we arrived in Moscow the first conversation was with Mr. Zulawski and the dean of the Cracow University, Professor Kutrzeba.

Mr. MITCHELL. Mr. Mikolajczyk, the fact remains, as far as we are concerned now, that you have explained that you were invited to this conference of the three ambassadors which was provided for in the Yalta agreement. Now, as far as I am concerned, I don't have any more questions. You have clarified the record up through and including yesterday because Mr. Harriman testified here yesterday and admitted to that conference that you had in Moscow in June of 1945.

Now, I believe, Mr. Chairman, some of the members of the committee may have some questions.

Mr. SHEEHAN. I have a couple of questions.

Mr. MACHROWICZ. If I may, I would like to finish.

What was the reason for your break with the London Government?

Mr. MIKOLAJCZYK. I said that I was of the opinion that we should take every kind of help even when it was not satisfactory from the big powers. My other members said that if we don't get the whole thing, that means we are conceding our right to some Polish territory, while my opinion was we are conceding nothing and we should take every help which we are able to get.

It was rather a question of tactics.

Mr. MACHROWICZ. Then you subsequently became the Vice Premier of the so-called Unity Government in Warsaw; is that right?

Mr. MIKOLAJCZYK. The Provincial Polish Government.

Mr. MACHROWICZ. The Provisional Government under the Yalta agreement?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Were any of the members of the Polish London Government—did any of them participate in that Government?

Mr. MIKOLAJCZYK. You mean previous members of the Government?

Mr. MACHROWICZ. Yes; previous members.

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Who?

Mr. MIKOLAJCZYK. Mr. Stanczyk.

Mr. MACHROWICZ. He was a member of your party who resigned with you; is that correct?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Who is he?

Mr. MIKOLAJCZYK. He is a Socialist.

Mr. MACHROWICZ. When you became Vice Premier of Poland in Warsaw, did you make any attempts to investigate the Katyn massacre?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. What did you do?

Mr. MIKOLAJCZYK. I could do this only by secret activity, you understand. The situation was such at that time that I couldn't do—

Mr. MACHROWICZ. What secret activity could you conduct in a country dominated by the Communists?

Mr. MIKOLAJCZYK. At that time the situation was such that we could do this.

Mr. MACHROWICZ. You understood this to be a unit government, not a Communist-controlled government. Isn't that right?

Mr. MIKOLAJCZYK. No. I have never had any illusion that this agreement made with the Soviets or with the Polish Communists would be kept. The question was not a question of unity. The question was, first of all, to stop the deportation and the arrest of the thousands of Polish underground people. As a chairman of the Polish Peasant Party, I and some of the Polish peasantry and the Peasantry Battalion were involved and had the duty to do this.

Secondly, we had been accused as Poles of not being friends with our neighbors, of being such quarrelsome people, and so on, and so on.

Thirdly, by the most conservative press in the United States at that time we were accused that we didn't know what were the feelings of

the Polish people, that the situation had changed, and so on, and so on, and that we had to prove once more that we could establish good neighborly relations and help to bring about free and unfettered elections.

Mr. MACHROWICZ. Now, I understood you to say that when you entered this Government you knew that it was a Communist-dominated government?

Mr. MIKOLAJCZYK. Sure.

Mr. MACHROWICZ. And you knew that the London Government had refused to participate in it?

Mr. MIKOLAJCZYK. Yes. I knew also that the London Government was asked by the Polish underground to resign.

Mr. MACHROWICZ. Now, I have here a message dated June 23, 1945, from Ambassador Harriman to the Department of State, in which he makes this comment. I will read the comment and then ask for your comments on it.

(The portion of the message referred to was off the record.)

Mr. MACHROWICZ. Do you have any comments about that statement made by Ambassador Harriman?

Mr. MIKOLAJCZYK. What is that statement? Is that a public statement?

Mr. MACHROWICZ. This is a message which you sent to the Department of State on June 23, 1945. Does that correctly express your views?

Mr. MIKOLAJCZYK. Not exactly, but it was probably taken from the official conferences.

Mr. MACHROWICZ. What is that?

Mr. MIKOLAJCZYK. It was probably taken from the official announcements that I made and which I had to make if I wanted to have the possibility to fight in Poland for two and a half years that we had.

Mr. MACHROWICZ. Did you express then your confidence that this was one of the best pacts for a free and independent Poland?

Mr. MIKOLAJCZYK. No. I hoped that that way would lead to a free and independent Poland.

Mr. MACHROWICZ. Did you say that that would insure the participation in the Government of the great independent parties?

Mr. MIKOLAJCZYK. I did at that time.

Mr. MACHROWICZ. Did you call for closer cooperation with the Soviet Union?

Mr. MIKOLAJCZYK. We were always saying publicly and in front of Mr. Stalin that we wanted friendly relations with Soviet Russia, but as a free and independent people.

Mr. MACHROWICZ. Now, did you subsequently change your mind as to the wisdom of your joining the Polish Government in Warsaw, the so-called Unity Government?

Mr. MIKOLAJCZYK. Is that a political question or a witness question?

Mr. MACHROWICZ. Well, it is a question which you may refuse to answer, if you wish.

Mr. MIKOLAJCZYK. I am convinced that the millions of Polish people who were for two and a half years fighting Soviet domination in Poland with my help and with my participation did the best for their country as well as for the awareness of the Communist danger by the whole democratic world. From that point of view, I feel that

it was my duty to do so, and we have done our duty in my conscience well.

Mr. MACHROWICZ. On or about November 25, 1944, did you have a conversation with Ambassador Winant in London?

Mr. MIKOLAJCZYK. When?

Mr. MACHROWICZ. Around November 25, 1944?

Mr. MIKOLAJCZYK. I don't recall that. I remember once a conference with Mr. Churchill and Mr. Winant as a guest.

Mr. MACHROWICZ. I may say to you that on November 25, 1944, Ambassador Winant notified the Department of State as follows:

(The quoted statement was off the record.)

Mr. MIKOLAJCZK. Exactly as I said before.

Mr. MACHROWICZ. Do you feel that your colleagues in Government were right, and that your estimate of the future was wrong?

Mr. MIKOLAJCZYK. Today I would say, after all of the books which have been published, that I feel I was right. We should not have rejected the help of the United States at that time even when it was not fully satisfactory for Poland.

Mr. MACHROWICZ. Was not the matter not a question of the rejection of the help of the United States; but a question of appeasing Soviet Russia by accepting a shameful compromise?

Mr. MIKOLAJCZYK. I don't think so.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Mikolajczyk, as the leader of the Polish Peasant Party, did you not undertake to seek out any evidence inside of Poland after the Katyn massacre about who was guilty of it?

Mr. MIKOLAJCZYK. Sir, I will express myself in this way: We were in a situation——

Mr. SHEEHAN. Did you or did you not seek out any information?

Mr. MIKOLAJCZYK. We were in a situation where officially nothing could be done.

Mr. SHEEHAN. Then you did not seek out any evidence?

Mr. MIKOLAJCZYK. No. I did everything that was possible as a person to find material, and I reported about the conference with Mr. Sawicki.

Mr. MITCHELL. Mr. Sheehan, what was the date of your question? Was it when he was Prime Minister, or afterward?

Mr. SHEEHAN. While he was Prime Minister and afterward, at any time.

Mr. MITCHELL. As Prime Minister I thought you brought out this morning that when you were the head of the interior you were working with the underground of Poland.

Mr. MIKOLAJCZYK. That is what I tried to bring out.

Mr. MITCHELL. Now, Mr. Sheehan, I believe you want to ask the witness what he did on his return.

Mr. SHEEHAN. Did you at any time seek out any evidence inside of Poland about the Katyn massacre?

Mr. MITCHELL. The answer is "Yes."

Mr. SHEEHAN. What did you do with that evidence? Where is it today?

Mr. MIKOLAJCZYK. I turned it over to the Government files.

Mr. SHEEHAN. Which government, the government in exile?

Mr. MIKOLAJCZYK. Yes.

Mr. SHEEHAN. Thank you. Are you familiar with any attempt on the part of the Warsaw Communist government to collect or destroy any evidence regarding the Katyn massacre in 1945 or thereafter?

Mr. MIKOLAJCZYK. Congressman, as I was telling you in the beginning—

Chairman MADDEN. Speak a little louder, please.

Mr. MIKOLAJCZYK. I was telling you that the Communist government tried to get all of the material, and have a public trial in Poland to clear the Soviets of the responsibility.

Mr. SHEEHAN. When was that? What year?

Mr. MIKOLAJCZYK. In 1945 and 1946.

Mr. SHEEHAN. 1945 and 1946?

Mr. MIKOLAJCZYK. Yes. But, as I said, when the Minister of Justice, who was Mr. Swiatkowski, together with Mr. Sawicki, went to Moscow, he got the answer to drop this case, and that they didn't want it.

Mr. SHEEHAN. I have no further questions.

Mr. MITCHELL. No further questions.

Mr. MACHROWICZ. May I ask this question: In your opinion, who was guilty of the Katyn massacre?

Mr. MIKOLAJCZYK. There was never any doubt for me—the Soviets.

Mr. MACHROWICZ. Did you ever express any other opinion in any interview to the newspapers?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. I have several questions.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mr. Mikolajczyk, in your dealings with the American authorities during this critical time, did you get the impression that you should not force the issue on such things as the Katyn massacre and the truth about Stalin and the truth about Russia; that your attitude should be one more or less of compromise rather than telling the truth? Did you get the general impression in dealing with the American authorities, that is, that you should go easy on the Russians? Is that more or less the feeling that you got as represented by our country?

Mr. MIKOLAJCZYK. I didn't have the opportunity to discuss that exactly with the American authorities, but it was at that time generally said to us: "You have to settle the problems of the Polish-Soviet relations. These people are dead. You will not help them, but you will spoil the collaboration of the Allies. Therefore, keep silent."

In my letter to President Roosevelt, in 1944, I said that there were many things that had happened to us which we were not revealing so as not to spoil the relations between the Allies, but that we were appealing for help and the knowledge of truth. I had in mind this.

Mr. O'KONSKI. That is all.

Chairman MADDEN. We wish to thank you for appearing here today as a witness, Mr. Mikolajczyk.

TESTIMONY OF ALAN CRANSTON, LOS ALTOS, CALIF.

Chairman MADDEN. Our next witness is Mr. Alan Cranston.

Will you raise your right hand and be sworn. Do you solemnly swear that you will testify to the truth and nothing but the truth, so help you God?

Mr. CRANSTON. I do.

Chairman MADDEN. State your full name, please.

Mr. CRANSTON. Alan Cranston.

Chairman MADDEN. And your address?

Mr. CRANSTON. 1237 Hilltop, Los Altos.

Chairman MADDEN. Los Angeles?

Mr. CRANSTON. Los Altos, Calif.

Chairman MADDEN. And your business?

Mr. CRANSTON. I am in the building and real estate business.

Chairman MADDEN. All right, proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Cranston, where were you born?

Mr. CRANSTON. In Palo Alto, Calif.

Mr. MITCHELL. What year?

Mr. CRANSTON. June 19, 1914.

Mr. MITCHELL. Where did you go to school?

Mr. CRANSTON. Stanford University.

Mr. MITCHELL. What year did you graduate?

Mr. CRANSTON. 1936.

Mr. MITCHELL. What did you do upon your graduation?

Mr. CRANSTON. I went to work for the Hearst newspapers, working for Universal Service and the International News Service as a foreign correspondent.

Mr. MITCHELL. Where was that work, in the United States or outside the United States?

Mr. CRANSTON. It was outside the United States, primarily in England, Italy, and in Ethiopia.

Mr. MITCHELL. England, Italy, and Ethiopia?

Mr. CRANSTON. Yes.

Mr. MITCHELL. When did you return to the United States?

Mr. CRANSTON. In the late part of 1938.

Mr. MITCHELL. What did you do upon your return to the United States?

Mr. CRANSTON. I went to work for an organization called the Common Council for American Unity. That was an organization that worked closely with the Department of Justice and other Government agencies in transmitting information to foreign-language newspapers and radio stations in this country in regard to America and American life and government problems, and which also sought to diminish discrimination in this country against people of foreign birth and extraction of all various faiths and nationalities.

Mr. MITCHELL. Did you say that this organization, the Common Council for American Unity, worked closely with the Federal Bureau of Investigation?

Mr. CRANSTON. I didn't say the Federal Bureau of Investigation. I said the Department of Justice. We collaborated with the Alien Registration Unit of the Department of Justice in getting information out to foreign-born people in this country about the Alien

Registration Act and were under contract with the Department of Justice for a time.

Mr. MITCHELL. How long were you affiliated with that Council for American Unity?

Mr. CRANSTON. I think it was something like 2 years.

Mr. MITCHELL. What did you do after that?

Mr. CRANSTON. I went to work for the United States Government shortly after Pearl Harbor, for the Office of Facts and Figures, which subsequently was merged into the Office of War Information.

Mr. MITCHELL. Can you give us the date on which you entered the Office of Facts and Figures?

Mr. CRANSTON. It was either in December 1941 or January 1942.

Mr. MITCHELL. What was your official position in the Office of Facts and Figures?

Mr. CRANSTON. At that time I was Chief of the Foreign Language Division, which had responsibilities inside this country in dealing with foreign-language press, radio, and foreign-language newspapers in general.

Mr. MITCHELL. You were Chief of the Foreign Language Division?

Mr. CRANSTON. Yes. I had the same title in the Office of War Information.

Mr. MITCHELL. This concerned only domestic matters?

Mr. CRANSTON. Yes; dissemination within the borders of this country.

Mr. MITCHELL. In other words, as we refer to it, it was not overseas, but it was domestic?

Mr. CRANSTON. That is right, although we dealt with information relating to problems overseas, the war, and so forth, and so on.

Mr. MITCHELL. In other words, you received the information coming in from overseas and then had control of the distribution of it among the foreign-language press and radio of this country?

Mr. CRANSTON. We did distribute to foreign-language press and radio groups in this country.

Mr. MITCHELL. You said that you had the same position in the Office of War Information?

Mr. CRANSTON. Yes. The Division was carried on in the Domestic Branch of the OWI. There were two branches, the Overseas Branch, which dealt abroad, and the Domestic Branch, which dealt within the borders of this country.

Mr. MITCHELL. I think that the OWI came into existence on July 25, 1942. Is that correct?

Mr. CRANSTON. Approximately at that time.

Mr. MITCHELL. Mr. Elmer Davis testified to that the other day. Now, will you tell us your specific duties in this position?

Mr. CRANSTON. The primary purpose was to distribute information to people who depended primarily upon foreign languages for their information. First of all we put out information about price control, about selective service, about war manpower needs, and so forth, working in, I think, up to 27 different languages in this country.

Mr. MITCHELL. Concerning American issues?

Mr. CRANSTON. We sought to develop the understanding of these people who depended upon foreign languages of their responsibilities in the American war effort, in understanding why we were fighting,

and we sought to cement down or nail down their loyalty to this country. We sought to keep them from developing loyalties to other nations. We wanted their loyalties to this country and to our war effort.

Mr. MITCHELL. Therefore, it was more or less an interpretation of the news of the various emergency agencies and things of that nature that you were primarily concerned with?

Mr. CRANSTON. Yes, but we were also concerned with a great many disputes and arguments which arose among these foreign-language groups due to the loyalties of some members of those to perhaps other countries or to the interests of other nations. We sought to play them down and to lay emphasis in our releases and activities that we undertook upon their devotion to the United States and to the cause of the United Nations.

I would like to say that this was a very difficult field. There were many difficult problems and personalities that we had to contend with. It was work in the foreign-language field where some 12,000,000 Americans, I believe, were foreign born and something like another 24,000,000 were the children of foreign-born parents. Some of these could not understand any language except their own.

Mr. O'KONSKI. If I may interrupt for just one question, wasn't the real purpose of your organization to instigate and sponsor loyalty to Russia?

Mr. CRANSTON. Absolutely not.

Mr. MITCHELL. How were you first appointed to the Office of Facts and Figures? What individual or organization was responsible for your appointment to the Office of Facts and Figures?

Mr. CRANSTON. As I recall, three individuals recommended me for that position. I recall the names of two. I am not sure who the third one was. One was M. E. Gilfond.

Mr. MITCHELL. Where was he?

Mr. CRANSTON. He was in the Department of Justice and in charge of public relations and information and was an assistant to the Attorney General at that time, who, I think, was Mr. Jackson. The second was R. Keith Kane. He is now a New York attorney and a member of the Harvard Corp. He is on the board, in other words, of Harvard University.

I don't recall the third person. Possibly it was Mr. Read Lewis, who is the executive director of the Common Council for American Unity, the organization I worked for. But I am not sure that he specifically recommended me.

Mr. MITCHELL. Are those the individuals whose names you put on your Government form when you applied for a position?

Mr. CRANSTON. I believe that the first two that I named were on the Government form. I know that they recommended me.

Mr. MITCHELL. Were you ever in the United States Army?

Mr. CRANSTON. I was.

Mr. MITCHELL. When?

Mr. CRANSTON. The OWI sought to defer me in the early part of 1944. I asked them not to, and I enlisted as a private in 1944. I was in until after VJ-day.

Mr. MITCHELL. Why did you decide to make that decision?

Mr. CRANSTON. I just didn't want to be deferred. I felt that it was up to the Army to decide manpower needs, and that if they wanted me

I was ready to go. I just didn't want to be deferred. I wanted to participate.

Mr. MITCHELL. You were in a very, very important job, according to your description of your duties at that time, and 1944 was a very critical year. I would like to know why you decided that your services in the Office of War Information were not, shall we say, of greater value to the national interest than joining the Army as a private.

Mr. CRANSTON. I stated in a memorandum to my superiors in the OWI that I felt that I had developed a division there that could stand on its own feet, that I had trained others who could carry on the work of the organization.

Mr. MITCHELL. When you reported to the United States Army, where did you report for duty?

Mr. CRANSTON. I was assigned first of all to this camp which is right over here in Maryland. I have forgotten the name of it. Then I was sent down to Camp Croft in South Carolina for basic training.

Mr. MITCHELL. What were your duties?

Mr. CRANSTON. I took basic training in the Infantry.

Mr. MITCHELL. After you finished the Infantry School, where were you assigned?

Mr. CRANSTON. I was thereafter assigned to the Army Service Forces, first in, I think it was, the Seventy-first Division, which was at a camp in Missouri. Thereafter I was assigned to New York City and to the Army Service Forces and worked on a publication called Army Talk, which was a document prepared for distribution once a week through the Army Service Forces for discussion purposes within the Armed Forces.

Mr. MITCHELL. In other words, after you joined the Army you went through the Infantry School and then practically reverted back to the same type of work you were doing in the OWI?

Mr. CRANSTON. But within the Armed Forces, yes.

Mr. MITCHELL. You say but within the armed services?

Mr. CRANSTON. Yes.

Mr. MITCHELL. What was your rank or rate when you reported for duty with Army Talk, and in what year was that?

Mr. CRANSTON. It was in 1944. I was a private. I became a sergeant.

Mr. MITCHELL. In what year did you become a sergeant?

Mr. CRANSTON. I presume early in 1945.

Mr. MITCHELL. When did you leave the United States Army?

Mr. CRANSTON. It was not very long after VJ-day, August or September or possibly October 1945.

Mr. MITCHELL. What did you do after that?

Mr. CRANSTON. For a time I worked in Washington for an organization called the Council for American-Italian Affairs, which was seeking to increase understanding in this country of the problems of Italy in the postwar period. I spent considerable time in Italy working for the Hearst papers, and that is why I became involved in this particular thing.

After that I returned to California and went into the building and real estate business.

Mr. MITCHELL. Reverting back to your position in the Office of War Information, will you explain to this committee how your particular

division was set up within the OWI? Was it organized, shall we say, through editors or desks or something along that line?

Mr. CRANSTON. I don't understand your question precisely. It was a division established for the purpose of disseminating information through the press, radio, and in every conceivable way in regard to the war effort.

Mr. MITCHELL. Then you had specialists on various assignments; is that it?

Mr. CRANSTON. Yes. In certain languages we had individuals who would write or translate material in those languages.

Mr. MITCHELL. Who was your Polish-language man?

Mr. CRANSTON. In the beginning we had one person handling the Slavic field in general. His name was Paul Sturman. At some later time a man named Adam Kulikowski handled the Polish-language work on a part-time basis. He worked, as it was called, "WOC," without compensation.

Mr. MITCHELL. Then you had no individual of Polish descent or extraction in the OWI when you were there?

Mr. CRANSTON. Yes. We first had Mr. Sturman and then Mr. Kulikowski, who was of Polish extraction.

Mr. MITCHELL. When did he get there?

Mr. CRANSTON. I am not really certain of the precise date. I presume it was late in 1942 or early in 1943, possibly toward the middle of 1943. I am not sure of the date.

Mr. MACHROWICZ. Pardon me. May I ask along those lines whether you had in your employ a Mira Zlotowski?

Mr. CRANSTON. No, sir.

Mr. MACHROWICZ. For the record, she worked for the OWI. She was the wife of Prof. Ignatius Ludowski, who was the counselor of the Communist Polish Embassy in Washington.

Mr. CRANSTON. She did not work under my supervision at any time that I was in the OWI.

I might say that many times, in delving into the affairs of the OWI, there have been mix-ups between the Foreign Language Division, the Domestic Division, and the Overseas Branch, which had a Polish desk.

Mr. MACHROWICZ. The Polish desk of the OWI?

Mr. CRANSTON. She may have been there, but I do not know. But I had no supervisory control in any way over that branch.

Mr. MACHROWICZ. Did you have in your employ an Irene Balinska?

Mr. CRANSTON. No.

Mr. MACHROWICZ. She was the daughter of the first counselor of the Communist Polish Embassy in Washington.

Mr. CRANSTON. I never heard of her. She did not work for me.

Mr. MACHROWICZ. Did you have a Stefan Arski alias Arthur Salzman?

Mr. CRANSTON. No, sir.

Mr. MACHROWICZ. He is now the editor-in-chief of a Communist newspaper in Poland, an anti-American newspaper.

Mr. CRANSTON. To my knowledge I never met him.

Mr. MACHROWICZ. All of these three people are former employees of the OWI.

Mr. CRANSTON. But not of the division in which I worked, sir.

Mr. MITCHELL. Can you explain to the committee why, with a population, I would say, of approximately 6,000,000 Polish people in

the United States, you did not have a full-time Polish employee in your division?

Mr. CRANSTON. It was primarily a matter of budget. We started off with somebody working on the Italian and German groups because they were, I think, the largest. They were groups derived from lands with which we were at war, and we felt that the problems there were particularly acute. We sought to add people for other groups when the budget permitted, but we were always under a pretty slim budget.

Mr. MITCHELL. What was the name of that Polish individual again whom you employed early in 1943?

Mr. CRANSTON. Adam Kulikowski.

Mr. MITCHELL. When the Katyn affair broke out on April 13, 1943, did you consult him about it?

Mr. CRANSTON. I don't recall what occurred in our branch or in our division in direct relationship to the Katyn massacre.

When I received your letter indicating that you wished me to testify, I wrote to him and to Sturman, who handled the Slavic languages and who helped on the Polish work. I have received no reply from Kulikowski. I have received a reply from Sturman indicating that a release was put out on this question and that he consulted Kulikowski on it.

Apparently Kulikowski was not there full time at that moment. That is all I remember about it.

Mr. MITCHELL. Do you know what was in the release?

Mr. CRANSTON. I do not have a copy of it. I do not remember it. He states that he believed that at that time it went along the general assumption that this was a Nazi propaganda trick, and he cited only one fact that he remembers: that it stated in the release that the bodies of the men had been shot in the nape of the neck in a manner typical of slaughters that were known to have been committed by the Nazis at various times.

Mr. MITCHELL. Who stated that?

Mr. CRANSTON. That was stated by Paul Sturman in the letter to me when I wrote to him asking him whether he recalled anything about this.

Mr. MITCHELL. Do you have that letter?

Mr. CRANSTON. I have it here.

Mr. MITCHELL. May I have it, please, because I have searched through history looking for one indication where the Nazis have used that method of the extermination of people, and I have even gone as far as the Army Historical Division to come up with an answer on that since last fall when I started on this investigation.

Mr. CRANSTON. He does not cite any instance of this. He simply states this.

Mr. MITCHELL. May I have that for the record, please?

Mr. CRANSTON. You may.

Mr. MITCHELL. Thank you.

Mr. DONDERO. Wasn't that also the Russian method of execution?

Mr. CRANSTON. Apparently it was.

Mr. MACHROWICZ. Do you know where Adam Kulikowski lives now?

Mr. CRANSTON. So far as I know, he lives in Chicago.

Mr. MACHROWICZ. Chicago, Ill.; that is correct.

Mr. CRANSTON. The last I knew, he was the editor of a trade magazine.

Mr. MACHROWICZ. Was the name of the magazine "Success"?

Mr. CRANSTON. No; "Opportunity."

Mr. MACHROWICZ. Do you know that he has a reputation among Americans of Polish descent in Chicago as a pro-Soviet sympathizer?

Mr. CRANSTON. I do not.

Mr. MITCHELL. I would like to put this letter on the record, if you don't mind, and then read it.

Mr. CRANSTON. Certainly.

Mr. MITCHELL. The letter is dated November 5, 1952. The letter is as follows:

WASHINGTON, D. C., November 5, 1952.

MR. ALAN CRANSTON,
12370 Hilltop, Los Altos, Calif.

DEAR ALAN: I have but a hazy recollection of the facts concerning an OWI news release on the Katyn Forest massacre, but I do recall that a release was prepared by me in cooperation with Adam Kulikowski.

Our source at that time, I believe, was the News Digest published in England. The Nazis were charged with the crime as far as I can remember. The story gave some details how the Polish Army officers were all shot in the nape of the neck, a method practiced by Nazi executioners.

A copy of the release could be located in the Archives Building, or at least traced from there to its final depository, for upon completion of OWI activities the files of the Foreign Language Division, including copies of all releases, were packed, marked, and addressed for delivery to the National Archives Building.

Perhaps the Select Committee To Investigate the Katyn Forest Massacre is in possession of the release in question, or at least a published copy thereof.

While in Washington, should you find time available, visit us.

With best wishes,

PAUL STURMAN.

Now, when you were the head of this Foreign-Language Division, Domestic, did you have a staff of investigators under you?

Mr. CRANSTON. No; not a staff of investigators. We depended for whatever loyalty checks were made on people employed by the Division upon the OWI, which I believe worked with the Civil Service Commission and the FBI and the other normal agencies of investigation. We at some time had had an investigative unit in the OWI under the direction of some admiral, and his job was to check the loyalty of people who applied for employment with the OWI.

Mr. MITCHELL. That refers to individuals who were employed by the OWI?

Mr. CRANSTON. That is right.

Mr. MITCHELL. I am talking about individuals who might have been employed as investigators of the news content that was going out within the United States in connection with reactions and so forth. Did you have anybody investigating that?

Mr. CRANSTON. No; I don't believe we had anybody investigating that. In the Office of Facts and Figures, and I guess in the OWI, there was a bureau called the Bureau of Intelligence. I have forgotten who directed that, but it was charged with the task of checking on the reception and use of releases put out by the OWI and also on the general content of American newspapers and what was going on in the radio stations both in the English language and in foreign languages.

Mr. MITCHELL. Are you familiar with Mr. James D. Secret?

Mr. CRANSTON. I don't recall the name.

Mr. MITCHELL. Or a Robert LaBlond?

Mr. CRANSTON. No, sir.

Mr. MITCHELL. We have heard testimony this week that you were instrumental or took the initiative in setting up a meeting in New York on May 12 or 13, 1943, with Mrs. Shea of the Federal Communications Commission, Joseph Lang, and Arthur Simon. Now, can you tell the committee the details and the various processes—

Mr. MACHROWICZ. You might state that Joseph Lang and Arthur Simon were members of the Wartime Foreign-Language Radio Control Committee.

Mr. CRANSTON. Would you permit me to go back a bit over the nature of the problem that we faced?

Mr. MITCHELL. Surely.

Mr. CRANSTON. In foreign-language radio and in the foreign-language press, before the beginning of the war and thereafter when I had some responsibilities in regard to them, there was a great deal of propaganda going on which seemed to serve the purposes of the Nazis and the Fascists and our enemies, much of which seemed to be designed to diminish the loyalties of people of foreign extraction to this country and to the war effort. Much of this was very subtle and very hard to put your finger on and very hard to develop as a point of attack requiring action by the Department of Justice. I would like to give a couple of examples.

At one time a German-language radio broadcast to New York City contained an announcement that Rommel had driven the British and I think the Americans back 50 miles and was advancing on Alamein. The news broadcast was abruptly stopped and they played the victory march from Aida, which seems to have been a form of rather subtle propaganda.

At another time a speech of President Roosevelt, the Commander in Chief, was quoted in an Italian-language broadcast. It was a speech calling for Americans to throw everything they had into the war effort. At the conclusion of the recounting of this speech on this news broadcast, again there was some music. This time it was "I Will Be Glad When You Are Dead, You Rascal."

These are not things you can nail down, but they are symptomatic of the methods of people in the foreign-language radio and press.

When the Treasury Department announcements were made urging people to buy war bonds, at one time they were told on one station, following that announcement, that it would be wiser to put their money into diamonds because they were sure to be worth something after the war, implying that war bonds might not be. I think the purpose of that was to persuade people not to invest their money in war bonds, although they were required to broadcast the requests that these people buy war bonds.

I would like to now quote from a book by Louis Lochner. This is a quotation which states how foreign-language groups in this country were the subject of intense interest by our enemies in the war. He refers there to a quotation from a secret press release issued in 1940 in Goebbels' office. The quotation is as follows:

November 24—

Chairman MADDEN. What year?

Mr. CRANSTON. 1940. [Reading:]

November 24: Slovakia's adhesion to the Three Powers Pact must be evaluated on the basis of the number of Slovaks living in America and not on the

basis of Slovakia's might or economic strength. Under no circumstances may reference be made to the connection which our Ausland organizations maintained with certain Slovak societies in America.

Mr. MACHROWICZ. Do you have, Mr. Cranston, any quotations showing the extent of the pro-Communist foreign-nationality groups in this country?

Mr. CRANSTON. I don't, but I will make a reference to that at a later point, if I may.

I have a photostat of something that appeared in the Washington Star. I regret that the date is not clear on this. The headline is "FCC Probes Report of Tips to Nazi Submarines in Radio Programs."

At one point during the war there was some fear on the part of the FCC and the OWI and the Department of Justice that German-language broadcasts in New York City were being used by code messages to signal to Nazi submarines as to when ships were departing. You will remember that there was a time when, with mystifying success, the Nazi submarines seemed to know the departures of ships from New York Harbor, and many were sunk.

Mr. MITCHELL. But that was the duty of the Office of Censorship; was it not?

Mr. CRANSTON. It was no doubt the duty of the Office of Censorship when it entered this field. At this time, when this happened, there seemed to be nobody fully responsible. We had received information that this might be going on in the German-language radio in New York City. We called it to the attention of the Department of Justice, to the FBI, and I believe to the Office of Censorship, but we were merely passing on information that seemed to us highly pertinent to the war effort.

I would like to read a quotation from a Polish-language newspaper, Nowy Swiat, of March 21, 1942. This is the largest Polish-language daily in the United States. This is a quotation symptomatic of the divisive nature of many things that appeared in the foreign-language press which might tend to diminish the desire of those who read them in their own tongues to go along with the war effort. The quotation is as follows:

One must not tell the Poles, French, Turks, Letts, Lithuanians, Hungarians, Serbs "fight," because when Hitler is conquered with your help you will be given over to the "benevolent" care of Stalin.

I would like to add that the principal writer on that newspaper, although at that time it was a newspaper designed to be read by American citizens, was a man named Matuzewski, who was required to register as a foreign agent by the Department of Justice.

Mr. O'KONSKI. No matter what he was, he spoke the truth; didn't he? That is actually what happened; did it not?

Mr. CRANSTON. It was true in the case of the Poles.

Mr. O'KONSKI. It was true in the case of the Latvians, the Estonians, the Bulgars, the Rumanians, and the Serbs.

Mr. CRANSTON. It is not true in the case of the French. They fought and they won liberation.

Mr. O'KONSKI. They had plans for the French, you know.

Mr. CRANSTON. I assume they did, and I assume they had plans for us; but the tenor of this was not to fight the Nazis. That was the implication of that release.

Mr. SHEEHAN. Mr. Cranston, I think we have had enough of the background. First of all, I assume our committee counsel has informed you why we have asked you to come here in connection with the Katyn Massacre?

Mr. CRANSTON. In general terms; yes.

Mr. SHEEHAN. Just so there will be no question about it, there was censorship or what we feel was censorship of certain foreign-language broadcasts in America in the Polish language about Katyn, as we understand it; and what we are trying to determine is what particular position you or your office had in that censorship program. So, therefore, you know how you are connected with the Katyn massacre. Are you familiar with Hilda Shea's testimony this week?

Mr. CRANSTON. In the vaguest sense. I have not seen it. I read a brief extract in the newspapers.

Mr. SHEEHAN. Have you talked to her?

Mr. CRANSTON. No; I sought to reach her this morning, and I failed to. I asked the committee whether it was possible to read the transcript of yesterday's testimony, but it was not available.

Mr. MITCHELL. It wasn't available to me here either until I walked in here today.

Mr. SHEEHAN. According to our information—and we had Mrs. Hilda Shea on the stand—a meeting was called in New York, as the counsel told you, with reference to talking to these industry members and talking to radio-station operators with a view toward silencing them on their broadcasts about the Katyn Forest massacre. According to our records, Mrs. Shea said that you called that meeting. Are you familiar with it?

Mr. CRANSTON. I don't recall the meeting. If she says I called it, I assume I did.

Mr. SHEEHAN. Mrs. Shea then went on in her testimony, according to my memory, to state that you had asked her or the Federal Communications Commission into this meeting. Have you any recollection of that?

Mr. CRANSTON. I assume that that is correct, because we were working with the FCC and with Censorship and with the Department of Justice on these matters, and if I initiated a meeting I assume I wanted them in on it.

Mr. SHEEHAN. Mrs. Shea further went on to state that she told you that the FCC had no business at a meeting of that kind for the simple reason that they had no powers of censorship or telling anybody what to broadcast, but she still went along and said that she sat there pretty much as a silent participant.

Mr. CRANSTON. I do recall some occasion—and perhaps this was the occasion—when the FCC stated that they would only attend a meeting as an observer. That would tend to corroborate her testimony.

Mr. SHEEHAN. If she couldn't do anything, why did you ask her to appear as an observer?

Mr. CRANSTON. I assume because they were interested in the general field of foreign-language radio and had responsibilities in it. I felt it would be helpful to have a witness from that organization at this meeting. I assume that was my reasoning.

Mr. MACHROWICZ. Do you feel it was possible to exert a little more pressure on some of these people who were present in that way?

Mr. CRANSTON. I don't believe that is the reason; and if it was the reason and she didn't talk, she couldn't have exerted a pressure.

Mr. MITCHELL. Who advised you to go ahead and set up this meeting?

Mr. CRANSTON. I don't know since I don't recall the meeting.

Mr. MITCHELL. Mrs. Shea has already admitted that she was the one who told you how to go about it, but at the same time advised you that the FCC could not participate.

Mr. DONDERO. I have just one question there. Was that the occasion when the FCC had limited the licenses of broadcasting stations to 30 days?

Mr. CRANSTON. I have no knowledge of that, sir. I don't believe that that was the case, but I do not know.

Mr. SHEEHAN. When you called this meeting, assuming that you called it—and you say that you think you did—who set the particular policy of determining that you were going to stop these broadcasts? Were you in charge in setting the policy of the Department?

Mr. CRANSTON. Would you permit me to retrace my steps a little bit in this field? I will come back to that point as fast as I can.

I want to go back to a meeting of the foreign-language stations. This was the industry itself meeting in 1942 at a convention of the National Association of Broadcasters, who met in Cleveland. There they admitted that they had very perplexing problems and troubles in this field.

There was one New York station manager who told of a foreign-language announcer on his station who had broadcast a farewell to a ship about to leave New York Harbor, clearly violating the censorship rules. He said that he had fired the announcer and that that announcer was immediately hired by a rival New York station.

It was revealed at that meeting that the managers of the stations had no monitoring system, that they had no idea what was being broadcast on their own stations in the language of the enemy country.

Mr. MACHROWICZ. That is all very interesting, but I think we ought to get back to the question of Mr. Sheehan. I don't think we have sufficient time to go into matters that have no relation to this particular matter. We are interested in this particular complaint against certain stations.

Mr. CRANSTON. Well, sir, on this point, the industry was reluctant to do policing of its own or to set up a committee because they were afraid apparently that station operators would perhaps get rid of good announcers. They actually asked the Foreign-Language Division of the OWI whether we would serve as liaison from the Government to the industry on matters regarding personnel on foreign-language broadcasts. I would like to read a quotation.

This is a letter from Arthur Simon, who I understand testified here and who was president of the industry committee. I don't have the date, but he said the following in his letter:

For our protection, it is tremendously important that such persons are not hired by other stations—

meaning people fired for possible subversive activity.

We have asked Lee Falk of the OWI—

who was in my division—

if his office would be willing to help us on this matter. He has agreed to give us whatever advice he has available. Therefore, we respectfully suggest that you contact Lee Falk, Chief of Radio of the Foreign-Language Division of the OWI in Washington, before engaging anyone connected with the preparation or presentation of foreign-language programs. He will give you a prompt answer as to whether the person or persons you have in mind for employment have a clean bill of health as far as his information can determine.

Now, at their request we then sought information from the Department of Justice or the FBI on individuals when they had some doubt and asked us. We did not divulge the nature of the information. We would tell the industry whether it would be in their best interests and in the country's best interests to employ a man or not to employ him.

That was done at their request. We were not imposing anything on the industry.

Now, to get to the matter that you were directly concerned with, on May 1, 1943, the OWI field office in Detroit reported that these Polish-language commentators were dividing the heavy Polish population in this vital war-production center. The only example cited—and this will get back to the question you asked me awhile ago, sir—by the OWI field office was that of an extremely pro-Russian commentator who was feeding his listeners a strictly Russian line.

Now, apparently, there were polemics going on in the Polish radio stations in New York among people broadcasting in Polish, some taking a strictly pro-Russian line, some taking a strictly anti-Russian and pro-Polish line. I assume that because of the date of this memorandum from Detroit this revolved around the Katyn affair, although I do not know that to be the case.

Mr. MACHROWICZ. Was this gentleman's name Stanley Novac, if you remember?

Mr. CRANSTON. I have no idea whether he was an employee of the OWI who was under my supervision.

Mr. MACHROWICZ. I mean this announcer.

Mr. CRANSTON. I don't know.

Mr. SHEEHAN. Then this matter came to your attention through the industry, as you say?

Mr. CRANSTON. No—

Mr. MITCHELL. Did you say that Novak was an employee at the OWI?

Mr. CRANSTON. No; I did not. I don't know who Novak was.

The field office in Detroit of the OWI reported to the office here in Washington that there were problems arising out of the Polish-language broadcasts.

Mr. SHEEHAN. That was brought to your attention then?

Mr. CRANSTON. That was brought to our attention in that fashion.

Mr. SHEEHAN. Who referred it to you?

Mr. CRANSTON. This came in to what, I think, was called the field division of the OWI. It was not something under my Division. But then this particular report was referred to me because it related to foreign-language broadcasts.

Mr. SHEEHAN. Did you discuss with anybody else as to policy, or was the policy already set?

Mr. CRANSTON. The policy was pretty well set that we were against polemics going on which related or which would tend to diminish interest in the American war effort and divide people along national-ity lines in this country.

Mr. SHEEHAN. Who was your immediate superior in the OWI?

Mr. CRANSTON. I do not recall precisely who it was at that time. The associate director with whom I worked was Milton Eisenhower, the brother of General Eisenhower. Elmer Davis was the Chief of the Division.

Mr. SHEEHAN. Now, getting back to Hilda Shea for a while, was this a routine inquiry you made of the FCC for somebody to accompany you?

Mr. CRANSTON. Yes; I think it was. I assume that it was. I do not recall.

Mr. SHEEHAN. Did you know Hilda Shea very well?

Mr. CRANSTON. Not particularly well. I knew three or four people there who worked in a field related to our activities.

Mr. SHEEHAN. She was just a casual governmental acquaintance?

Mr. CRANSTON. Yes.

Mr. SHEEHAN. Mr. Cranston, one of the things we are interested in—of course, from our angle, we agree that on a lot of this we have seen the horses stolen out of the barn and the barn has been opened—we are trying to go back because in our committee hearings we find a lot of people who are involved in Communist or pro-Russian sympathies.

Some of the questions that have come to our mind are concerned with the fact that in the OWI there have been quite a few Communists turned up in this particular Division who were helping to shape our policy and our censorship.

Mr. CRANSTON. May I stress, sir, that insofar as I know—and I want to differentiate between the Overseas Branch of the OWI which had people of foreign extraction in it, and my own Division—I don't know of anyone who has been branded a Communist who worked in my Division, but there were some in the Overseas Branch who apparently were discharged as Communists.

Mr. MACHROWICZ. Mr. Kulikowski was in your Division?

Mr. CRANSTON. He was. I do not know, sir, that he has ever officially or unofficially been branded a Communist.

Mr. MACHROWICZ. That is his general reputation in the city of Chicago.

Mr. MITCHELL. Who was David Carr?

Mr. CRANSTON. He worked in my Division.

Mr. SHEEHAN. If you will refer to the House Appropriation Committee hearings in July 1943, you will see the following quotation in one of their reports:

Policies have been practiced by the OWI, particularly in the Foreign Section, which have tended to further the interests of Soviet foreign diplomacy.

Now, that comes from the House of Representatives and a report of that body.

What we are trying to find out is whether censorship was going on to promote Soviet foreign diplomacy, and to hold down some of our allies. That is why we are interested in it from the Katyn angle.

Mr. CRANSTON. I say that I had heard of this report of the House Appropriations Committee sometime ago that I instituted a search to drag it down and I did not find that specific report or any other. But I do not believe that that language refers to the Foreign Language Division of the OWI by name. I believe that it refers to the Foreign Section, which, I believe, meant the Overseas Branch. I believe also that if you will examine that in the context of the hearings at that time you will find that it did not relate to the Division which I headed.

That is my assumption—I have not seen it, but I am quite sure that that is the case.

Mr. SHEEHAN. For instance, we find that there was an Italian Communist by the name of Carlotta—

Mr. CRANSTON. That would tend to substantiate my contention. He did not work in my Division. He was in the Overseas Branch.

Mr. SHEEHAN. You did not know him when he worked there?

Mr. CRANSTON. No.

Mr. SHEEHAN. You did not know him at all?

Mr. CRANSTON. No; I did not.

Mr. SHEEHAN. In other words, you feel that the only people you had control of were those who were directly in your own particular Division?

Mr. CRANSTON. I certainly had no responsibility over those employed by a totally different branch, and whose offices were in New York City.

Mr. SHEEHAN. Counsel just mentioned to you the name of David Carr. It has been brought to our attention—and this may be misinformation—that he was recommended by you for his position. Now, his position was that of Assistant Chief of the Foreign Language Division.

Mr. CRANSTON. That is correct. He was in my Division.

Mr. SHEEHAN. How long did you know him?

Mr. CRANSTON. I knew him fairly well. I knew him before he became employed there.

Mr. SHEEHAN. Did you recommend him yourself?

Mr. CRANSTON. Yes; I did.

Mr. MITCHELL. Is that his real name?

Mr. CRANSTON. It is his real name now. I believe that his name was originally something else.

Mr. MITCHELL. What was his name before?

Mr. CRANSTON. I believe it was David Katz.

Mr. MITCHELL. Would you spell that? K-a-t-z?

Mr. CRANSTON. I don't know.

Mr. O'KONSKI. Did he change his name when he started to work with you?

Mr. CRANSTON. No; I never knew him under that name. I always knew him as David Carr.

Mr. SHEEHAN. Did you know when you hired him that he was a member of the Communist Party?

Mr. CRANSTON. No, sir. I did not know that he was or is a Communist.

Mr. SHEEHAN. It is our understanding that he was a card-carrying Communist. That bears further investigation, but that is the information given to us.

Mr. CRANSTON. I would like to repeat again that I relied upon loyalty checks and for clearances of employees, upon the FBI, the Civil Service Commission, and the agency which checked people before they were employed. As to others who went to work in my Division, there were long delays while they were being investigated as a routine matter, by those who were charged with that responsibility. When they approved somebody, I assumed they had been approved in accordance with their practices.

Mr. MITCHELL. Where was he employed before you hired him?

Mr. CRANSTON. I believe that he worked for a press association here; I do not recall which one it was.

Mr. MITCHELL. Do you know that he also was a part-time reporter for the Daily Worker?

Mr. CRANSTON. I knew that at the age of 17 he had written two signed articles for the Daily Worker. He had told me that he was not a Communist; that he was just a "kid" who was Jewish, who was violently aroused over the Nazi activities, and felt that the Communists were more aware of them than others at that time, and that he, therefore, wrote these two articles at the tender age of 17. He denied that he had ever been a Communist. I have no knowledge that he ever was one. He told me that after doing that at the age of 17, he had decided that that was not the soundest approach, that he did not sympathize with the Communist viewpoint, that he was a loyal American.

Mr. SHEEHAN. Do you remember when it was that you recommended that he be hired, the specific date?

Mr. CRANSTON. I don't know the specific date. I would think it was between January and March of 1942.

Mr. SHEEHAN. How long a lag was there after you recommended him before he came into your Department?

Mr. CRANSTON. At least several weeks, I would assume. I know there was some lag. He was recommended for his position by the people that he named on his application, amongst whom were several high officials of the American Government who knew him and who apparently assumed that he was O. K.

Mr. SHEEHAN. I understand that you have taken quite a bit of interest in the support of Mr. Harry Bridges; is that right?

Mr. CRANSTON. That is absolutely wrong. I would like to explain the reason for the misunderstanding at this time. I am glad to have the opportunity to do that.

Mr. SHEEHAN. Our committee would like to know.

Mr. CRANSTON. Yes.

At the time that I worked for the organization called the Common Council for American Unity, I was charged with writing a report about once a month on legislation pending in Congress relating to aliens, relating to naturalization and immigration problems.

At one time a bill was pending in the American Congress—a private bill, for the deportation of Harry Bridges. I mentioned this fact in an article in which I was summarizing all legislation then pending. I mentioned that the then Attorney General, now Mr. Justice Jackson, stated that in his belief, this was unconstitutional. I did not state my own opinion. I was simply doing a reporting job. I never at any time favored or opposed that bill. I had nothing to do with it. I never had any relationship to Harry Bridges. It was simply a matter of doing a newspaper job, a reporting job, in this case. I have absolutely no other connection with Harry Bridges. I have never met him.

Mr. SHEEHAN. Some of the committee members have informed us that you were pretty well acquainted with Louis Adamic. Is that right?

Mr. CRANSTON. He was a director of Common Council for American Unity or was on the board before I became employed there. I came to know him after I was employed by Common Council for American Unity. Incidentally, it is my assumption that he was murdered by the Communists.

Mr. SHEEHAN. Did you know him very well?

Mr. CRANSTON. Fairly well—not intimately.

Mr. SHEEHAN. Did you ever visit with him?

Mr. CRANSTON. I never visited him at his home. I believe that once he visited me in Washington at my apartment and had dinner, or dropped by and met my wife and myself. The occasion when he did that, I recall, was when he was on his way to or returning from the White House, where he had had dinner with President Roosevelt and Prime Minister Churchill. So far as I know, that is the only time he ever visited my apartment.

Mr. O'KONSKI. This organization which Louis Adamic headed, was that one of the list of those organizations declared subversive by the Department of Justice?

Mr. CRANSTON. No; it has never been. I would like to repeat that it worked for the Justice Department on a contractual basis. It has never been questioned as to loyalty. It is financed by such responsible foundations as the Carnegie Foundation, the Russell Sage Foundation, and other such organizations.

Mr. SHEEHAN. In other words, your whole testimony here tends to show that your connections with Katyn were only coincidental with that letter or request that arrived for the hearing in Detroit. Is that the situation?

Mr. CRANSTON. Yes, sir.

Mr. SHEEHAN. And you only originated the meeting because of the request?

Mr. CRANSTON. We originated the meeting because of the complaint that came from the field office of the OWI to the headquarters here in Washington. It was then referred to me for consideration and action, if I felt action was necessary.

Mr. SHEEHAN. You acted on it yourself?

Mr. CRANSTON. Yes. I would like to say that this is after it had become agreed upon by Government agencies that the primary responsibility was not that of OWI to deal affirmatively with these things, that Censorship had now a greater role in it, and also it was after the industry itself had asked us for help in these problems. It was then that we merely suggested to the industry committee that it consider this problem.

I would like to say, also, that the committee itself, or the radio people in the industry, determined what to do about this, and they took action on it.

I would like to mention one further point that I think would substantiate that.

In an article that appeared in the Radio Daily, a trade magazine in the radio field, on July 16, 1943, Joseph Lang and Arthur Simon collaborated in describing this situation in Detroit that arose out of the polemics between Poles of pro-Russian and anti-Polish and Poles of anti-Russian and pro-Polish attitudes.

They described this as an acute predicament and a threat to the productivity of American Poles and the war effort in Detroit.

Mr. MACHROWICZ. Was that after the meeting with you?

Mr. CRANSTON. This appeared after the meeting; yes. I would like to add one point, and that is that Mr. Lang and Mr. Simon in this article which they jointly signed, stated that the action of the industry committee on this matter was an excellent example of the industry's ability to regulate itself.

Mr. SHEEHAN. May I say in passing that, as I understood, when you read that letter asking for help, they specifically stated in there that the problem was to help to keep those who were being fired from one station from being hired by others; is that right?

Mr. CRANSTON. That was the reason they were reluctant to do it themselves. They were afraid to set up an industry committee.

Mr. SHEEHAN. Was it possible that, with your pressure and the pressure of the FCC, when you fellows said that someone was doing a job that was wrong, they had to fire those people, and now they were writing to you for help because they didn't want any other station to hire them?

Mr. CRANSTON. That was part of the problem, apparently.

Mr. SHEEHAN. In other words, your meeting them was only to protect the stations who had already had to fire people?

Mr. CRANSTON. Or who were reluctant to deal with the problem without the guidance of the Government.

Mr. SHEEHAN. The letter doesn't say that they were worrying about somebody hiring people who were fired? Read the paragraph about the firing.

Mr. CRANSTON. The only quotation I have from Mr. Simon's letter is as follows:

For our own protection, it is extremely important that such persons are not hired by other stations.

Mr. SHEEHAN. In other words, the only reason the meeting was called was because they had already fired someone and you were trying to get protection for these people?

Mr. CRANSTON. Prior to Pearl Harbor there had been discussions of the instability and of the dangers of the material going out on the air, and at a meeting in May 1942 of the National Association of

Broadcasters, some military spokesman—I don't know who he was—was present, and warned them that unless this situation rapidly improved, Government action would be necessary.

I believe that these men, with heavy investments in foreign language radio stations were afraid that they would be summarily taken off the air and not permitted to broadcast in German and in Italian.

Mr. SHEEHAN. You are voicing an opinion now?

Mr. CRANSTON. Yes, but I am positive of that. I could produce facts, I am sure.

Mr. MITCHELL. Who would remove them?

Mr. CRANSTON. They were afraid that their industry would be jeopardized unless it was properly organized to prevent Axis propaganda from going out on the air.

Mr. MITCHELL. But who would have removed them from the air?

Mr. CRANSTON. A military spokesman at this meeting in May—and I do not know who he was or what Department of the Army he represented—warned them—and I believe that this is recounted in either Variety or Broadcasters—that if they didn't improve the situation they might well be removed from the air. I assume that who would finally order them from the air would be either the Department of Defense in the interests of the war effort or the Federal Communications Commission or the Department of Justice.

Mr. SHEEHAN. The FCC with the 30-day cancellation clause.

Mr. MITCHELL. Actually, none of them would have. It was the duty and the obligation of the Office of Censorship, and that only on one basis, Mr. Cranston—if they would come up with something that would break the code.

Mr. SHEEHAN. There was no censorship of anything within this country, was there?

Mr. CRANSTON. The Bureau of Censorship, or whatever it was called, was interested in this, and part of the industry code said that no person shall be employed whose past record indicates he may not faithfully continue with the war effort. That was, however, a code of the industry itself.

I would like to read you one quotation from Variety, if I may.

Mr. MITCHELL. No; that is not necessary. I would like to know right now whether, when you set up this meeting with Simon and Lang in New York, you asked for the Office of Censorship to be represented?

Mr. CRANSTON. I don't know.

Mr. MITCHELL. Why didn't you?

Mr. CRANSTON. I simply don't recall whether I did or not. It is quite possible that I did, and possibly I didn't. I don't know.

Mr. SHEEHAN. I have one more question, Mr. Cranston. This is a little apart from the Katyn investigation, although it may bear on it indirectly.

What is your position with United World Federalists?

Mr. CRANSTON. I am an ex-president of that organization. I am now a member of the national executive council.

Mr. SHEEHAN. And you are still very active in it?

Mr. CRANSTON. Yes.

Mr. SHEEHAN. I want to make just this offhand remark. World-wide communism eventually envisions a united world under Communist domination?

Mr. CRANSTON. I assume it does.

Mr. SHEEHAN. If you have read anything on the philosophy of communism, you know that it does.

Mr. CRANSTON. Yes.

Mr. SHEEHAN. The United World Federalists are attempting a similar aim eventually, aren't they?

Mr. CRANSTON. For a totally different purpose, not a dictatorship, not a Communist one. It is one based upon democracy.

I would like to state that the United World Federalists has in its bylaws a provision against membership by anyone of Communist beliefs, in the organization. We are non-Communists. We have never been attacked by any Government agency as Communist, and there are many Members of Congress who know well of our organization, who think well of it, who work with the leadership of the organization, people of both parties.

Mr. SHEEHAN. In other words, your ultimate aim and that of communism are the same, except that they want to lead the world.

Mr. CRANSTON. I would certainly not agree with you that our aims are those of the Communists. They want a Communist world; we want a democratic world.

Mr. MACHROWICZ. I would like to come back to that New York meeting with Mr. Lang and Mr. Simon. Now, you say that prior to that you had received one complaint from Detroit and that was about a Communist commentator?

Mr. CRANSTON. Yes. I don't have the full text of that complaint, but it stated that there was a controversy raging between different commentators. The only one it cited was a pro-Communist one. I assume that that meant that he was arguing with people about the others' viewpoint.

Mr. MACHROWICZ. Being very familiar with that situation, I can tell you that his name was Stanley Novak.

Mr. CRANSTON. Was he making Communist propaganda?

Mr. MACHROWICZ. Stanley Kovak was accused of Communist propaganda. Now, did you mention his name at the time of the meeting in New York?

Mr. CRANSTON. I don't believe that I knew his name. I suppose that if the meeting was held at this time and came out of this report—and it is my assumption that we called it to the attention of Lang, Simon, and whoever else was there—that people were going to extremes on both sides of the fence, that is, that pro-Communists were attacking in an extremely divisive way, and that anti-Communists were doing likewise.

Mr. SHEEHAN. My question, then, is this: Since your only complaint from Detroit was about a Communist, how did it happen that at the New York meeting the only complaint was about those who made comments which were anti-Communist?

Mr. CRANSTON. I just said, sir, that so far as I know—and I do not recall this specific meeting—if the meeting came out of this May 1 report—and I assume that it did—I am positive that we presented at that meeting the fact that there were two sources of trouble in Detroit, one being this extreme pro-Communist announcer, the other being whatever other announcers there were, who were being rather extreme about the Katyn massacre on the other side.

Mr. MACHROWICZ. May I quote from the House committee hearings of 1943? You undoubtedly have read this:

Mr. GAREY. Will you tell us what was said at that meeting and by whom?

Mr. LANG. Both Mr. Cranston and Mrs. Shea were concerned with the situation that had been developing between Russia and Poland in regard to the matter of boundaries and the fact that Poland, I believe through its Premier, its Government in exile in London, had protested to Russia about the slaying of these 10,000 Polish officers in Russia, and they were concerned as to how the situation would be handled on different radio stations.

Mr. GAREY. What did Mr. Cranston want you to do?

Mr. LANG. He asked us—when I say “us,” I mean the foreign-language radio wartime control—if we could straighten out the situation in Detroit.

Mr. GAREY. What situation obtained there?

Mr. LANG. From what I could gather, it seemed that on the Polish programs out there the Polish news commentators had taken a rather antagonistic attitude toward Russia in this matter, and they felt that it was inimical to the war effort and should be straightened out in some way.

Mr. GAREY. And they wanted to know what you could do about getting the program content on those Detroit stations to conform to their views on what should be put over the air in the United States about the Russian situation? That is the sum and substance of what Cranston was trying to get you to do?

Mr. LANG. I don't know that it was expressed that way. That was the thought.

Now, in view of the fact that the only complaint you had was about a Communist commentator in Detroit, why did you pay so much attention to these commentators who were anti-Communists?

Mr. CRANSTON. Sir, the only incident cited in this report from Detroit of May 1, which came to us, referred to a pro-Communist announcer, whom you now tell me was Novak. However, it indicated that there were violent arguments on both sides going on. In that context, we stated this problem to the people at this meeting in New York, because I am quite positive that we would not have singled out the pro-Communist. If we presented this side, we would have presented both sides, and would have told them to calm down.

Mr. MACHROWICZ. As a result of this conference, Mr. Kreutz, who was the anti-Communist commentator, was taken off the air and Mr. Novak, against whom you obtained the complaint, and who was the Communist, remained on the air.

Mr. CRANSTON. I would attribute that to laxity on the part of the industry. We made a recommendation; we were not able to enforce it.

Mr. MACHROWICZ. In my opinion, it was due to the pressure you brought to bear, and pressure brought to bear by others.

Mr. CRANSTON. I would like, if I may, to have the privilege of placing all of this in the context of the situation that prevailed in this country at high Government levels in regard to the Nazi announcement in regard to Katyn.

It was apparent that Anthony Eden, the British Foreign Secretary, President Roosevelt, and Sumner Welles, all felt that the disclosures were presumably a Nazi trick. They seemed to assume that the thing was done by the Nazis. They certainly assumed and felt that a wild ruckus about this in the American press, and particularly among the foreign-born in this country, would not be conducive to the best interests of the war effort.

As you heard in testimony from Mr. Elmer Davis 2 days ago, he made a broadcast assuming that this was simply a Nazi trick.

We were not making policy ; we were just going along in my division with what seemed to be American policy at that time.

Mr. MACHROWICZ. But you tried to do something that you had no right to do. You tried to censor others who were telling the truth.

Mr. CRANSTON. We only made a recommendation at the request of the industry that had asked for our recommendation, and we acted upon a disclosure, a report which came from Detroit.

Mr. MACHROWICZ. But you did succeed in getting off the air those people who actually, as we know today, were telling the truth. That was the net result of your work.

Mr. CRANSTON. The truth was known by very few people at that time, and I had no access to such, which does indicate conclusively, it seems to me, that the massacre was conducted by the Communists.

Mr. SHEEHAN. Where did you get the information that Mr. Anthony Eden, President Roosevelt, and Mr. Sumner Welles believed that the Nazis were guilty?

Mr. CRANSTON. Perhaps I stated that carelessly, but I would like to read to you a quote from *Defeat and Victory*, by John Chekanowski, who was the Polish Ambassador to this country. This appears at page 159.

Mr. SHEEHAN. Excuse me for a moment. You said that as of that time, when this was being held in New York, Sumner Welles, President Roosevelt, and Anthony Eden felt that the Nazis did this. This book was written long after that.

Mr. CRANSTON. Let me correct my statement. I said that carelessly. They felt that that was Nazi propaganda, a Nazi propaganda trick.

Mr. SHEEHAN. You didn't know at that time, in 1943, when this meeting was being held, that that was their belief?

Mr. CRANSTON. I did know that my chief, Mr. Elmer Davis, had made a broadcast.

Mr. SHEEHAN. Would you like to correct the record to have it show that in 1943 you did or did not know that Sumner Welles and President Roosevelt knew the Nazis did it?

Mr. CRANSTON. I did not know what Sumner Welles and President Roosevelt knew or felt at that time. I did know that my boss, Elmer Davis, made a broadcast, calling this a Nazi trick. I read in the *New York Times* that he had requested the Poles to stop making provocations over this incident.

Mr. O'KONSKI. Mr. Cranston, am I right in assuming this: That the standard under which your office operated was virtually this: Anything that was said against the Russians was the same as saying something against the war effort? Was that more or less the standard under which you were operating?

Mr. CRANSTON. No; I don't think that is a fair statement. We were opposed to statements against any one of the United Nations which would tend to diminish the desire of the people of American citizenship, regardless of what their extraction was, to go along with the war effort, and if things became divisive, we felt that they had become harmful.

Mr. O'KONSKI. That is rather begging the question, because, to my knowledge, there was no criticism of any other ally ever. The only criticism that ever was expressed—and which criticism was doubted by people who turned out to be right—while you people turned out to be 1,000 percent wrong, as history now bears out—the

fact of the matter is that the only antially talk that we ever had during the war was against Russia. So when you say "any other country" that really does not mean anything.

Mr. CRANSTON. No, sir; there was a great deal of propaganda against the British. There was violent Polish propaganda against the British, feeling that they were doing things that were a disservice to the Polish cause. There were violent attacks upon Chiang Kai-shek, who was an ally of ours, at that time. There were many attacks upon him.

Mr. O'KONSKI. But your organization did not discourage any attacks against Chiang Kai-shek?

Mr. CRANSTON. We sought to discourage attacks against any of our allies where we felt they were harmful.

Mr. O'KONSKI. I am glad to hear that, because this is the first time that I have heard of a Government agency which at that time discouraged any attacks against Chiang Kai-shek. As a matter of fact, I think history will bear out the fact that he was more or less discouraged by the same group that tried to protect Russia at every turn of the road.

Mr. CRANSTON. There was a man named Bradford Smith, who was in my division, in charge of the work with the Japanese and Chinese press in this country. He was a staunch supporter of the Chiang Kai-shek government. He was an intimate friend of Walter Judd, who I am sure you know, in the Congress, and he would have taken the position in any issue that arose that necessitated it that attacks upon Chiang Kai-shek were harmful to the American war effort.

Mr. O'KONSKI. Further to bear out my point, and further to show what happened: After the investigation into the Detroit situation, the anti-Communists were taken off the air and the pro-Communists were left on the air. That is what actually happened in Detroit, after your intercession on behalf of the OWI, and getting the FCC in on it. That is actually what happened.

You were called in there to investigate a complaint of pro-Communist broadcasts. After you had gotten out there, and your investigation had been carried out, it was found that it had been conducted in such a way that the pro-Communists were left on the air and the anti-Communists were taken off the air. Did you know that happened?

Mr. CRANSTON. I had not known that until having been told that by the committee today, but I would repeat, that we undoubtedly called to the attention of the industry the fact that there were pro-Communists and anti-Communists making trouble in Detroit. We had no authority over what action they might choose to take. And if they chose only to fire the anti-Communists, that is their responsibility, and not mine.

Mr. MACHROWICZ. They told us differently. They told us that you ordered them to conform to your views, and that you made no complaints against the Communists, but rather, only against Mr. Kreutz.

Mr. CRANSTON. Do you have specific testimony from Mr. Lang to that effect?

Mr. MACROWICZ. Yes.

Mr. MITCHELL. Mr. Chairman, at this point I would like to call for a recess, and ask that Mr. Cranston stand by until tomorrow.

Mr. O'KONSKI. I suggest we reconvene at 2 o'clock.

Mr. MACHROWICZ. That is satisfactory to me. Do you want to have Mr. Cranston resume the stand at 2 o'clock?

Mr. MITCHELL. No; I would like to have him stand by, and we will call him later. We have a full schedule for this afternoon.

Mr. MACHROWICZ. The hearings will be recessed until 2 p. m.

(Whereupon, at 1 p. m. the committee recessed until 2 p. m. of the same day.)

AFTERNOON SESSION

The hearing reconvened at 2 p. m., upon the expiration of the recess. Chairman MADDEN. Will the committee come to order, please?

TESTIMONY OF GEORGE HOWARD EARLE, CORAL GABLES, FLA.

Chairman MADDEN. Governor Earle, will you raise your right hand, and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth in the hearing now being held, so help you God?

Mr. EARLE. I do.

Chairman MADDEN. Now, will you just give your full name and address to the reporter, please, for the record?

Mr. EARLE. George Howard Earle, 6508 Cabalero Boulevard, Coral Gables, Fla.

Chairman MADDEN. What is your business?

Mr. EARLE. I am retired at present.

Chairman MADDEN. All right, proceed, Mr. Counsel.

Mr. MITCHELL. Governor Earle, I realize that you have just told me this morning you had a serious operation recently. I have just mentioned it to the members of the committee, and they will respect that fact.

Rather than go back and retrace your history up to now, I would like to have you, since you offered to testify and since you gave this committee a statement on June 3 that you had been Minister to Bulgaria and Rumania, I believe, under naval cover during the war—

Mr. EARLE. No; Minister to Bulgaria and Minister to Austria, and Special Emissary for President Roosevelt in Turkey for Balkan Affairs.

Chairman MADDEN. And, Governor, previous to that, you were Governor of what State?

Mr. EARLE. Governor of Pennsylvania.

Mr. MITCHELL. I would like to have you tell the committee at this time your specific knowledge concerning the conversations you had with President Roosevelt concerning the Katyn massacre.

Mr. EARLE. In order that you gentlemen and those who are interested should not think this is an aftermath of the last election, I would like to read what I testified to 4 years and 8 months ago, to the day, before the House Foreign Affairs Committee.

I said that I went to Casablanca as a gunnery officer on a Navy transport. General Patton, an old polo-playing friend of mine, gave me a report on the North African operations, which I brought back to the President.

When I warned the President at that time, in December of 1942, after returning from Casablanca, of the great Russian menace, greater than the German menace, he said, "George, don't worry, Russia is so big it would break up when this war is over." I told him I did not think so. Then I went over to Turkey

and was undercover agent to report on the Balkan affairs to President Roosevelt, and try to get Bulgaria out of the war. For a while I was entirely against the Nazis. Then when I received evidence of how Russia, while we were saving them, was issuing propaganda to the underground against us, preparatory to destroying our influence in Europe, things changed.

Acting Chairman Maloney, of the House Foreign Affairs Committee, said:

How early was that?

As early as the first part of 1944. In May 1944 the President recalled me for consultation. I will not forget how an old friend of mine, Joe Levy, of the New York Times, went to the station and said, "George, you don't know what you are going to over there." He said, "Harry Hopkins has complete domination over the President and the whole atmosphere over there is 'pink'." He said, "If you go over and report against Russia, you, who would be the best authority for the administration in the Balkans, would be finished."

I said, "Well, Joe, I appreciate that very much." Joe did not do it as a matter of policy to his paper, or anything else. He was a friend of mine, and I said, "Joe, after all, my country and children and grandchildren come before what will happen to me." So I went over and reported on it. To my horror, when I got here I found the President really believed that the massacre of those 10,000 Polish officers by the Russians, of which I had all the proofs and pictures, was done by the Germans, which was of course absolutely incorrect. The Polish Ambassador in both Moscow and Ankara had been asking where the officers were, and the Russians were saying they were scattered through Russia. The Germans were not within hundreds of miles of where the Polish officers, 10,000 of them, were murdered.

I felt pretty hopeless after that.

In the anteroom there I met Secretary Forrestal of the Navy and talked to him about it and he said:

My God, I think this is dreadful. We were all alone over here. Russia can do no wrong. It is perfectly dreadful.

He said: "They just simply are blind to the whole situation."

Now, in August of 1944, I sent to the President what I consider the most important document I ever sent to him. It was a report on Russia of a neutral ambassador to Russia. I turned that report over to the Foreign Affairs Committee.

In Istanbul, on August 22, 1944, I wrote this letter to the President at the White House:

MY DEAR MR. PRESIDENT: The enclosure with this letter I consider the most important communication I have ever sent to you. I beg of you to read it very carefully. * * *

Chairman MADDEN. What date was that?

Mr. EARLE. August 22, 1944.

Now, he wrote there and summarized the whole Communist situation. Gentlemen, I want to say it is the most magnificent thing I ever read. It could not be better today, and that was 8 years ago. I fear he is right about Russia.

Here is my letter, and I made two observations:

* * * An American banker said to me a few weeks ago, "We should have been warned of Japan's intentions by the simple fact that every Japanese tourist in America is pictured with a camera, and American tourists were not permitted cameras in Japan." In the same way I say by the fact Russia will not permit our soldiers to fight with them nor our correspondents to go to the front should warn us of Russia's intentions.

Also, and far more important is the fact the moment fighting is over, there will be irresistible pressure from the people of the democracies to demobilize and return home our soldiers. There will be no such pressure to demobilize the Russian soldiers since the lot of a Russian is far more comfortable in the Army than at home.

My most fervent hope is that a year from today you can say, "George Earle was a fool and an alarmist."

Cordially and respectfully yours,

GEORGE H. EARLE.

Now, I just want to read one little excerpt from this magnificent report of this neutral diplomat. He gives three classes of people and their attitude toward Russia. Now, you gentlemen think over this third class and see how many people it applied to in Washington:

A third class of people have decided to display an extraordinary agnosticism and do not want to hear anything about a Russian problem, because it presently disturbs the comfortable line of thought they have been driven into by the radio and the press, viz, that there is a big black wolf called Germany, after the destruction of which the world will be happy and free forever. These people, when placed before certain uncomfortable facts, just answer "It's all German propaganda."

At least those who have a responsibility in allied countries must try to think of the Russian problem as seriously as the Russian leaders think of the European problems.

Now, gentlemen, I kept on reporting. I was sick at heart when I saw the President with the proofs that I brought him—which I will come back to in a minute.

These are all letters from the President. I have about 50 or a hundred of them.

It is a very interesting thing about his letters. No matter what you wrote him, how unimportant it was, he always answered unless he disagreed with you. If he disagreed with you, no matter how important it was, he never answered.

Mr. MITCHELL. Governor, will you kindly select those letters that have pertinency to the Katyn investigation?

Mr. EARLE. Yes. Now, in order, first of all, that I might prove my right to be his special emissary as—I mean to say I want to prove that first of all—he gave me a cover as a naval attaché in Turkey, because after a certain episode when I hit a Nazi officer over the head with a champagne bottle President Roosevelt said the Nazis might kidnap and shoot me. So he gave me a diplomatic cover as an assistant naval attaché.

On June 11, 1944, I wrote to the President:

With all the tremendous burdens now upon you—

Chairman MADDEN. Is this a letter you are reading now?

Mr. EARLE. This is a letter I wrote to President Roosevelt. This will give you my credentials as his special emissary.

Chairman MADDEN. I understand. But let us mark these letters as exhibits.

Can we have those letters as exhibits for the record? They will be returned to you later.

Mr. EARLE. Certainly.

Chairman MADDEN. Can you identify the letter as you read it.

Mr. EARLE. This is my letter to the President, of 11th of June 1944.

Chairman MADDEN. We will mark that first letter "Exhibit No. 26."

(The letter referred to was marked "Exhibit No. 26" for identification and is as follows:)

EXHIBIT 26—AMBASSADOR EARLE'S LETTER TO PRESIDENT ROOSEVELT

JUNE 11, 1944.

MY DEAR MR. PRESIDENT: With all the tremendous burdens now upon you I am terribly sorry to bother you with a comparatively unimportant and personal matter.

As I have had 26 months of active service as a lieutenant commander, United States Naval Reserve, I am now eligible for promotion; however, since all my reports have gone only to you, either directly or through Harry Hopkins, I am told by the naval officers I have consulted that there is no one but you who can give me a fitness report or recommend me for promotion.

I therefore enclose my fitness report. If it bothers you in the slightest, please don't hesitate to throw it in the waste-paper basket.

Cordially and respectfully yours,

THE PRESIDENT.

The White House.

MR. EARLE. This one is from the White House, June 26, 1944:

MR. PUCINSKI. Mr. Chairman, we will mark these "Exhibits 26 and 26-A," the letter and the reply.

CHAIRMAN MADDEN. All right.

(The document referred to was marked as "Exhibit 26-A" for identification, and appears on p. 2200.)

MR. EARLE. Gentlemen, I think this is so important to show you the attitude of the White House.

For instance, I personally believe that Alger Hiss is guilty as hell. But I think the greatest guilt is not—well—

CHAIRMAN MADDEN. Now, wait a minute. Let us confine this to the Katyn hearing.

MR. EARLE. Aren't you being a little partisan, Mr. Chairman?

CHAIRMAN MADDEN. What is that?

MR. EARLE. Aren't you being a little partisan in not wanting to hear a little against your dear Democrats?

CHAIRMAN MADDEN. We would like to go into all this, but, nevertheless, we have a great number of other witnesses and we would like to confine the testimony to the purposes of the committee.

MR. EARLE. Mr. Chairman, I have listened here to irrelevant testimony for hours today, so I don't see why you should deny me the right to do so.

CHAIRMAN MADDEN. Just so we are not detained indefinitely.

MR. EARLE. I don't think this will detain you indefinitely. This will show you the complete refusal of the White House to hear anything against the Russians. I think that is very relevant.

CHAIRMAN MADDEN. Proceed.

MR. EARLE. I wrote to the President that my duties in Turkey were finished because the Turks had broken off relations with the Germans. I asked to be recalled, which he did.

I returned here, and he thanked me very much and told me my work had been good service. I told him I was willing to stay in the Navy. He told me at my age it wasn't necessary.

EXHIBIT 26-A—MR. ROOSEVELT'S REPLY

THE WHITE HOUSE
WASHINGTON

June 16, 1944.

Dear GEORGE,

I have been glad to sign your fitness report for the period of December 10, 1942 to June 11, 1943. I am informed that your name will be considered for promotion with your running notes and I wish you all success.

Cordially yours,

For the President: Joseph P. Kamp, M.B.N.B.,
Assistant U.S. Attache,
American Embassy,
Ankara, Turkey

Via U. S. Pouch.

So I wrote him March 22 saying that unless I heard to the contrary, I was going to publish a complete statement about Katyn, about how Russia was a much greater menace to America than Germany ever was, because they had the men, the raw materials, and these millions of fifth columnists.

MR. MACHROWICZ. What year would that be, Governor?

MR. EARLE. That is March 22, 1945, about 3 weeks before he died, when I returned.

Here is his letter.

I had addressed the letter to his daughter Anna requesting her to read it to him because Steve Earley was not there and I was afraid he would not get it.

May I say, gentlemen, this was in March of 1945. It was about the time Hitler and Eva Braun, his new wife, had committed suicide in the bunker outside of Berlin and the atomic bomb was almost completed, the war was practically finished. There was nothing but guerrilla warfare left.

This is March 24, 1945:

DEAR GEORGE: I have read your letter of March twenty-first to my daughter Anna and I have noted with concern your plan to publicize your unfavorable opinion of one of our allies at the very time when such a publication from a former emissary of mine might do irreparable harm to our war effort. As you say, you have held important positions of trust under your government. To publish information obtained in those positions without proper authority would be all the greater betrayal. You say you will publish unless you are told before March twenty-eighth that I do not wish you to do so. * * *

I was loyal to him. I said I would not publish it if he told me not to do it.

* * * I not only do not wish it, but I specifically forbid you to publish any information or opinion about an ally that you may have acquired while in office or in the service of the United States Navy.

In view of your wish for continued active service, I shall withdraw any previous understanding that you are serving as an emissary of mine and I shall direct the Navy Department to continue your employment wherever they can make use of your services * * *."

I got orders to go to Samoa, as far as they could get me from Moscow, where there was complete censorship.

I am sorry that pressure of affairs prevented me from seeing you on Monday. I value our old association and I hope that time and circumstance may some day permit a renewal of our good understanding.

Now, gentlemen, that was after the war was practically finished.

Chairman MADDEN. Can we have that as on exhibit?

MR. EARLE. This letter I have been offered fifteen hundred dollars for, and please don't lose it.

MR. MACHROWICZ. Have you read the letter to which this was an answer?

MR. EARLE. No. I did not keep my letters.

MR. MACHROWICZ. You do not have a copy of it?

MR. EARLE. No.

MR. PUCINSKI. Mr. Chairman, in view of the value of this letter to the Commander, can we just read it into the record and return it to him at this time rather than keep it? He said it is worth fifteen hundred dollars to him.

MR. MITCHELL. We have not lost one document yet, and we have taken documents from all over the world.

MR. EARLE. I was offered that by Mr. Rosenbach.

Chairman MADDEN. That will be the next exhibit.

MR. PUCINSKI. That is exhibit No. 27.

(The document referred was marked "Exhibit 27," and is as follows:)

EXHIBIT 27—MR. ROOSEVELT'S LETTER TO AMBASSADOR EARLE

THE WHITE HOUSE
WASHINGTON

March 24, 1945.

Dear George,

I have read your letter of March 21st to my daughter Anne and I have noted with concern your plan to publicize your unfavorable opinion of one of our allies at the very time when such a publication from a former emissary of mine might do irreparable harm to our war effort. As you say, you have held important positions of trust under our Government. To publish information obtained in those positions without proper authority would be all the greater betrayal. You say you will publish unless you are told before March 25th that I do not wish you to do so. I not only do not wish it but I specifically forbid you to publish any information or opinion about an ally that you may have acquired while in office or in the service of the United States Navy.

In view of your wish for continued active service, I shall withdraw any previous understanding that you are serving as an emissary of mine and I shall direct the Navy Department to continue your employment wherever they can make use of your services.

I am sorry that pressure of affairs prevented me from seeing you on Monday. I value our old association and I hope that time and circumstance may some day permit a renewal of our good understanding.

Sincerely yours,

Commander George H. Earle, U.S.N.,
The Racquet Club,
Philadelphia, Pa.

Mr. EARLE. Now, gentlemen, just one other thing in this matter. It is very interesting to show how active mentally the President was before he died.

I wrote him I did not want to go to Samoa, the war had passed it by. However, Steve Early told me later. I had concluded my letter by saying:

May God guide you right through this Russian mess.

The President knew very well who was responsible for the Russian mess, and here is his answer—that remark got me sent to Samoa—

Dear GEORGE: Your letter of March twenty-sixth has just reached me, and your orders to duty on the Pacific have already been issued as I have already changed instructions once. I think you had better go ahead and carry them out and see what you think of the Pacific War as one of our problems * * *

He had heard all he wanted to hear from me about the European problems.

With all good wishes,

FRANKLIN D. ROOSEVELT.

Gentlemen, I want to point out to you how very loyal I was to the President. I said I wouldn't publish anything if he told me not to. In spite of that, down I went to Samoa.

When I returned from there, the Chief of Personnel of the Navy and Commodore Vardaman, the President's Navy aide, both called me in to apologize to me and said they were very sorry, that the Navy Department had nothing to do with it.

And then, Commodore Vardaman, one of Harry Truman's closest friends, made a very interesting remark. He said—

We Truman people never turn over a Roosevelt stone that we don't find a snail under it.

I don't know what he meant by it, but possibly you gentlemen do.

Now, I would like to go into this Katyn massacre.

Thank you very much, Mr. Chairman, for your permission to bring in what I consider showing the attitude here in Washington.

Chairman MADDEN. Proceed.

Mr. EARLE. The Katyn massacre we knew all about in Turkey. Of course, the Turks, you know, their foreign policy is purely one of being anti-Russian, because they know Russia wants their warm-water seaports.

Now, we knew all about that and we, of course, had our very strong opinions.

But one day, one of my agents, a White Russian, brought me these photographs of the Katyn massacre. And then one of my agents in Bulgaria brought me three letters, two from two members of the Bulgarian Red Cross and one whom I had known, and one from the Rumanian Red Cross, whom I had known only by reputation.

These men gave these affidavits that they had gone up there and personally inspected this Katyn situation, and they said that by the state of decomposition of the bodies, by many other evidences, there could be no question that it was the Russians who had done it.

Now, I went to Captain Trammel, of the United States Navy, a very able intelligence officer in Istanbul. I was not under his orders; I was reporting directly to the President. We worked together very well. I showed him these pictures. They were very bulky, and, as you know, in those days airplane travel weight was important.

So the smaller folders were given to me, and I gave the larger folders, but not the affidavits, to Captain Trammel.

And as I wrote you gentlemen 2 or 3 months ago, if you ask him, he still has the big ones. The small ones I took in to President Roosevelt with a magnifying glass and showed them to the President.

He said, "George, this is entirely German propaganda and a German plot. I am absolutely convinced the Russians did not do this."

I said, "Mr. President, I think this evidence overwhelming."

Mr. MITCHELL. When was this?

Mr. EARLE. The President recalled me for consultation in May of 1944. Now, this was a year after this had happened, but this evidence, conclusive evidence, had never been given to me before. It had been given to me, I think, about February that year, and I wasn't called for consultation—I wanted to present them personally to the President—I wasn't called for consultation until May of 1944.

These were the President's words. He said:

George, you have been worried about Russia ever since 1942. Now—
he said—

let me tell you I am an older man than you are and I have had a lot of experience. These Russians, they are 180 million people, speaking 120 different dialects. When this war is over they are going to fly to pieces like a centrifugal machine cracked through and through, traveling at high speed.

He said this to me three times. That was his stock-in-trade answer, we had nothing to fear from the Russians because they would fly to pieces.

Now, as I say, I felt very hopeless. As I went out of the door, I said, "Mr. President, please look those over again."

Mr. MITCHELL. From whom were those affidavits?

Mr. EARLE. The affidavits were from two Bulgarian Red Cross men and one Rumanian.

And, gentlemen, my memory is poor for those foreign names, and particularly poor when their families are still behind the iron curtain.

Mr. MITCHELL. We do not want the names on the record. We are not asking to have the names on the record if you have the slightest doubt in that regard. It has always been the policy of this committee to do that.

Mr. EARLE. I understand.

Gentlemen, that has been 8 or 9 years ago, and I really do not remember those names. But if I did remember I would have to give them to you in confidence.

Mr. MITCHELL. Thank you.

Mr. EARLE. But now, of course, the way I feel is this: As you know, when the Poles demanded a neutral Red Cross investigation—of course, you could hardly consider Bulgaria and Rumania a neutral Red Cross because they were occupied by the Germans at that time, the spring of 1942—but what defense could Stalin have to this if he were guilty?

The only defense Stalin could have was to fly into a rage and absolutely say:

This is an outrageous thing; this is a dreadful thing, and I am going to break off relations with these horrible Poles for saying such terrible things about us fine Russians.

That was the only possible defense he had. Suppose he had kept up relations with them; how could he have refused them the right to send those neutral Red Cross agents in there? He could not have done it.

So, he took the only defense he had, and that was to fly into a fury of outraged righteousness and break off relations with the Poles. What else could he do?

Mr. MITCHELL. You are speculating now, are you not? At the time you saw the President in May 1944, was that part of your conversation?

Mr. EARLE. What?

Mr. MITCHELL. What you are recounting to the committee here now?

Did you tell him, "What else could Stalin do?" Are you relating a conversation you had with the President?

Mr. EARLE. No; I did not say that to the President.

Mr. MITCHELL. You are speculating then?

Mr. EARLE. Yes; I am speculating.

Mr. MITCHELL. In 1943 or 1944—in fact, until this committee came into being—everybody thought it was an international mystery, because there was so much propaganda on either side.

I would like to have you tell the committee then specifically what went on between you and President Roosevelt in that conference in May 1944.

Mr. SHEEHAN. Mr. Counsel, may I correct the record?

You say "everybody thought it was an international mystery." We got information from military attachés in 1942 saying the Russians had done it.

Mr. MITCHELL. This committee was on record as already saying in the report that the Russians did it.

Mr. SHEEHAN. I am correcting the record.

Mr. EARLE. As I say, I came in there with this book of photographs.

You can get the original photographs if you don't already have them. Captain Trammel must have kept them.

Mr. MITCHELL. I have checked with the Navy Department and I have gotten the same, identical pictures which were put on the record in Frankfurt, Germany, this last April.

Mr. EARLE. Do you have them?

Mr. MITCHELL. Yes.

Mr. EARLE. I went in there and I said, "Mr. President, I am very much worried about this Russian situation. I feel that they are a great menace, and I feel that they have done their best to deceive the American people about this Katyn massacre, and, also, primarily and most important of all, by this dreadful book of Joe Davies, *Mission to Moscow*, which made Stalin out a benign Santa Claus. We never recovered from that. It made such an impression on the American people."

"Now," I said, "Mr. President, these Russians, you have no idea already, in the countries of Rumania and Bulgaria, what they are trying to do to us."

And then, gentlemen, I showed him a picture which they had distributed, which I always regretted I did not keep. It was a picture of Babe Ruth with a bat over his shoulder—a great, big picture—and an adoring little American boy looking up at him. And, underneath it, it said in the language of these iron-curtain countries, "Typical of democratic America: this great American brute is about to club this little American boy to death."

I always regret I did not keep that picture. I gave it to the President.

Mr. MITCHELL. I think you are making a slight mistake there when you say "iron-curtain countries." They are iron-curtain coun-

tries today, but then they were Nazi-dominated countries; were they not?

Mr. EARLE. 1944, no, sir. Do you mean to say Rumania and Bulgaria weren't in the hands of Russia in 1944?

Mr. MITCHELL. When were they taken over, specifically?

Mr. EARLE. The latter part of 1943 or in 1944. This was in May 1944.

Do you mean to tell me they were not in the hands of the Russians in May 1944, when I spoke to the President?

Mr. MITCHELL. I believe you placed that "at that time" as having been under the control of one of the Allies in wartime, which was 1944; is not that correct?

The phrase "iron curtain" did not come into being until after the war.

Mr. EARLE. Oh, I beg your pardon. They may not have called it the iron curtain—

Mr. DONDERO. May I suggest we are wasting time. The record will show that.

Mr. EARLE. Your contention is that Rumania and Bulgaria were not in the control of Russia in May 1944.

Mr. MITCHELL. I do not want to get into a debate with you. I am talking about the phrase "iron curtain," and I want the record to show that. You may say what you like about it, but I do not believe that at that time, in 1944—

Mr. EARLE. Oh, no.

Chairman MADDEN. Let us proceed.

Mr. EARLE. Well, I came back and I showed him this picture, and I told him how worried I was about the whole Russian situation.

"Now," I said, "about this Katyn massacre, Mr. President, I just cannot believe that the American President and so many people still think it is a mystery or any doubt about it." I said, "Here are these pictures; here are these affidavits, and here is the invitation of the German Government to let the neutral Red Cross go in there and make their examination. What greater proof could you have?"

He said, "George, they could have rigged things up. The Germans could have rigged things up."

He even mentioned the fact that they might put in other bodies or something to make them look older or younger, or older or newer deaths, or something like that.

He said, "Those Nazis are very smart, and they could rig it up for the Red Cross."

"Well," I said, "Mr. President, if you send in the proper kind of representatives, the neutral Red Cross men, they could not do it."

Then he said—the rest of his conversation was—"Now, I want you to find out something about the veterans of this war, whether they should have a new organization or use the old organization. Also, I want you to go out over the country and spend 3 weeks finding out whether I can be elected or not." Which I did. I went through the country and telephoned him he was sure of election, but begged him not to run. I told him, "You have had a magnificent career, and this Russian question can be solved only by blood and tears. For God's sake don't run."

That was my advice to him.

Mr. MITCHELL. Did that terminate the conversation?

MR. EARLE. I went into greater detail, as I said before: that they had the natural resources; they had a million fifth columnists, whereas the Germans had only a few highly paid ones; how they hated democracy. And I told him Lenin's words, how the world must be made communistic. And I said they are so much a greater menace than the Germans there was no comparison.

At my conference when I got up and was leaving, I asked him to go over the testimony I had left and the evidence I had left. And he did not answer, and I walked out of the room, and that is the last I ever saw him.

I called him on the telephone and told him about the information he asked me to get about the veterans and about whether he would be reelected.

Chairman MADDEN. What year or month was that?

MR. EARLE. That was in May 1944, just before the landings in Normandy.

MR. O'KONSKI. In other words, Governor, after you gave him the report that you were convinced that the Russians slaughtered these 10,000 or 15,000 Polish officers, his reaction to that was that you should go around the country and find out if he could get reelected or not?

MR. EARLE. That and the veterans' matter; that is what he wanted me to find out.

And I came back telephoned him he would be reelected. And 4 weeks later I was promoted to commander. I don't think it had anything to do with it; it was just a coincidence.

MR. O'KONSKI. Governor, was it not your impression that, throughout this whole period, even if Russia had murdered 100,000 or even as many as 500,000 Polish officers, and we knew it to be true, that he still would have covered up for the Russians because of the policy we were carrying on at that time?

MR. EARLE. I think that the love and respect and belief in Russia in the White House was simply unbelievable to me. I just cannot understand it. Everywhere I went there were just a few people, Forrestal and Bullitt and myself and a few others—I am not sure of all the names because I wasn't here, so I don't know—but I don't understand it.

The liberals got all twisted up. They seemed to think that communism was liberalism, whereas, in reality, communism is the worst enemy of liberalism. There is no freedom of the press; no right of collective bargaining; no freedom of speech. It violates every tenet of liberalism.

Yes; I think these Americans for Democratic Action should be called Americans for Socialistic Action.

May I say the American people don't know the difference between socialism and communism. Let me tell you the difference. I am sure that many of you know it.

The only difference is this: They both believe in Lenin's teaching. The only difference is that the Communists believe in seizing it by a militant minority, any kind of crime to get it, by violence, while the Socialists mean to get it by legal means or by the vote of the people. There is no difference. They both believe absolutely in the teachings of Lenin.

There is no difference except the method of attaining it. Very few people realize that.

Mr. O'KONSKI. Were you in any way forewarned about the change in complexion of the White House before you arrived there for this conference?

Mr. EARLE. Yes. Were you here when I read about what Joe Levy said to me?

And I want to tell you another very important thing that shows you about that.

In the fall of 1944, the head of the OSS in Istanbul was Lt. Col. Packy McFarland. He had his nickname from the old prize fighter. He was a banker from Chicago. He asked me to come to lunch and he said, "Now, George, you don't realize that you are one of the fair-haired boys of the White House, but these reports that you are putting in against Russia are getting you very much in wrong. You are not going to be recognized there very soon."

Now, gentlemen, as you know, of course, memories are pretty tricky.

First of all, what I thought he said was this, "We have definite orders in the OSS not to do any espionage work against the Russians or to put in any derogatory reports about them."

Now, I saw General Donovan, who was head of the OSS, who is a magnificent American, a great soldier, who has been awarded the Congressional Medal of Honor, who is absolutely honest. I told him about that, and he said no such orders were ever issued.

My memory may trick me on that because Donovan's denial of the order from headquarters was absolutely certain for me. However, Farland may have said, "We wouldn't think of endangering ourselves over here by doing it." Or he might have said, "We wouldn't think of doing such a thing."

Later on, the same McFarland was dropped in Yugoslavia with young Churchill, and he came out of there seeing the brand of communism of Tito, who was, after all, nothing but a murderous Communist. He happens to be our murderous Communist at present; so we get along with him. But he said he came out so exercised about the dreadful dangers of communism that he came over here after he got out of the OSS and went from department to department of this Government trying to awaken them to the dangers of communism. He was so impressed by them in Yugoslavia.

Now, gentlemen, McFarland might clarify that situation because I know Donovan speaks the truth and McFarland seemed like a truthful fellow. I may have misunderstood him. The least he said was we wouldn't think of doing espionage work against the Russians, or making derogatory reports about them.

That he did say. Now, whether it was orders, or he wouldn't dare do it, my memory is not certain. But I do believe General Donovan, gentlemen.

Mr. O'KONSKI. Governor, even after the war in Europe ended, you no longer needed Russia as an ally. I mean that is the pretense they always used: that, after all, Russia was an ally, and they were afraid we would lose them; so we had to play along with them.

Here the war was ended, and certain Americans were quite disturbed about this Communist business. There were a great many Americans who started an organization called the American Anti-Communist Association.

Mr. EARLE. That is correct, sir.

Mr. O'KONSKI. You were asked to head that organization; were you not?

Mr. EARLE. Yes; that is correct.

Mr. O'KONSKI. What was the reaction among your superiors when you assumed the post of president of the American Anti-Communist Association after the war was ended?

Mr. EARLE. I can give you that from a letter from President Truman.

Mr. O'KONSKI. The reason why I am familiar with that phase of it is that after you resigned the only person they could get in America to lead it was myself, and I succeeded you; is that correct?

Mr. EARLE. Yes.

Now, gentlemen, I resigned from the American Anti-Communist Association as president, and I wrote to President Truman that I had done so. But I warned him that the party that took the greatest, strongest stand against this infiltration of communism, which meant the destruction of all our liberties if it succeeded, would merit the undying gratitude of the American people.

And he wrote me back this letter in February 28, 1947.

And since the war, Russia has broken promise after promise and has violated every kind of treaty she has made.

Mr. O'KONSKI. And already exercised 30 vetoes at the United Nations.

Mr. EARLE. That is right.

This is from the White House, Washington, February 28, 1947:

DEAR GOVERNOR: I appreciate very much your note of February 26, and I am very happy to be informed of your decision with regard to the American Anti-Communist Association. * * *

Now, the reason I gave for resigning had nothing to do with pro-communism; quite the contrary.

* * * People are very much wrought up about the Communist "bugaboo" * * *

"Bugaboo," gentlemen, Webster defines as an imaginary object of fright. I wonder if our boys in Korea think communism is an imaginary object of fright.

* * * People are very much wrought up about the Communist "bugaboo," but I am of the opinion that the country is perfectly safe so far as communism is concerned. * * * We have too many sane people. Our Government is made for the welfare of the people, and I don't believe there will ever come a time when anyone will really want to overturn it.

Sincerely yours,

HARRY S. TRUMAN.

Chairman MADDEN. That will be marked "Exhibit 28."

(The document referred to was marked "Exhibit No. 28," and appears on p. 2210.)

Mr. O'KONSKI. Let us get back to the Katyn story now, Governor.

In other words, the Katyn story is not significant in itself; but, no matter what kind of story might have emanated that was derogatory to the Russian interests, that kind of story would have gotten the same kind of treatment, as far as subduing it is concerned, from high places in our Government, just as the Katyn story did? It is not Katyn alone that was subdued, but any information derogatory to the Russians would be subdued in the same way; would it not?

EXHIBIT 28—PRESIDENT TRUMAN'S LETTER TO AMBASSADOR EARLE

THE WHITE HOUSE

WASHINGTON

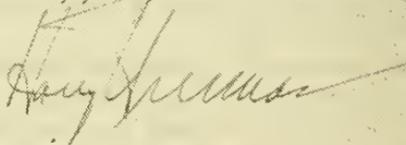
February 28, 1947

Dear Governor:

I appreciated very much your note of February twenty-sixth and I am very happy to be informed of your decision with regard to the American Anti-Communist Association.

People are very much wrought up about the Communist "bugaboo" but I am of the opinion that the country is perfectly safe so far as Communism is concerned - we have too many sane people. Our Government is made for the welfare of the people and I don't believe there will ever come a time when anyone will really want to overturn it.

Sincerely yours,



Honorable George H. Earle
Grays Lane
Haverford, Pennsylvania

Mr. EARLE. Anything except one thing, and that would be mass murder of Americans. I can't think of anything else that would have caused the White House to take any derogatory position to Russia.

If they had murdered a lot of Americans, they might have, nothing less.

Mr. O'KONSKI. In other words, their story always was that anything anti-Russian was really anti-war-effort. Was that the general impression they tried to convey?

Mr. EARLE. Over here, with the war nearly over, you see what President Roosevelt says in his letter:

I forbid you to say a word against an ally.

This when the war was practically over.

Mr. O'KONSKI. At the same time, did the same people who said they were afraid that they might disturb the war effort show any inclination whatever to subdue any anti-Polish propaganda? And Poland was one of our gallant allies. Did they make any effort to subdue that kind of propaganda?

Mr. EARLE. That I did not know about. I was in Turkey. I would not know about it.

Mr. O'KONSKI. Did they make any effort to subdue anti-Chiang Kai-shek propaganda?

Mr. EARLE. As I say, I was in Turkey. I cannot answer that question.

Mr. O'KONSKI. This thing strikes me as funny. The only ally they were always concerned about in not trying to create any suspicions about was Russia. Whatever they might say about some of the other glorious Allies, like Poland and Chiang Kai-Shek, they were perfectly free to go ahead and say it; but Russia must never be touched, she must never be criticized.

They were afraid she might leave us and make a separate peace with Hitler, and then where would we be? That was their attitude? How incredible.

Mr. EARLE. That is right.

Of course, I want to tell you that right after Tehran the Russians absolutely promised to give the people in the Balkans the right of self-determination. Only a short time after the Russians occupied Bulgaria, and only a very few short weeks, I think, after Tehran, when they promised the self-determination to the people, the Russian soldiers were arresting the Bulgarian liberals who used to meet with me at 2 or 3 o'clock in the morning on lonely roads to plan how to take action against the Nazis when I was Minister. They were executing those liberals and democrats within a few weeks after their promise at Tehran, when they promised that the Balkan people should have self-determination. That is how long they kept their promise.

Mr. O'KONSKI. Just to make this thing fair on all sides—this is not critical with me in any sense—let me ask: Do you really understand what was the mission of Wendell Willkie's going over to Russia? What part did he play in the cover-up and apology of the Soviet Union, the "great democratic forces" of Soviet Russia?

Were you ever informed as to what part he played in this cover-up of Soviet Russia?

Mr. EARLE. There, again, I only had sketchy reports from the Turkish press.

Mr. O'KONSKI. You had no contact with him?

Mr. EARLE. I just met him when he went through there, but he said nothing to me of interest.

Of course, one of the most terrific things to me and one of the things I regret most of all was when I met Forrestal. He said, "Please come over, George, and talk this thing over with me," and I didn't do it. I was in such a hurry to carry out these orders of the President and go back to Turkey.

Just those few words. He burst out and said, "Oh, my God, we are almost alone here. Anything Russia does is right, and they don't see the menace of it, George."

And he said, "It is dreadful. I am worried sick." And, as you know, later he committed suicide, probably brought on by his worry over the trend of the present American foreign policy with regard to Russia.

Mr. SHEEHAN. Governor, may I point out an observation on the so-called bipartisan foreign policy? It seems to me that every time one of the Republicans got in with Mr. Roosevelt, he silenced him on his word of honor not to reveal what they know.

So, therefore, a bipartisan policy means only a policy of the party in power.

Mr. EARLE. That would be true, sir, under those conditions.

Mr. O'KONSKI. Do you have any other letters, Governor, from anybody, that could shed a little light on this thing? You were in a position where you turned out to be the man who was 100 percent correct, and your superiors were found to be 1,000 percent wrong. Do you have any other letters or documents of any kind that you could insert in the record, that will show us the picture that prevailed at that time?

If Russia had committed mayhem, rape, plunder, no matter what acts of atrocity or international crime she committed, that would never be told to the American people, we would cover up for them.

Do you have any other information to give us?

Mr. MITCHELL. Do you mean concerning Katyn?

Mr. EARLE. Yes. This concerns Katyn.

You gentlemen have had no testimony from Prince Mirsky, or Princess Mirsky?

Mr. MITCHELL. No.

Mr. DONDERO. From what country?

Mr. EARLE. Prince Mirsky was a Polish officer, and he was taken into prison in Katyn. He got his title of prince in a kind of nebulous way, he told me, because he was descended from Russian exiles, and they had a tradition that if anybody had a Scandinavian name like Rollo or something like that, then that person got the title of prince.

He married a Polish woman. He was captured with the other Polish officers and taken to Katyn.

Mr. MITCHELL. Where was he taken?

Mr. EARLE. He was taken to Katyn.

Mr. MITCHELL. Are you calling for the record to say that he was taken to Katyn? In the investigation of this committee—

Mr. EARLE. He was imprisoned in Katyn, let us say.

Mr. MITCHELL. We have never found a Russian prisoner-of-war camp any closer to Katyn than 11 miles.

Mr. EARLE. Well, they called it Katyn. The murder was near the prison of Katyn. He said he was in the prison camp.

Mr. MITCHELL. Maybe Kozielsk. Kozielsk is about 11 miles east of Smolensk.

Mr. EARLE. Wherever the murders were committed, that was the prison camp.

Mr. MITCHELL. No; it was not, Governor. I want to correct you on that point. The murders were in a forest called Katyn.

Mr. EARLE. That is right; yes.

Mr. MITCHELL. There was no prison camp in Katyn.

Mr. EARLE. I mean the prison camp nearest to Katyn.

Mr. MITCHELL. That is Kozielsk. It is about 30 miles.

Mr. EARLE. All right.

Now, as you know, the way they found it out was that the old Russian peasant told them there was firing in the forest of Katyn, and the Germans went up there and found them.

This is what Mirsky said, that at that time, the Germans and Russians were working together, and he had some estates or something in Rumania, and the Rumanians got him out of there a few days before the massacre. And when he tried to correspond with his fellow prisoners in there, he said, they told him, "Well, don't bother about that: we got you out just in time and you will never hear from them again."

Now, if you get this Prince Mirsky, he will give you that testimony.

Now, gentlemen, I just want to tell you this little story about his wife. His wife was put into a prison. She was a Polish woman and she was put into prison because of the fact that she had the title of princess, they thought she might have information they could get from her.

She told me this story herself.

So they put her down in this dungeon and they tried to get her, even in those early days, to give evidence that the real cause of the war was that the democracies wanted to destroy communism in Russia.

"Of course", she said. "I had no such evidence."

"So", she said, "finally I refused to testify to that because I didn't know anything about it anyway. So they brought me up in this room with a Russian Komissar and nine Russian soldiers."

He said, "Now are you going to testify that the democracies are now plotting to destroy Russia?"

And she said, "No, I won't testify to any such thing."

He said, "We are going to show you what is going to happen if you don't."

So they brought up a Polish girl of 16 and said, "Are you going to become a Communist?", and she said she could not become a Communist, that she was a good Catholic.

So he gave the signal, and these Russian soldiers, one after the other attacked her and left her unconscious on the floor.

He said, "Now, this is what is going to happen to you if you don't tell us what we want to know."

The next day down in the dungeon they brought in beautiful gold ornaments that belonged to the Czar and offered her that as a bribe to tell. She refused that.

A few days later Germany attacked Russia and she was released and made her way to the Turkish border.

That is a true story about Prince Mirsky and his wife.

While the Americans at home were reading Mission to Moscow, I was hearing people tell similar stories to Mirsky's, hundreds of them, Jews and Gentiles, Mohammedans and everything else, refugees from Russia's other slave labor camps, about the terrible situation in Russia.

Mr. O'KONSKI. While you were on the scene over there, Governor, there never was any evidence, by any agency of our Government, intelligence, State, executive, there was never any effort of any nature, manner or form, or shape whatsoever to try to get from you what you knew about the kind of people the Russians were; there never was any such effort made?

Mr. EARLE. Never. I went down steadily in standing the more reports I put in against them.

Mr. O'KONSKI. As a matter of fact, when you volunteered information as to the nature and the long-range plan that the Russian Communists actually had, you were discouraged from using it and told to change your opinions about them, were you not?

Mr. EARLE. Absolutely.

Now, gentlemen, that letter there is the most interesting letter on communism.

May I tell you one other thing which will show what I think is the most interesting thing that happened to me in my whole life—in any part of my career.

In 1943, early in 1943, Admiral Wilhelm Canaris, the great Chief of the German Wehrmacht, the great Chief of the German Military Intelligence, was always our friend. He saved Churchill from assassination. He notified the Low Countries of their invasion before it happened.

Finally, Hitler caught up to him, and 2 weeks before Hitler committed suicide he had him tortured to death by the S. S. in a prison camp.

Canaris came to me in early 1943 and he said to me:

The German Army hates the Nazi leaders. They dislike Himmler; they hate Ribbentrop, and the whole crowd. Now, we will take over control and we will surrender to the allies unconditionally, except with one condition. We will turn over to you everything. You can punish the Nazi leaders as you see fit.

Now, all this, gentlemen, you will find in a book by Ian Calvin, an Englishman I never saw. It is published by McGraw-Hill. Master Spy. It is a biography of Canaris.

He came to me and made this offer, on one condition:

You can take the Nazi leaders and execute them, punish them, anything you please. You can do with us anything you want. We just ask one condition, that you keep the Russians out of Eastern and Central Europe and you can use the German Army to do it.

I thought it was the most wonderful proposition I had heard. And I sent it to the President by pouch and every possible means I possibly could. That was again one of the letters to which I never had an answer.

Steve Early later told me President Roosevelt had received it and said there shall be nothing but unconditional surrender. I often think of where we would be today if we had accepted the proposition.

Mr. MITCHELL. Governor Earle, during the course of investigation by this committee, I would like you to know that Congressman Flood and I talked to Canaris' secretary in Germany last year and asked her if she knew where we could find any of the records in connection with the Katyn episode, the German records. She told us all those German records had fallen into the Allied Powers' hands.

We subsequently found those records in the Allied Powers' hands in London, and they all have been made a part of the record of this committee. You can find them in part 5 of the hearings of this committee.

I have no further questions, Mr. Chairman.

Mr. EARLE. What I stated about Canaris had nothing to do with Katyn.

Mr. MITCHELL. That is right.

Mr. O'KONSKI. Governor, I have one more question.

If you had subjected yourself and followed the pro-Communist line instead of the anti-Communist line, do you suppose you could still be in the ambassadorial service?

Mr. EARLE. I can only tell you that my former secretary, Harry Kalodner, now judge in the United States circuit court of appeals, told me that when I returned in 1946 and made that terrific blast about Russia, he told me that if I had not made it I would have been given an ambassadorship immediately. That is Harry Kalodner, a leading Democrat of Pennsylvania, and one whom all the Democratic Party in Pennsylvania follow because he is very able and shrewd and honest; that is all I know.

Mr. O'KONSKI. The basis on which Ambassadors were selected was whether they were pro-Soviet or anti-Soviet.

Mr. EARLE. There certainly could not be an Ambassador who was anti-Soviet in the last two administrations.

Mr. O'KONSKI. It is fantastic. One wonders why they do not already control the world.

Mr. SHEEHAN. In the hearings before this committee it has been brought out by various officials of the State Department that one of the reasons for our particular line during those years was, as the State Department and other officials said, that they were continuously afraid that maybe Russia and Hitler would strike up a peace arrangement and decide to end the war and leave us in the middle.

From your experience, from where you were, what do you think of that proposition?

Mr. EARLE. I think, gentlemen, my thoughts go into very vulgar slang when I think of such a proposition.

Do you mean to tell me that even Stalin, after the dreadful punishment the Germans had given him, could possibly have switched sides with his people? It would have been absolutely impossible.

Hitler in his fanaticism against the Communists would not have thought of such a thing, and I do not think Stalin could have swung his people to go over to the Germans again after the terrible slaughter they had taken.

Don't forget this, gentlemen, that Germany took two-thirds of Russian industries. They killed several millions of men. They took half of Russian European territory, and they administered it. How could they possibly have ever hit on such a ridiculous, fantastic thought, that they could ever have patched it up after that had happened?

Mr. SHEEHAN. What did the Europeans think of that idea outside of yourself?

Mr. EARLE. I never heard any European express such a possibility.

Mr. SHEEHAN. It is my understanding—is that not right, Mr. Counsel—that the State Department people, when they were before us, always held that out before us.

Mr. MITCHELL. I believe Mr. Sumner Welles yesterday, and Mr. Averell Harriman contended that way; yes, sir.

Chairman MADDEN. Are there any further questions?

Thank you for appearing before us as a witness, Mr. Earle.

We will now hear our next witness, Arthur Bliss Lane.

TESTIMONY OF ARTHUR BLISS LANE, WASHINGTON, D. C.

Chairman MADDEN. Will you be sworn, please?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth in the hearing now being held, so help you God?

Mr. LANE. I do.

Chairman MADDEN. State your full name for the reporter, please.

Mr. LANE. Arthur Bliss Lane.

Chairman MADDEN. And your address?

Mr. LANE. 2442 Massachusetts Avenue NW., Washington, D. C.

Chairman MADDEN. And what is your business?

Mr. LANE. I have no business at the present time, but I have been, since my resignation as Ambassador, engaged as a lecturer and a writer.

Mr. O'KONSKI. You are an unemployed anti-Communist.

Mr. LANE. That is right, sir.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. How long have you been in the Foreign Service of the United States, Mr. Lane?

Mr. LANE. Thirty-one years.

Mr. MITCHELL. When did you first enter the service?

Mr. LANE. In 1916.

Mr. MITCHELL. What was your first appointment?

Mr. LANE. As secretary to the American Ambassador at Rome.

Mr. MITCHELL. What was your position in 1939?

Mr. LANE. I was Minister in Yugoslavia at that time.

Mr. MITCHELL. How long were you in that position?

Mr. LANE. I was there for 4 years, until 1941, when the Germans came in.

Mr. MITCHELL. Where did you go in 1941?

Mr. LANE. I came back home. After a few months in the Department, I was sent to Costa Rica as Minister.

Mr. MITCHELL. How long were you in Costa Rica?

Mr. LANE. Just about 3 months. And then I was appointed Ambassador to Colombia.

Mr. MITCHELL. How long were you in Colombia?

Mr. LANE. About 2 years and a half.

Then I was appointed Ambassador to the Polish Government in exile in London, but I never arrived there.

Mr. MITCHELL. What was the specific date, if you recall?

Mr. LANE. I think my appointment was September 21, 1944.

Mr. MITCHELL. Your appointment to the Polish Government in exile?

Mr. LANE. That is right.

Mr. MITCHELL. Why did you not arrive there?

Mr. LANE. Because there was disagreement at that time among the Big Three as to what the disposition of Poland was to be.

Mr. MITCHELL. Had you been confirmed by the Senate?

Mr. LANE. Yes; I had been.

Mr. MITCHELL. This was September 1944?

Mr. LANE. 1944. And I remained in Washington then until I actually left for Poland on July 5, 1945.

Mr. MITCHELL. During the period that you were in Washington, I assume you were working in the Department of State?

Mr. LANE. Yes.

Mr. MITCHELL. In your briefing to assume your position as United States Ambassador to the Polish Government in exile, what were you informed concerning the Katyn massacre?

Mr. LANE. The only document that I was able to see was the report that came from the American Embassy in Moscow, which had been prepared by Miss Harriman.

Mr. MITCHELL. During the course of time from September 1944 until you departed in July 1945, did you, of your own personal knowledge, not official, find out anything about the Katyn massacre, and, if so, from whom, and when?

Mr. LANE. I did not find anything except that one report, although I endeavored to find out if there were any files in the Department of State on that subject.

Mr. MITCHELL. Did you ever talk to the Polish Ambassador here about the subject, Ambassador Ciechanowski?

Mr. LANE. Yes, I did.

Mr. MITCHELL. When?

Mr. LANE. I cannot exactly recall the date, but it was obviously between September 1944 and the spring of 1945.

Mr. MITCHELL. There was a Mr. Durbrow in the Department of State, I believe, at that time. He was the man in charge of the Polish desk at that time. Did you discuss the Katyn massacre with Mr. Durbrow?

Mr. LANE. Yes, I did.

Mr. MITCHELL. Did you ask him to let you see any reports that may have come in on it?

Mr. LANE. Yes. And I am certain if he had those reports he would have let me see them.

Mr. MITCHELL. Does it not strike you as rather strange that the head of the Polish desk in the State Department between the period September 1944 and July 1945 had not received or seen any reports on the Katyn massacre, when this committee this last week has laid on on the record many reports dating way back to 1943?

Mr. LANE. Of course, it surprised me.

Mr. MITCHELL. What briefing did you receive from State Department officials concerning the Katyn massacre before you departed in July 1945?

Mr. LANE. No briefing at all, except that one report by Miss Harriman.

Mr. MITCHELL. That is the only thing you saw on the Katyn massacre?

Mr. LANE. As far as I can recall at this date.

Mr. MITCHELL. I believe you saw Mr. Mikolajczyk in Pottsdam in July 1945; is that right?

Mr. LANE. I did.

Mr. MITCHELL. Did you discuss the Katyn massacre with him at that time?

Mr. LANE. No, I did not, because I did not have a private conversation with him. There were other people present.

Mr. MITCHELL. He was not an official of the government in exile at that time, was he?

Mr. LANE. He was an official in the new government.

Mr. MITCHELL. When you reached Warsaw, which I believe was around August 1945—

Mr. LANE. 31st of July.

Mr. MITCHELL. At that time, what information did you find out about the Katyn massacre?

Mr. LANE. I obtained some information from people who had formerly been in the underground, and they were the ones who first gave me definite information as to what had happened at Katyn.

Mr. MITCHELL. When you say formerly in the underground, do you mean the underground of the Polish Government in exile?

Mr. LANE. Yes. In other words, I knew that they were anti-Communist.

Mr. MITCHELL. What were their reactions to the Katyn massacre?

Mr. LANE. They felt that the Russians had been responsible.

Mr. MITCHELL. Mr. Chairman, at this time I would like to introduce exhibit No. 29.

Chairman MADDEN. Very well, that will be received for the record.

(The document referred to was marked "Exhibit No. 29," and is as follows:)

EXHIBIT 29—AMBASSADOR LANE'S LETTER TO MR. JUSTICE JACKSON AT NUREMBERG,
SENT FROM THE UNITED STATES EMBASSY IN WARSAW, DECEMBER 16, 1945

[Telegram]

DECEMBER 16, 1945.

Secretary of State, Washington.

Berlin: Justice Jackson at Nuremberg.

I understand from sources here which are unfriendly to the Soviet Government that the Katyn Forest Massacre of Polish officers may be brought up by German War Criminals at Nuremberg. According to other sources this massacre may have been carried out by both Germans and Russians working together in period of Nazi-Soviet honeymoon. Poles, even those opposed to present Government are very apprehensive about this information being made public since as they see it, it can only work to increase anti-Polish feeling on the part of the Soviet Government.

(Signed) LANE.

Mr. MITCHELL. This is a paraphrase of the dispatch you sent from Warsaw to the Secretary of State, to the attention of Justice Jackson at Nuremberg.

Do you recognize that dispatch?

Mr. LANE. No, I don't. I frankly don't recall that dispatch.

But may I read a report that I have got, which was before this?

Mr. MITCHELL. We will delay putting that in the record right now.

Mr. LANE. I frankly don't recall. But if that was furnished by the State Department, I don't deny its authenticity.

Mr. MACIROWICZ. So that there will be no question, will you have Mr. Brown take the stand and identify that?

Mr. Brown, would you mind identifying that?

You have been previously sworn and you will not have to be sworn again.

TESTIMONY OF BEN H. BROWN, JR., ACTING ASSISTANT SECRETARY OF STATE FOR CONGRESSIONAL RELATIONS—Resumed

Chairman MADDEN. For the record, will you state your name, please?

Mr. BROWN. Ben H. Brown, Jr.

Chairman MADDEN. And your address?

Mr. BROWN. 3501 North Edison Street, Arlington, Va.

Chairman MADDEN. What is your assignment?

Mr. BROWN. Acting Assistant Secretary of State for Congressional Relations.

Chairman MADDEN. Handing you exhibit 24, can you identify that?

Mr. BROWN. Mr. Chairman, I identify this as a paraphrase of a cablegram in the files of the State Department, which was directed to Mr. Justice Jackson in Nuremberg and repeated to the Department in Washington.

Mr. MACHROWICZ. A cablegram from whom?

Mr. BROWN. It is signed "Lane."

Mr. MACHROWICZ. From where is it?

Mr. BROWN. From our Embassy, Warsaw.

Mr. MACHROWICZ. What is the date?

Mr. BROWN. December 16, 1945.

Mr. MACHROWICZ. Who was Ambassador to Poland at that time?

Mr. BROWN. I have no personal knowledge of that, sir, but Mr. Lane has just testified he was.

Mr. LANE. I was Ambassador, yes.

Mr. DONDERO. Mr. Brown, for the benefit of the committee, will you tell us what you mean by paraphrasing a cablegram?

Mr. BROWN. Well, sir, classified cablegrams come in code, and when they are decoded, the decoded telegram, if it got into the hands of someone who was not entitled to it, would be of assistance in breaking the code had the coded message been intercepted.

So a paraphrase of a telegram is a rearrangement of the wording, a use of synonymous terms at times, in order to convey the same message, but not in the same language as the coded message.

The purpose of it is to prevent a break in the code.

Mr. MACHROWICZ. But the text is the same. In other words, there is no change in the text?

Mr. BROWN. That is quite correct, sir.

Chairman MADDEN. We will now go back to Mr. Lane.

TESTIMONY OF ARTHUR BLISS LANE—Resumed

Mr. MITCHELL. Did you want to read a statement?

Mr. LANE. Yes, if I might, Mr. Counsel.

This is a letter which I wrote to H. Freeman Matthews, who was at that time Director of the Division of European Affairs in the Department of State, on November 5, 1945. As far as I know, this is the only report I made to the State Department on Katyn, with the exception of this telegram.

Mr. MITCHELL. Is this an official report?

Mr. LANE. It is a personal letter, and I was particularly anxious to send it in a personal letter to him because I did not want to endanger the lives of my informants, although I did not mention them.

Mr. MITCHELL. Are you going to mention names now?

Mr. LANE. No. I would rather not.

Mr. MITCHELL. If you do not know where the individuals are—

Mr. LANE. The individuals are in Poland, and I think they are in prison at the present time. May I give it to the committee?

Mr. PUCINSKI. Do you have the names in there?

Mr. LANE. The names were never in this letter.

Chairman MADDEN. That will be marked "Exhibit 30" and it will be accepted in evidence.

(The document referred to was marked as "Exhibit No. 30" for identification, and is as follows:)

EXHIBIT 30—AMBASSADOR LANE'S LETTER TO STATE DEPARTMENT OFFICIAL

[Extract from letter to H. Freeman Matthews, Director, Office of European Affairs, Department of State]

THE AMERICAN EMBASSY,
Warsaw, Poland, November 5, 1945.

Top secret.

DEAR DOC: * * * I have some information now from a reliable source who formerly worked in the Polish underground which throws considerable light on the foregoing questions (I—who was really responsible for the murder of thousands of Polish officers in Katyn forest) * * *.

I. *Katyn Forest*. My informant was an officer in a Polish cavalry regiment in the east of Poland in 1939. This detachment had been able to avoid capture by the Germans but during the last week in September they came upon the advancing Soviet troops which were marching westward. According to my friend, the Soviets greeted the Poles as though they were allies but at the same time requested them to travel eastward with them, taking their horses with them, the Soviets retracing their steps. Before doing so, however, the Polish officers were disarmed. Every morning the Polish officers were told that they would arrive at their final destination later during that day. This assurance was, however, repeated day after day until they had traveled east for two weeks. By this time many of the Polish officers had become suspicious of what their final fate would be and some of them, including my friend, escaped and returned to the west. My friend said that there is no doubt in the minds of his former colleagues and himself that the Soviet authorities and *not* the Germans were responsible for the murder of the Polish officers at Katyn forest, which was the final destination of the group of captured officers. Unfortunately, it is very difficult to persuade the Poles in general to discuss the Katyn forest episode, due to their apprehension of the consequences.

* * * * *

Yours as ever,

[S] ARTHUR BLISS LANE.

Mr. MACHROWICZ. Mr. Ambassador, I am personally satisfied that you have always felt that the Russians were guilty of this offense.

Frankly, I am mystified by this telegram of December 16. Do you have any explanation for it?

Mr. LANE. I don't recall why I sent that telegram, unless it was that somebody who was anti-Communist persuaded me to do it. And I really do not recall if—

Mr. MACHROWICZ. I would hardly believe that you, the author of the book *I Saw Poland Betrayed*, was swayed by Communists.

Mr. LANE. Oh, I was not swayed by Communists.

Mr. MACHROWICZ. Did you say anti-Communists?

Mr. LANE. Yes.

Mr. MACHROWICZ. Do you remember that in the book which you wrote, *I Saw Poland Betrayed*, and in the article which you published in the *American Legion* magazine, entitled "The Truth About the Katyn Forest Massacre," you made this query, this being in your article:

Who manipulated the techniques of the 1946 Nuremberg trials when the Van Vliet, Stewart, and other evidence was available so that no Soviet crime or criminal was punished, so that the crime of Katyn, the greatest single mass execution of captives of the entire war, was never even mentioned in the tribunal's verdict?

Why, then, did you send a message to Justice Jackson not to bring the matter up at the Nuremberg trial?

Mr. LANE. I did not tell him not to bring it up. I merely expressed the opinion that had been given to me. I merely passed on this recommendation.

And I frankly don't recall now who made the recommendation to me.

Mr. MACHROWICZ. I will just repeat this again to you :

I understand from sources here which are unfriendly to the Soviet Government that the Katyn Forest massacre of Polish officers may be brought up by German war criminals at Nuremberg. According to other sources this massacre may have been carried out by both Germans and Russians working together in period of Nazi-Soviet honeymoon. Poles, even those opposed to the present government—

That is the present Soviet-dominated government, am I right?

Mr. LANE. Yes.

Mr. MACHROWICZ (continuing) :

are very apprehensive about this information being made public since as they see it, it can only work to increase anti-Polish feeling on the part of the Soviet Government.

I can construe this telegram only as urging Justice Jackson not to present the evidence against the Soviets at the Nuremberg trial. Can you construe it any other way?

Mr. LANE. My understanding was that I always felt that it ought to come out. I knew that the Polish Communist government did not wish to have it come out.

Mr. MACHROWICZ. But what was your purpose in sending this message?

Mr. LANE. I cannot remember now, after all these years, and I would want to see the original of the telegram and not a paraphrase before giving an opinion on that.

Mr. O'KONSKI. Was it possible that somebody else from your office could have sent that telegram and signed your name?

Mr. LANE. It is very possible someone else may have sent it.

Mr. O'KONSKI. But you are definitely assured that that telegram does not in any way express what your feelings were at that time, or your official actions?

Mr. LANE. No. My feelings were expressed in the letter which I read to the committee. It is quite possible I may have been out of town. That was around Christmas and the telegram may have been sent in my name.

Mr. MACHROWICZ. Would a telegram of this nature be sent under your name in your absence, without your being notified about it?

Mr. LANE. I should have seen it, of course. I don't want to disclaim responsibility for the telegram.

The only thing I want to disclaim responsibility for is the fact that I was opposed to having the truth come out.

Mr. MACHROWICZ. Is it possible, Mr. Lane, that at the time you sent the telegram, you were opposed to the matter being brought up at Nuremberg, and then you subsequently changed your mind?

Mr. LANE. No, I was not. I was just repeating the information that came in.

Mr. MACHROWICZ. What was the purpose of repeating it?

Mr. LANE. My duty as Ambassador was to turn in any information that came to me. I did not make any recommendation to Justice Jackson.

Mr. MACHROWICZ. To attempt to convince Justice Jackson the testimony should not be presented?

Mr. LANE. I wasn't trying to convince him. I was merely acting as a reporter, reporting the information I received.

Mr. MACHROWICZ. Is that information true, that the Poles opposed to the Soviet Government did not want the matter presented at Nuremberg?

Mr. LANE. If I reported that, that information must have come to the Embassy.

Mr. MACHROWICZ. Do you not remember now whether it was true?

Mr. LANE. I do not recall after all these years.

But what I do recall, because I have it in my files, is the views I expressed to Mr. Matthews.

Mr. MACHROWICZ. Do you recall that in your book you mentioned the fact that the Poles were very much incensed over the fact that the massacre was not presented properly at Nuremberg?

Mr. LANE. Yes. That telegram I sent was a long time before this came up.

Mr. MACHROWICZ. That is what I meant. Probably you changed your mind subsequently.

Mr. LANE. I did not change my mind. I was merely reporting the facts, the information which came to me, because I reported much information to Washington that I did not agree with.

For instance, I disagreed with what some of the Polish Government authorities told me. I naturally reported that to Washington in an objective way.

Mr. MACHROWICZ. The only reason I ask these questions, Mr. Lane, is that I know you have been very critical of the appeasement policy toward Poland.

Mr. LANE. I have been.

Mr. MACHROWICZ. And this is entirely out of harmony with what you professed subsequently?

Mr. LANE. Excuse me, Mr. Machrowicz, with all due respect to you, I would like to emphasize that that is not an expression of my view. It is merely a reporting telegram, because an ambassador's chief function is to report to his government what he hears, and even though he may not agree with what he hears, he is supposed to report it.

Mr. MACHROWICZ. But in your book you said you heard just the opposite. You heard that the Poles were very apprehensive that the matter was not presented properly at Nuremberg.

Mr. LANE. Undoubtedly, I must have made other reports to the Department in 1946 when it did come up at Nuremberg.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Mr. Ambassador, if in any way you misunderstood the motives, you had a large company following you in misunderstanding the motives of the Russians in this entire episode. I have just two questions I want to ask you. How long were you in Warsaw, Poland?

Mr. LANE. I was there from July 31, 1945, until February 24, 1947.

Mr. DONDERO. Did the State Department give you any information whatever that they had some statement on record regarding the Katyn Forest massacre?

Mr. LANE. No; they did not.

Mr. DONDERO. What information did you get from the underground in Poland, that is, the element working against Russia?

Mr. LANE. Well, this was the underground that had been working against the Germans and which was being disarmed by the Russians in 1945 and 1946.

Mr. DONDERO. Is that the information that was included in that telegram?

Mr. LANE. No; not the telegram. In the letter.

Mr. DONDERO. The letter which you read?

Mr. LANE. Yes.

Mr. DONDERO. Were you personally at Katyn Forest?

Mr. LANE. No; I never was.

Mr. DONDERO. That is all.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. You would not have any recollection, Ambassador, would you, that that telegram in question was sent initially by you, of your own volition, or whether some such report was asked of you?

Mr. LANE. I don't think any report was asked of me; and, as I say, I had forgotten completely that the telegram had been sent.

Mr. O'KONSKI. Before you went as Ambassador to Poland, you were briefed—were you not?—by the State Department.

Mr. LANE. I was given access to the files which were in the Division of Eastern European Affairs.

Mr. O'KONSKI. And during all that time the question of what happened to 10,000 to 15,000 Polish officers was still very hot, but nowhere down the line was any indication given whether in briefing you, and giving you information, to give you what information was already on hand in Government sources in the United States; was there?

In other words, they kept you absolutely blind about the whole proposition; did they?

Mr. LANE. I had no information whatever except that one dispatch from Miss Harriman.

Mr. O'KONSKI. Who gave you that dispatch?

Mr. LANE. That came through the Eastern European Division and, as a matter of course, it came to my attention.

Mr. O'KONSKI. Of course, the Harriman report pins the responsibility on the Germans.

Mr. LANE. On the Germans; yes.

Mr. O'KONSKI. And that is the only report that they gave you?

Mr. LANE. That is the only report that I got.

Mr. O'KONSKI. They never gave you any report of any nature that other American officials had prepared, or any other documents that were in existence which would show the opposite? The only one that they gave you was the Harriman report?

Mr. LANE. That is correct.

Mr. DONDERO. I have this one short comment. Our opposition to this Government and our Government's policy of appeasement toward Russia seems to have been pretty well developed, in view of the facts that have been developed since this committee has been set up.

Mr. LANE. That is right, sir.

Mr. O'KONSKI. Ambassador, if you had swung in line and acted in the direction of pro-Soviet tendencies in the administration of your

ambassadorial post, do you still think that you might have been an Ambassador?

Mr. LANE. It is quite possible, but that is purely speculative. I felt certain that I would have to resign when I opposed the loan of \$90,000,000 to Poland or to the Polish Government, rather.

Mr. O'KONSKI. Have you ever started to organize in America an Association of Anti-Communist Ambassadors?

Mr. LANE. No; I have never thought of that, but we did the next best thing. We organized a private committee to investigate the Katyn massacre.

Mr. O'KONSKI. Yes; and you are to be very highly complimented for that. In that respect, while we are on this record, I think this ought to be cleared up, because the opposition very naturally takes every opportunity they can. Will you tell us, Ambassador, how this organization in the United States years ago got started in investigating the Katyn Massacre, long before Congress got busy on it? Give us a bit of the history. It has a bearing on this.

Mr. LANE. The person who initiated the investigation or the committee was Mr. Julius Epstein, who is right here at my right. He approached me in the summer of 1949 and asked whether I would act as chairman of a committee to investigate the massacre.

Mr. Epstein had been making very careful research and, on the basis of what he had, we felt we had enough information to warrant going ahead. Let me say that this committee was completely non-partisan. We had Democrats and Republicans, Catholics, Jews, and Protestants on the committee.

We had our first meeting in November 1949 in New York City. The press was admitted. We had quite a number of difficulties in organization.

First of all, there was a lack of funds, and, of course, we didn't have any power of subpoena.

Mr. O'KONSKI. In that connection, I wish you would also clear something up so that no reflection will ever be cast on the work of your committee. What was the source of your funds?

Mr. LANE. We got the funds from the Polish-American Congress, and also—

Mr. O'KONSKI. Is that the organization headed by Charles Rozworek?

Mr. LANE. Yes. Also, we got funds from the National Committee for a free Europe. Also, we got some personal contributions from private individuals.

Mr. O'KONSKI. But you got no funds whatsoever, no financial help whatsoever, from any so-called Fascist or Nazi organization?

Mr. LANE. None whatever.

We had difficulty in organizing because we weren't able to get a legal subcommittee formed. I approached several very prominent people like Justice Roberts and John W. Davis, to see if they would take over the chairmanship. But, unfortunately, that fell through.

Finally, Mr. Epstein and I approached Members of Congress and interested them in the matter.

I think all that we really accomplished was to stimulate an interest in Congress regarding the importance of bringing out the truth. Also, I may say that I have been making many speeches during the last 3 years, trying to bring the facts before the American people.

I think that the most important thing, if I may say so, gentlemen, that your committee has accomplished is to educate the American public on the danger of communism and the horrible methods employed by the Communists.

Mr. O'KONSKI. That is all I have.

Mr. SHEEHAN. Mr. Lane, I have a couple of questions with reference to the organization of your committee, and you might shed some light on it.

It has been rumored that, when your committee was organized and you were receiving money to operate, you went to the Bureau of Internal Revenue of the Treasury Department and tried to get an exemption on the basis that you were an educational institution. What was the position of the Treasury Department?

Mr. LANE. The answer was—from the Commissioner, whose name, I think, was Schoeneman—to the effect that our request was denied because it had no educational value. Our reply to him was that, to my mind, was the most cynical letter I had ever seen written by an official of the United States Government.

Mr. SHEEHAN. Did any similar organization get a tax exemption?

Mr. LANE. Well, I suppose they did.

Mr. SHEEHAN. But you are guessing?

Mr. LANE. I assume that many other organizations get tax exemptions.

I have a photostatic copy of the letter written by Mr. Schoeneman, which I will be very glad to put into the record if the committee so desires.

Chairman MADDEN. We will receive it.

Mr. MITCHELL. That will be exhibit 26.

(The letter was marked "Exhibit 26" and received for the record.)

Chairman MADDEN. The letter has been placed in the record in order to complete the record.

Mr. SHEEHAN. I have one other question, Mr. Lane.

Mr. MITCHELL. Mr. Lane, would you suggest the subject of the letter?

Mr. LANE. It is a tax-exemption letter from Mr. Schoeneman.

Mr. O'KONSKI. While they were being denied exemption, many organizations labeled "Communist" by the Attorney General did have a definite tax exemption.

Mr. MITCHELL. For the purpose of the record, I would like to identify the document.

This is a letter from the Commissioner of Internal Revenue George J. Schoeneman, addressed to the American Committee for the Investigation of the Katyn Massacre, Inc. It is dated June 1, 1950.

That is all.

Mr. SHEEHAN. The sum and substance of that letter is that they were denied tax exemption; is that right?

Mr. LANE. That is right.

Mr. SHEEHAN. Some of the members of our committee, Mr. Lane, have been questioned about the Voice of America, in reference to the Lane committee; and I think that for the record we ought to straighten the matter out.

Our counsel tells me that we have a representative from the State Department in the room who will help straighten this question out.

Some members of our committee have been informed that the Voice of America had refused for quite a while to broadcast the findings of the Lane committee. This was after the organization was formed, and, say, in 1949 and 1950. Now, is that a true statement or not?

Mr. LANE. That is my understanding. I would prefer, however, if the committee would question Mr. Epstein on that, because he got the information directly.

Mr. SHEEHAN. That is up to the committee chairman.

Mr. LANE. My understanding was, of course, that the Voice of America did not, for a considerable period of time, broadcast our activities. Finally they did, but I am hazy as to the dates.

Mr. SHEEHAN. Mr. Counsel, perhaps if you have your State Department man here, he ought to clear up the record for Mr. Lane.

Mr. MITCHELL. Yes.

Mr. SHEEHAN. Will you have one here tomorrow?

Mr. MITCHELL. We have one here today, but do you want him on now?

Mr. SHEEHAN. No. When this witness has finished.

Mr. DONDERO. Mr. Ambassador, you devoted a considerable amount of time and effort to this subject of the Katyn massacre. Based on your own research work in regard to it, what is your opinion of the work of this committee in relation to the same subject?

Mr. LANE. I think the committee is to be greatly congratulated on what it has done, the painstaking way in which you have gotten your evidence, and the results of your findings.

Mr. DONDERO. That is all.

Chairman MADDEN. Are there any further questions?

We thank you, Ambassador Lane, for your testimony.

STATEMENT OF JULIUS C. HOLMES, CARE OF AMERICAN EMBASSY, LONDON, ENGLAND

Chairman MADDEN. Our next witness is Mr. Holmes.

Mr. Holmes, will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLMES. I do.

Chairman MADDEN. Will you state your full name and address, please?

Mr. HOLMES. Julius C. Holmes, care of the American Embassy, London, England.

Chairman MADDEN. And your present position?

Mr. HOLMES. I am a member of the Foreign Service presently assigned as American Minister in London.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. DONDERO. Before the counsel proceeds, Mr. Minister, I think you are the same gentlemen who was so extremely courteous and kind and helpful to us while we were in London, England.

Mr. HOLMES. Thank you, sir.

Mr. MITCHELL. Mr. Holmes, will you please tell the committee when you first entered the employ of the Foreign Service of the United States?

Mr. HOLMES. I first entered in April of 1925.

Mr. MITCHELL. What was your position at that time?

Mr. HOLMES. I was commissioned as a Foreign Service officer, classified. I was sent to my first post as vice consul to Marseilles, France.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. HOLMES. I was in New York City.

Mr. MITCHELL. With the State Department?

Mr. HOLMES. No; not with the State Department, not with the Foreign Service.

Mr. MITCHELL. When had you left the Foreign Service?

Mr. HOLMES. I resigned from the Foreign Service in October of 1937.

Mr. MITCHELL. Will you please tell the committee where you were on September 1, 1939?

Mr. HOLMES. I was in New York.

Mr. MITCHELL. In private business?

Mr. HOLMES. I was in New York as vice president of the New York World's Fair.

Mr. MITCHELL. When did you enter the armed services of the United States?

Mr. HOLMES. I first entered the armed services of the United States in 1918.

Mr. MITCHELL. I mean with reference to World War II?

Mr. HOLMES. In World War II, in February of 1942.

Mr. MITCHELL. Where were you assigned at that time?

Mr. HOLMES. I was assigned to the Combined Chiefs of Staff here in Washington, where I was executive officer.

Mr. MITCHELL. When did you take over the position of Assistant Secretary of State? I believe your title at that time was brigadier general.

Mr. HOLMES. I had in the meantime served in the Army from 1942, the early beginning of 1942, abroad, almost the whole time. Then, in January of 1945, I was ordered back to Washington and became Assistant Secretary of State. I think the date was the 29th of January.

Mr. MITCHELL. When did you first hear about the Katyn massacre?

Mr. HOLMES. I am not quite sure when I first heard of it. If you had asked me that sometime ago, I would have said, "When your committee began to work." I have since seen documents in the State Department which show that I had seen something about the Katyn massacre as early as May 1945.

Mr. MITCHELL. But, previous to May 1945, you can't recall ever having heard anything about the Katyn massacre?

Mr. HOLMES. Very vaguely. I no doubt heard of it. I was in the Army during that time, either in the Mediterranean or in England or in Normandy, and I do not remember when I first learned of it.

Mr. MITCHELL. General Holmes, this committee has previously heard—Minister Holmes, I should say—testimony from General Bissell. At that time we put in the record a letter of the 25th of May 1945 which was addressed to you by General Bissell. Have you seen that letter?

Mr. HOLMES. I have seen that letter.

Mr. MITCHELL. For the benefit of the committee, I would like to read the letter, if I may:

WAR DEPARTMENT GENERAL STAFF,
MILITARY INTELLIGENCE DIVISION, G-2,
May 25, 1945.

Brig. Gen. JULIUS C. HOLMES,
Assistant Secretary, Department of State,
Washington, D. C.

DEAR GENERAL HOLMES: A Lt. Col. John H. Van Vliet, Jr., Infantry, and a Captain Stewart, while prisoners of war at Oflag No. 64, are reported to have been given a letter by the Swiss protecting power, dated about October 1943, which asked them to reply to certain questions. The questions were:

1. Had Captain Stewart and Lt. Col. Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they made a statement?

Colonel Van Vliet believes that a copy of this letter, together with his reply, are in the State Department's files. It is requested that this be verified and, if the records referred to are in the files of State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

(Signed) CLAYTON BISSELL,
Major General, GSC, Assistant Chief of Staff, G-2.

Have you ever seen this letter? Now did you see this letter on the 25th of May or the 26th of May 1945?

Mr. HOLMES. Presumably I saw it. I have no recollection of seeing it. I have seen the original. It was shown to me by officers of the State Department within the past few days.

Mr. MITCHELL. Were your initials on that original?

Mr. HOLMES. There is a stamp of my office on it. I don't think my initials are on it.

Mr. MITCHELL. Do you know the contents of the letter? The contents do not refer to the famous missing Van Vliet report. They refer only to how Captain Stewart and Colonel Van Vliet were treated.

Now, did you reply to that letter of the 25th of May 1945?

Mr. HOLMES. I have been shown in the State Department a copy of the reply, which I no doubt signed.

Mr. MITCHELL. Mr. Chairman, we have been provided with a copy of that letter. I would like to make it exhibit No. 31.

Chairman MADDEN. Will you identify it?

Mr. MITCHELL. This is General Holmes' reply to General Bissell of June 27, 1945.

Chairman MADDEN. It may be received as exhibit 31. Has the witness identified that?

Mr. MITCHELL. Have you identified this letter?

Mr. HOLMES. I have seen it, yes.

(The letter referred to was received for the record as exhibit 31.)

EXHIBIT 31—GENERAL HOLMES' LETTER OF JUNE 9, 1945, TO GENERAL BISSELL

JUNE 9, 1945.

Maj. Gen. CLAYTON BISSELL,
GSC, Assistant Chief of Staff, G-2, War Department,
Washington, D. C.

MY DEAR GENERAL BISSELL: The receipt is acknowledged of your letter of May 25, 1945, concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64, received from the protecting power a letter dated about October 1943, seeking information

whether these officers had been required by the German authorities to visit Katyn. You ask the Department to verify whether a copy of such a letter, together with Colonel Van Vliet's reply thereto is of record in the Department of State.

The records of the Department reveal that in September 1943, and again in December of the same year, the American Legation at Bern was informed that reports reaching the Department indicated that Lt. Col. J. H. Van Vliet and Capt. D. B. Stewart, both of whom at that time were apparently detained at Oflag 9-A/Z, were being taken to Katyn. The Legation was instructed to request the Swiss to determine whether these officers actually had made the journey and, if so, to learn what kind of treatment was accorded them, whether they made any statement with regard to the Katyn affair and what use had been made of any statements made or any photographs taken at the time.

In February 1944, the Department was informed that Colonel Van Vliet and Captain Stewart had been transferred to Oflag 64, and that the Swiss inspector at the time of the next visit to that camp would endeavor to obtain the information desired. No further communication regarding the matter has ever been received in the Department. In the circumstances it is considered likely that Colonel Van Vliet's reply may have been intercepted by the German authorities and never forwarded to the appropriate officials of the Swiss Government.

Sincerely yours,

JULIUS C. HOLMES, *Assistant Secretary.*

Mr. MITCHELL. Can you tell the committee, Mr. Holmes, briefly, the significance of the letter?

Mr. HOLMES. The letter recites the inquiry made by General Bissell and states that inquiry has been made twice of the protecting power for this information, that it was not in the files of the State Department, and ended by saying that it is therefore presumed that Colonel Van Vliet's letter had been intercepted by the Germans.

Mr. MITCHELL. You are correct in that interpretation of the letter. Now, Mr. Chairman, last Friday I had delivered to me copies of the original letters, signed by Van Vliet and Stewart, on the 30th of April 1943, that is, by both of them, another one by a British officer by the name of Brigadier Nicholson, senior British officer who was in charge of the prison camp they were both in.

All that I would like to have Mr. Brown identify in this letter, and then ask that it be put in the record as an exhibit to show when it was received in the Department of State.

This letter comes from the Foreign Service of the United States of America, American legation at Bern, Switzerland, and is dated May 2, 1944. It is No. 8064.

The subject is, American interest in the German visit of American officers to Katyn.

It is addressed to the Honorable Secretary of State. May we place it in the record as exhibit 32?

Chairman MADDEN. Are you putting those into the record collectively?

Mr. MITCHELL. Yes; collectively. I don't think we have to read them all. We will read the Van Vliet report.

Chairman MADDEN. As exhibit 32?

Mr. MITCHELL. Yes, sir; as exhibit 32.

Chairman MADDEN. Is Mr. Brown going to identify them?

Mr. MITCHELL. Yes.

Chairman MADDEN. They may be admitted as exhibit 32.

(The letters referred to were marked "Exhibit 32.")

EXHIBIT 32—COLONEL VAN VLIET'S STATEMENT TO SWISS PROTECTING POWER
REGARDING HIS TREATMENT AT KATYN BY THE NAZIS

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

RESTRICTED

Via Air Mail Pouch

AMERICAN LEGATION

No. 8064

Bern, May 2, 1944

Subject: American Interests - Germany
Visit two American officers
to Katyn.

The Honorable
The Secretary of State,
Washington.

Sir:

I have the honor to refer to the Department's airmails Nos. 359 of September 10, and 515 of December 15, 1943, and to the Legation's airmail No. 76 of February 10, 1944, regarding a report that Lieutenant Colonel J. P. Van VLIET and Captain D. B. STEWART, American officers, now detained at Oflag 64 in Germany, were to visit Katyn.

The Legation now desires to enclose, for the Department's information and records, a translation of a note dated April 27, 1944, from the Swiss Foreign Office, which has as enclosures the following documents regarding the travel of Lieutenant Colonel Van Vliet and Captain Stewart to Katyn:

- 1) Certified copy of letter dated April 30, 1943, to the Commandant of Oflag IX A/2 from the Senior British Officer;
- 2) Certified copy of letter dated April 30, 1943, to the Swiss Legation Berlin from the Senior British Officer at Oflag IX A/3;
- 3) Certified copy of order, dated May 9, 1943, issued by the German Commandant of Oflag IX A/21;
- 4) Certificate signed on March 24, 1944, by Lieutenant Colonel John H. Van Vliet and Captain Donald B. Stewart.

The

PS/EPM

Enclosure No. 2 to document No. 1064
 dated July 2, 1943 from the American
 Legation, Bern.

No 288
 23 April 1943

10-
 The Commandant
 Oflag IV A/2

From ^{Director}
 The Senior American Officer,
 Ofleg IV A/2

Sir,

I have this day received an order that P.O.W.s No 12683
 LT COL STEVENSON, as a representative of the Dominions,
 and No 12694 LT COL J E VAN VLIET and No 1261 CAPT J
 DOR STEWART as representatives of the United States of
 America, are to be engaged to Katyn, to visit the
 British military there.

I asked you was promised by Hauptmann HOFFER for
 the order in writing, that I would have it clear that no
 officer of the British Dominions or U.S. Forces would
 proceed there, except under compulsion, as individuals or
 as representing others.

Under this order a protest against their being sent

I have the honor to be, Sir,

Your obedient servant,

(Signed) G. NIEROLSON, Brigadier

Senior British Officer, Ofleg IV A/2

A TRUE COPY

For information of the
 Lt. Col. Van Vliet
 No 12694

Enclosure No. 3 to document No. 264
 dated *May 24* from the American
 Legation, Bern.

No. 289

April, 1945

To: Schweizerische Gesandtschaft,
 Abteilung Schutzmachtangelegenheiten
 Berlin W.8
 Pariser Platz 2

From: The Senior British Officer,
 Oflag IX A/2, Germany

Dear Sir,

I have this day received an order from the German authorities that POW No 12683 LT COL J P STEVENSON of the South African Forces and POW No 1084 LT COL J H VAN VLIET and POW No 1081 Capt. J M STEWART of the U. S. Forces are shortly to proceed to LITIS to view certain matters there, and I have been informed that they are being taken as representatives of the Dominion and U. S. Forces.

I desire to protest against this and would request you to inform the Governments of the United Kingdom, South Africa, and the United States of America that compliance with the above order is in no way to "force matters" and that, in so far as this camp is concerned, collectively or individually, no question of representation can arise.

Yours very truly,

(Signed) C. HICKONHAM
 Brigadier

Senior British Officer, Oflag IX A/2

A TRUE COPY

*John H Van Vliet Jr 020828
 Lt Col Int USA*

Enclosure No. 5 to Despatch No. 8064
dated May 2, 1944, from American
Legation, Bern.

TRANSLATION

(Excerpt)
Rotenburg/F., May 9, 1943.

Commandant's Office
of Oflag IX A/Z

Camp order No. 11, 1943.

- 1) -----
2) Transfer order to Katyn.

Pursuant to regulations of the German High
Command issued by the Chief of prisoners of
war, the following prisoners of war have been
ordered to Berlin on May 10, 1943, in order to
be transported from there to Katyn by plane:

- a) Lieutenant Colonel Stevenson, No. 12683
(British)
b) Lieutenant Colonel Van Vliet, No. 1584
(American)
c) Captain Stewart, No. 1581 (American)

They must present themselves with light luggage
and a blanket on May 10, 1943 at 9.15 p.m. in
room No. 136, to be examined before leaving.
They will receive food for four days.

The transport leader has been instructed to carry
with him the amount of 50 Reichsmarks to cover
special needs of the prisoners of war. Settlement
of the accounts will be made following return to
the camp.

(signed) Dr. Bormann
Major and Adjutant Commandant

Certified by:
(signed) D. Bormann
Major and Adjutant Commandant

Prisoner of War Camp Oflag IX A/Z Rotenburg/F.,
The Security Officer May 9, 1943.

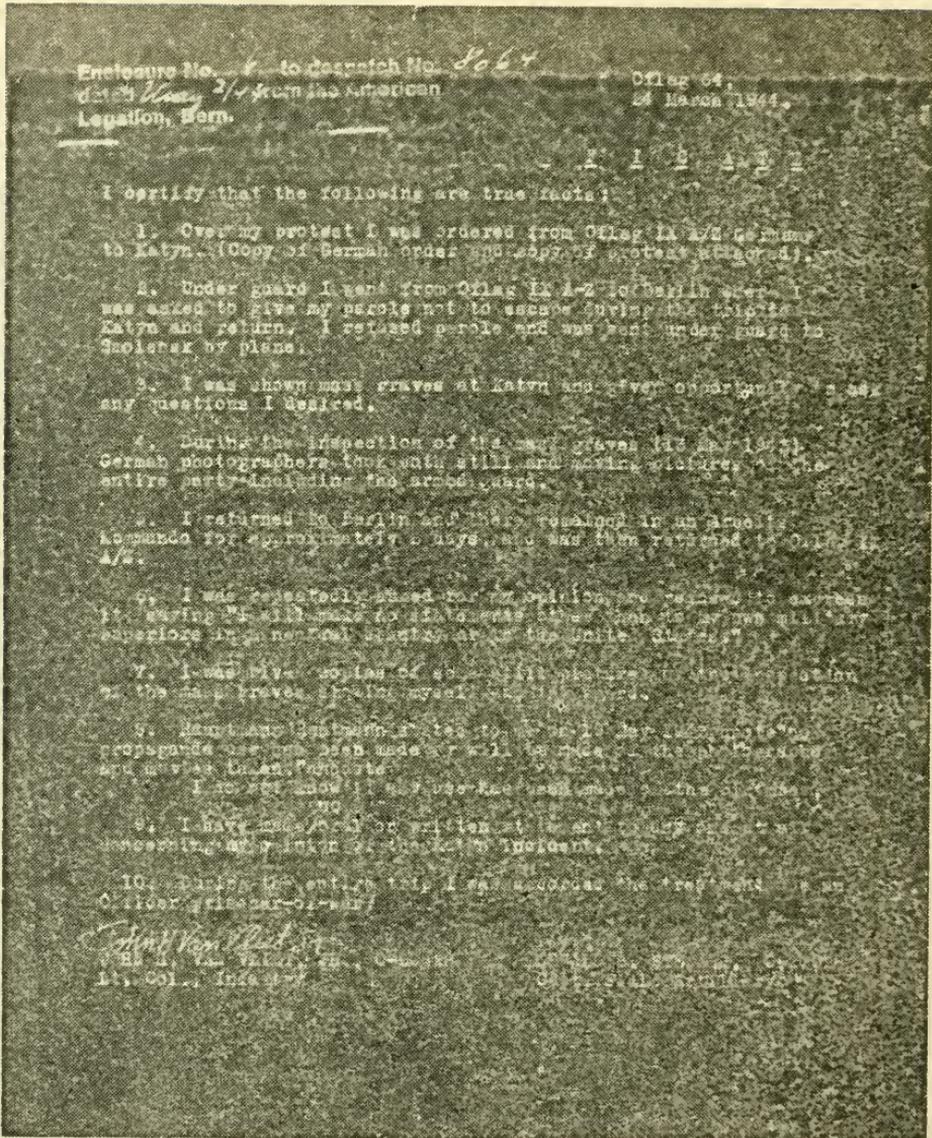
The above mentioned camp order is to be left
with the prisoner during search, if his name is
mentioned therein.

(Signed) REYL
Captain and Security Officer

A TRUE COPY

(Signed) John H. Van Vliet, Jr. O-20828 Lt. Col. Inf. USA.	(Signed) Donald B. Stewart O-25028 Captain P.A.
---	--

GEO/hs



Mr. MITCHELL. I would like to have Mr. Brown now identify when this document was received in the Department of State.

Mr. BROWN. Mr. Chairman, I identify this as a photostatic copy of a document in the files of the Department of State. It originated in the American legation, in Bern, Switzerland. It is dated May 2, 1944. It has a stamp indicating that it was received in the Department of State on May 24, 1944, at 10:04 a. m.

Mr. MITCHELL. Mr. Chairman, these documents which have just been identified by Mr. Brown were in the Department of State at the time General Bissell sent his request to Mr. Holmes. The letter of June 9 indicates that they were not available, or at least that they could not be found at that particular time.

Were you in error at that particular time, and can you explain it?

Mr. HOLMES. Apparently I was in error. The explanation that I

have received about it, which I understand has been given to the committee as well, from—

Mr. MITCHELL. One minute. Mr. Dondero and Mr. O'Konski and Mr. Sheehan heard the explanation in executive session on Monday afternoon.

Proceed, please.

Mr. HOLMES. Does the fact that it was an executive session prevent me—

Mr. MITCHELL. No; you go ahead and say anything you want. I just wanted to let the chairman know that.

Mr. HOLMES. Mr. Cahon, who drafted the letter for my signature, tells me that when General Bissell's request came in he sent one of his assistants to do the research and to try to find the report which General Bissell had asked for. The assistant who made the search came back and reported to him that it had not been found and that the report was not in the files of the State Department. He then drafted the reply which has been placed in evidence.

Now he says that he has discussed this with the assistant who made the search and who explains that she looked under a certain indicator for the file, which I believe was the number and the name of the prison camp where Colonel Van Vliet was held, and didn't find it. But it subsequently turned up in another file which was headed, "Prisoners of War, General."

He also pointed out to me that although this report did not turn up and the information that was given to General Bissell, that it was not in the State Department, was incorrect, the fact remained that much earlier this report had been sent to two officers in the War Department, one I believe, the Provost Marshal General, and the other being—I am not certain whether it was G-1 or War Crimes Division.

Mr. MITCHELL. In other words, these reports that we have now put on the record were in the War Department at the time you received this letter from General Bissell?

Mr. HOLMES. Yes.

Mr. MITCHELL. Proceed.

Mr. HOLMES. That is the whole explanation, Mr. Mitchell.

Mr. MITCHELL. Mr. Holmes, we have heard testimony from General Bissell as of last June 3. I believe I have given you the courtesy of reading that testimony.

Mr. HOLMES. You have.

Mr. MITCHELL. Would you like to make any comment on what you have read, or shall I proceed to ask questions?

Mr. HOLMES. Whichever is the most convenient.

Mr. MITCHELL. I would rather have you make the statement. Didn't General Bissell at that time indicate to this committee that he had a direct line of communication or squawk box connecting with your office?

Mr. HOLMES. He did. I think he referred to it as a gas line.

Mr. MITCHELL. That is right.

I believe General Bissell saw Colonel Van Vliet on May 22 or May 23 or May 24.

Chairman MADDEN. What year?

Mr. MITCHELL. 1945. At that time he indicated that he may have used the gas line to discuss the subject matter. Did he do so?

Mr. HOLMES. I have no recollection whatever that he did so.

Mr. MITCHELL. Did you ever receive personally or in any other way from General Bissell any information concerning what Colonel Van Vliet had told him at that time?

Mr. HOLMES. I have no recollection of having received any information from him on that subject.

Chairman MADDEN. Mr. Holmes, if you had, you would no doubt recollect it; isn't that true?

Mr. HOLMES. I should think so. I can't be absolutely certain, Mr. Chairman. After all, there has been a lapse of quite some time. If I had discussed the substance of this Van Vliet report, with the significance that was attached to it, I think it reasonable to suppose that I should remember.

Mr. MACHROWICZ. I think that in fairness to Mr. Holmes, it should be stated that General Bissell said that he had no positive recollection of having done so, but that he thought he might have.

Mr. HOLMES. Yes, sir; that is the way I read his testimony.

Mr. MITCHELL. Mr. Holmes, did General Bissell ever hand you any written document concerning, or rather labeled, "Top Secret" concerning Katyn, which was known as the Van Vliet Report?

Mr. HOLMES. No, sir.

Mr. MITCHELL. Did you during your period as Assistant Secretary of State, subsequent to May 25, 1945, ever personally discuss the Katyn case with him?

Mr. HOLMES. I have no recollection of ever discussing it with him.

Mr. MITCHELL. How long did you remain as Assistant Secretary of State?

Mr. HOLMES. Until August 17, 1945.

Mr. MITCHELL. By whom were you succeeded?

Mr. HOLMES. I was succeeded by Colonel McCarthy.

Mr. MITCHELL. Colonel McCarthy from G-2?

Mr. HOLMES. Yes. I am not certain that he was in G-2. I think he was in the secretary, General Staff.

Mr. MITCHELL. Secretary, General Staff. That is right. At this time I have no further questions.

Mr. MACHROWICZ. I have one question, Mr. Minister. Isn't it true that if General Bissell had sent you the original Van Vliet report, as has been inferred—he may have; it has never been said that he has, but he may have—wouldn't it have been receipted for by you and would not the receipt have been on file in General Bissell's office?

Mr. HOLMES. I should think so. With the evidence having been given me that it was classified as top secret—top-secret documents, in accordance with the regulations, always required a receipt at the time of delivery.

Mr. MACHROWICZ. As I remember, General Bissell said that he had no knowledge of any such receipt in his file, which to me would indicate that the report might not have been received by you.

Mr. HOLMES. That is my opinion.

Mr. MITCHELL. At that time you were a general in the Army?

Mr. HOLMES. No; I was not. I was Assistant Secretary of State at that time.

Mr. MITCHELL. Why was he addressing you as brigadier general?

Mr. HOLMES. I had ceased being a brigadier general of the Army just a while before, and he continued using the Army title.

Mr. MITCHELL. But you knew the Army regulations well enough to know that you always got a receipt for a top-secret document?

Mr. HOLMES. Yes, sir.

Mr. MITCHELL. In fact, those regulations had been promulgated sometime prior to that?

Mr. HOLMES. Yes.

Mr. SHEEHAN. Did you ever get a top-secret document without signing a receipt for it?

Mr. HOLMES. I don't believe I ever got a top-secret document, Mr. Sheehan, from another command, or another entity of the Government. Within our own office, yes.

Mr. SHEEHAN. And nobody would bring a document marked "Top Secret" bodily over and deposit it on your desk without taking a receipt for it?

Mr. HOLMES. That is right.

Mr. MITCHELL. Did your secretary maintain a list of top-secret documents that were both from within and without your Department and that came into your office?

Mr. HOLMES. She did. Whether that was a permanent record, I am not certain.

Mr. MITCHELL. But it was the usual custom to do that?

Mr. HOLMES. That is true.

Mr. MACHROWICZ. I think that for the record, Minister, it can be stated that there has been no attempt to cast any aspersions or reflections on you whatsoever, in your capacity. We are just trying to trace some missing documents, and you happen to have been employed in the channel where these things were passing through. We are trying to trace things down. That is our only purpose in having you here.

There is just one question that ought to be asked, and that is this:

You state in your letter that probably the reason why those documents from the Swiss protecting power have not been received is because they were very likely intercepted by the German authorities.

Did it not strike you that here was a report, presumably whitewashing the Germans of this atrocity, and did it not strike you that since this report from both Van Vliet and Stewart would whitewash the Germans, rather than accuse them of the crime, that there would be very little likelihood that they would intercept that kind of a document? Did that ever strike you?

Mr. HOLMES. I never considered it. It didn't strike me.

Mr. MACHROWICZ. You are confused. That is not the report.

Mr. MITCHELL. That was not the Van Vliet report.

Mr. MACHROWICZ. That is the subsequent report. The only Van Vliet report is not involved in this particular letter. Am I right in that, counsel?

Mr. MITCHELL. Yes. The situation and the facts at that time were the State Department, on its own initiative in 1943, September 1943, heard that both of these officers had been in Katyn. Consequently, they had asked the Swiss protecting power to ascertain if they had been there. The Swiss protecting power then came back with this document which I just read to everybody here, which specifically said that "I have made no oral or written statement to anyone at all concerning my opinion of the Katyn incident."

This letter is dated the 24th of March 1944.

This committee has already heard testimony that the first person that Colonel Van Vliet discussed this subject with was General Collins, who expedited his way home, and the next person was General Bissell. So the subject matter of the Van Vliet report could not have been considered at the time that Mr. Holmes wrote his letter of June 9. It was just concerning their treatment as prisoners of war.

Mr. PUCINSKI. Mr. Chairman, I would like to get some points straight here with regard to General Bissell's testimony, and, if you don't mind, Mr. Minister, to refresh your memory I will read to you a portion of his testimony. His testimony was taken on June 3 of this year here in Washington.

Mr. Sheehan asked a question, as follows:

General, in those couple of days here in May when Van Vliet was in and you said you had thought—

General BISSELL. May 22.

Mr. SHEEHAN. May 21 to 25—when you had talked to General Van Vliet, if I remember correctly, you stated you did phone, or you thought you phoned Holmes and Lyon in the State Department?

General BISSELL. Yes.

Mr. SHEEHAN. When you talked to any of these gentlemen or with Colonel Lantaff about the Van Vliet report, did the question come up as to the political implication of this report at any time?

General BISSELL. The only reason I would have mentioned it to him at all would have been the political aspect.

Mr. SHEEHAN. Did they agree with you it was vital?

General BISSELL. No discussion of the contents of the report at that stage.

Mr. SHEEHAN. You are talking about the political implications?

General BISSELL (reading): "There was a man here named Van Vliet, who arrived yesterday and who has information on the political matter, the Katyn massacre, that we will send to you as soon as we get through with it."

Mr. SHEEHAN. You did not discuss the conclusions?

General BISSELL. No. It was only incidental to the talk on the other matter. I remember the other matter quite well. I will be glad to give it to you in executive session, but it has no bearing on Katyn whatever.

Mr. SHEEHAN. This might steal a little thunder from my colleague over there.

This morning, Congressman O'Konski asked you a question about whether or not any other documents had disappeared or were lost or strayed from G-2. I did not use the word "stolen" advisedly, because the Army uses the word "compromise." As I understand it from the MacArthur testimony, the eight colonels who sent a top-secret report from Japan or the Near East in which they tried to advise the administration of the danger of alining themselves with Russia in finishing off the Japanese war, I understand that report disappeared out of G-2. Is that right or wrong?

General BISSELL. Here is what I don't believe is fully understood, and probably it is just as well—

then he goes on.

Now, I was wondering, Mr. Minister, about this: General Bissell is rather certain here in his testimony that he did discuss with you the political implications of this neutral American officer's observations, and indictment.

Mr. MACHROWICZ. I think you are taking the testimony out of context. You will find later on that he was not certain.

Mr. PUCINSKI. In this particular instance I want to find out whether General Bissell is correct.

Mr. MACHROWICZ. In answer to my questions, he said he wasn't certain whether he discussed it.

Mr. PUCINSKI. In this particular instance he said he was reasonably certain.

Mr. MACHROWICZ. I know that General Bissell made various statements, and that at another time he thought he must have, but he wasn't sure he may have.

Mr. MITCHELL. Just a minute.

You have read the entire testimony in which your name was mentioned in connection with this?

Mr. HOLMES. I read the testimony that was sent to me by Mr. Brown, which I presume was selected, and I presume it is complete.

Mr. MITCHELL. It is complete. I can assure you of that. What is your comment on that testimony?

We have General Bissell one moment saying that he called you on his gas line, and said that he had something of political significance. The next time we have him saying that he thinks he may have, or that he doubts it. Could you give us your candid opinion?

Mr. HOLMES. Well, my opinion is simply this, Mr. Chairman: I have no recollection of ever discussing this matter with General Bissell at all, either on the gas-line, telephone or face to face. It is within the realm of possibility that we may have discussed it, but I do not recall it; but, if we had discussed the substance of this, with the implication which it has, I think now I would have remembered it.

Mr. MITCHELL. Not only "now" but you would have at that time?

Mr. HOLMES. That is correct.

So far as sending the report to me is concerned, it just seems very, very improbable that it ever came.

Mr. MITCHELL. Would you be the correct individual for such a report, a report of the nature of the Van Vliet report, to go to?

Mr. HOLMES. Yes; I would.

Mr. MITCHELL. With all of what you know today to be its political significance?

Mr. HOLMES. I should think so.

Mr. PUCINSKI. Can we find out, Mr. Minister—and you were an Assistant Secretary of State then?

Mr. HOLMES. That is right.

Mr. PUCINSKI. Can we find out from you here now what you think would have been its political significance if that report had become known on the 25th of May 1945?

Mr. MITCHELL. That would be his opinion.

Mr. PUCINSKI. Of course, it is an opinion, and we would like to have it.

Mr. HOLMES. It is a speculative question to ask, and I am afraid that my answer would not be very competent, because I have not read the Van Vliet report.

Mr. PUCINSKI. You are not the only one.

Chairman MADDEN. Let us see the political significance.

Mr. PUCINSKI. I would like to develop this point because it is very important, I think, in the course of this investigation. They were having trouble regarding the Polish situation in San Francisco at the time that the United Nations was being organized, and that was what—3 weeks before Van Vliet arrived in this country? It was April 25, 1945, to be exact, was it not?

Mr. HOLMES. I am not certain about that date. Presumably it was just about then.

Mr. PUCINSKI. And they were having difficulty on this Polish question in San Francisco?

Mr. HOLMES. Yes. But my knowledge of any difficulty on the Polish question at San Francisco was only incidental.

Mr. MITCHELL. You were not concerned with it?

Mr. HOLMES. I was not concerned with the San Francisco Conference except for the administration and the running of the Secretariat and setting it up.

Mr. PUCINSKI. Mr. Holmes, the theory on which the staff has been proceeding—and I am wondering whether you can throw some light on this—is that it is interesting that the Van Vliet report disappeared at a crucial time as this was. You have the San Francisco Conference, dealing with the United Nations. You had the 16 Polish officers interned in Moscow, who were going to join the so-called unity government, or provisional government, in Poland. You had the problem of recognition by the United States and Great Britain and the hope of getting some sort of unit, the recognition of the new provisional government in Poland on July 5, 1945.

Now, we have been proceeding along on the possibility that this report just didn't disappear along with thousands of other documents that disappear, and later are found to have been misfiled, because of its political significance.

Mr. Madden asked me a moment ago what I mean by "political significance," and I am now returning to that discussion.

What do you suppose this report would have meant had it become known at that time?

Mr. HOLMES. My opinion on that, Mr. Chairman, I don't think has very much usefulness.

In the first place, as I said a minute ago, I have not read the report. Also it was something about which I learned from reading the newspapers.

Chairman MADDEN. If you can answer the question, do so.

Mr. HOLMES. Whether or not a report from one officer on such a subject would have had some influence on political decisions that were made in San Francisco, I don't know, but I should not have thought that it would have great influence. The actual presentation of that report to the people concerned in San Francisco obviously would have had some influence on them, but my opinion is—since it has been asked—that it probably would not have changed the trend of events at that time.

Mr. MITCHELL. Thank you.

Mr. PUCINSKI. I have one more question, Mr. Minister. I don't know whether you are in a position to answer this question, but would you know why the State Department was trying in 1943 and 1944 to get an opinion from Van Vliet and Stewart—or rather, to learn how they were treated by the Nazis while they were taken to Katyn? Would you have an opinion on that?

Mr. HOLMES. No. I had no personal knowledge of this at the time. What inspired the inquiry of the protecting power I don't know.

Mr. PUCINSKI. Would you be in a position to tell us who in the State Department today would be in the best position to answer that question?

Mr. HOLMES. No; I just don't know. I have been out of the State Department a long time, and I don't know. That question should be asked, I think, of departmental officials.

Mr. PUCINSKI. All right.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. Just one more word, Mr. Minister.

Your conjecture was absolutely right. If this report had been made public, it would not have altered the situation. If we had had 150,000 Polish officers murdered, not 15,000, it still would not have altered the situation, because there were certain definite foreign policies that we were following, and it would have not have affected the situation one iota. Saving Russia and not America was our guiding force.

Chairman MADDEN. Mr. Sheehan?

Mr. SHEEHAN. No questions.

Chairman MADDEN. Are there any further questions?

(There was no response.)

Chairman MADDEN. I wish to thank you, Mr. Holmes, for your testimony, and for your trouble in coming here. Your testimony has indeed been valuable.

Mr. HOLMES. Thank you very much, Mr. Chairman.

TESTIMONY OF FREDERICK B. LYON, CARE OF UNITED STATES EMBASSY, PARIS, FRANCE

Chairman MADDEN. Our next witness is Mr. Frederick B. Lyon.

Mr. LYON, will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LYON. I do.

Chairman MADDEN. Will you state your full name, Mr. Lyon, please?

Mr. LYON. My name is Frederick B. Lyon.

Chairman MADDEN. And your address?

Mr. LYON. My address is: care of the American Embassy, Paris, France.

Chairman MADDEN. And your present title?

Mr. LYON. Consul general.

Chairman MADDEN. Will you proceed, Mr. Counsel?

Mr. MITCHELL. Mr. Lyon, when did you first enter the employ of the Foreign Service?

Mr. LYON. In December 1923.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. LYON. I was in Washington, I believe.

Mr. MITCHELL. Were you employed by the Department of State?

Mr. LYON. Yes.

Mr. MITCHELL. How long did you remain there?

Mr. LYON. I was here—well, may I go back just a bit to answer this?

I entered the Service in December 1923. I left the Foreign Service in 1933 and I was with the Department of Agriculture for 2 years. Then I went with the Golden Gate International Exposition in San Francisco as commissioner to foreign countries.

In 1937, also December, I came back into the Department, the departmental service, as opposed to the Foreign Service. That was for what is known as the departmental service, not the Foreign Service. I was then in the Department all of the time, from December 1937 till I came back into the Foreign Service. It was December, I believe,

of 1946, that I came back into the Foreign Service. I have been in the Foreign Service since that time.

Mr. MITCHELL. Were you in uniform when you were employed by the Department of State as an official there?

Mr. LYON. No; I was not in uniform.

Mr. MITCHELL. In other words, you were a civilian employee during the period roughly September 1, 1939, through 1946?

Mr. LYON. That is right.

Mr. MITCHELL. What was your official position in May 1945?

Mr. LYON. In May 1945, if I recall correctly, I was the Acting Director of the Office of Controls in the State Department.

Mr. MITCHELL. What was the function of that particular office, if you can state it to the committee, please?

Mr. LYON. That function was merely to supervise the over-all work of several divisions, one of which was the Division of Special War Problems.

Mr. MITCHELL. That is the Division that I would like to have you explain to the committee. Will you explain to the committee what that particular Division did? I don't believe you are are restricted today. You can talk freely about that now, can you not?

Mr. LYON. I believe so, sir.

Mr. MITCHELL. What I would like to have you explain to the committee is, What was the function of this Division?

Mr. LYON. Well, the function of that Division was largely the protection of American interests and American people abroad, but there was one other division that maybe you had in mind, that came under that.

Mr. MITCHELL. Will you name the other division? Let me tell you what I want.

Under your control and in your set-up at that particular time was a certain little room or something over there in the Department of State where a lot of papers came.

Mr. LYON. That is right.

Mr. MITCHELL. One of the functions of your office was to see that they were distributed within the Department of State, was it not?

Mr. LYON. That is true.

Mr. MITCHELL. That room included top-secret documents, all the way down to personal letters, practically, did it not?

Mr. LYON. Yes, indeed.

Mr. MITCHELL. But it was mostly concerned with what we call classified material?

Mr. LYON. That is true.

Mr. MITCHELL. You were there on May 22, 1945?

Mr. LYON. Yes, sir.

Mr. MITCHELL. In that position?

Mr. LYON. Yes, sir.

Mr. MITCHELL. You have heard Minister Holmes testify; have you not?

Mr. LYON. I have.

Mr. MITCHELL. You received the transcript of the record that was taken, from General Bissell on June 3, that is, the portion, at least, that concerned your interests?

Mr. LYON. Yes; I have seen that.

Mr. MITCHELL. Did you receive the Van Vliet report on or about May 22 or May 23 or May 24, 1945?

Mr. LYON. To the best of my recollection, I did not.

Mr. MITCHELL. But if that report was sent in the usual manner, that report would have, of necessity, come to your office; is that right?

Mr. LYON. That is correct. Either it would have come to Mr. Holmes as Assistant Secretary or it would have come to the Division of Foreign Activities Correlation.

Mr. MITCHELL. Let's assume that the report—although we have heard Mr. Holmes say that it did not—did come there. Would it have been recorded in your office?

Mr. LYON. Yes, indeed.

Mr. MITCHELL. In other words, if Mr. Holmes was to have received a top-secret document in his capacity, a record would have been made of it in your office?

Mr. LYON. That is right.

Mr. MITCHELL. I know that you have received many communications in the Department of State relative to the missing Van Vliet report, dating way back to, I think, 1949. Both the Inspector General of the Army and the Department of State at that time were trying to find the missing report, the Van Vliet report. Can you tell us something of what your replies to the Secretary of State were concerning the missing Van Vliet report in 1949 and 1950 or whenever they contacted you?

Mr. LYON. Right at the moment, I don't recall when I received a telegram asking me whether I had ever seen this Van Vliet report, to which I replied that I had no recollection whatsoever of it.

Mr. MITCHELL. In this office that you had control of at that time, did they ever receive a top-secret document for which no receipt was given?

Mr. LYON. To the best of my knowledge, no.

Mr. MITCHELL. Have you ever had any previous difficulty with any other document that has disappeared?

Mr. LYON. No, sir; not to the best of my knowledge.

Mr. MITCHELL. In other words, it was the customary practice that if a top-secret document were delivered to this office for dissemination to an individual in the Department of State, you always had a receipt for it?

Mr. LYON. Always.

Mr. MITCHELL. Then your office and you have not been in trouble on any other report?

Mr. LYON. Not to the best of my knowledge.

Mr. MITCHELL. In other words, the Department of State and no one else has asked you to justify—

Mr. LYON. No, sir.

Mr. MITCHELL. Mr. Chairman, I would now like to read for Mr. Lyon's benefit a letter which we have already put in the record, dated August 21, 1945. It is from General Bissel to Mr. Frederick B. Lyon. The letter is as follows:

Mr. FREDERICK B. LYON,
Acting Director, Office of Controls,
Department of State, Washington, D. C.

DEAR MR. LYON: Transmitted for the information and file of the State Department's report on Katyn, by Stanley S. B. Gilder, captain, EAMC, British medical

officer. This report supplements the statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes 25th of May 1945, and generally substantiates all material fact of Lieutenant Colonel Van Vliet's report.

Sincerely,

CLAYTON BISSELL,
Major General, GSC,
Assistant Chief of Staff, G-2.

In the lower left-hand corner appears "Enclosure Dept." or report, "on Katyn, by Stanley S. B. Gilder, captain, EAMC."

Have you seen that correspondence?

Mr. LYON. Yes; I have seen it.

Mr. MITCHELL. Recently?

Mr. LYON. Just recently; yes.

Mr. MITCHELL. Were there attachments to that letter?

Mr. LYON. Well, if I recall, there was just one. The letter from this Captain Gilder, who was a doctor, if I recall a British doctor, was the enclosure.

Mr. MITCHELL. What was the subject matter of that? Would you like to see it to refresh your memory?

Mr. LYON. Yes; I would.

The subject matter, as I recall, was the recital of his visit to Katyn.

Mr. MITCHELL. As a prisoner of war?

Mr. LYON. As a prisoner of war; yes.

Mr. MITCHELL. Did it mention his observations at Katyn?

Mr. LYON. I don't recall that it did, actually.

Mr. MITCHELL. Would you like to read it hurriedly? If so, you may do so.

Mr. LYON. Yes. I went over this thing and, to the best of my knowledge, he did not actually give an opinion.

Mr. MITCHELL. I believe, to nail it right straight down—I have read that letter about half a dozen times myself—and to be quite frank with you, I can't see anywhere in that letter a reference to his conclusions or observations or anything else of what he discovered or found out at Katyn. Is that your opinion?

Mr. LYON. That is my opinion; yes, sir.

Mr. MITCHELL. An allegation has been made—I have a copy of that. You may retain it. Will you look at the covering letter of August 21, 1945?

Mr. LYON. Yes, sir.

Mr. MITCHELL (reading):

This report supplements statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes, 25th of May 1945, and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report.

Mr. LYON. Yes.

Mr. MITCHELL. This question has been asked by General Bissell: If the Van Vliet report was not in the State Department files at that time, why didn't you come back and ask for the Van Vliet report?

Have you any comment on that?

Mr. LYON. Well, I thought of that when I saw this thing, this letter.

Mr. MITCHELL. You thought of it when? When you saw the letter now or then?

Mr. LYON. Well, when I was looking at it now, and just the other day when I saw it here.

Mr. MITCHELL. What I would like to have you answer, Mr. Lyon, is whether you thought of that when you received the letter there.

Mr. LYON. No; I didn't think of that. Do you mean, making reference back to the Van Vliet report that is referred to here?

Mr. MITCHELL. In other words, why don't you describe to the committee what would have happened when this report of General Bissell's came to you with this statement, stating that "this report supplements statement of Lt. Col. John H. Van Vliet." What would you have done, or what did you do with that attachment, Gilder's report?

Mr. LYON. Well, had I seen this report, and had I attached the importance to it that apparently this refers to the Van Vliet report—the receipt of the Van Vliet report—I would have taken it up immediately with Mr. Holmes, or would have sent it up directly to the Division of European Affairs, of Eastern European Affairs.

Mr. MITCHELL. In August of 1945?

Mr. LYON. Oh, yes.

Mr. MITCHELL. You would have taken it up?

Mr. LYON. Not with Mr. Holmes. I would have taken it up then with either Mr. McCarthy, who was Assistant Secretary then, or with the Division of Eastern European Affairs, because I would have seen that it was of great importance. But this report attached here does not say either "Yes" or "No"—that is, that it was the Russians or the Germans who did it. I am referring to the report of Dr. Gilder.

Mr. MITCHELL. Well, there is a reference to another report that is supposed to have been transmitted previously, on the 25th of May, the report of Van Vliet. Have you seen the original correspondence, to show where this letter of the 21st of August went to, in the Department of State?

Mr. LYON. What correspondence are you referring to?

Mr. MITCHELL. I am talking about the original of the letter of the 21st of August. I mean the original correspondence that they have enough signatures and enough initials on to sink a battleship.

Mr. LYON. Yes, sir.

Mr. MITCHELL. Have you seen that letter recently?

Mr. LYON. Yes.

Mr. MITCHELL. Where did this letter go? For your information, I have not seen it yet. I know that I can have it whenever I want it, but I would just as soon not look at it.

Mr. LYON. Well, I don't recall where it went to. This space on the letter is covered up in the photostat, and it has been declassified. But I imagine that it went to the Division of Eastern European affairs.

Mr. MITCHELL. Mr. Brown, do you have the letter with you and, if you have it, will you give it to Mr. Lyon, please?

Mr. LYON. This came to the Division of Foreign Activities Correlation. It went to the Eastern European Division.

Mr. MITCHELL. In other words, your office sent it to the Eastern European Division?

Mr. LYON. Yes, sir.

Mr. MITCHELL. Do you have any recollection of the Eastern European Division coming back and asking you where the correspondence was that was referred to?

Mr. LYON. No, sir; I do not.

Mr. MITCHELL. Do you recall who was the head of the Eastern European Division at that time?

Mr. LYON. No; I don't recall right at this moment. It might possibly have been—no; it would not. I was thinking of the Near Eastern Division. I was thinking of Loy Henderson, whom I was going to mention, but I don't believe it was him.

Mr. MITCHELL. Well, Poland was contained in the Eastern European Division of the Department of State at that time; is that right?

Mr. LYON. That is right.

Mr. MITCHELL. Therefore in the Eastern European Division of the Department of State at that time, it would have gone to the Polish specialist on the Desk? Would that have been the right channel?

Mr. LYON. That is right.

Mr. MITCHELL. Do you know who that Polish specialist was?

Mr. LYON. I have forgotten whether it was Durbrow or Stevens, possibly, although I think he was an Assistant Chief then.

Mr. MITCHELL. You have heard Mr. Lane say this afternoon that Durbrow was the one?

Mr. LYON. Yes; probably it was Durbrow.

Mr. MITCHELL. Is he in Washington or in New York?

Mr. LYON. He is in Rome.

Mr. MITCHELL. Well, Durbrow never came back to you or anybody else asking for the Van Vliet report, on the 25th of May?

Mr. LYON. Not that I recall; no, sir.

Mr. MITCHELL. Did you at any time discuss the Van Vliet report with General Bissell or anybody else?

Mr. LYON. To the best of my knowledge no—I never heard of it.

Mr. MITCHELL. Do you think that you would have remembered it, because of its contents?

Mr. LYON. Oh, I think so—yes, sir.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. I have no questions. Unless, as far as I am concerned, there is some further testimony on the Department of Defense, I am satisfied that neither Mr. Holmes nor Mr. Lyon had any knowledge of these documents.

Chairman MADDEN. Thank you for testifying here this afternoon, Mr. Lyon.

Mr. LYON. Thank you, sir.

Chairman MADDEN. Do we have another witness for today?

Mr. MITCHELL. Yes, sir. I would like to call one more. Mr. John Carter, please.

TESTIMONY OF JOHN F. CARTER, ALBANY, N. Y.

Chairman MADDEN. Mr. Carter, will you come forward, please? Will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give the committee, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CARTER. I do.

Mr. MITCHELL. Mr. Chairman, this is rather a surprise witness. He voluntarily came to the committee yesterday afternoon and said that he had some information that might interest this committee.

I talked to Mr. Carter this morning at 9 o'clock. I think he has some information which will be made brief, and which I think the committee will be interested in hearing.

Mr. Carter, will you state your full name for the record?

Mr. CARTER. John Franklin Carter.

Mr. MITCHELL. Where do you live?

Mr. CARTER. 1 Elk Street, Albany, N. Y.

Mr. MITCHELL. Where are you presently employed?

Mr. CARTER. The New York State Department of Commerce.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. CARTER. In Washington.

Mr. MITCHELL. Had you been in the State Department previously?

Mr. CARTER. I had.

Mr. MITCHELL. During what years?

Mr. CARTER. From 1918 through 1921 and then again from 1928 to June 1932.

Mr. MITCHELL. When did you reenter the employ of the Department of State? Did you ever?

Mr. CARTER. Technically not. Actually I worked under a contract with the Office of the Secretary of State to make special reports for the President.

Mr. MITCHELL. Will you please tell the committee the position you occupied during the wartime years?

Mr. CARTER. I reported regularly to President Roosevelt from roughly the 15th of February 1941 and, of course later, to President Truman, to the end of December 1945.

Mr. MITCHELL. As you know, this committee is concerned with the investigation of the Katyn Massacre. You told me this morning that you had information concerning a German by the name of Hanfstaengl.

Mr. CARTER. Yes.

Mr. MITCHELL. Will you kindly spell his name, please?

Mr. CARTER. The name is spelled H-a-n-f-s-t-a-e-n-g-l.

Mr. MITCHELL. Do you know his full name?

Mr. CARTER. Ernst Seidrick Hanfstaengl.

Mr. MITCHELL. Would you tell the committee briefly your connection with this individual?

Mr. CARTER. Dr. Hanfstaengl had originally been one of the Nazi group who put Hitler into power. He had also been Hitler's foreign press chief. I had met him in Munich in 1932. I had a letter of introduction to him from Nicholas Roosevelt, who at that time was President Hoover's Minister to Hungary. Later on, when I was doing special Intelligence reporting to the White House, it occurred to me that Hanfstaengl might have some useful information. That was because he had fled from Germany in 1938, alleging fear of assassination, and had taken refuge in England.

It so happened that Hanfstaengl had gone to Harvard University and knew personally and was personally acquainted with President Roosevelt, and also, I believe, with Sumner Welles. So I thought that they would be in a position to evaluate, on the basis of their knowledge of the man, such information as he might have.

Arrangements were made with the British to transfer him from a prison camp, where he had been interned, to Washington, and he was placed in my custody. I believed that he could help take the Nazi regime apart, because he said he had helped put it together.

He was installed under strict security and not far from Washington, and was given a short-wave radio-receiving set and kept tuned con-

stantly to the Berlin propaganda radio. His reports were submitted to me personally in writing. They were often submitted verbally, too.

I distributed those reports in duplicate to the President direct, to Sumner Welles direct, to the British Ambassador direct, and also to Elmer Davis, Bill Donovan, and the heads of G-2, and, as I recollect, also to the FBI.

When anything of particular importance, in his opinion, came up, I also would report it directly to the President.

I saw President Roosevelt when he was in Washington on the average of twice a week, usually after press conferences, when I would sit and give him verbal reports supplementing those that I had already submitted to him through special handling conducted by his secretary, who was then Miss Grace Tully.

His instructions were that my reports would go direct to her, and were to be brought directly by her to his desk, so that there would be no opportunity for anyone to intercept them and keep from the President those reports which I submitted.

On or about the 14th of April, Hanfstaengl became extremely excited by the news from the German radio about the Katyn massacre. He said it was the most important political event of World War II. He said also that he knew Goebbels well enough to know that at that time Goebbels was telling the truth. He hated and distrusted Goebbels as a politician.

Chairman MADDEN. Who said this?

Mr. CARTER. Hanfstaengl. He said that he hated and distrusted him, but that he could always tell when he was not lying, because it was so rarely.

Naturally, on the basis of that report, I submitted directly and within 24 hours or less, to both President Roosevelt, Sumner Welles, and to Elmer Davis, as well as to the other recipients of these reports, his statement to that effect. I also later—and I do not recollect the exact date because I kept no records myself—saw President Roosevelt and told him that Hanfstaengl was of the strong opinion that the Russians were responsible for the Katyn massacre and that he, Hanfstaengl, declared that he knew that Goebbels was telling the truth for once.

Now, that is the extent to which I went. I did not evaluate the reports, but I would add that I never had any doubt of Hanfstaengl's good faith.

Sumner Welles told me that he believed that Hanfstaengl was on the level and so did President Roosevelt. Whether they chose to ignore his opinion on that point is something which I am not competent to pass any judgment on.

Mr. PUCINSKI. You said earlier that you were in the Political Intelligence Branch, assigned to the White House?

Mr. CARTER. No; I was not assigned to the White House from the Political Intelligence Branch. The White House decided early in 1941 that they would institute a small very flexible, very informal intelligence unit directed by me, to act on assignment from the White House, and also to prepare and submit such reports as were requested. This Hanfstaengl operation was part of the operations of my office, directly authorized by the President.

Mr. PUCINSKI. What was the official reaction to the Katyn report?

Mr. CARTER. The official reaction was that they didn't want to believe it, and that if they had believed it they would have pretended not to. I assume that it was because of the desire to retain the wartime alliance with Russia.

Mr. PUCINSKI. Is it your contention then that the matter of the Katyn discovery was brought to their attention?

Mr. CARTER. That is my contention, yes, that it was.

Mr. PUCINSKI. Your yourself, as a political adviser, had recommended that that was true?

Mr. CARTER. I had recommended the information as being accurate, an accurate report from Hanfstaengl, and that I believed that he was telling the truth. Of course, I couldn't guarantee that Hanfstaengl could not be mistaken.

Mr. DONDERO. Will you fix the date, as near as you can, when that information came to you?

Mr. CARTER. It came to me either on the 13th or the 14th of April.

Mr. DONDERO. Of what year?

Mr. CARTER. Of 1943.

Mr. PUCINSKI. Mr. Chairman, at this time we would like to introduce into evidence as exhibit 29 a document which has been attached to the following words: "Memo from John Franklin Carter, dated May 31, 1944, giving report on the Katyn massacre, prepared by Mr. Drohojowaki of the Polish Ministry of Information, London."

This document deals with a rather exhaustive analysis of the Katyn discovery and the efforts by the Polish Government prior to the discovery, to locate the missing Polish officers.

If you have no objection, I will have the witness identify this.

Chairman MADDEN. Have the witness identify it, and then mark it as an exhibit. Do you want the whole document introduced, or part of it?

Mr. MITCHELL. It isn't necessary to read it. We can put the whole document in the file.

Mr. CARTER. It is very lengthy.

Mr. PUCINSKI. Do you recognize it?

Mr. CARTER. Yes, I do.

Mr. MITCHELL. This will be exhibit No. 32.

(The document referred to was marked "Exhibit 32" was received for the record and appears at the end of Mr. Carter's testimony.)

Mr. PUCINSKI. I would like to ask this witness how he happened to be in possession of this document.

Mr. CARTER. That document came to me in continuation of my intelligence reports to the White House.

I established, after Katyn, through my subordinates, contacts with the Polish secret intelligence. Naturally, the Polish secret intelligence was very desirous of bringing to the attention of the American authorities what they had to say about the Katyn massacre.

After considerable difficulty, we obtained this, report, and I, of course, forwarded it to, in this case, only the State Department and the President. I believe also I forwarded it to G-2. I am not sure about G-2.

Mr. PUCINSKI. Did the contents of this document in any way help you to draw a conclusion in 1944 as to the nation that was guilty of this crime?

Mr. CARTER. I personally had no doubt from the start that the Russians were guilty.

Mr. PUCINSKI. And what did you do with this document, Mr. Carter?

Mr. CARTER. This one [indicating]?

Mr. PUCINSKI. Yes.

Mr. CARTER. I sent it to the President. I also sent it to the State Department. I believe I also sent it to G-2. I couldn't answer about G-2.

Mr. PUCINSKI. Did you send it to the OWI?

Mr. CARTER. I don't think I sent it to the OWI.

Chairman MADDEN. Are there any further questions?

Mr. SHEEHAN. Mr. Carter, you said that as soon as you got the notice of April 13 or 14 you immediately dispatched copies to President Roosevelt and to Elmer Davis?

Mr. CARTER. Yes.

Mr. SHEEHAN. Mr. Counsel, didn't Elmer Davis testify yesterday that he didn't know anything about it when he did his broadcast?

Mr. MITCHELL. I believe that is correct.

Mr. SHEEHAN. Can we get any documentation on that as to whether or not Mr. Davis got that copy?

Mr. MITCHELL. We can try to.

Mr. SHEEHAN. Maybe it will jog his memory.

In talking to Mr. Roosevelt, as you say, Mr. Carter, you did on occasion between 1943 and 1945, did you ever talk to him personally about the Katyn affair?

Mr. CARTER. My recollection is that as soon as I saw him after this Katyn thing broke, I told him Hanfstaengl's strong belief that Goebbels was telling the truth, and that the Russians had killed these soldiers. That was my report to him.

Mr. SHEEHAN. Did you talk to him about the Katyn matter at any other times after that?

Mr. CARTER. I don't recollect having discussed it subsequent to that.

Mr. SHEEHAN. But you did give him written reports after that? I refer, for instance, to this report.

Mr. CARTER. Yes; that is right.

Mr. SHEEHAN. In other words, you are firmly of the belief that long before the Yalta Conference Mr. Roosevelt had been acquainted at least several times, with the circumstances surrounding the Katyn massacre?

Mr. CARTER. Certainly.

Mr. SHEEHAN. So he should have been conscious of all the activities?

Mr. CARTER. I should assume so; yes, sir.

Mr. SHEEHAN. What was the late President's reaction when you called this to his attention?

Mr. CARTER. I can't recollect whether he just raised his eyebrows and laughed, or something. I don't know.

Mr. SHEEHAN. But you were a foreign political adviser, somewhat?

Mr. CARTER. I was not an adviser, sir. I didn't advise. I reported. If my advice was asked, I gave it, but it was hardly ever asked.

Mr. SHEEHAN. Well, did the President at that time tell you that he had any difficulty in trying to recognize this material when it became known?

Mr. CARTER. No; I don't recollect him saying anything about it.

Mr. SHEEHAN. Did he ever discuss with you the political significance of this thing?

Mr. CARTER. No, but I will tell you, if I may, that at the outset of my assignment President Roosevelt felt strongly that Germany should be saved for the world as a democratic, Christian nation, and until the unconditional surrender formula came along, and the Morgenthau plan, that was the basic policy on which I was working, and which I believed was the correct policy. Once that decision to obliterate Germany was taken, then, frankly, I lost interest in the political foreign policy of our Government during the war, because there didn't seem to be a policy. It was pugilism.

Mr. SHEEHAN. At any time, in submitting copies of your reports, as you say, to the OWI and the State Department, did anyone come to question you about these reports, or ask you as to their authenticity?

Mr. CARTER. No. There was, I will have to admit, great scepticism about the value of Hanfstaengl's reports. He had been a controversial figure. He was quite an emotional type, and the British in particular were disturbed by our utilizing his services.

The other intelligence organizations didn't think much of him because he was not their baby. He was somebody else's baby. Therefore, he couldn't be as good as their babies. It was rather difficult. In fact, Elmer Davis once said that I was in the position of a man with a giraffe trying to find another man who wanted to buy a giraffe. That was true. They didn't want to hear anything which ran in the least bit counter to their preconceived ideas, and Hanfstaengl's ideas were not those adopted as the official party line by the American Government in time of war, naturally.

Mr. PUCINSKI. Did you ever discuss the Katyn massacre with Mr. Elmer Davis?

Mr. CARTER. Not that I recollect, no.

Mr. SHEEHAN. Mr. Counsel, I have a lot of respect for my friend, Mr. Ben Brown, in the State Department, but at this time I will have to ask what the State Department did with those reports that they never turned over?

Mr. MACHROWICZ. Let's first find out if they ever got them.

Mr. PUCINSKI. I think it should be pointed out that this exhibit 29 which we have introduced in the record came from the State Department. We got that out of their files.

Mr. MITCHELL. I got so much out of the State Department I can't select all of the records and documents. What I did was to select the things that we thought were appropriate.

Chairman MADDEN. Are there any further questions? Thank you for appearing as a witness, Mr. Carter.

The committee will adjourn until 10 o'clock tomorrow morning, at which time the first witness will be Joseph Phillips, of the Department of State, Alan Cranston, and then General Bissell.

(Whereupon, at 5 p. m. the committee recessed until 10 a. m., Friday, November 14, 1952.)

EXHIBIT 32A—MEMO FROM JOHN FRANKLIN CARTER REGARDING THE KATYN MASSACRE PREPARED ON MAY 31, 1944

[Memo from John Franklin Carter dated May 31, 1944, giving report on the Katyn Massacre, prepared by Mr. Drohojowski of the Polish Ministry of Information, London]

REPORT ON THE MASSACRE AT KATYN NEAR SMOLENSK

1. During the fighting between September 17 and the beginning of October, 1939, about 181,000 Polish Soldiers were taken prisoners by the Soviet Forces, among who were about 10,000 Officers.

2. These Officers, with certain civilians of distinction and several thousand members of the Polish Police were placed in three large Prison Camps as follows:

- (a) Kozielsk in the Province of Smolensk.
- (b) Starobielsk in the Ukraine.
- (c) Ostashkov in the Province of Kalinin.

3. Early in 1940 all these prisoners were photographed, their fingerprints taken and lists prepared. The Camp Authorities informed the prisoners that these measures were taken with the object of sending all these prisoners to their homes and families and "liquidating" the Camps.

4. Early in April, 1940, prisoners from Kozielsk were sent away in batches of two or three hundred, mostly in the direction of Smolensk.

5. Four hundred and five Officers were transferred from the three Camps to others, and finally sent together in June, 1940, to Griazovets in the Vologda Province.

6. Hitler's invasion of Russia on the 22nd of June, 1941, was followed by the signing on July 30, 1941, of a Polish-Soviet Treaty, and by a Military Agreement signed on August 14, 1941, under which all Poles were to be liberated. Accordingly, the Polish Government proceeded to form a Polish Army in Russia to fight the Germans.

7. A Polish Centre was formed at Buzuluk to which the four hundred and five Polish Officers were brought at the end of August, 1941, from the Camp at Griazovets, but as, up to October, 1941, none of the Officers from Kozielsk, Starobielsk, and Ostashkov had appeared, the Polish Ambassador at Moscow, Professor Kot had an interview with Mons. Wyszynski, the Deputy People's Commissar for Foreign Affairs, in order to obtain information as to what had become of the missing Officers.

The interview took place on October 6, 1941. Mons. Wyszynski stated that the missing Officers must be among the three hundred thousand Polish citizens who had already been set free by the Russians. The Polish Ambassador replied: "There are no men from the Camps I have mentioned in the Army at all."

8. On October 22, Professor Kot had an interview with Mons. Molotov, and again asked for information about the missing Officers. Mons. Molotov replied that "The matter would have to be cleared up."

On November 2, Professor Kot had another conversation with Mons. Wyszynski on the same subject, and the latter promised: "I shall continue my endeavours to obtain the information for which you asked me sometime ago."

9. On November 14, Professor Kot had a conversation with Marshal Stalin to whom he complained that the Officers from the Camps at Kozielsk, Starobielsk, and Ostashkov were still missing.

Marshal Stalin replied: "We have released everybody." Professor Kot denied this and said: "My request to you, Mr. President, consists in this that orders should be given for the release of these Officers whom we need to organize our Army."

Marshal Stalin then rang up the N. K. W. D. and asked if all Poles had been released from prison as the Polish Ambassador declared that this was not the case. But Marshal Stalin did not vouchsafe any further explanation as a result of this telephonic conversation.

10. On December 3, 1941, General Sikorski and General Anders were received by Marshal Stalin and presented to him a list of the names of three thousand, eight hundred and forty-three Officers, stating at the same time that this list had been compiled from memory and was therefore very incomplete.

General Sikorski said: "I gave orders that these men should be searched for in Poland itself, with which I am in constant touch. Not a single one is either in Poland or in the Polish-Prisoner-of-War-Camps in Germany. These men are here in Russia, and none of them has yet returned." Marshal Stalin said: "They have certainly been released, but have not yet arrived."

An additional list of eight hundred missing Officers was handed to Marshal Stalin by General Anders on March 18, 1942.

11. Finally Professor Kot had a conversation with Mons. Wyszynski on July 8, 1942, when the Ambassador again brought up the question of the eight thousand Polish Officers who had not been released. Mons. Wyszynski denied that there could still be Poles held as prisoners in Russia.

12. On April 13, 1943, the German Radio Station began to broadcast news of the discovery of the mass graves of Polish Officers in the Katyn Forest near Smolensk. The number of bodies discovered there was estimated by the Germans to be about 10,000.

13. The very large number of photographs in the possession of the Polish Government prove that the victims were almost all Polish Officers, because the uniforms are clearly Polish, being those of Generals, Colonels, Majors, Captains, and Lieutenants. The photographs show Polish Medals, Shoulder Bands, clearly depicting the rank of the Officers concerned, certificates of the award of the Silver Cross, "Virtuti Militari," etc., etc.

14. Representatives of the Polish Red Cross from Warsaw, after investigation on the spot reported by telegram to the International Red Cross at Geneva on April 21, 1943, that:

(a) Large common tombs of Polish Officers have been discovered at Katyn near Smolensk.

(b) After examining about three hundred disinterred corpses, the Polish Red Cross Representatives state that the Officers had been killed by bullets from a revolver, fired at the back of the neck, and that from the similarity of the wounds, it is possible to conclude that the executions were carried out by specialists.

(c) According to the Papers found on the corpses the murders must have taken place about the months of March and April 1940.

15. The numerous photographs of the skulls of the victims confirm the fact that the revolver bullets entered the back of the head or nape of the neck. In most cases one shot was sufficient, in others two or even three were required, as the photographs clearly show.

16. The Polish Government has a list of nearly four thousand Officers, proved to be Poles by their uniforms, the vast majority of whom it has been possible to identify by name, owing to the papers found on their corpses. These include letters from home but not posted, diaries, notebooks, birth and marriage certificates, photographs of wives, fiancées, certificates of inoculation, etc.

17. The first reply of the Russians to the charges of the German broadcasting stations appeared on April 15, 1943. The Soviet Information Bureau states:

"In their clumsily concocted fabrication about the numerous graves which the Germans allegedly discovered near Smolensk the Hitlerite Liars mentioned the village of Gnezdovaja. But, like the swindlers they are, they are silent about the fact that it was near the village of Gnezdovaja that the Archaeological Excavations of the historic 'Gnezdovaja Burial Place' were made."

18. It was only on April 16 that, according to the Official Tass communiqué the Soviet Authorities stated for the first time that some Polish Officers had been employed in building fortifications near Smolensk, and that they had fallen into the hands of the Germans when they conquered this district.

This Official Statement is entirely contrary to the claims put forth during a period of nearly two years that all Polish Officers who had been prisoners of war had been set free. It is permissible to ask why the Russian Authorities had never disclosed these facts to the Polish Ambassador who had made so many repeated efforts to ascertain the fate of the missing Polish Officers.

19. On April 16, 1943, the Polish Minister of National Defence, Lieutenant General Kukiel, issued an official communiqué in which he stated:

"The necessity has arisen that the mass graves which have been discovered should be investigated and the facts verified by a proper International Body, such as the Authorities of the International Red Cross. The Polish Government is approaching that institution with a view to their sending a delegation to the place in which the Polish Prisoners-of-War are said to have been massacred."

20. On April 26, 1943, Mons. Molotov sent a note to Mons. Romer, the Polish Ambassador at Kuibyshev, in which he stated that the campaign of slander set on foot by the Germans with regard to the Polish Officers slain by the Germans themselves near Smolensk had been taken up by the Polish Government and supported by the official Polish Press by every means in their power, and that the Polish Government had thus treacherously stabbed the Soviet Union in the back. The existing Polish Government was on the road to an understanding with

Hitler and consequently the Soviet Government had decided to break off all diplomatic relations with it.

Conclusion.—It would appear from all the above considerations that the Polish Government was fully justified in demanding that an impartial inquiry should be held, and “the facts verified by a proper International Body such as the Authorities of the International Red Cross.”

APPENDIX

Written confirmation of the conversations exchanged between the Polish representatives and the Soviet Government as detailed above.

1. *November 8, 1941.*—Note sent by Mr. Molotov to Professor Kot in reply to the Polish note of November 1, 1941.

“ . . . (1) In accordance with the decree of the Presidium of the Supreme Council of the U. S. S. R. dated August 13, 1941, concerning the amnesty, all Polish citizens who were deprived of freedom as prisoners of war or on other sufficient grounds are free. . . .”

2. *November 14, 1941.*—Note from Ambassador A. Bogomolov to the Prime Minister of Poland, General Sikorski, in reply to the note of October 16, 1941.

“ . . . All Polish Officers who are on U. S. S. R. territory have also been set free. Your supposition, Mr. Chairman of the Council of Ministers, that a large number of Polish Officers are dispersed throughout the northern regions of the U. S. S. R. is, it would appear, based on inaccurate information. . . .”

3. *March 13, 1942.*—Note from Ambassador Bogomolov to Foreign Minister Raczynski in reply to his note dated January 28, 1942.

“ . . . In the reply contained in the note of Mr. D. M. Molotov, dated November 8, 1941, and addressed to M. Kot, and in the Aide-Memoire of the People's Commissariat for Foreign Affairs, dated November 19, it was already stated that the application of amnesty to the Polish citizens had been strictly carried out.”

“ . . . The Polish Officers and soldiers having been set free in the same manner as other Polish citizens, i. e., pursuant to the decree of August 12, 1941, everything which has been said above applies equally to Polish Officers and soldiers. . . .”

“In any case, whenever it is learned that certain isolated cases of delay in setting Polish citizens free exist anywhere, the competent Soviet Authorities immediately undertake the measures necessary for their release. . . .”

THE KATYN FOREST MASSACRE

FRIDAY, NOVEMBER 14, 1952

HOUSE OF REPRESENTATIVES,
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,
Washington, D. C.

The committee met at 10:15 a. m., pursuant to call, in room 1301, New House Office Building, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order.

Our first witness this morning is Mr. Joseph B. Phillips.

TESTIMONY OF JOSEPH B. PHILLIPS, DEPUTY ASSISTANT SECRETARY FOR PUBLIC AFFAIRS, DEPARTMENT OF STATE

Chairman MADDEN. Mr. Phillips, will you be sworn, please?

Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PHILLIPS. I do.

Chairman MADDEN. Will you sit down and give the reporter your full name and address.

Mr. PHILLIPS. Joseph Becker Phillips, 506 Cameron Street, Alexandria, Va.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. MITCHELL. What is your position with the State Department, please?

Mr. PHILLIPS. I am Deputy Assistant Secretary for Public Affairs. At the present time I am Acting Assistant Secretary in the absence of Mr. Howland Sargeant.

Mr. MITCHELL. How long have you been in that position?

Mr. PHILLIPS. I have been Deputy Assistant Secretary since February of this year.

Mr. MITCHELL. Mr. Phillips, during testimony taken yesterday afternoon from former Ambassador Arthur Bliss Lane, Mr. Lane stated that the Voice of America failed to carry any broadcasts after he had formed the private committee to investigate the Katyn massacre with relation to the activities of that committee. I believe that committee was formed in 1949. I think the record will reveal that efforts were made on the part of that organization to have the Voice of America broadcast their activities concerning the Katyn massacre.

The committee would like to have you explain to them why the Voice of America didn't do that at that particular time and also to have you tell us when they started broadcasting material concerning the Katyn massacre.

Mr. PHILLIPS. Mr. Chairman, you understand that I was not in the Department at that time. Consequently, I am speaking from the record that has been compiled on this case.

I find that, in fact, the Voice of America did carry a broadcast on November 22, 1949, covering the formation of Mr. Lane's committee. From that time on they reported on several occasions the activities of that committee.

It is quite correct, however, that they did not at that time make a prolonged campaign out of the activities of the Lane committee or the investigation of the Katyn massacre. The motives for that, as I understand, was that there was a paucity of hard and fast news on the subject which could have been played with authenticity over the Voice of America.

The coverage of the subject by the Voice of America increased perceptibly and considerably with the formation of this committee, and from the time of the debates in Congress on the formation of this committee and the organization of this committee, its activities have been covered extensively by the Voice of America.

Mr. MITCHELL. When was the first broadcast by the Voice of America concerning the private committee?

Mr. PHILLIPS. On November 22, 1949.

Mr. MITCHELL. The Voice of America at that time did broadcast information of the private investigating committee headed by Mr. Lane; is that correct?

Mr. PHILLIPS. Yes, sir, on November 22, 1949, the Voice of America carried 11 lines of news about the formation of a new group to gather evidence in connection with the Katyn massacre. A Voice of America reporter was present at the meeting of the committee at that time.

Mr. MITCHELL. Where was that meeting of the committee held?

Mr. PHILLIPS. That I do not know.

Mr. MITCHELL. Was it in New York City?

Mr. PHILLIPS. I believe so; but I am not sure. My record does not show where the meeting was.

Mr. MITCHELL. What was the next broadcast that was carried by the Voice of America concerning the Katyn massacre?

Mr. PHILLIPS. The next broadcast concerning the Katyn massacre was on January 24, 1950, but that did not have to do with the Lane committee. This was a news item on genocide hearings before the Senate subcommittee and consisted of a 19-line summary of Judge Blair F. Gunther's testimony on the Katyn massacre. That was the next recorded broadcast on that subject.

Mr. MITCHELL. What was the next broadcast on the subject of the Katyn massacre?

Mr. PHILLIPS. It was on September 19, 1950, and consisted of 36 lines of news on Lt. Col. John Van Vliet's report on the Katyn crime which was made public by the United States Defense Department.

Mr. MITCHELL. In other words, when the Army, after their search for the missing Van Vliet report, released the version that he had compiled at their request at that time, it was released to the world?

Mr. PHILLIPS. Yes, sir; that is correct.

Mr. MITCHELL. By the Voice of America?

Mr. PHILLIPS. That is correct.

Mr. MITCHELL. What was the next broadcast?

Mr. PHILLIPS. The next broadcast was on the following day, on which occasion the same story was repeated, the release of the Van Vliet report.

Mr. MITCHELL. Did it have world-wide coverage?

Mr. PHILLIPS. I believe it did; yes, sir. It did have world-wide coverage.

Mr. MITCHELL. What was the next broadcast on the Katyn massacre?

Mr. PHILLIPS. Four days later, on September 24, there was a review of the Van Vliet report in a review of the week's events, which is a regular feature of the Voice of America.

Mr. MITCHELL. And that was in 1950?

Mr. PHILLIPS. Yes, 1950; September 24, 1950.

Mr. MITCHELL. What was the next broadcast in which the Katyn massacre was discussed?

Mr. PHILLIPS. On October 6, 1950, there was a satirical piece broadcast in one of their humorous—one of their satirical, not humorous—a satirical program taking the line that in Korea the Communist hordes are perpetrating murders of prisoners of war just as happened at Katyn.

Mr. MITCHELL. What was that again, please?

Mr. PHILLIPS. The theme of this satirical broadcast script was that in Korea the Communist hordes are perpetrating murders of prisoners of war just as happened at Katyn.

Mr. MITCHELL. What was the date of that broadcast?

Mr. PHILLIPS. That was on October 6, 1950.

Mr. MITCHELL. What was the next broadcast?

Mr. PHILLIPS. It was on October 26, 1950, and was a new round-up on the Katyn committee's letter to Vishinski.

Mr. MITCHELL. Do you refer to the private investigating committee headed by Arthur Bliss Lane?

Mr. PHILLIPS. It is my understanding that that committee did send an open letter to Mr. Vishinski.

Mr. MITCHELL. That is correct; and it was broadcast on the Voice of America?

Mr. PHILLIPS. Yes, on October 26, 1950.

Mr. SHEEHAN. If I may interrupt, Mr. Phillips, when Mr. Lane testified the other day he stated that you gave very little time in the Voice of America to broadcasting facts about Katyn, although he did intimate that the Voice of America permitted information about the formation of the committee as such without permitting any opinion as to the guilt of Katyn to be broadcast. Was that the policy that the State Department followed on that?

Mr. PHILLIPS. Yes, sir; that was the policy at that time. The attempt was to broadcast the news as it developed.

Mr. SHEEHAN. Well, at that time the Voice of America was very active in propoganda which was to reach behind the iron curtain. That was such propoganda, wasn't it?

Mr. PHILLIPS. Yes, sir.

Mr. SHEEHAN. Even if it was only hearsay, it was propaganda intended to break the hold of the people controlling the people behind the iron curtain. Well, why be squeamish about permitting something like this to be broadcast even if it was purely opinion?

Mr. PHILLIPS. The record of the policy directives at that time make these points: In the first place, it is not wise propaganda to put on an extended propaganda campaign unless it is supported by hard news. There is always the chance that it will backfire.

In the second place, the main consideration at that time was the broadcast to Poland itself. Everyone recognized that most of the Poles understood perfectly well who was responsible for the Katyn massacre. It was feared that for us to broadcast a campaign on that subject at that time might arouse some Polish individuals, some friends of ours, to actions which would react against them and which would cause their arrest or their murder or other action against them. That was one of the considerations that entered into it.

Mr. SHEEHAN. May I interpose there to say that the mere fact that somebody might listen to a Voice of America broadcast would tend to have recriminations against them, so why should they even be listening to your broadcasts?

Mr. PHILLIPS. The other point, Mr. Sheehan, was that the Voice of America during that period was broadcasting a number of other propaganda themes to countries behind the iron curtain and the Katyn massacre story took its place with them.

Mr. SHEEHAN. Now, if I can summarize, you state that one of the reasons the Department had for not permitting the story of the Katyn massacre to be broadcast over the Voice of America is that you did not have sufficient facts on it.

Mr. PHILLIPS. That is the reason we did not make a propaganda campaign out of it; yes, sir.

Mr. SHEEHAN. Have you followed the evidence that has been presented here all week?

Mr. PHILLIPS. No, I have not personally. I have read it in the newspapers.

Mr. SHEEHAN. I think that somebody in the Department is fast asleep because, from the evidence that has been presented here, officials in our State Department and in our Executive knew, since 1942, that we have loaded our record with many documents directly out of the State Department and from the Executive showing that we had the factual evidence all of the time.

In other words, who is laying down the policy that ignores the facts that they have in the Department?

Mr. PHILLIPS. Well, from this record, the main consideration at that time of the people who laid down the propaganda policy was that the Voice of America should only handle published and established news.

Mr. SHEEHAN. In other words, you ignored everything else unless it was published, despite what you might have in your own files?

Mr. PHILLIPS. I am speaking from this record, Mr. Sheehan. That is correct.

Mr. SHEEHAN. Don't you think that is a silly attitude? You say that you wanted the truth. If you got the truth from your files, you should have published it whether it was public or not.

Mr. PHILLIPS. I can't speak of those from first-hand knowledge because I don't know what was in the files at that time.

Mr. SHEEHAN. What we are trying to bring out here is that all of that information was in the files and yet it was denied to people within your own Department of the Government. That is what we are trying to have explained here. That is the purpose of our second phase of our investigation. Why, with the Government having all of this information at its disposal, did it refuse to use it? Can you enlighten our committee so that we can find out why these things happened?

Mr. PHILLIPS. No, sir. I am sorry, but since I was not in the Department at that time I really cannot. I don't know the thinking behind that particular fact.

Mr. SHEEHAN. By your own statement, didn't it seem contradictory that you wanted to publish the truth? You had the truth, and yet you failed to reveal it because it had not been made public to the American people? Is that not a contradictory set of circumstances?

Mr. PHILLIPS. Well, as a general thing, if this is in answer to your question, the Voice of America, relying as it does on its standing as a news organization, devotes itself mostly to the transmission of news which has been developed in the public and which is public news.

Mr. SHEEHAN. Well, I would say from my own observation that the Voice of America falls down on its job terrifically. It is meant as a propoganda organization, and it is meant to disrupt the members behind the iron curtain. If they refuse to use all of the news to do that, they have no business existing. I would say that the Department is very lax.

Mr. PHILLIPS. Their statement of their coverage at that time is that they did use the news as it developed from the Lane committee and from other sources.

Mr. SHEEHAN. I know, but you admit that they merely said that the Lane committee was formed to investigate. They said nothing about the Russians being guilty. They merely gave the news that the committee had been developed. How effective is that?

That is all, Mr. Chairman.

Chairman MADDEN. How many news gatherers do you have here in Washington?

Mr. PHILLIPS. Here in Washington, Mr. Chairman, I don't know specifically how many there are. I know that there are at least half a dozen of them who function here in the capital.

Chairman MADDEN. Have you had a representative here this week?

Mr. PHILLIPS. Yes, sir.

Chairman MADDEN. At these hearings?

Mr. PHILLIPS. It is my understanding that the International Information Administration has had someone here throughout these hearings.

Mr. DONDERO. Mr. Phillips, I think it is fair to say that a good reason existed, at least while the war was in progress, why nothing should be done to irritate our ally, Russia. She was our ally at that time. What is difficult to understand, however, is that there should be such silence on the part of our Government since the war's end. I refer to the appeasement of Russia, of course. If there is any one thing that this record shows and that the people of the world know,

Russia is the one Government that should not have been appeased since the World War's end for this reason: That she is the fly in the ointment in bringing about world peace.

For that reason, it does seem that Voice of America has been lax in not presenting to the people of the world what information it had in its files that they knew was there since 1942.

Have you any different reaction or opinion to express on that?

Mr. PHILLIPS. Well, sir, I am told that at that time, that is, in 1948 and 1949 and early in 1950, the controlling factor in the Voice of America policy on this subject was the possible effect in Poland and that it was not a consideration of the Soviet Union. That did not enter into it. Since the formation of this committee and since your activities began, the Voice of America transmissions have stepped up to a very great extent.

Mr. DONDERO. Let me comment on the statement that you made that it was thought it might excite our friends, the Poles. The Poles have been under the domination of the Russian Government since early in the war; and, if there is one thing that it might have done, it might have aroused the ire of the Polish people against their, let us say, their conqueror because that is what it means in substance. I refer to the Lublin government, the Communist-dominated Government of Poland. That was a mistaken policy. Instead of doing good, I think it did great harm to the Poles to withhold that information from them.

Now, I am interested in the rest of your statement, and I will be glad to hear it.

Mr. PHILLIPS. Well, on the question of the Poles, may I read, since I was not in the Department, the statement that was prepared here on that subject, that part of the subject.

The Poles, of all people, did not have to be told who was responsible for the Katyn massacre. Their experiences since September 1945 were calculated to make them believe the worst of the Russians. In such circumstances, it was possible that extensive treatment of the Lane committee project would lead many Polish patriots to conclude that such an airing of the subject was for a purpose other than mere information, namely, to arouse overt action on their part.

It is the concern of the official propaganda to the satellite people to nourish their hope of freedom and national independence without doing anything to expose them to seizure, torture, and death by reason of an untimely revolt. That, I understand, was one of the major policy considerations in the directives for the play of the Katyn massacre investigation.

Mr. DONDERO. The Department then took the position that the broadcasting of the facts might so irritate Russia that she would take it out, so to speak, on the Poles, especially the patriotic Poles who were doing what they could to resist Russian aggression. Was that about the situation?

Mr. PHILLIPS. Frankly, that is not what I gather from this statement of policy.

Mr. SHEEHAN. Mr. Chairman, may I again remark that the whole purpose of this propaganda is eventually to get all of the nations to do overt acts against their oppressors. Isn't that the purpose of propaganda in the final analysis?

Mr. PHILLIPS. It is; yes, sir. But I think the experience in the last war, as most people remember very vividly, showed that it is very futile and very dangerous propaganda to incite people to action unless you are in a position to support them.

Mr. SHEEHAN. I know, but do you think that the Poles, in the light of their experience at the Warsaw uprising, when the Allies instigated them to rise up against their oppressors and then left them for a long period of time—do you think that the Poles, if they have any sense at all, would rise up again unless they knew help was near at hand?

Mr. PHILLIPS. I can only say that that was one of the considerations that lead to the formation of this policy.

Mr. SHEEHAN. I say that whoever is laying down the policy doesn't know the facts of life and should consult some good newspapermen on how to put on a good propaganda campaign.

Mr. DONDERO. The very fact is that this committee, when it went to Europe, the Old World, to get the facts, instilled a note of hope in those people behind the iron curtain.

Mr. MACHROWICZ. Of course, I might add this, Mr. Chairman, that one thing your office completely overlooked was that the Lane committee, as a matter of fact, had an entirely different function, that is, not to rouse the Poles, but to awaken the Americans to the true danger of communism. I think that is a very worthy purpose both of that committee and of this committee.

Mr. PHILLIPS. The Voice of America's coverage of this committee, as I said, has been very extensive.

Mr. MACHROWICZ. The Lane committee had the very same function.

Mr. PUCINSKI. Mr. Chairman, I wonder if you can tell us, Mr. Phillips, when the so-called truth bomb started in the Voice of America?

Mr. PHILLIPS. The so-called truth bomb—I am afraid I don't understand.

Mr. PUCINSKI. Wasn't there a period when you came before Congress to seek appropriations at which time you told Congress that you were going to start a truth bomb and needed appropriations for that purpose?

Mr. PHILLIPS. Do you refer to the campaign of truth?

Mr. PUCINSKI. You called it the truth bomb.

Mr. PHILLIPS. I believe it was the campaign of truth. I came into the Department in the spring of 1950, and I believe that efforts under that name had started just before then.

Mr. PUCINSKI. I would like to refer to it as the truth bomb. What was envisioned under that program?

Mr. PHILLIPS. Under that program, as I understand and as we work in it now, there were envisioned these things: In the first place, an increase of our propaganda facilities and our propaganda output activities. In the second place, a sharpening in our attacks on communism and on the Soviet Union and on the policies of the Soviet Government. In the third place, at that time, it was quite clear in our minds that one of our major efforts should be in the cementing of our friendships with other nations, particularly those of Western Europe.

Mr. PUCINSKI. How much money did you get at that time; do you recall offhand?

Mr. PHILLIPS. No, sir, I don't recall that accurately.

Mr. PUCINSKI. Mr. Julius Epstein, who has been mentioned before this committee previously, told me or rather Mr. Mitchell and myself when we talked last on this subject that when Colonel Stewart testified before this committee in 1951—and I am going to read you one short paragraph from Mr. Epstein's statement.

He said, for instance—

When Colonel Stewart testified—and Colonel Stewart testified for 2 hours, you will remember, from 10 until 12—at 5 o'clock I went down to the Voice's news office in Washington and asked, "Could I see the release?"

They found a release of 25 lines. I said, "You have three reporters for the Hill, and you don't know this? This was made for the Voice."

Now, I don't think that I quite agree with Mr. Epstein's final conclusion, but I was just wondering, when you related all of these mentions of Katyn earlier this morning, how much mention was there and what sort of a campaign did the Voice of America put on? Were the broadcasts similar to the 25 lines mentioned about Stewart, an American officer who identified the Soviets as the murderers of these Poles?

Mr. PHILLIPS. In these earlier broadcasts—and I do not have the complete file of each broadcast, although I have some record of the lines given. The first broadcast, for example, was 11 lines.

Mr. MITCHELL. I believe Mr. Pucinski is referring to what happened after Stewart testified.

Mr. PHILLIPS. Well, this was in 1951?

Mr. PUCINSKI. That is correct.

Mr. MITCHELL. On October 19, 1951.

Mr. PHILLIPS. I am sorry, but I don't have the record of that particular broadcast. I do have some scripts for September 1951, which show a very extensive coverage. In 1952 I have a record of scripts, most of them being 15 minutes and 20 minutes.

Mr. PUCINSKI. Are those on the work of this committee?

Mr. PHILLIPS. They are on the work of this committee.

Mr. PUCINSKI. That leads me to my next question, Mr. Phillips. If until 1951 you had feared, as a policy of the Voice of America, that publishing or carrying broadcasts into Poland about Katyn might lead to an uprising, what has changed your mind this year?

Mr. PHILLIPS. May I go back?

Mr. PUCINSKI. I mean, don't the same conditions prevail today that prevailed 5 years or 4 years or 3 years ago?

Mr. PHILLIPS. No, sir. In the considerations that guided this policy, I understand that there is a feeling that conditions have changed. In the first place, this committee itself is an official committee and, consequently, its information is of the highest order of newsworthiness.

In the second place—and here, since I wasn't in the Department in 1948 and 1949, it is a bit difficult for me to speak about it—there is a feeling that our whole broadcast, our whole output tuned to the satellite countries between the iron curtain has considerably increased in sharpness and in impact within the past 2 years.

Mr. PUCINSKI. But don't the same conditions, the same fears that existed in the Voice of America through 1949 and 1950, that is, with relation to a premature uprising, exist today even though this is a congressional committee? Don't you have those same fears today?

I am trying to find out what has happened in those intervening years to change your policy so drastically.

Mr. PHILLIPS. Certainly those fears do exist. That fear will always be there, that is, that you should not incite people to overt action unless you can support them. That is a standard and a real policy consideration always.

The main thing that has happened is the formation of this committee and the testimony you have developed.

Chairman MADDEN. Let me ask you this: Do you have any knowledge of the extensiveness of the coverage that was given this committee when we were holding hearings in Frankfort? I refer to the broadcasts behind the iron curtain.

Mr. MITCHELL. May the chairman see that list?

Mr. PHILLIPS. Yes. I would like to have that done.

Chairman MADDEN. Will the witness answer my question first?

Mr. PHILLIPS. Here is the list in Frankfort, Mr. Chairman. April 21, a 13-minute broadcast. April 22, an 11-minute broadcast. April 23, one 12-minute broadcast and one 22-minute broadcast. April 24, a 12½-minute broadcast and a 19-minute broadcast. April 25, a 3-minute broadcast and a 16-minute broadcast. April 26, a 9½-minute broadcast and a 21-minute broadcast.

Chairman MADDEN. You have mentioned the 15- and 20-minute broadcasts. Were they devoted to Katyn, to the Katyn testimony?

Mr. PHILLIPS. Yes, sir. They are identified here. The 13-minute broadcast on the twenty-first, for example, dealt with the testimony of Jozef Czapski before the Katyn Congressional Committee. The next one is the testimony of the German witnesses before the congressional committee.

Chairman MADDEN. Those broadcasts were carried behind the iron curtain by the Voice of America?

Mr. PHILLIPS. That is correct.

Mr. PUCINSKI. Mr. Chairman, I think it has been pointed out repeatedly, as we know from our experience, that the Voice of America has been doing a very good job since this committee was started. As a matter of fact, I think we should point out here that the Voice of America, I think, has done a sufficiently good job to force the Communist regime in Poland to put out a 250-page book denouncing this whole committee. So apparently you are reaching your goals now.

The only question that we have been trying to delve into is why this wasn't done as early as 1945, 1946, as least 1946 when officially Mr. Truman said that the policies toward the Soviets has changed. That is what we are trying to find out.

Mr. PHILLIPS. Well, I have given you the three policy considerations that entered into that.

Mr. PUCINSKI. You will agree that the big policy, the one of the fear of getting the Poles to uprising, was a totally erroneous one because now you are publishing this committee's work and you are not afraid of that, are you?

Mr. PHILLIPS. I can only say that that was the consideration that entered into their minds in 1948. May I answer as to Colonel Stewart? I do find that I have a record of the broadcast on Colonel Stewart's testimony. This was a broadcast on February 4, 1952, dealing with the deposition of Colonel Stewart before the Katyn Congressional Committee, and was a 15-minute broadcast.

Mr. PUCINSKI. Then, Mr. Phillips, you are saying that Mr. Epstein was in error when he advised Mr. Mitchell and myself that there were only 25 lines devoted to that?

Mr. PHILLIPS. No, sir. I don't think we are talking about the same thing.

Mr. MITCHELL. May I clarify that? I was present. Mr. Pucinski was not on the committee at the time that the Stewart testimony was taken. I did not release it to the Voice of America or to anybody else until we started our major investigation, which was in February, because the members of the committee had recessed until January and consequently I didn't publish anything because I thought a premature release at that time, without some continuity, would have very little value.

Mr. SHEEHAN. Mr. Phillips, you stated that someone set that policy from above. Who were your superiors that set that particular policy? Do you know?

Mr. PHILLIPS. Yes, sir. The guidance and the policy responsibility for these matters related to the Voice of America and our propaganda policy would be that of the Assistant Secretary for Public Affairs.

Mr. SHEEHAN. Who was that at that time?

Mr. PHILLIPS. At that time, in early 1950, it was Mr. Barrett. Before that, for several months, I believe I am correct in stating that Mr. Sargeant, as deputy was acting, and previous to that it was Mr. Allen, the present Ambassador to Yugoslavia.

Mr. SHEEHAN. We have been faced with so many contradictions here, such as the fact that Elmer Davis when he testified the other day said that he never knew about Katyn, yet another gentleman came up and said that 2 days after Katyn happened he was handed a memorandum about Katyn. From the State Department and the OWI and everything connected with it we get contradictions, and from a congressional standpoint I know that it is going to make me look very closely into appropriations for the Voice of America next year if the only thing they are going to publish is what is already in the newspapers. We want the truth to go to the countries behind the iron curtain regardless of where it comes from.

Mr. DONDERO. A question I had in mind was this: Does the Department have on record any concrete evidence of whether these broadcasts of the Voice of America really hit behind the iron curtain and what effect they have?

Mr. PHILLIPS. Yes, sir. We do have on record the statements of people who have escaped from behind the iron curtain and who have listened to the Voice of America. We have some generalizations from them as to people, their friends and neighbors, who they know listen to the Voice of America. It is not direct evidence, but it is fairly convincing. We have the attacks that are made on the Voice of America by Communist publications and by the Communist radio. We also have the enormous jamming effort that is made to cut out the Voice of America broadcasts, which certainly wouldn't be done unless they were reaching people.

Mr. DONDERO. It would somewhat recommend it to me if the Communist press attacks the Voice of America as they did us while we were in Europe.

Mr. O'KONSKI. Mr. Phillips, has any comparison been made between the effectiveness of the Voice of America behind the iron curtain as

compared, let us say, for example, with Radio Madrid of Spain, Radio France of Paris? Did you know, for instance, that the Hooper rating for behind the iron curtain of the Voice of America gives it the booby prize while Radio France and Radio Madrid are way ahead? Incidentally, Radio France spends 1 percent of the money that we spend on the Voice of America.

In other words, we spend 100 times more on the Voice of America than they do on Radio France, and our Hooper rating behind the iron curtain hardly rates compared with theirs. Have you made a comparative study of that?

Mr. PHILLIPS. Yes; we make a comparative study of that all of the time. Naturally, a good deal of the evidence is hearsay. We cannot have Hooper rating people getting behind the iron curtain and questioning people directly. I must say, sir, that most of the evidence we get does not mention anything except that the Voice of America and the British Broadcasting Corp. are being really effective.

I do not have any record and I have never seen a record myself that put the French radio and the Spanish radio in the same class with the Voice of America for general listening.

Mr. O'KONSKI. I will give you an illustration of why they probably have more listeners. When we were in Paris, Radio France contacted this committee, and they came over and invited us to appear on Radio France. I said, "What is your policy on Radio France? Should we hold back or should we tell the truth, or just what is your policy on Radio France?"

The said, "Mr. Congressman, the more you give the Russians hell, the better we like it. That is the kind of broadcast we want. That is what they want to hear behind the iron curtain."

Now, to my knowledge, I have never been contacted by the Voice of America in all of the years of its existence, and I am sure that if I did appear on the Voice of America everything I would say would have to be censored by some higher authority. They certainly wouldn't say, "Go ahead, Congressman, give them hell. The more hell you give them, the more listeners we have behind the iron curtain."

There is your difference. The same thing is true of Radio Madrid. Their programs are all anti-Communist, and that is why they have listeners.

In talking to some people who have escaped from the other side of Europe, they say the trouble with the Voice of America is that there is too much pussy-footing and that they don't know where we stand. They say that we give them nothing to hang their hats on. That is why they listen to Radio Madrid. That is why they listen to Radio France.

So it seems to me that we are setting up this organization primarily to tell the truth about communism, and we just don't do enough. I don't think it justifies its purpose. This idea of telling how the people live in Virginia, how many automobiles we have per capita of population, how many radios we have per capita of population, how many washing machines we have per capita of population, I think, to the people behind the iron curtain antagonizes them and makes them our enemies instead of our friends.

Mr. MITCHELL. I have no further questions, Mr. Chairman.

Chairman MADDEN. Are there any further questions?

I had another question I was going to ask, but I have forgotten what it was. I was enraptured by my colleague's talk.

We are very grateful to you for your evidence today. I wonder if you will leave with us that list of broadcasts.

Mr. PHILLIPS. Yes, sir; I would like to leave the list of broadcasts from 1948 to 1951, and the broadcasts of 1952 since this committee has been functioning.

Mr. SHEEHAN. Is that a record of all of the broadcasts on Katyn?

Mr. PHILLIPS. This is a record up to June 26, 1951, and from February 1952 up to May. It is not a complete record; no, sir. I also have some scripts for 1951 if you would like to have them left.

Mr. SHEEHAN. I think you ought to turn them over to the committee without having them put in the record so that we at least will have them.

TESTIMONY OF JULIUS EPSTEIN, NEW YORK CITY, N. Y.

Chairman MADDEN. Our next witness is Mr. Julius Epstein.

Mr. Epstein, will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EPSTEIN. I do.

Chairman MADDEN. Will you state your full name, please?

Mr. EPSTEIN. Julius Epstein.

Chairman MADDEN. And your address.

Mr. EPSTEIN. 92-40 Queens Boulevard, New York City.

Chairman MADDEN. And your business?

Mr. EPSTEIN. I am a writer and a foreign correspondent.

Chairman MADDEN. Will you proceed, Mr. Mitchell.

Mr. MITCHELL. Mr. Epstein, I understand that you want to put some letters in the record which you exchanged with officials of the Department of State and the Voice of America; is that correct?

Mr. EPSTEIN. That is correct.

Mr. MITCHELL. Will you please proceed to do so.

Mr. EPSTEIN. I wrote a letter to William T. Stone on February 10, 1949, offering him a complete file on Katyn with exclusive news which had never been broadcast over the OWI or the Voice of America. After 10 weeks—

Mr. MITCHELL. What is the date of that letter?

Mr. EPSTEIN. February 10, 1949.

Chairman MADDEN. Let me interrupt you there. This letter is in what connection?

Mr. EPSTEIN. This letter is addressed to Mr. William T. Stone, special assistant to the Assistant Secretary of State, Department of State, Washington, D. C. The letter states:

DEAR MR. STONE: Thank you very much for your kind letter of February 7—

Mr. MITCHELL. May we have that letter for the record, please?

Mr. EPSTEIN. Yes.

Mr. MITCHELL. May we get an exhibit number on it?

Chairman MADDEN. Will you mark it as "Exhibit 33."

MR. MITCHELL. For the record, this is exhibit No. 33. This is a copy of a letter dated February 10, 1949, from Julius Epstein to William T. Stone, special assistant to the Assistant Secretary of State. (The document referred to was marked "Exhibit 33" and follows:)

EXHIBIT 33—LETTER TO MR. STONE FROM MR. EPSTEIN

FEBRUARY 10, 1949.

MR. WILLIAM T. STONE,
*Special Assistant to the Assistant Secretary of State,
 Department of State, Washington, D. C.*

DEAR MR. STONE: Thank you very much for your kind letter of February 7; I was very glad to hear that you liked my letter to the editor and that you want to make use of it in connections with the Voice of America. In the meantime, I learned that this article was inserted in the Congressional Record of February 7.

I should like to tell you that I just finished a long and thorough research on the Katyn murder of more than 4,000 Polish officers by the Russians. I unearthed completely new evidence. Among it are letters I received from some of the scientists who went to Smolensk in 1943 and investigated the case. There is not the slightest doubt that all circumstantial evidence points to Stalin as the responsible man. Don't you think it would be a good idea to write a fifteen-minute broadcast for the Voice? I would gladly do it. I would be very grateful if you could tell me your opinion or if you would consult with Mr. Allen. It would take me just a few days to send you the broadcast. I could write it in German or English or in both languages.

With many thanks,

Very sincerely yours,

JULIUS EPSTEIN.

MR. MITCHELL. Now, will you let us have the reply that you received?

MR. EPSTEIN. On April 20, 1949, I got an answer.

MR. MITCHELL. This is a letter, exhibit No. 34, on the official stationery of the department of state, New York, N. Y., dated April 20, 1949, from Charles W. Thayer, Chief, International Broadcasting Division, addressed to Mr. Julius Epstein, 468 Fourth Avenue, New York 16, N. Y.

MR. EPSTEIN. That was my office address.

(The document referred to was marked "Exhibit 34" and follows:)

EXHIBIT 34

DEPARTMENT OF STATE,
 251 West Fifty-seventh Street, New York, N. Y., April 20, 1949.

MR. JULIUS EPSTEIN,
 468 Fourth Avenue, New York, N. Y.

DEAR MR. EPSTEIN: Your letter of February 10, 1949, to Mr. William T. Stone was referred, during his absence from Washington, to the New York office of the International Broadcasting Division, first to Mr. Victor Hunt and then to me. I regret the long delay in acknowledging your kind offer to write a script about the Katyn case for use by the Voice of America.

We have decided against making use of the material at this time. Your offer was, however, appreciated.

Thank you for your interest.

Sincerely yours,

CHARLES W. THAYER,
 Chief, International Broadcasting Division.

MR. MITCHELL. Did you have any further correspondence with the International Broadcasting Division that you would like to put on the record, Mr. Epstein?

MR. EPSTEIN. Yes. I will come to this later, if you will permit me to make a few remarks. On July 3 and 4, 1949—

Chairman MADDEN. Now, where is this letter to?

Mr. MITCHELL. He doesn't have a letter. He is reading from notes that he has here.

Mr. EPSTEIN. Well, I have other letters, too.

Mr. MITCHELL. Why don't we just listen to that comment and then he can give it to us later? Will you proceed with what you have right there?

Mr. EPSTEIN. Yes. On July 3 and 4, 1949, two articles of mine appeared in the New York Herald Tribune about the Katyn massacre. They also appeared in the European edition of the Herald Tribune; and they found a great response, which I saw from the letters I received.

The Voice of America at that time was broadcasting daily a press survey, telling the people before and behind the iron curtain what the news of the press was, together with certain features. As I found out, they did not mention anything about this series of articles.

Mr. MITCHELL. What you are saying now is that the Voice of America did not broadcast or mention the two articles that you wrote?

Mr. EPSTEIN. The two articles I wrote for the Herald Tribune.

Mr. MITCHELL. Thank you.

Mr. EPSTEIN. On July 13, 1949, I had a telephone conversation with one of my friends on the Russian desk of the Voice of America and I asked him, "Did you read the articles?"

He said, "Yes; of course."

I asked him, "Did the Voice of America make any use of that?" and he said, "No."

I also spoke to the Polish desk and to the chief of the Polish desk, who told me that it would create too much hatred against Stalin among the Poles and that he hadn't gotten the green light from Washington to use anything of my articles about Katyn.

On October 15, 1949, I wrote a letter to the Assistant Secretary of State, Mr. George V. Allen, Department of State, Washington, D. C. May I read this letter?

Mr. MITCHELL. Surely. That will be exhibit 35. This is a copy of a letter, that is, exhibit No. 35, dated October 15, 1949, from Julius Epstein, then executive secretary to the Lane committee investigating Katyn. It is addressed to the Assistant Secretary of State, Mr. George V. Allen, Department of State, Washington, D. C.

(The document referred to was marked "Exhibit 35" and follows:)

EXHIBIT 35—LETTER FROM MR. EPSTEIN TO MR. ALLEN

OCTOBER 15, 1949.

ASSISTANT SECRETARY OF STATE MR. GEORGE V. ALLEN,
Department of State, Washington, D. C.

DEAR MR. ALLEN: I want to inform you that the former Ambassador to Poland, Mr. Arthur Bliss Lane, will hold a press conference on Monday, November 21, 1949, at 4 P. M. at the Le Pillement Suite at the Waldorf Hotel in New York.

Ambassador Lane will at this press conference announce the formation of the American Committee For The Investigation Of The Katyn Massacre, Inc. The press conference will be attended by the members of this committee as listed on this letterhead and distinguished guests from New York, Washington, and Baltimore.

Ambassador Lane will deliver the main speech in which he will explain the reason and the purpose of the foundation of the American Katyn Committee.

There will also be present the only survivor of the massacre of Polish officers who is now living in the U. S. He will tell his story and answer questions from the press.

We give you this advance information in order to enable the Voice of America to make the necessary arrangements to carry this press conference over its foreign-language network.

We are ready to help the Voice of America in any way you should desire and would be grateful to you to learn with whom in your New York office we could talk over the details of the broadcasts.

Very sincerely yours,

JULIUS EPSTEIN,
Executive Secretary.

Mr. SHEEHAN. What was the date of that letter, Mr. Epstein?

Mr. EPSTEIN. The date of this letter is October 15, 1949. An almost identical letter was sent to Mr. Foy D. Kohler, Chief of the New York office of the Voice of America, on the same date. I don't have to read that as it is exactly the same.

On November 14, 4 weeks later, and just a week before the press conference in the Waldorf-Astoria Hotel, Mr. Kohler answered this letter. Mr. Allen had not answered it at all.

Mr. MITCHELL. You say that you got no reply from Mr. Allen?

Mr. EPSTEIN. No; I did not.

Mr. MITCHELL. This is exhibit 36, being on the official letterhead of the Department of State, Voice of America, New York, N. Y. The letter is dated November 14, 1949. It is addressed to Mr. Julius Epstein, executive secretary, American Committee for the Investigation of the Katyn Massacre, Inc., 470 Fourth Avenue, Suite 1209, New York 16, N. Y. It is signed by Mr. Foy D. Kohler, Chief, International Broadcasting Division.

(The document referred to was marked "Exhibit 36" and follows:)

EXHIBIT 36—LETTER FROM MR. KOHLER TO MR. EPSTEIN

DEPARTMENT OF STATE,
VOICE OF AMERICA,

251 West 57th Street, New York, N. Y., November 14, 1949.

DEAR MR. EPSTEIN: This will acknowledge the receipt officially of your recent letters addressed to Mr. Lehrbas, of OII, as well as to a number of individual members of IBD including myself with regard to the press conference to be held by The Honorable Arthur Bliss Lane on Monday, November 21, at 4 P. M. at the Waldorf Astoria.

As you were informed in our conversation on Wednesday last, the Voice of America will be glad to have a representative at this press conference and appreciates your invitation. However, as we also pointed out in our conversation, the usefulness of the work of the proposed committee to the Voice will depend largely on the seriousness and objectivity of its approach to the Katyn investigation and to the production thereby of new factual information and hard news.

FOY D. KOHLER,
Chief, International Broadcasting Division.

MR. JULIUS EPSTEIN,

Executive Secretary, American Committee for the Investigation of the Katyn Massacre, Inc., 470 Fourth Avenue, Suite 1209, New York 16, New York.

Mr. MITCHELL. Do you have any more correspondence that you would like to put on the record, Mr. Epstein?

Mr. EPSTEIN. No, I don't think so.

Mr. SHEEHAN. Mr. Chairman, may I ask some questions?

Chairman MADDEN. Go ahead.

Mr. SHEEHAN. Mr. Epstein, as I understand it, the press conference and your news releases were in 1949?

Mr. EPSTEIN. November 1949.

Mr. SHEEHAN. And you called this definitely to the attention of the Voice of America as indicated by the letters that you have put in the record now?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. And you talked to people from the Voice of America personally?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. Did you hear Mr. Phillips here state the policy of the Voice of America, that is, that they would only broadcast on the Voice of America material that was published?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. This was published, was it not?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. It was published in the newspapers?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. And was of general import?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. In other words, in spite of the fact that certain men in the State Department laid down the policy, the Voice of America did not even bother to follow the policy?

Mr. EPSTEIN. Yes.

So I went to Washington in January and went to the State committee?

Mr. EPSTEIN. I was executive secretary of the American Committee for the Investigation of the Katyn Massacre.

Mr. SHEEHAN. How long has the committee been in existence?

Mr. EPSTEIN. The committee was in existence about 2 years.

Mr. SHEEHAN. When did you first contact my office with reference to turning over some material that you had?

Mr. EPSTEIN. I contacted your office, Mr. Congressman—just a second—in June 1951.

Mr. SHEEHAN. What date in June?

Mr. EPSTEIN. I think I made an error. Just a second. No, it was in May 1951.

Mr. SHEEHAN. That is close enough. I want to yield to Mr. O'Konski for one question.

Mr. O'KONSKI. Mr. Epstein, isn't it true that the work of your committee was chiefly financed by Americans of Polish descent in the United States?

Mr. EPSTEIN. That is true.

Mr. O'KONSKI. Don't you think that it would have been of tremendous value to the people in Poland to know that their descendants in the United States of America were raising money to finance this committee to find out the truth about the Katyn massacre? Don't you think that even somebody in the Voice of America should have had intelligence enough to see the value of that?

Mr. EPSTEIN. I agree with you.

Mr. O'KONSKI. But they didn't?

Mr. EPSTEIN. They did not.

Let me tell you what happened at the press conference. We just heard that the Voice of America wanted to broadcast hard news. Now, there was very interesting hard news originating in the Waldorf on November 21, 1949. I have here the really great speech made—

Mr. SHEEHAN. May I continue, Mr. Epstein. I just yielded to Mr.

O'Konski for one question. I had asked when you had contacted my office, and you said that it was in May 1951.

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. Do you know when the first resolution was introduced in Congress to investigate the Katyn massacre?

Mr. EPSTEIN. It was in June 1951.

Mr. SHEEHAN. Who introduced that resolution?

Mr. EPSTEIN. Congressman Sheehan.

Mr. MITCHELL. Did you contact any other member of this committee before you contacted Mr. Sheehan?

Mr. EPSTEIN. No.

Mr. MITCHELL. Mr. Epstein, think before you say that.

Mr. EPSTEIN. Pardon me. Please repeat the question.

Mr. MITCHELL. Before you contacted Mr. Sheehan, had you contacted any other Member of Congress?

Mr. EPSTEIN. Well, I was in steady correspondence with many Members of Congress. On May 1, 1951, Congressman Flood printed my pamphlet *The Mysteries of the Van Vliet Report* completely in the *Congressional Record*. I also saw Mr. Madden and repeatedly before this date I saw Mr. Dondero, who had correspondence with the Pentagon about the Van Vliet report.

Mr. SHEEHAN. Mr. Epstein, the only reason for asking the question is because of the fact that yesterday the committee was passing out bouquets to the Polish-American Congress, to the Lane Committee, to the people who had contributed, and I just thought that maybe we ought to bring to the attention that Mr. Sheehan was the first one to introduce the resolution.

Mr. EPSTEIN. You were the first one to introduce the Katyn resolution.

Now, let me come back to the press conference at the Waldorf. There Mr. Lane delivered a speech and Mr. Max Eastman, the vice president, read Mr. Lane's letter to Vishinsky in which Mr. Lane invited Vishinski to appear before the committee. Hard news, that was, which was carried on the front pages of the American press; but the Voice of America neither broadcast Mr. Lane's speech nor his letter to Vishinsky.

So I went to Washington in January and went to the State Department.

Chairman MADDEN. Now, what does this have to do with the inquiry?

Mr. EPSTEIN. Pardon me?

Chairman MADDEN. What does this have to do with the inquiry?

Mr. EPSTEIN. It has to do with the deliberate suppression of the truth about the Katyn massacre by the Voice of America.

Chairman MADDEN. I think you are getting a little off the track.

Mr. MITCHELL. You have already published that in the newspapers, have you not?

Mr. EPSTEIN. Yes. I published a pamphlet.

Mr. MITCHELL. Then it is a matter before the public and for the world to read?

Mr. EPSTEIN. Yes, but it is not a matter of record before this committee. You heard much testimony that you had heard long before. Everything that Mr. Mikolajczk said is a matter of public record.

Mr. MITCHELL. Not everything Mr. Mikolajczyk said.

Mr. Epstein, we have a schedule that we must maintain.

Chairman MADDEN. Thank you for appearing as a witness, Mr Epstein.

TESTIMONY OF ALAN CRANSTON, LOS ALTOS, CALIF.—Resumed

Chairman MADDEN. Is Alan Cranston here?

You have been sworn; have you not, Mr. Cranston?

Mr. CRANSTON. Yes; I have.

Chairman MADDEN. And your address is already in the record

You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. Mr. Cranston, I will read your answer to my last statement when we last adjourned your testimony. I stated as follows:

They told us differently. They told us that you ordered them to conform to your views and that you made no complaints against the Communist but, rather only against Mr. Kreutz.

The "They" means Mr. Lang and Mr. Simon. Then, Mr. Cranston, you asked this question:

Do you have specific testimony from Mr. Lang to that effect?

I answered "Yes." I thought probably you should know what Mr. Lang and Mr. Simon testified.

I would like to read to you what I had in mind, which evidently you had no knowledge of at the time. I am quoting now from the official transcript as recorded November 12, 1952, in these hearings. This is Mr. Lang testifying [reading]:

Mr. MACHROWICZ. What did they tell you about the so-called foreign-language situation in Detroit?

The "They" referred to you, Mr. Cranston, and Mrs. Shea. The record continues:

Mr. LANG. That the Polish commentators were—I don't remember the exact language, but they used the colloquial expression "going haywire"—making comments on a great many subjects that they thought were not in line with what our general thinking should be.

Of course, that, as you understand, is very much like Stalin does, what the "general thinking should be."

I thought in this country we did not tell people what the general thinking should be, but let the people decide for themselves. Then this follows:

Mr. MACHROWICZ. Did they specifically refer to the Katyn massacre?

Mr. LANG. The two subjects mentioned were the Katyn massacre and—yes, they did refer to that.

Mr. MACHROWICZ. So that Mr. Cranston objected to the commentator on Station WJBK making comments indicating Russian guilt for the massacre; is that correct?

Mr. LANG. Yes.

And later on this appears:

Mr. MACHROWICZ. In other words, what Mr. Cranston wanted you to do was to use your good efforts to try to convince Station WJBK in Detroit not to permit those comments which would indicate Russian guilt?

Mr. LANG. That is right.

Mr. MACHROWICZ. And wasn't that a form of censorship?

Mr. LANG. Yes; I would suppose you could call it that.

Mr. MACHROWICZ. Was that not contrary to the spirit of the Federal Communications Act?

Mr. LANG. Yes.

Now, just to get the record straight, Mr. Simon testified as follows on the same day:

Mr. MACHROWICZ. I have one question. Mr. Simon, didn't you consider this request of Mr. Cranston as an attempt to gag the radio commentators?

And that is referring to the same request as has been testified before.

Mr. SIMON. I did.

Mr. MACHROWICZ. Didn't you consider that to be a violation of the spirit of the Federal Communications Act?

Mr. SIMON. I did.

Do you wish to make any comments on that?

Mr. CRANSTON. In the first place, Mr. Machrowicz, I feel their memory is faulty in that I am quite certain, although I do not have a direct memory of this, as I stated yesterday, on this, that at this meeting we must have told them there were extreme views being stated on both subjects.

Mr. MACHROWICZ. They did not make that remark; I will say that, but they did say that the particular commentary you objected to was that of Mr. Kreutz, because it did not conform to what you thought our general thinking should be.

Mr. CRANSTON. I am quite sure we would have objected to both, sir, although, as I stated, I do not remember precisely what happened at the meeting.

It was also within the framework of American policy not to tell the people what to think, but to seek and play up support for the United Nations.

Mr. MACHROWICZ. Am I to understand that it was not within the scope of your duties to tell anyone what your general thinking should be?

Mr. CRANSTON. Yes.

Mr. MACHROWICZ. I am very happy to hear that.

Mr. CRANSTON. I might also say there the attitude toward the meeting has changed since the time, following the meeting being held, because at a time shortly thereafter, as I testified yesterday, Mr. Lang and Mr. Simon published an article in which they made no criticism of OWI in relation to the meeting, and, as a matter of fact, indicated a feeling that there be good cooperation between us in dealing with what they called an acute predicament in Detroit.

Mr. MACHROWICZ. Of course, they were station owners—were they not?—and they did not want to do anything to antagonize the Federal Communications Commission?

Mr. CRANSTON. We had no authority over licenses, and we at no time discussed with the FCC whether license applications were pending or not.

Mr. MACHROWICZ. But if you will refresh your memory, which I gather is hazy on that point again, they did testify to the very same thing just a few minutes after this happened, before the special congressional committee investigating the Federal Communications Commission.

So, they did not change their minds. But that is the very same thing they said there. And, if you care to, I will read that testimony.

Of course, I did not see the article, but I can understand how a person who operates a radio station would do everything not to antagonize the FCC.

Mr. MITCHELL. For your information, Mr. Lang testified before the committee that Joe Lang's license was up for renewal exactly at the same time that you people were in New York City. Is that a strange coincidence?

Mr. CRANSTON. The coincidence was brought about by the fact that there was trouble.

To my knowledge, this was not a radio station involving Mr. Lang.

Did he own this station, or was it another station?

Mr. MITCHELL. He owned the station. I do not remember which one it was.

Mr. CRANSTON. In Detroit?

Mr. MITCHELL. No; in New York.

Mr. CRANSTON. The meeting in New York, as far as all your questions concerning me dealt with a radio station in Detroit.

Mr. MITCHELL. That is correct. But Mr. Lang's own personal radio station at that time was up for license renewal.

Mr. CRANSTON. But that would have nothing to do with a complaint on a radio station in Detroit.

Mr. MACHROWICZ. The fact is that you did indirectly what you had no right to do directly under the law, and you did succeed in having removed from the radio station in Detroit a commentator who had anti-Communist leaning, whereas the commentator who had Communist leanings was permitted to remain.

Mr. CRANSTON. I don't believe we requested anyone to be withdrawn from the air, because we had no authority to do so.

Mr. MACHROWICZ. But there are gentle ways to have it understood.

Mr. CRANSTON. But we suggested that they tone down controversies going on on the air in Detroit which, in our opinion, jeopardized the American war effort.

But, I want to repeat, this had nothing to do apparently with Mr. Lang's radio station and his license. He was present at the meeting. He was a member of the committee which dealt with it on a Nation-wide basis. His own station was not involved.

Mr. MACHROWICZ. Do you think that any broadcast, whether in Polish, English, or any language, which tended to warn the Americans about the dangers of communism, was dangerous to our national interests?

Mr. CRANSTON. No, sir; I do not. I do feel that broadcasts which would tend to disrupt the United Nations at a time that we were in a war may jeopardize the national interests.

Mr. MACHROWICZ. Particularly with reference to the Russians.

I want to quote to you Mr. Davis' testimony. Mr. Davis was at that time your chief. He testified on November 11 before this committee as follows—Mr. Mitchell propounded this question:

I cannot understand why Mr. Cranston's particular function fitted in with this capacity, since it was not the function of the OWI to handle news within the country.

Mr. DAVIS. Strictly speaking, he had no authority.

Later on the testimony is as follows:

Mr. MITCHELL. Well, I still can't understand why Cranston, in his capacity in the OWI, would in any way—that was the authority of somebody else; wasn't it? Wasn't it the function of the OWI?

Mr. DAVIS. No; it certainly wasn't the function of anyone else that I could think of. I don't know that it was properly the function of the OWI. As to why he did this you had better ask Cranston.

That was not your function; was it?

Mr. CRANSTON. Sir, you asked what the policy of the United States Government was in these matters.

Mr. MACHROWICZ. I want to know if this was your function—to try to remove someone whose views did not concur with yours.

Mr. CRANSTON. I repeat, we did not try to remove anyone. At a meeting in September 1942 it was clearly established that the final question as to removal involved the Office of Censorship.

Mr. MACHROWICZ. But this particular matter was outside the scope of your particular activity.

Mr. CRANSTON. I believe the content of the material on the air, short of the question of whether or not a man should be expelled from the air, did continue to be a function of the Office of War Information because we were seeking to reach foreign groups in this country, where the material may make them decide to increase their support of the war effort.

This was particularly important in areas like Detroit, where there was extensive war work going on in factories.

Mr. MACHROWICZ. All I can say is that Mr. Davis, your chief, disagrees with you.

Mr. CRANSTON. All I can say is that Mr. Davis never rebuked me for activity in the OWI as to this or any other matter; that my efficiency ratings were always of the highest; that when I left OWI I received letters from Mr. Davis and others praising me for the work I had done in OWI.

Mr. MACHROWICZ. I might also say that you were so concerned with winning the war that you forgot the fact that we must also win the peace.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mr. Cranston, suppose you owned a so-called foreign-language station in the city of Detroit, and suppose you had probably \$40,000 or \$50,000 in mortgage on that station, and that everything you had, everything you owned, was invested in that radio station.

Then suppose someone gently came over to you indirectly and whispered in your ear a rumor, say, that the OWI is on your back; they are investigating a certain commentator and certain things that are going on the air in the Polish language, and they also convey to you the rumor that the FCC had a representative at this meeting where it was discussed, and that there is a possibility that the FCC is interested in this thing.

Even if they directly did not say, "Remove that man off the air," put yourself in their position. If those rumors were flying around, what would you do with that commentator? Would you fire him?

Mr. CRANSTON. I am not certain that I would. I would examine what he had said, but I would have my interests and my activities guided by my business interests and by the success of the war effort.

Mr. O'KONSKI. You would be quite a worried man if that happened; would you not?

Mr. CRANSTON. I would be if I was told by a representative of the American Government that material going out on the air over my radio station was deemed to be interfering with the American war effort. I would be deeply concerned.

Mr. O'KONSKI. Even if you knew that those plans of broadcasts were going to people who had the highest rate of voluntary enlistments of any segment of our population, who had the lowest absentee rating in war industries throughout the United States of America of any segment of our population, and even if those people in that particular area listening to those broadcasts were the first who oversubscribed their quota on war bonds?

In other words, if you had definite proof that those broadcasts were not interfering with the war effort, you would still be a worried man, would you not, if that kind of pressure was put on you?

Mr. CRANSTON. Mr. O'Konski, if these broadcasts had just commenced, which apparently was the case, I might be afraid they would jeopardize the high record of that community.

Mr. O'KONSKI. Did anybody inform you that in spite of the fact that Poland was betrayed by Russia in league with Hitler in 1939, in September of that year, that the Poles still fought on the side of the Russians?

Was that ever brought out to you?

It did not jeopardize their effort.

Mr. CRANSTON. Did you say they fought on the side of the Russians?

Mr. O'KONSKI. Yes, in league with Hitler, in September 1939, Stalin and Hitler made an agreement, and they dissected Poland between themselves.

In other words, they were stabbed in the back by Russia. And still they organized an army and they fought alongside of Russia. They fought at Tobruk, at Monte Cassino. They were the only army sent to Narvik, Norway. They helped in the evacuation at Dunkirk. They fought in London when Hitler was attacking London. They fought in Normandy.

And that was all after Russia gave them the kind of treatment she did.

They were stabbed in the back at Yalta and they still fought alongside Russia.

In other words, there were no people who could have been persecuted and dissected more than they were, by the Russians, but they still fought on and did not lose their patriotism.

Did anybody ever point out to you that they were not the kind of people who would be likely to waver or slow down in the war effort if those things were brought out to the people?

Mr. CRANSTON. I was aware of these facts and I know that the Polish record was very great and very gallant in the war.

Mr. O'KONSKI. But still you were afraid this might change their attitude and they might let down?

Mr. CRANSTON. I would like to cite one reason for having that opinion. There came across my desk at that time something I can't quote to you directly. But there was a memorandum from the OSS. I made a notation about it because it seemed important and pertinent.

It was from the Foreign Nationality Branch of the OSS, dated June 24, 1942. The OSS, you will recall, was headed by Gen. "Wild Bill" Donovan, who was one of those men who was well aware of the Russian menace early in the game. The OSS was directly under the Joint Chiefs of Staff.

This memorandum analyzed the Russian-Polish controversy as it was going on in this country among Polish Americans and other groups, and with particular emphasis upon the activities of those who were stirred up by the border controversy, by Katyn, and so forth, and so on.

And the conclusion in this report was that there was being transferred to American soil this Polish-Russian battle in a manner which might well jeopardize interallied relations and the American war effort.

Now, that is not my conclusion; that is an OSS report that I am referring to.

Mr. O'KONSKI. In 1942?

Mr. CRANSTON. 1942 or 1943; I am not sure. I can't read my writing here on this note.

Mr. O'KONSKI. In 1942, the question of—

Mr. CRANSTON. If it was 1942, Katyn was not in it. But this related to this whole controversy which was a running controversy, as you know, throughout the war in this country.

Mr. O'KONSKI. 1942 was evidently when the Colonel Szymanski report must have shown up in the Pentagon Building.

Mr. CRANSTON. Possibly. I don't know.

Mr. MITCHELL. Are you familiar with the fact that in August 1941 began the formation of the Polish Army to fight on the side of the Allies?

Mr. CRANSTON. I know one was formed, but I don't know exactly when.

Mr. MITCHELL. That was August 1941.

Mr. CRANSTON. I would like also to state that no one of the documents that you gentlemen have uncovered, which were available to our Government during the war, tending to indicate Soviet guilt for the massacre, ever came to my attention, or the attention of my Division throughout the war.

They never reached there.

Mr. SHEEHAN. Of course, you see, your last remark is the whole nub and substance of what we are trying to do here today.

Mr. CRANSTON. I recognize that.

Mr. SHEEHAN. We are trying to find out why Soviet Russia was protected at all levels of the government. We feel it is our duty to the American people to bring out the facts so that the American people can realize that some place along the line someone has tried to hide the duplicity of the Soviet Government.

Mr. CRANSTON. I recognize that. I think you have done a marvelous job, and I simply want to point out that this never even reached me. I had no chance to suppress it because it never reached me and I never would have had a chance to suppress it because if it had reached me, I think the facts should have been brought out to the American people.

Mr. SHEEHAN. The reason why we bring it out is that we hoped you would help to give us the clues as to where we eventually want to go, because, as you can see from the testimony Mr. Machrowicz brought out, Mr. Lang's and Mr. Simon's testimony is exactly opposite to what you said.

Mr. CRANSTON. I recognize that.

Mr. SHEEHAN. They stated practically categorically that you told them not to broadcast.

Now, to get the record straight, when you were on the stand the other day we were talking about a David Carr and also brought in the idea of the United World Federalists.

I want to say, frankly, that I, personally—and I know some of the other members of the committee—am concerned about a fellow with your particular background in the United World Federalists, that your leanings were toward Russia at that time.

Now, as you explained, you did not have the information. But we want to correct the record in asking you about Mr. David Carr, whom you personally hired and personally recommended, because Mr. Carr stated in previous testimony that he did not apply for a job with the Government.

Mr. CRANSTON. I don't understand that. How did he not apply if he was employed? You have to actually apply, I believe, to be employed.

Mr. SHEEHAN. If you look at the record that the committee has, he apparently contacted you, and you asked him to come to the Government. He himself did not go to the Government for a position.

Mr. CRANSTON. That is quite possible. But he then applied.

Mr. SHEEHAN. Yes; after contacting you, he came at your recommendation.

You went on to state, with reference to Mr. Carr and his Communist affiliations, in your testimony, about when you hired him:

I knew him fairly well. I knew him before he became employed there.

That was with reference to Mr. Carr.

Then you went on a little bit later in your testimony and said:

I knew that at the age of 17 he had written two signed articles for the Daily Worker. He had told me he was not a Communist; that he was just a kid who was Jewish, who was violently aroused over the Nazi atrocities and felt that the Communists were more aware of them than any others at that time, and he therefore wrote these two articles at the tender age of 17. He denied he had ever been a Communist.

Mr. MITCHELL. Mr. Sheehan, you are reading from the official record now, are you?

Mr. SHEEHAN. From the transcript as Mr. Cranston testified the other day.

I am sure you just did that because of lack of facts, because if you refer to the hearings of April 6, in an investigation by the Un-American Activities Committee of un-American propaganda activities in the United States, held by a subcommittee of a Special Committee To Investigate Un-American Activities in the House of Representatives, the following will be found in that report:

No. 1, that Mr. Carr was not at the tender age of 17 at the time, because he was born on August 4, 1918.

Mr. CRANSTON. I was referring to the time he wrote for the Daily Worker. Do you have the date of those articles?

Mr. SHEEHAN. Yes. I am coming to that. This is when he was born.

Mr. CRANSTON. 1918.

Mr. SHEEHAN. Right.

Now, in the Daily Worker he was employed there in 1938, which would make him 20 years old. So he was not a kid who did not know the facts of life. Is that right, or wrong?

Mr. CRANSTON. If that is the date of his birth and of the articles; yes, he was 20 years old.

Mr. SHEEHAN. If you don't mind, I will put it in the record, or, if it is wrong, I can change it. But I want to go on with this.

Now, Mr. Carr was testifying here on page 3389 of the hearing record, and he was talking about his affiliations with the Daily Worker. I am quoting him from page 3389:

I visited him—

That is a Mr. Wakefield, who was, I believe, an editor of the Daily Worker—

a number of times at the Daily Worker offices and we became friendly. He asked me if I would write down certain material for him. I wrote it down for him and he asked me if he could print it. After considering it briefly I said yes. As a result, about five or six articles, including the attack upon the chairman of this committee by myself, were printed in the Daily Worker.

And a little bit later on, Mr. Matthews, who was the questioner, asked:

How long a period did you collaborate in the way in which you stated it, with Lowell Wakefield and the Daily Worker?

Mr. CARR. Oh, it could not have been 4 or 5 months.

In other words, it was slightly under 4 months at the most.

So, to correct the record, Mr. Carr was no novice 17 years old and he did not write just one or two articles; he worked very closely with the Daily Worker for a period of months.

Mr. MACHROWICZ. Could I ask one question there?

Mr. SHEEHAN. Yes.

Mr. MACHROWICZ. I would like to correct the record in another instance.

You testified here 2 days ago that a man named Matuzewski was the principal writer and editor of the Nowt Swiat.

Mr. CRANSTON. Not the editor, sir. He wrote articles for it.

Mr. MACHROWICZ. I will read your testimony, if your memory is hazy on that:

I would like to add that the principal writer on that newspaper was a man named Matuzewski—

Mr. CRANSTON. Yes, sir.

Mr. MACHROWICZ. Do you still say that?

Mr. CRANSTON. His writings, I would say, dominated the pages because they were brilliantly written, hard-hitting polemics.

Mr. MACHROWICZ. And, further:

who was required to register as a foreign agent by the Department of Justice.

I might say that since you made that statement I have examined the files and records and I find that he wrote only several articles within a year's period for that newspaper; that he was not a principal writer and this foreign agent that you are speaking of, of this "terrible government which I thought probably was a Nazi power," but happens to be the London Polish Government.

Mr. CRANSTON. Yes, sir.

Mr. MACHROWICZ. So he was an agent of a government which was allied with us at that time.

Mr. CRANSTON. That is right.

Mr. MACHROWICZ. And he was not a principal writer. He wrote a few articles, all of them urging Americans of Polish descent to cooperate with the United States as the last hope of the Poles.

Mr. CRANSTON. His articles did attract a great deal of attention.

Mr. MACHROWICZ. They certainly should have. I regret very much they were not reprinted in the English language. They were very interesting and had some very valuable material.

Mr. SHEEHAN. Mr. Cranston, we are following this line of reasoning because there is a doubt in my mind that maybe you did have something to do with setting official policy, and you did have something to do with holding down the Katyn information on Russia, because of your past connections.

You got the chance to clear yourself enough, and that is what we want you to do, because we find, in looking over the organizations to which you belong and your connections, that there is possibly some question.

For instance, you were president of the United World Federalists during November 1949, were you not?

Mr. CRANSTON. Yes, sir.

Mr. SHEEHAN. Dr. Harold Urey, the atomic physicist announced his resignation as director of the United World Federalists in November 1949, on the ground that he could not agree with the organization's "stand on Russia." Do you know why he quit?

Mr. CRANSTON. It has been the position of the United World Federalists and was at that time that our ultimate objective was to get a stronger United Nations, with all nations in the world in it, including ourselves and the Soviet Union where, among other things, they would be deprived of the veto which they had exercised so many times, which Mr. O'Konski referred to yesterday.

We believe that is the way to ultimately solve this problem of war and peace. We believe all nations should be in it.

I believe he resigned because he thought perhaps it could not be done with the Soviet Union in it. He now subscribes to a different point of view, which advocates the federation of an Atlantic democracy.

Mr. SHEEHAN. In other words, you still felt that, as the president, that at all costs, in other words, we are going to try to work with Russia on some basis?

Mr. CRANSTON. Not at all costs.

Mr. SHEEHAN. Some costs, I should say.

Mr. CRANSTON. We believe the United Nations is stronger now with the Russians in it than out of it.

MR. SHEEHAN. Do the United World Federalists believe that in spite of all the evidence printed up that they do not keep political agreements—

MR. CRANSTON. We don't believe it should be based on paper promises that they are able to tear up at any time. We believe it should be done by law, so that they would be forced to keep agreements once reached, as are the people under American law.

I would like to say that the Communists have been violently opposed to the United World Federalists. I could present to you, if I had the opportunity to get them, many quotations from the Daily Worker, from Radio Moscow, from Pravda, from various Communist leaders, bitterly attacking the policies of the United World Federalists.

They believe we are opposed to their interests, and we believe we are opposed to their interests.

People who support the program of the United World Federalists in this country and in other countries range from many prominent business leaders and labor leaders, to many people in this Congress, who were not members of our organization, but who have supported resolutions that we have introduced.

I would like to cite just one, because he is symptomatic on this point, and that is Walter Judd. I would also like to add that Pope Pius himself has in general endorsed the theory of a stronger United Nations with the power of law. He received a delegation of ours in Rome about a year ago.

MR. SHEEHAN. Of course, the Pope did not want the national unity of the independent countries to be submerged.

MR. CRANSTON. To which we agree.

MR. SHEEHAN. In so far as concerns the aims and beliefs of the United World Federalists and your opposition to communism, I would suggest you get the report of the House Un-American Activities Committee dealing with the United World Federalist Inc. They have gotten out a 12-page documentation on the subject of the United World Federalists, and I am going to cite a couple of things from there to show you that it is quite a bit at variance with your thoughts.

No. 1 is that you have, as a member of your board of directors, a Mrs. J. Borden Harriman. If you will look at this record you will find out that she has been connected with quite a few fronts, Communist fronts, and is still apparently connected with them, which have been termed subversive and Communist by the Attorney General, Tom Clark.

Now, if you are interested and intent on getting rid of all these people who are so close to Russian causes, do you think that she should be on the board of directors?

And if you will check this record you will find about 4 or 5 pages in which they have direct references to Walter Reuther, who is also a member of your board of directors, where he has been named in instances as a member of the Communist Party.

And I will quote directly, so that there will be no question about what I am saying, that I am saying it. In this pamphlet, on page 4, there is a heading "Walter P. Reuther," and there is testimony in here from John P. Frey, who was president of the Metal Trades Department of the American Federation of Labor, when he gave this

report before the Sepcial Committee on Un-American Activities on August 13, 1938.

Mr. Frey apparently handed over a list of people who were Communists, or closely affiliated with Communists. He names among them, item No. 134, Walter Reuther, Detroit, Mich.:

This fellow is one of the leaders of the Auto Workers Union, and President Martin has preferred charges against him. He visited Soviet Russia and sent back a letter to this country which included the following paragraph:

"Carry on the fight for a Soviet America."

Then this goes on and lists about five pages on Mr. Reuther.

Chairman MADDEN. Who is it that made that statement there?

Mr. SHEEHAN. Mr. Frey, in a congressional hearing, who is president of the metal trades department of the American Federation of Labor. That is John P. Frey.

Chairman MADDEN. Wait a minute. Is that part of a Congressional Record?

Mr. SHEEHAN. Yes.

Chairman MADDEN. Do you want to incorporate that as part of our record?

Mr. SHEEHAN. Yes, I would like to. This is taken from a document of the House Un-American Activities Committee, and they are quoting from the Congressional Record.

Chairman MADDEN. I think that where a charge like that is being made before this committee regarding anybody, they ought to have an opportunity to come in here and answer some of these questions.

Mr. SHEEHAN. Mr. Chairman, I suggest we make this part of our record, classify it as an exhibit.

Mr. MITCHELL. That will be exhibit 37.

Chairman MADDEN. It may be so marked.

(The document referred to was marked as "Exhibit No. 37," and appears in the appendix of this record.)

Mr. SHEEHAN. In all due deference to Mr. Reuther, it is not stated he is a Communist now, whether he has been cleared, or whether he never was, that I don't know. I am merely quoting from the record.

It seems to me there are enough fuzzy-minded people—I think that is an apt expression—in your organization who go along with the aims of Communist Russia.

Chairman MADDEN. Wait just a minute here.

Would you read the statement, Mr. Reporter, that Mr. Sheehan made about Mr. Reuther, that he is not a Communist now?

Mr. SHEEHAN. I said that.

Chairman MADDEN. I think that is a bad inference. You made the statement that Mr. Reuther is not a Communist now. You are inferring that he was a Communist.

Mr. SHEEHAN. No. I say he was named in congressional hearings as a member of the Communist Party.

Chairman MADDEN. But you made the statement for our committee's record that Mr. Reuther is not a Communist now.

Mr. SHEEHAN. Let us change that, in fairness to him.

Chairman MADDEN. You are inferring there that he was a Communist.

Mr. SHEEHAN. I don't mean to infer that, because, as far as I know, he never was.

Chairman MADDEN. I think you ought to change the wording. You said that he is not a Communist now, and a statement like that would infer that he had been a Communist.

Mr. SHEEHAN. Let us change that to say that it is my opinion, from the record, that Mr. Reuther, as far as is known, is not a Communist—period.

Is that right?

Chairman MADDEN. Yes.

Mr. MACHROWICZ. And as far as I am concerned, so that there be no misunderstanding, it is my firm opinion that he never was a Communist. As a matter of fact, he is very active in removing communism from labor ranks.

Mr. SHEEHAN. I said, "He is not a Communist—period."

Chairman MADDEN. I think you are deviating a great deal from the Katyn hearing when you are going all over right and left field in covering some of this testimony that you are going into now.

I think our committee now, up until this seance that you are going into here, has had a wonderful record about not smearing people, and I think that is an indirect smear at Mr. Reuther.

Mr. SHEEHAN. It was not meant to be that, I assure you.

Chairman MADDEN. Let us confine ourselves to the Katyn hearing and not go back over volumes of testimony from other committees of Congress.

After all, that testimony is on record. I do not think it is going to help our committee to bring in a lot of names that have been mentioned in other congressional committee hearings back through the years.

And I cannot see any purpose for it. I think we ought to confine ourselves to the Katyn hearings. We have a wonderful record so far in confining our hearings to the Katyn massacre.

Mr. SHEEHAN. Might I have 2 minutes to bring it right back to Katyn?

Chairman MADDEN. Yes.

Mr. DONDERO. Just a moment.

I think the chairman is correct in wanting to confine it to the subject of Katyn. But what Mr. Sheehan is trying to bring out is the fact that the witness is a member of the World Federalists organization, which contains people whose views, so far as Americanism is concerned, certainly can be questioned.

Chairman MADDEN. Absolutely. I agree with Mr. Dondero.

Mr. SHEEHAN. That is the only reason why I put this in, to show that this gentleman's connection with the World Federalists and some of the people connected with it might have been influencing him in his work with the Government in 1943.

Chairman MADDEN. Let us confine the testimony to the witness then.

Mr. SHEEHAN. You heard the statement, Mr. Cranston, and you naturally have a chance to say whether or not it is a fact that the people you associated with did not have something to do with your setting the policy in 1943 and 1944.

Mr. CRANSTON. My association with all the people in the United World Federalists came later, after my period in OWI.

I would like to say that I am proud, and also, let me say, a bit relieved, to find that 5 of the 13 pages of this report from the Un-American Activities Committee are based upon Walter Reuther, who

is noted for his violent, strong, vigorous anticommunism in American labor circles. I think that is symptomatic of the sort of people who are active in the leadership of the United World Federalists, and we have been equally vigilant about Communists in our organization.

Mr. SHEEHAN. But could you, on the basis of your interest in a United World and trying to protect Russia—

Mr. CRANSTON. The purpose is not to protect Russia; it is to keep this country out of ever-recurring, ever-more destructive war.

Mr. SHEEHAN. That is a matter of opinion.

Mr. CRANSTON. If you would read the documents of the United World Federalists, you could see our policy. You can see we say nothing about appeasing Russia.

Mr. SHEEHAN. But you don't say anything bad about her, either, in spite of all the evidence we have built up in our committee.

Mr. CRANSTON. I could furnish you many speeches of mine in which I said many unpleasant things about the Soviet Union.

We also have in our bylaws a provision against Communist membership in UWF, which I think relates directly to that point, sir.

Chairman MADDEN. I want to make this comment for the record: I am indeed sorry that Walter Reuther's name has been brought into this hearing.

When Congressmen Dondero, Machrowicz, and myself were sailing to London and Germany to hold hearings we met representatives of union labor on the boat. Members representing the AFL, the CIO, and the railroad brotherhoods. They were representatives of American labor going over to work in conjunction with labor unions in Europe to advise then on fighting communism within the ranks of labor unions in Europe.

This was not their first trip. These men representing American labor unions, had made a number of trips during the last 5 or 6 years to Europe. Their mission was at union expense, not at the expense of the taxpayers. They were fighting the Communists that were infiltrating labor unions in Europe. Labor leaders and unions have done great work curbing communism both in America and Europe.

And it is unfair at this hearing to bring out the name of a prominent man connected with a prominent labor union and unjustly infer communistic tendencies.

I can say that the Communist strategy has always been to infiltrate labor. Labor organizations in America have done more not only here in America, but across the water, to curb the infiltration of communism than any other organization.

You may proceed, Mr. O'Konski.

Mr. O'KONSKI. Mr. Cranston, you, of course, now know the true story about Katyn, do you not?

Mr. CRANSTON. I believe that it was done by the Communists, from the evidence that I found this committee has put out.

Mr. O'KONSKI. As one interested in world federation and the establishment of international court tribunals to punish international criminals, do you feel, from what you now know, that you would put the weight of your organization, the United World Federalists, to bring Russia to trial for this ghastly crime and to mete out some just punishment to them? Would you go along with that?

Mr. CRANSTON. I don't think the organization would feel that it, as an organization, should become involved in that particular thing.

I, as an individual, feel—and I can't speak for it, I am not president of the organization now—I do feel that the people who were responsible for that crime should be brought to trial, and I hope there will be world institutions capable of dealing with them.

Mr. O'KONSKI. You strongly feel so?

Mr. CRANSTON. I do.

Mr. O'KONSKI. Thank you very much.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. I would like to ask one question.

I do not quote follow your line of thinking. You say you are convinced now that the Communists committed the crime. If you had been convinced back then that the Communists committed the crime, would you still continue your effort to gag the commentators because it might interfere with the war effort?

Mr. CRANSTON. I don't think so, sir. I do not feel we should have suppressed facts as facts existed, whether they were against one of our allies, or not. Part of the motivation at that time was the general assumption that this was a Nazi propaganda trick.

Mr. MACHROWICZ. And the only reason you attempted to gag it is that you did not happen to believe the same thing that other people believed?

Mr. CRANSTON. We felt it was a Nazi propaganda trick and we felt it was divisive to the American war effort at that time.

And we had reports such as the one from the OSS which was under the military, which indicated that was the fact.

Mr. MACHROWICZ. At that time there were frequent attacks in the radio and in the press, and there are now, as a matter of fact, attacks against Great Britain.

Did you ever attempt to gag any commentator because he attacked Great Britain?

Mr. CRANSTON. I don't think we made any attempt to gag anyone.

Mr. MACHROWICZ. Indirectly.

Mr. CRANSTON. We did at times. We did, the Italian-language newspapers to start harping so much about the British.

Mr. MACHROWICZ. That is all.

Mr. MITCHELL. Mr. Chairman, I have a few questions.

Chairman MADDEN. Go right ahead.

Mr. MITCHELL. Mr. Cranston, yesterday when you were testifying, you were setting forth your duties in OWI. For the record, again, will you specifically enumerate the position you had?

What I mean exactly is this: What was your direct connection with radio in the OWI?

Mr. CRANSTON. We used the press and foreign-language media among others, for dissemination of information.

Mr. MITCHELL. Did you have control of radio work in the OWI?

Mr. CRANSTON. In the Domestic Branch.

Mr. MITCHELL. Who was Lee Falk?

Mr. CRANSTON. He was my assistant.

Mr. MITCHELL. Mr. Pucinski has a question or two on that.

Mr. PUCINSKI. Mr. Cranston, did you hire Lee Falk?

Mr. CRANSTON. Yes, sir.

Mr. PUCINSKI. Did you place a great deal of confidence in his ability?

Mr. CRANSTON. Yes. I wouldn't have employed him had I not.

Mr. PUCINSKI. Had you at any time given him any specific instructions on what his job was?

Mr. CRANSTON. I am sure I did; yes, sir.

Mr. PUCINSKI. What was his job?

Mr. CRANSTON. His primary job was to prepare materials for release through foreign-language radio stations to be in touch with people working in that field in this country.

Mr. PUCINSKI. Did you ever instruct him to make any effort to remove from the air people who were not going along with the OWI line?

Mr. CRANSTON. No, sir. I have to qualify this answer, however, not a flat no.

What occurred, as I told you yesterday, was that the committee asked us, and they specifically asked Lee Falk, the committee of the radio industry in the foreign-language field, if we would help clear personnel where there was a question as to their reliability on the air. This was done at their request, not at our instigation.

Thereafter, when there was some doubt in the minds of managers of the radio stations, or the program manager, as to the desirability of someone being on the air in relationship to the success of the American war effort, they would ask us about that person. We would then ask the FBI and other agencies if they had any information on that man. And, without giving details or sources, we would then indicate our belief about this man back to this committee.

The committee was then left to act at its own discretion, whether they wished to bar someone from the air, or not bar them.

Mr. PUCINSKI. You have just told Mr. Machrowicz—and I am going to try and quote you correctly—that, “We at no time attempted to gag anyone.”

Mr. CRANSTON. We did not attempt to gag. At the request of industry, we gave them information on people they had on the air, and it was up to them to gag or not to gag.

Mr. PUCINSKI. I am going to read you very briefly two excerpts and show how they compare now to what you just said regarding Mr. Falk. The first is a conversation Mr. Falk had had with Mr. Richards, who was then with the Office of War Censorship.

Mr. MITCHELL. What is the source of that?

Mr. PUCINSKI. From page 494 of volume I of the Cox committee hearings on the Federal Communications Commission.

Mr. Richards has identified this memorandum to us. He quotes an experience that he had with Mr. Lee Falk, of the Foreign Language Section, Radio Division, Office of War Information. He said that Mr. Falk originally had taken on a job of removing unsavory personnel from foreign-language stations because he, Mr. Falk, believed such a job had to be done and no one else seemed to want to do it.

Mr. Lee Falk is quoted as working it this way by Mr. Richards:

If Lee found a fellow he thought was doing some funny business, he told me about it.

That is, he told Mr. Spears, of the Federal Communications legal staff.

Then we waited until the station applied for a renewal of license. Say the station was WBNX and the broadcaster in question was Leopold Hurdsky. Well, when WBNX applied for a renewal, we would tip off Lee, and we would drop in on Mr. Elkhorn, the station manager. He would say, “Mr. Elkhorn, I believe you

ought to fire Leopold Hurdsky." Then he would give Mr. Elkhorn some time to think this over. After a couple of weeks, Mr. Elkhorn would begin to notice he was having some trouble getting his license renewed. After a couple of more weeks of this same thing, he would begin to put two and two together and get four. Then he would fire Leopold Hurdsky and very shortly thereafter his license would be renewed by the Commission. This was a little extralegal, I admit, and I had to wrestle with my conscience about it, but it seemed the only way to eliminate this kind of person, so I did it. "We can cooperate in the same way," Mr. Falk told Mr. Richards.

Now, was that in the scope of Mr. Falk's duties?

Mr. CRANSTON. Who was it that said there this seemed extralegal that we cooperated because there was no other way to do it?

Mr. PUCINSKI. Mr. Spear, of the FCC.

Now, would you tell me, was that within the scope of Mr. Falk's duties, your assistant?

Mr. CRANSTON. I don't have knowledge of any such elaborate plan designed to bring pressure upon the radio stations.

I think that was within the scope of his duties to call attention to people on radio stations where there were people who were broadcasting material inimical to the war effort.

Mr. PUCINSKI. I am going to read you another excerpt from a memorandum of Mr. Richards. This is taken from page 486 of the same volume I previously quoted from.

Mr. MITCHELL. Which was taken in public testimony.

You know who Mr. Richards is?

Mr. CRANSTON. Yes, I do.

Mr. PUCINSKI. This conversation Mr. Richards had with Mr. Falk was on August 25, 1942. I am not going to read the whole statement. Among other things, Mr. Richards quotes Mr. Falk as saying—and, incidentally, Mr. Richards has already identified this memorandum as being correct—he says:

Lee Falk said, "You can listen to these broadcasts day after day for months and not get enough on them. You must find out what their past associations have been and if they were open to suspicion, convict them on that and take them off the air. You might find out what their past associations have been, and if they are guilty of that, convict them on that and take them off the air." He asked that we notify the Office of War Information on any plans we had to take a man off the air before we took him off. He said this would give the OWI some candidate to replace the man. And these candidates would be submitted to the station managers for consideration. I wonder how a station manager would look upon such a procedure.

Now, you notice Mr. Falk introduces an interesting document of guilt by association to begin with. Was that within his duties as your assistant?

Mr. CRANSTON. I would like to point out that that would seem to coincide, that business of looking into a man's background, with a statement that was issued by the Attorney General's office on September 18, 1942.

Mr. MITCHELL. Just a minute. Was he an investigator?

Mr. CRANSTON. Mr. Falk?

Mr. MITCHELL. Yes.

Mr. CRANSTON. No, he was not.

Mr. MITCHELL. You testified yesterday that your organization, the OWI, had a security and loyalty investigative unit; is that correct?

Mr. CRANSTON. I testified that we had none in my division.

Mr. MITCHELL. Over-all?

Mr. CRANSTON. I testified that there was a checking board under some admiral at one point, just to check the loyalty of OWI officials.

There was an intelligence bureau which checked on what went on in American newspapers and radio. Neither of these was under my supervision.

The point I was about to make was that the Attorney General, on September 18, issued a statement in which he described what should be done by the Bureau of Censorship, with cooperation—

Mr. MITCHELL. What year?

Mr. CRANSTON. September 18, 1942.

Mr. MITCHELL. I know all about that statement.

Mr. CRANSTON. Let me read the pertinent part about the so-called get by association.

The point I want to make is that they thought a man's activities had some relationship to his desirability on the air. They said, in regard to people who should be considered for exclusion from the air:

The information need not establish the commission of an offense against the subversion or other criminal laws, but only that further broadcasts by the individual would be dangerous or detrimental if received abroad. Both the content of broadcasts by the individual and his record of activities would be relevant.

Mr. PUCINSKI. Following that same principle, Mr. Cranston, then, I am sure you have no objection when we today, in trying to find out why Katyn was suppressed by an agency that you headed, go far afield and try and determine your past associations. You have no objection to that, do you?

Mr. CRANSTON. Absolutely none. I think it is fair and justified. I think you have every reason to do that.

Mr. PUCINSKI. Do you want to refute the memorandum as prepared by Mr. Richards on Mr. Falk's extracurricula activities in trying to remove these broadcasters from the air?

Mr. CRANSTON. No; I don't, because I have no knowledge of any such intricate plan for this purpose.

Mr. PUCINSKI. Then do you still want to stand on a statement you made to this committee, that your agency had never attempted to gag anyone?

Mr. CRANSTON. We did not make direct recommendations, to my knowledge, for anyone to be removed from the air. We suggested that the activities of certain people were inimical to the war effort, to my knowledge.

Mr. PUCINSKI. I am going to read you another statement, then, and see if that stacks up to what you are telling us.

I am reading now a memorandum prepared by Mr. Richards, based on a conversation that he had on August 27, 1942, with Mr. Simon, who had previously testified before this committee. And that memorandum of Mr. Richards appears on page 501 of the Cox committee hearings on the FCC. The memorandum reads:

It seems that Mr. Simon was very much disturbed about the interference of Lee Falk in the OWI. And you had some comments on that.

Then I am asking Mr. Richards:

The point that I want to ask you about here is, What did you say in your memorandum?

Mr. Richards said:

Simon said that he had fired from WBEN one Michael Fioriollo and one Archangelo Leopowiso, Italian language broadcasters, on the recommendation of Falk. He said that he had discharged them on August 24.

I am not going to quote but just to give you a little background.

Mr. Simon became very worried about this action, firing these two men on the recommendation of Falk. So he contacted the Office of War Censorship and he told Richards the following:

And you fellows in the Office of Censorship will have to back up the Office of War Information on these dismissals.

Now, do you want to refute Mr. Richards' memorandum of that date?

Mr. CRANSTON. I don't want to refute it. I want to again cite something which I won't bother to quote now. A letter from Simon to the industry, indicating they asked us to help them on these matters, specifically asked Lee Falk to help them.

Mr. MITCHELL. That brings us exactly to the point. Who were the industry members? What did they do? Weren't they all station owners? Let us be specific. You can say "Yes" or "No" to that. Who were the members? Were they all station owners?

Mr. CRANSTON. They were managers, executives, owners. They formed it on their own initiative at that time in May and asked us to help them.

Mr. MITCHELL. And they all had to go to the FCC to get a license; is that right?

Mr. CRANSTON. Congress had given the FCC the power to give licenses in the national interest.

Mr. MITCHELL. Just say "Yes" or "No." That is the procedure, and you know it and I know it.

Mr. CRANSTON. Yes, sir.

Mr. MITCHELL. When you got that letter from Detroit complaining about the pro-Russian attitude of a particular announcer by the name of Novak, you called Hilda Shea, Mrs. Hilda Shea. She told you at that time:

The FCC has no control over this; absolutely no control over it.

She has said that in this hearing room this week. Yet you still took the initiative, you were the one that, on your own initiative, set up the meeting in New York.

But you brought her along. Why did you bring her along?

Mr. CRANSTON. I don't know whether she came at my request or at orders from the FCC.

Mr. MITCHELL. You were the one that set up the meeting.

Mr. CRANSTON. I set up the meeting.

Mr. MITCHELL. You asked her to go; did you not?

Mr. CRANSTON. I don't know whether I did or not.

Mr. MITCHELL. She testified here you asked her to go.

Mr. CRANSTON. If she testified I did, I did.

Mr. MITCHELL. Why did you want her there? You could have handled this yourself.

Mr. CRANSTON. The FCC was an agency involved in this field, and it seemed useful to have them represented at the meeting.

Mr. MITCHELL. But she already told you, Mr. Cranston, that she could not be involved in this; this had program content in it.

Mr. CRANSTON. She apparently could be involved to the extent of being an observer, and she came for that purpose.

Mr. MITCHELL. You still have not answered my question. I want to know, after she told you on the telephone and she was quoted not only in this committee, but the Cox committee, as saying she told you that—

Mr. CRANSTON. We felt it was useful to have the FCC aware of our activities and of the activities in this field in general, and that is why we requested her presence.

Mr. MITCHELL. Specifically, let us get down to it. Poland was an ally of ours at that time; is that right, Mr. Cranston?

Mr. CRANSTON. Right.

Mr. MITCHELL. Russia was ally of ours at that time also.

Mr. CRANSTON. Right.

Mr. MITCHELL. Why, in any way, did you people take it upon yourselves in the Office of War Information to close up either the pro-Russian or the pro-Polish point of view?

Mr. CRANSTON. Because, as I have cited reports from other agencies, there was some reason to believe that these controversies were diverting people's attention from the war effort and making them concentrate—

Mr. MITCHELL. I have one more question to ask.

Have you ever been a member of the Communist Party?

Mr. CRANSTON. I am glad under oath to have the opportunity to say "No."

Mr. MITCHELL. You are saying "No"?

Mr. CRANSTON. I am saying "No," flatly.

Mr. MITCHELL. I don't want any aspersions cast one way or the other about it. That is why I asked you the question, because there may be some innuendo.

Mr. CRANSTON. Thanks for the opportunity.

Mr. O'KONSKI. Mr. Cranston, would you not say it all resolves down to this: Ambassador Ciechanowski, in one of his last conferences with President Roosevelt—and I do not say this in a derogatory sense at all—in a conversation with him, points out in his book, for instance, that in the last days of his association with President Roosevelt, the President seemed extremely worried, and the Ambassador had occasion at one time to ask the President why he was so worried. He said:

I am fearful that we have oversold Russia to the American people.

Would you not go along with that and say that that also applies to your agency, that OWI was a part of that, including the executive and all the other agencies of our Government, that actually did oversell Russia to the American people?

Mr. CRANSTON. I believe that to be true.

Mr. O'KONSKI. You believe that also?

Mr. CRANSTON. Yes, sir.

Mr. MACHROWICZ. Just one question I have been requested to ask, and that is this: Do you know anything about the firing in Buffalo of WBI commentator Casimir Soren?

Mr. CRANSTON. No.

Mr. MACHROWICZ. Are there any other questions?

Mr. PUCINSKI. We have had various witnesses from the OWI and the FCC to carry out the mandate of this committee. The second phase

of this committee's hearings was to establish why the Kaytn massacre, with all its ramifications, was never adequately reported to the American people and to the rest of the world.

You were one of the kingpins in formulating the policy of OWI in that particular section we are dealing with. I wonder if it is a fair assumption, Mr. Cranston, that you and Mr. Falk and Mrs. Shea and various other officials of the OWI and the FCC, working in harmony or conspiracy, zealous of perpetuating and furthering the friendship of this country with Russia, had cast aside other of our allies in order to make sure that this country had a greater respect for the Soviet efforts. Is not that a fair analysis?

Mr. CRANSTON. No; I don't think that is. I think that that goes to extremes.

Mr. PUCINSKI. At what point do we go to extremes?

Mr. CRANSTON. The Katyn incident was relatively a minor one in terms of what we did in my Division in the OWI. It was not in the headlines; it was not explosive.

Mr. PUCINSKI. But it was part of the general atmosphere, was it not?

Mr. CRANSTON. It was an incident that arose that we had to deal with to some degree. But I reject the idea that there was any conspiracy.

You used that word. There was never any evidence of anything along the lines you suggest. I think Mr. O'Konski stated the matter fairly well.

Mr. MACHROWICZ. If there are no further questions, the committee will recess until 1:30 p. m.

Will counsel announce the witnesses for this afternoon, please?

Mr. MITCHELL. Col. Ivan Yeaton, formerly military attaché in Moscow, and in G-2 during the war, and Maj. Gen. Clayton Bissel, formerly Assistant Chief of Staff of G-2.

Mr. MACHROWICZ. Very well. We will now stand in recess until 1:30 p. m.

(Thereupon, at 12:15 p. m., the committee recessed, to reconvene at 1:30 p. m. same day).

AFTER RECESS

Chairman MADDEN. The committee will come to order.

Mr. Cranston, you said that you had something you wanted to add that you overlooked this morning. Is that right?

Mr. CRANSTON. Yes; I did, sir.

Chairman MADDEN. Take the stand.

Mr. CRANSTON. Certain facts have just been called to my attention that I want to take this opportunity to place on the record in order to have them placed in proper perspective and in focus to my testimony and earlier testimony.

I understand that at an earlier phase the facts were brought out that following receipt by the Office of War Information on May 1, 1943, of a complaint about Polish-language broadcasts in Detroit, with emphasis upon a broadcast that was pro-Communist in character but with indications that all sorts of broadcasts were causing trouble, and following the meeting with the representatives of the industry, the following things occurred in Detroit:

Kreutz, who was the anti-Russian commentator, the man who was trying to pin Katyn upon the Russians at that time, had been sus-

pended previously on three occasions for a matter of a couple of hours or so. He was not barred from the air. He was asked to restrict his activities on the air, however, to news from reputable American wire services and was requested to avoid making propaganda over the air.

I understand now that he was permitted to continue on the air until 1945, when he resigned voluntarily.

On the other hand, Novak, who was the pro-Communist commentator and who made the remarks that were brought to the attention of the Office of War Information, was permitted to remain on the air only until his contract with his station expired. Presumably the station wanted to get rid of him following the statements that we made to the industry at the time that his activities were called to our attention.

The moment his contract expired the station did get rid of him. That was in February 1944. His contract was not renewed and he was removed from the air.

Now, I submit that these facts tend to substantiate the position that I have stated that the OWI did call the industry's attention to the trouble caused by the man making pro-Communist propaganda in Detroit as well as the activities of the anti-Communist, and that the result was that the Communist was permanently taken from the air.

I appreciate your letting me make that statement, Mr. Chairman.

Mr. MACHROWICZ. Mr. Chairman, there is nothing that has been said that is not in the record, but I think your inferences are out of line. The facts are that Mr. Kreutz was suspended on a number of occasions and permitted to remain only upon his assurance that he would not mention the Katyn Forest matter.

On the other hand, Mr. Novak was never called in, as Mr. Hopkins testified, but after his contract expired his contract was not renewed as were neither the contracts of any of the announcers of the foreign-language programs. So I don't think that proves anything.

Mr. CRANSTON. All that I am proving is that the Communist was put off the air.

Mr. MACHROWICZ. He wasn't put off the air. He was permitted to remain with his Communist propaganda, whereas Mr. Kreutz was stopped very effectively.

Mr. CRANSTON. Kreutz remained on the air, and the man who first went off the air happened to be the Communist, Mr. Novak.

Mr. MITCHELL. Mr. Cranston, you have been in the newspaper field for quite some time. I believe that one of the members of this committee pointed out yesterday that all of the—in fact, Mr. Harriman testified before this committee and said that everything that came out of AP, UP, and so forth was censored out of Russia, out of Moscow.

Mr. CRANSTON. What was, sir?

Mr. MITCHELL. In other words, nothing got out of there by any of our famous wire services that was anti-Russian in any way, shape, or form. Now, can you explain to this committee how Kreutz, for instance, by being restricted to the news service wires, and so forth, could get the information to the American people? The effect of your visit to New York was to restrict his comments and his broadcasting to the wire services.

Mr. Henry Cassidy, then with the AP, now a National Broadcasting Co. news editor, testified before this committee last February and said at that time that his story on Katyn was censored. He was asked when was the first time he had had an opportunity to express an

opinion on what he saw at Katyn, and he said, "When I testified today."

By the very act of restricting the activities of these Polish commentators to AP, UP, and so forth, you were accomplishing the same purpose.

Mr. CRANSTON. Mr. Mitchell, I am sure that Mr. Kreutz was not restricted to using AP, UP, INS, and other wire service reports which were originated in Russia and were thus cleared by the Moscow censorship. He was permitted to use wire service reports which emanated from any center in the world; and there were things on the wire services from time to time pertaining to Katyn that did not necessarily originate in Russia.

There were statements made in England and in Washington in this country about Katyn which didn't go through Russian censorship.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Are there any further questions?

We thank you, Mr. Cranston.

Mr. CRANSTON. Thank you very much, sir.

Chairman MADDEN. Who is the next witness?

Mr. MITCHELL. Colonel Yeaton.

TESTIMONY OF IVAN DOWNS YEATON, COLONEL, INSPECTOR GENERAL'S DEPARTMENT, UNITED STATES ARMY—Resumed

Chairman MADDEN. Colonel Yeaton, you have already been sworn. Will you give your name and address.

Colonel YEATON. My name is Ivan Downs Yeaton, colonel, Inspector General's Department, United States Army.

Mr. MITCHELL. For the record, may I say that Colonel Yeaton was sworn in on June 4, 1952, and that this is a continuation of his testimony taken at that time.

Mr. Chairman, for the purpose of bringing the committee up to date, I would like to make a brief remark. Colonel Yeaton was from 1939 to 1941 military attaché in Moscow. In September 1941 he attended a dinner party. Present at that dinner party was General Anders, who had just been released shortly before from the Lubianka Prison.

Chairman MADDEN. Let the witness testify.

Mr. MITCHELL. Now, will you start at that point, Colonel, and briefly bring us up to date. Just briefly tell us what you heard and then how you got into G-2 and bring us up to now.

Colonel YEATON. You mean from the dinner for General Anders?

Mr. MITCHELL. Yes; from the dinner.

Colonel YEATON. Colonel Anders at that time had just been released from the Lubianka Prison and his first consideration was the missing Polish officers and noncommissioned officers. He made inquiries and he had received evasive answers. So he spoke to me briefly after luncheon and said that he would do everything within his power to locate these officers.

From that time on in my business the subject of the missing Polish officers was so labeled.

When I got back to Washington I was put in charge of the Eastern European Section, which included Poland. So I immediately set up

in my files the Polish files of which the missing Polish officers was a part.

On April 13, when the Germans——

Mr. MITCHELL. 1943?

Colonel YEATON. 1943. When the Germans released their Katyn story my Polish file was again broken down and I set up a separate file for Katyn.

Mr. MITCHELL. Mr. Chairman, at this time I would like to hand to the witness a book called Mass Graves of Polish Officers Near Smolensk. This was supplied this committee by the War Department counselor's office last spring.

Mr. PUCINSKI. This is not an exhibit. It is too voluminous.

Mr. MITCHELL. I would like to have the witness explain about this book and how it came into existence.

You have already testified, Colonel Yeaton, that you had another file called the missing Polish officers file which you maintained from what time?

Colonel YEATON. The missing Polish officers file was part of the regular Polish file. It was only as of the date of the German broadcast that this file was started.

Mr. MITCHELL. In other words, there were two separate files then? There was a file maintained called the missing Polish officers file and this was beginning with the date of Goebbels' broadcast of April 13, 1943?

Colonel YEATON. No. The papers from the other file were the start of this file.

Mr. MITCHELL. The papers from the other file were the beginning of this file?

Colonel YEATON. That is right, sir.

Mr. MITCHELL. Fine. Could you roughly tell us what you did and how you built this file up?

Colonel YEATON. As of that German release, I took action on two things immediately. One was to send a wire to Szymanski in Cairo to devote all of his time and as quickly as possible to get me a report from the Poles themselves.

The other one was to instruct my own crew on the Polish desk to make this file as complete as they could and include in it all of the reports pertinent to the subject.

Mr. MITCHELL. At that time, what was your specific position in G-2?

Colonel YEATON. I was Chief of the Section at the time.

Mr. MITCHELL. Which section?

Colonel YEATON. The Eastern European Section.

Mr. MITCHELL. Did that include Poland?

Colonel YEATON. It did, sir.

Mr. MITCHELL. Did it include Russia?

Colonel YEATON. It did.

Mr. MITCHELL. Then, Colonel, that file there should contain everything concerning Katyn and the missing Polish officers?

Colonel YEATON. This file should be complete. Anything in the G-2 section pertaining to Katyn should be in this file.

Mr. MITCHELL. All right. Now, there was a reorganization in G-2 early in 1944. Will you explain to the committee what happened at the time of that reorganization?

Colonel YEATON. At the time of the reorganization the files from all of the geographic branches were sent down into a single file room.

Mr. MITCHELL. Were they available to the people working in the various desks?

Colonel YEATON. Yes.

Mr. MITCHELL. Did this reorganization hamper or assist the program at that time?

Colonel YEATON. As far as I am concerned, it hampered it because I didn't believe in the reorganization and I still don't.

Mr. MITCHELL. The reorganization of G-2?

Colonel YEATON. That is right.

Mr. MITCHELL. Why didn't you?

Colonel YEATON. Because it was set up and, I thought, running as well as could be expected. It was set up on the same lines as the State Department. As a matter of fact, every intelligent group in any country that I know anything about is set up geographically.

Mr. MITCHELL. What was the effect of the reorganization? Did they break up the geographic areas?

Colonel YEATON. The chiefs of the branches were made specialists and, as such, were assigned to writing opinions. They had access to their files, but there was confusion for months, and the only way we could keep it running was because we knew the persons concerned and where the files were.

Mr. MITCHELL. In May 1945, what was your position?

Colonel YEATON. In May 1945, I was chief or coordinator of specialists.

Mr. MITCHELL. Was that for all specialists?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. Then you were the coordinator. Who was your immediate superior?

Colonel YEATON. I think he is a Senator now. I have forgotten his name. He is a lad from Vermont. He was only in there a short time.

Mr. MITCHELL. Mr. Gibson?

Colonel YEATON. Yes.

Mr. MITCHELL. He is a Federal judge in New York, or rather in Vermont.

Now, you have just told this committee that everything that came in concerning Katyn and the missing Polish officers would be in that file?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. And these specialists you had at that particular time had access to that file?

Colonel YEATON. At the time this file was set up, my office was broken down into three subsections: military, political, and economic. At the head of the military was a Major Shimkin. At the head of the political was Maj. David Crist. At the head of the economic was a man named Raymond.

The papers on Katyn were shown first to the Military Section, which would be Shimkin's subsection so that he could more closely evaluate the strength of the Polish Army which was being reformed. It was sent to the political desk for file.

Now, later in the Political Section we had Dr. Johnson, who may or may not have assisted in putting this file together. I am not sure of that.

Mr. MITCHELL. Where was Dr. Johnson employed at that time?

Colonel YEATON. He was in G-2, sir.

Mr. MITCHELL. He was in G-2?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. What was his specialty at that time?

Colonel YEATON. He was in the political desk, if I remember correctly.

Mr. MITCHELL. Of which country?

Colonel YEATON. Both the Soviet Union and Poland. He would have written opinions on either.

Mr. MITCHELL. On either subject?

Colonel YEATON. Yes.

Mr. MITCHELL. At the time that the Van Vliet report was filed with General Bissell, where would be the logical place for that report to go? That was May 22 or May 23 or May 24, 1945.

Colonel YEATON. Unless its classification prohibited it, it would be in this file.

Mr. MITCHELL. Were there top secret papers in that file at any time?

Colonel YEATON. Not to my knowledge.

Mr. MITCHELL. But the logical place for it to go, if it were not classified, would be that file; is that correct?

Colonel YEATON. That is right, sir. The only reason I ever classified any document in this file was to protect its source. Certainly the subject matter was not such as to require classifying it.

Mr. MITCHELL. General Bissell has already testified that that document was labeled "top secret" by him. Now, have you ever seen the Van Vliet report yourself?

Colonel YEATON. No, sir.

Mr. MITCHELL. Did you ever discuss the Van Vliet report with General Bissell?

Colonel YEATON. No, sir.

Mr. MITCHELL. Or he with you?

Colonel YEATON. Not from my knowledge.

Mr. MITCHELL. When did you first hear about the Van Vliet report?

Colonel YEATON. From this committee here.

Mr. MITCHELL. I have no further questions right now.

Chairman MADDEN. Are there any questions? All right, Mr. Pucinski.

Mr. PUCINSKI. Colonel Yeaton, did you personally place the documents in that file?

Colonel YEATON. No; never personally.

Mr. PUCINSKI. Will you tell us who were some of the people who worked on that book with you?

Colonel YEATON. These files were not kept by me personally because I was Chief of the Branch. The persons that could have kept the file would be Col. Richard Park, Jr. He might have been one. David Crist would be one. Dr. Johnson, possibly.

Mr. PUCINSKI. Will you identify Dr. Johnson a little further, please.

Mr. MITCHELL. What was his first name?

Colonel YEATON. William, Dr. William Johnson.

Mr. MITCHELL. Where did you first know Dr. Johnson or hear of him?

Colonel YEATON. When he reported for duty in G-2, sir. I had heard of him before that through General Faymonville.

Mr. MITCHELL. Who was he?

Colonel YEATON. He was the first military attaché in the Soviet Union.

Mr. MITCHELL. Was Johnson working for him?

Colonel YEATON. I don't think he was working for him, but he knew him in Moscow. As I understand it, Dr. Johnson was a student in Moscow.

Mr. PUCINSKI. Do you care to name any others as best you can recollect?

Colonel YEATON. I have named Park, Shimkin, Crist, Raymond, Johnson. I don't remember any more at this time, sir.

Mr. PUCINSKI. Do I understand you correctly, then, that if a document pertaining to Katyn came into your Branch any one of these people who had access to this book could have placed it in the book? Do I understand you correctly?

Colonel YEATON. We also had a girl who was a file clerk. She might have actually physically put it in there. Any one of them could have designated which file it would go into or had access to the file.

Mr. PUCINSKI. Anyone of these people had access to your file there?

Colonel YEATON. That is right. This was never a highly classified file anyway.

Mr. PUCINSKI. I have nothing further.

Mr. MACHROWICZ. Are there any further questions?

Mr. O'KONSKI. You mentioned this Dr. Johnson. You said that you first heard of him through someone connected with the Russian Embassy; is that correct?

Colonel YEATON. The Embassy in Moscow, sir.

Mr. O'KONSKI. The American Embassy in Moscow?

Colonel YEATON. True.

Mr. O'KONSKI. What did you hear about him from this Embassy in Moscow?

Colonel YEATON. General Faymonville mentioned casually several Americans that had been over there during his tour. He knew them all, and I am sure he liked them all.

Mr. O'KONSKI. What kind of a tour was this that he was on?

Colonel YEATON. He was the first military attaché to the Soviet Union.

Mr. O'KONSKI. Johnson was?

Colonel YEATON. No, Faymonville.

Mr. O'KONSKI. And he met Johnson in Moscow?

Colonel YEATON. That is the way I understood it, sir.

Mr. O'KONSKI. In what year was that?

Colonel YEATON. Well, it must have been some time between 1934 and 1937.

Mr. O'KONSKI. Judging from that, then, the conclusion could be drawn that Johnson was pretty favorable to the Soviet Union. Is that the impression that you got from the conversation you had?

Colonel YEATON. I couldn't say that; no, sir.

Mr. PUCINSKI. Maybe we can reword the question.

Colonel YEATON. He was interested, certainly.

Mr. PUCINSKI. Can you tell us what you know about Mr. Johnson and his connection with your department?

Colonel YEATON. All I know is that he was sent to us as an expert on the Soviet Union, and as long as I was Chief of the Branch I used him to write, to evaluate incoming information, and to write such papers as were necessary.

Mr. O'KONSKI. In his writings and in the analyses that he gave you of information that was coming in, how were his writings and reports slanted? Were they favorable or unfavorable to the Soviet Union?

Colonel YEATON. Most of the time I think we agreed. On a few things possibly he was more favorable than I was.

Mr. PUCINSKI. Could you elucidate on that a little bit?

Colonel YEATON. I don't see what more I could say.

Mr. PUCINSKI. What do you mean when you say that he was more favorable than you on a few things? What were your views at that time as far as the Soviet Union was concerned?

Colonel YEATON. I looked on everything I saw and everything that was shown me as a show, as pure propaganda. I believed, and I hope that in saying this I am not doing Bill an injustice when I say this, that he and some of the other boys over there didn't so evaluate what they saw. There have been a lot of people who have made that same mistake.

Mr. PUCINSKI. What was the nature of their evaluation?

Colonel YEATON. I don't know, sir.

Mr. PUCINSKI. You were the head of the department, sir.

Colonel YEATON. Yes. I would have to have a definite paper, to—

Mr. PUCINSKI. I have nothing further.

Mr. MACHROWICZ. Are there any further questions?

Thank you very much, Colonel.

Colonel YEATON. Thank you, sir.

TESTIMONY OF GEN. CLAYTON BISSELL, UNITED STATES ARMY, RETIRED—Resumed

Chairman MADDEN. Our next witness is General Bissell.

Mr. MITCHELL. The general was sworn on June 3. Have the record show that this is a continuation of the hearing held on June 3, 1952, at which time General Bissell testified before this committee.

Mr. MACHROWICZ. You may proceed, Mr. Counsel.

Mr. MITCHELL. General Bissell, were you in the hearing room yesterday when Mr. Holmes and Mr. Lyon testified?

General BISSELL. I was.

Mr. MITCHELL. Did you hear what they had to say?

General BISSELL. Not all of it, but I think I have the sense of it. The acoustics were poor, and some of the talk was very low.

Mr. MITCHELL. I provided you with a copy of the transcript of the hearing of June 3; is that correct?

General BISSELL. Yes, for which I am very appreciative.

Mr. PUCINSKI. General Bissell, just briefly, for the purpose of review, you were the G-2 in May of 1945 when Colonel Van Vliet was sent here by the now Chief of Staff, General Collins, to report to you relative to observations that he had made while he visited the graves at Katyn. He had been taken there as a German prisoner of war and he

had told General Collins that he thought the Soviets had committed this crime.

He came back to America and filed a report with you at your instructions which you had marked "top secret" on the 22d of May 1945. On the 25th of May 1945 you had dispatched a letter to General Holmes, then Assistant Secretary of State, asking him for questions as to Van Vliet's treatment by the Germans while he was a prisoner of war and taken to Katyn.

On June 9 you received a reply from General Holmes. On August 21, 1945, you had sent a letter to Mr. Lyon of the State Department advising him—

General BISSELL. May I interrupt?

Mr. PUCINSKI. May I finish the chronology and then you can correct it if I am wrong.

On the 21st of August 1945 you had sent a letter to Mr. Lyon of the State Department advising him that you were sending him a copy of the Stanley S. B. Gilder report—Gilder was a British officer who was equally or likewise taken to Katyn—and in that letter of the 25th or rather, excuse me, the 21st of August, you made reference to the fact that Gilder's report substantiated in effect "the statement of Col. John H. Van Vliet forwarded to General Holmes on the 25th of May 1945 and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report."

Now, this committee has been trying to find the report filed by Van Vliet which you at that time, the 22d of May 1945, had stamped "Top secret," and it was your contention at the last hearing here before this committee that you believed that you may have sent that report to General Holmes at the State Department.

At the June 3d hearings you admitted that you had received the report from Van Vliet, that you had marked it "Top secret," and that you think you had sent it to the State Department.

Does that bring us up to date as of this moment?

General BISSELL. There are some minor errors, but substantially that is correct. I couldn't have stamped the report "Top secret" on the 22d, the date you fixed, because it wasn't written yet. That kind of thing is in several places in your statement. I saw no orders from General Collins. You said that he was ordering Van Vliet. That is of no consequence, but I just want to be sure that I am not confirming something that is incorrect.

The substance of the long sentence that you have given me is correct.

Mr. MACHROWICZ. That is the difficulty with making a summary statement. We will accept the record as correct, regardless of the statements made.

General BISSELL. That is correct; yes, sir.

Mr. PUCINSKI. Well, take it from there, General.

Mr. MITCHELL. General Bissell, the last time you testified before this committee you stated that you personally were responsible for labeling the Van Vliet report "Top secret."

General BISSELL. I directed it be labeled "Top secret."

Mr. MITCHELL. At that time you gave as the reason for labeling it "Top secret" the discussions that had taken place at Yalta. Is that correct?

General BISSELL. No; I did not. I told you in the record that it fell within, I think, paragraph 3 of a document that deals with the definition of "Top secret." I told you that I thought because of its political implications that it should be "Top secret." I don't think I said anything about it being based on Yalta, because you will remember that I stopped at that point, not knowing the classification of Yalta, and you suggested that I not answer.

Mr. MITCHELL. You are correct, because at that time Mr. Sheehan was asking you to put on the record the various classifications of "Top secret," and you read from a record propounded in 1944. You said that you had labeled the Van Vliet report "Top secret" because of its political implications at that time. Then later on, when I asked you why you did that, you said, "Well, that concerned Yalta."

General BISSELL. Yes, sir.

Mr. MITCHELL (quoting). "You have me over a barrel."

General BISSELL. That is correct.

Mr. MITCHELL. Mr. Machrowicz then asked you to find out what had been disclosed at Yalta, and we left the subject of Yalta alone at that time.

General BISSELL. That is correct.

Mr. MITCHELL. Mr. Chairman, I have received from the Department of State a statement that all of the Yalta Conference has been released. That is the Yalta statement from the State Department.

Mr. MACHROWICZ. The exhibit that you have handed me is a combination of documents formulated at the Crimea [Yalta] conference. Are you asking that this be incorporated in evidence?

Mr. MITCHELL. Yes; I think that would be exhibit 38.

Mr. MACHROWICZ. It may be received.

Mr. MITCHELL. Thank you.

(The document referred to was received in evidence as exhibit 38 and appears in the index of these hearings.)

Mr. MITCHELL. General Bissell, you have been provided with a copy of exhibit 38 by either the State Department or the Army Department Counselor's office?

General BISSELL. I was directed, I believe, by your committee that this matter would be taken up later and that I would find out its status. I asked the Counselor for the Department of the Army to make it available to me, but he was not yet prepared to do so not because of the classification but because he wanted to get some information from the Department of State. He had some exchanges with the Department of State, and on the 26th of June Mr. Shackelford wrote me. I don't think the letter was mailed because they verified something else and then another one, I think, was attached on July 9th, and they forwarded me the papers stating substantially what you have said: That it was all released.

My current understanding is that it is all released; and if your records show that—it is piecemeal here with me, but I think it is all covered, and I have the paper—I will be glad to comment.

Mr. MITCHELL. We have it on the record now anyway. I think you have about the same thing.

General BISSELL. It appears to be the same mimeograph.

Mr. MACHROWICZ. If this committee has succeeded in having the Yalta papers declassified, we have accomplished something already.

MR. BISSELL. May I ask something? Am I to understand then from the State Department that it is all declassified and that I can go ahead and talk?

MR. MITCHELL. That is correct. That is my understanding. Mr. Ben Brown from the State Department is here.

MR. MACHROWICZ. Mr. Brown, do you care to make any comment?

MR. BROWN. Mr. Chairman, I don't have a copy of it with me, but I wrote Mr. Shackelford a letter dated June 20, 1952, which perhaps you would like to have me furnish you.

MR. MACHROWICZ. Does it concern the declassification of these instruments?

MR. BROWN. Yes, sir.

MR. MACHROWICZ. All right.

MR. BROWN. In fact, it not only states that they were declassified but also it gives the initial date of the publication of each of the parts of the Yalta Agreement.

I might add that this document which General Bissell has here is a copy of the letter which I sent to Mr. Shackelford.

MR. MACHROWICZ. Do you verify now that the documents concerning the Crimea Conference, the so-called Yalta Conference, have been declassified?

MR. BROWN. That is right sir. And the document which Mr. Mitchell has placed in evidence is a duplicate of the document which I enclosed with my letter to Mr. Shackelford and which General Bissell has in his possession here.

MR. PUCINSKI. I think, for your information, Mr. Chairman, and for the committee's information, we should point out that the so-called unclassified or declassified document of the Yalta Conference is the release that was made shortly after the Yalta Conference was consummated. But it does not carry with it the transcript of any discussions, off-the-record discussions, this may have been held at the Crimea Conference.

MR. MACHROWICZ. All right.

MR. MITCHELL. For the purposes of this discussion this afternoon, the general is in no way bound by anything of secrecy or otherwise from Yalta. He is at perfect liberty to discuss that.

I believe you understand that to be correct. Isn't that correct?

General BISSELL. That was the purpose of my question; that is, to get freedom of action, because it has been done so piecemeal.

I know that this is probably not verbatim, and a lot of the stuff doesn't look exactly the same.

In other words, I saw what was purported to be the report of Yalta by the people who had been there while it was in their hands, but completely classified.

MR. MITCHELL. All right.

General BISSELL. I never saw this, you understand [indicating the enclosure sent by Mr. Brown to Mr. Shackelford].

MR. MACHROWICZ. Let's proceed further. It has been declassified. Let us proceed with the questioning.

MR. MITCHELL. Now, I would like you to explain to the committee why you labeled it "Top secret."

General BISSELL. Well, there are two things in this that I think I can point out to you, and then you may wish them read into the record, or they may be already in the record.

On page 13 is the agreement regarding Japan. To paraphrase that and to put the two pages into a couple of sentences, a deal was made with the Russians to break a treaty obligation they had with the Japanese, a mutual-alliance defense arrangement, and stab the Japanese in the back when it would do us the most good and save us the most Americans.

Mr. MITCHELL. What does that have to do with the Van Vliet report?

General BISSELL. The point I am making is that that deal had not yet been consummated; had not yet been effected. It was an agreement—

Mr. MACHROWICZ. I don't think, General, we are going to have the time nor are we in authority to analyze the entire Yalta Conference, and the commitments made, particularly with reference to Japan.

I think we had better stick to the Katyn incident.

General BISSELL. The word "Katyn" is not mentioned in here, but the purpose of the decision here is to get the Russians to help you and have them make an attack within 60 days, or whatever the time period specified in here, on the Japanese, and in order to help us shorten the war.

Mr. MACHROWICZ. You mean to help us shorten the war with the Japanese?

Mr. PUCINSKI. In other words, what you are trying to say, General, is that you are well aware of the effort being made in this country at that time to assuage the Soviets toward helping us.

General BISSELL. That is right.

Mr. PUCINSKI. Is that what you are trying to say?

General BISSELL. And these papers show the big price that we were prepared to pay for that in territorial concessions and in every other thing, and they also show what decisions were taken with regard to Poland which were set forth at that time under the President's signature, as I recall. I believe it is at the end of this thing.

Mr. MACHROWICZ. Do you refer to those commitments as "a stab in the back"?

General BISSELL. I don't know where to stop. I would like to go ahead and talk, or else answer your questions.

It disposes of Poland completely, and what the United States is going to do.

Now, that is the policy of the United States enunciated by the President in wartime, the Commander in Chief, and that is an order to me.

I am shown it when it is secret to everybody but a very small handful, and I am supposed to have sense enough to know that, when the President signs something in wartime as the Commander in Chief, that is it.

Now, I am not asked for any views. I am not asked for my comments.

The purpose was to get Russia to fight and help us in the Japanese war instead of letting us exhaust ourselves and then having them turn on us.

Mr. O'KONSKI. In other words, General, what you are really saying is that the actions which you took, particularly in the instant case relative to Katyn, you took in order to implement the foreign policy of people above you; is that correct?

General BISSELL. I was doing this because it had on it the signature of the Commander in Chief. I wasn't doing it because he was the President and a politician. I was doing it because he was the Commander in Chief under our Constitution, and I am working for him under oath to do everything I can to further his policies.

Mr. O'KONSKI. In other words, in your actions you were merely implementing this policy that was set down?

General BISSELL. Now, I am classifying Katyn "Top secret" in view of this. I know it is "Top secret" at the time, and Van Vliet even recognized it as "Top secret" without that background.

I saw in it great possibilities of embarrassment; so, I classified it the way I have told you, and I think I had no alternative.

Mr. DONDERO. General, you made one statement regarding territorial concessions that we made at Yalta as the price that we paid to get Russia to help us in the Japanese War.

General BISSELL. That was only part of the price we paid. We paid more than territorial concessions.

Mr. DONDERO. We are still paying the price in Korea?

General BISSELL. It is all such a different deal that I don't think anybody would pretend to say that at the time of Yalta, anybody could visualize the Russia of today.

I mean that we are 5 or 7 years later, and that is hindsight. But I am agreeing with you that we paid a great deal for it, and we are still paying.

Mr. DONDERO. I am not asking you that to be critical of you. I am simply asking you what happened.

General BISSELL. All right, sir.

Mr. O'KONSKI. You answered a lot of questions for me in just stating that you were implementing foreign policy. I would like to ask one or two other questions in that respect.

You, as head of G-2 at that time, naturally asked for various reports, for instance, on what the situation was in Greece and what the future picture might be.

General BISSELL. I am not hearing you too well, sir.

Mr. O'KONSKI. In your job as head of G-2, it came within your province and you did at times, for instance, ask for a complete report and evaluation of the situation, say, for instance, in Greece, or in Rumania or Bulgaria. Do you remember ever asking for such reports for those respective countries?

General BISSELL. I will answer that this way: Every morning, with some few rare exceptions, when I was in Washington, the specialists on each area or country—a good many each time, 10, 12, 15 of them altogether—came into my office with the maps, with the charts, and with everything that had come in pertaining to the area in which they were primarily responsible. They painted for me the picture of the change from the day before in the world, piece by piece, or the change over a period of time. It might be a progressive report covering 20 days, 50 days, or the change from last year.

It kept you up to date in all respects, and I was briefed that way every single solitary morning.

Now, if I wanted more detail on what they told me and didn't want to consume the time of all of these men who had lots of work to do, I would call individuals in later in the day and ask for further

amplification, or I might direct that they make a study for the Chief of Staff and present on the next day in greater detail what they had found the next day, or, if it was urgent, later the same day.

Mr. O'KONSKI. Do you remember, in receiving some of those reports, General, telling some of these people that were giving you these reports that their reports were too anti-Soviet and that they would have to tone down the nature of their reports before you would accept them?

General BISSELL. I believe I might have done so. I tried to have my office staffed with experts and then, where there were two views, I tried to have an expert representing each view.

In the case of Russia, I tried to get a man who had served in Russia, if I could get him, a military attaché, or some other similar attaché who hated the devil out of the Russians and who would bring out everything that was bad about them.

Then I wanted also a man who liked them and who would bring out the other side.

You had to find a middle ground because both of them were not always 100 percent right, obviously.

In the controversial areas, you have to have a good chance of getting both sides aired.

Now, those people who had lived in Russia and who had served there in some cases despised the Russians, while some of them admired them. That was the kind of thing you had to deal with. But I think I always had a fairly well balanced group. If I thought it was out of balance, I would have tried to balance it.

Do I make my point clear?

Mr. O'KONSKI. Yes.

Now, for example, do you remember, or did you have anything to do with these Chinese interpretation courses that were given; for instance, at the Massachusetts Institute of Technology and Camp Ritchie in 1945?

General BISSELL. That was one of my activities. They were not only give there but in many other universities in the United States and in many other languages, such as Japanese, German, French.

Many universities were working with G-2.

Mr. O'KONSKI. Can you give any reason why in those courses the interpretation was given that was very favorable to Mao, who is now the Communist leader in China?

You know, of course, what they are doing to our boys in Korea now. Can you give any reason why that course went along with the policy of actually instructing our military people that "Mao really is not a Communist; he is just an agrarian reformer." Can you give me any reason why that interpretation was approved by G-2?

General BISSELL. It was never approved by me and that particular type of teaching had no business in the schools. They were teaching, among others, the Chinese language to people who were going to Chiang Kai-shek's China.

Mr. O'KONSKI. And instead of teaching them the language—

General BISSELL. That might have happened. I couldn't be in every class.

In the case of the teaching of the Chinese, because it is a hard language, a great deal of it was done with microphones and the man would study it as long as he could take it and when he was so full of

it that he couldn't remember the sounds, he would go to something else. Then he would take some more.

Then we had classes where they rounded out the training. But you are not interested in the details of technique.

This other thing you are talking about has no place there. We told them to make the courses as interesting as they could, and they did give them a good deal of background of the country.

Now, I don't know anything about the particular thing you are mentioning. I never heard of it until this minute.

Mr. O'KONSKI. Well, they were considerably slanted in favor of the group that is now causing us all of the worry and anxiety in Korea.

General BISSELL. There is one thing I would like to say Mr. Congressman, in that connection. The word "Communist" as used in China in those days was not the word "Communist" as it is used in the world today. Those who differed with Chiang Kai-shek were Communists, but that was not meant the kind of Communist that took over China later, nothing like it.

Mr. O'KONSKI. In that respect, General, am I correct in this observation? I think I am. In view of the Yalta agreement and in view of this anxiety of getting Russia into the war against Japan, there was practically no limit all the way down the line and the general policy was to protect the Russians as much as possible, not to arouse their anger and antagonize them in any manner, shape, or form, but to go along with them in every way whatever so that we could continue to keep them as our ally? Wasn't that really the guiding policy of G-2 and practically every agency of the Government at that time?

General BISSELL. I can't speak for other Government agencies. We were not going to violate the spirit of this thing, although the facts were going to go to our people who acted on them if they pertained to how you got on with the war, whether they be favorable or unfavorable.

Mr. PUCINSKI. By "this thing," you mean the Yalta agreement?

General BISSELL. I mean that the Yalta agreement made us follow a certain course.

Now, much information came in that was anti-Russian which was classified, and a lot of it wouldn't have gone to the public anyhow. They didn't need to know those things. It wouldn't have helped them.

But those things that came in and which our military leaders needed to know were passed on to them. If it influenced the prosecution of the war, it was put right out to the people who could use it.

We were collectors primarily for the Army and the Air Force and disseminators and evaluators. However, I had other functions as G-2 to provide information to the Joint Chiefs of Staff and to do many other things.

Mr. O'KONSKI. In other words, General, we set a definite policy and course of action that we were to follow, signed, as you say, by the President of the United States. If you had not implemented that policy and followed that policy, you very likely would have been removed from your position. Isn't that right?

General BISSELL. Yes, but I wouldn't have thought of not implementing it. I was sworn, as every officer is, to uphold—you take an oath when you go in there to do certain things. You lose a lot of your rights and your citizenship privileges. So when you are in there, you

give them away, and, in return, you take an oath, and that is all there is to it.

Mr. O'KONSKI. In other words, General, here were 15,000 Polish officers who were murdered.

General BISSELL. We are talking about Katyn, and I think your figure is 4,300, just being precise.

Mr. O'KONSKI. Even if there had been 150,000 of them murdered, it wouldn't have made any difference because you still would have had to implement the foreign policy?

General BISSELL. No matter what number had been involved here, I would have tried to get these papers to one of two agencies whose business it was. It didn't involve the war against Germany any more.

Poland couldn't participate in the war against Japan.

The Russians could participate in it.

Those were factors.

Mr. PUCINSKI. What agencies were those, General Bissell?

General BISSELL. Sir?

Mr. PUCINSKI. What agencies were those?

General BISSELL. That is in the record again and again. War Crimes or State Department.

Mr. O'KONSKI. That is all.

Mr. SHEEHAN. General, in talking with Mr. O'Konski, you brought out the fact that in evaluating this information you tried to get somebody who was every much anti-Russian and somebody who was very much pro-Russian.

General BISSELL. That was where you had a controversial thing, where you had bitterness and hatred and where people might be sour in their views because of service in Russia, or something like that. You had to try to get the best thing.

Mr. SHEEHAN. We are having a witness coming up after you, Dr. William Johnson. Will you state where he fitted into this picture?

General BISSELL. I never to my knowledge talked to him. I never saw him, to my knowledge. I saw his back here. I might know him if I saw him. I don't know.

I would have wanted to know the views of Colonel Yeaton and another officer who worked right in that section every time, and they came into these meetings regularly every day.

McKellar is the other officer.

Mr. PUCINSKI. In view of what you have just told this committee, then, on May 22, 1945, you signed a letter which you gave to General Van Vliet?

General BISSELL. A memorandum, to be precise.

Mr. PUCINSKI. A memorandum that you gave to him after he had given you the report.

In part, you said:

Due to the nature of your report, and the possible political implications, it is directed that you neither mention nor discuss this matter with anyone in or out of the service without specific approval in writing from the War Department.

Now, we understand that this gag on Van Vliet was requested by him and concurred in by you. I presume that the gag on Van Vliet was placed because of the reasoning that you have described before this committee prior to this time. Is that right?

General BISSELL. That is correct.

I would like to say one thing more. When Van Vliet was released from that restriction in order to make a second report which was released in the War Department publications before this committee—when they got through with it, they slapped it right on again many, many years after I put it on, so maybe I wasn't so far off after all.

Mr. PUCINSKI. Just so that this record is complete, will you briefly tell us what you mean by political implications?

General BISSELL. I mean those things that will have a political effect now or later. It might be 20 years later; it might be the next day.

Political implications are anything—of course, politics goes into all of your life. It is a political implication when you vote, but that isn't what I am talking about.

I am talking about political implications on a world-wide basis.

Poland had been in the fire in World War I and before. You all remember the Polish corridor. Poor Poland has always been between these two big wheels. Those are political implications, and this was certainly political.

I think you have had enough before this committee to show that if Katyn had been perpetrated by the Russians, which appears now to be the case, that was for a political purpose.

Mr. PUCINSKI. Let me finish, if I may.

Now, in your prior testimony before this committee, you said that you thought you discussed this Katyn report of Van Vliet with General Holmes of the State Department. You heard General Holmes testify yesterday, didn't you?

General BISSELL. Yes.

Mr. PUCINSKI. What is your statement today?

General BISSELL. The same thing, exactly. I gave an illustration under oath of exactly what I meant by discussing. I gave a paraphrase of approximately what I might have said. That shows the extent of the discussion I would have had.

Mr. PUCINSKI. On Katyn?

General BISSELL. On Van Vliet being here. I think you mean Van Vliet, don't you?

Mr. PUCINSKI. Yes.

General BISSELL. All right.

Mr. Holmes said that he had no recollection of that. He didn't say I didn't do it. He was very guarded in his statement. I have a copy of it here.

Mr. MITCHELL. General, before you go any further with that, I have one question.

Chairman MADDEN. Let him finish that sentence.

General BISSELL. You have wrecked me.

Mr. PUCINSKI. You were talking about your conversation with Mr. Holmes.

General BISSELL. My conference.

Mr. MITCHELL. He said that he had no recollection of it.

General BISSELL. I was in the room at the time, and if I heard him correctly I believe that his statement was that he does not recall any conversation on either matter and that he can't be certain he would remember it. I jotted it down quickly. I may have gotten it down wrong, but I think that is substantially correct.

Then you asked him whether I ever handed him a top-secret report for which he didn't sign a receipt, and he told you he had no recollection of that.

I spoke to him on the way out. We agreed that there had been dozens and dozens of them passed without any receipt.

Mr. MACHROWICZ. We can't take into consideration what was said on your way out.

General BISSELL. I only mention that in passing. He is still available, I believe, if you want to verify that.

Mr. MACHROWICZ. We must consider the testimony under oath.

General BISSELL. All right. I will state under oath that we passed a great many secret communications without any paper work, because we both sat most Wednesday afternoons as common members of a committee known as the Joint Intelligence Committee. Periodically we sat as common members with the British and our allies, our other allies, as the Combined Intelligence Committee.

We would bring in there a paper for action by that committee, or for their consideration, and the top-secret papers would be passed around by everybody. We even took them home for study.

Mr. MACHROWICZ. General, this is a highly specialized office that you were in and that Mr. Holmes was in, and it has been testified by both you and him that such documents were not ordinarily passed without a receipt.

General BISSELL. That is right.

Mr. MACHROWICZ. And you today intensify that point by saying that this was a tremendously top secret document.

Do you have a receipt from him for having conveyed that document to him?

General BISSELL. I do not have a receipt from him.

Mr. MACHROWICZ. And you do not remember having delivered it to him?

General BISSELL. I do not remember ever having handed that document to General Holmes.

Mr. PUCINSKI. How about Mr. Lyon?

General BISSELL. I don't remember ever having handed it to Mr. Lyon.

Mr. PUCINSKI. If I am not mistaken, that is in the record.

General BISSELL. There are many errors in the record, but that is because you have not had a chance to check it.

Mr. PUCINSKI. Do you ever recall discussing the Van Vliet report with General Marshall?

General BISSELL. I never discussed it with him.

Mr. PUCINSKI. How about Mr. McCloy?

General BISSELL. I mentioned a great many people, specifically in my previous testimony I had not discussed the Van Vliet report with and you asked me how I could have discussed it with them when I hadn't shown it to them.

Mr. MITCHELL. General, at this point I would like to take over on this question.

General, I believe you know that we have talked to every member of your personal secretariat.

General BISSELL. I hope so.

Mr. MITCHELL. All but Mrs. Doris Jepson, who was your personal secretary both in the China, Burma, India theater, and in G-2. She

is the only individual we have not had a chance to talk to, because she is located in India today.

In addition to talking to the members of your own staff, we have talked to, I would say, roughly 30 people of G-2. Now, I will tell you this right now. There isn't a single solitary person that we talked to who said that General Bissell would take that document or send it to the Department of State without talking to a higher superior, that you were too clever, that you knew your business, and it may be said to your credit that they have a great respect for your mental ability.

Now, did you or did you not talk to anybody higher than you about the Van Vliet report when you received it in the Army or in the Secretary's office, or in the Joint Chiefs of Staff?

General BISSELL. There is a possibility that I may have mentioned it to General Marshall or to the Secretary. I have no distinct recollection of having done so, and I don't see much reason why I should have.

Mr. MITCHELL. Well, we see a lot of reason why you should have.

General BISSELL. Well, I know, but—

Mr. MITCHELL. You will recall that at that time the United Nations were being formed and also that the 16 leaders of the Polish underground were admitted by Molotov to have been imprisoned in Moscow. They were the 16 Polish underground leaders.

You had a report on May 22 in person from Van Vliet saying that 11,000 Polish officers had been killed at Katyn, murdered by the Russians.

Now, that is quite significant. You had been at the United Nations just prior to the time you talked with Van Vliet. You knew the situation at the United Nations.

General BISSELL. That is right.

Mr. MITCHELL. You knew it better than any man in the country at that time, and yet here you got this particular report.

Now, bringing you right back to a moment ago, none of your staff, from the analysts all the way up to your generals that you had working for you—and you know that I have talked to them.

General BISSELL. I hope so.

Mr. MITCHELL. None of them said to me that you would do anything with that but go to a higher superior.

Now, did you, or did you not go to a higher authority?

General BISSELL. I told you—

Mr. MITCHELL. And if you did go to a higher authority, did you get any instructions about this report?

General BISSELL. I told you that I had no distinct recollection of having taken it up to General Marshall or to the Secretary, but that I might possibly have done so, and that I see no reason why I should have done it because it had nothing to do with the prosecution of the war at that time.

The European war was over; it was finished, and this thing was a matter for war crimes or the State Department.

Chairman MADDEN. May I interrupt you there? If you had taken that to General Marshall or to the Secretary, don't you think that you would remember it?

General BISSELL. I don't think so because I took so many things to General Marshall.

Chairman MADDEN. We are talking about this report. Don't you think you would remember this report, as important as it was if you had talked to General Marshall or the Secretary about it?

General BISSELL. I don't believe so.

Mr. MITCHELL. Did you keep a day-by-day record of the events?

General BISSELL. Well, now, yes and no.

Mr. MITCHELL. Let's say "Yes."

General BISSELL. I had what is known as an appointment list which was kept on my desk, just a commercial calendar of pretty good size which had the day divided up into periods of 30 minutes, or hours. On that I jotted down, or it was jotted down for me, if I didn't do it, by my secretary, with whom I had made appointments, and it would also show the appointments in the future. All the past stuff was taken off by the secretary in the outer office where a similar record was kept of the appointments I had kept that day or things I did that I told them about. They didn't know a good many things that went on.

When I had time, I tried to take those two pieces of paper, the one my secretary kept and the one I had, and I dictated the sense from them of what I had done, not with the idea that it would become comprehensive, but to nail down who and what and where and on what given day.

Now, I do have that particular material.

Mr. MITCHELL. General, in the course of the investigation we have conducted, we have been told not by one, but by many that you maintained such a record of events—I am not going to refer to it as a diary because of General Grow—which we will call a record of events. I think we will both agree that diaries were quite common on those days. Those were the wartime days.

I referred to it as a diary when I talked to you in Tennessee the other day. I asked you to bring the records with you of your conversations and of who you saw between May 15 and June 1, 1945, and between August 15 and August 25, 1945.

I selected those dates particularly because of the fact that both of the letters that went to the Department of State were in that period of time.

Do you have that with you?

General BISSELL. I told you that I would bring it up but that I would have to find out what to do about those matters that might still be classified and not pertinent to Katyn.

I would like to call attention, if I may, to the fact that there is in the record as exhibit No. 3 to my testimony a prohibition against my talking about things under certain categories. You have that in the record. I think you will remember it.

Now, I asked whether this was still binding on me when I came up the other day, and I was told that it was still in effect.

Mr. MITCHELL. Does the War Department today, G-2, have a record of your diary?

General BISSELL. Now, wait a minute. I just got through clearing this prohibition.

Mr. MITCHELL. The question is most specific.

General BISSELL. All right.

Mr. MITCHELL. The question is this: Has G-2 today in their files a record of these conversations or memoranda that you made at that time?

General BISSELL. They do not have.

Mr. MITCHELL. Where did we get them today? From you?

General BISSELL. Well, you don't have them today, but you are going to get them from me by the procedure which you arranged with Mr. Monahan.

Mr. MITCHELL. Well, now, just a minute. They are in your possession, today?

General BISSELL. Not this minute, no, but they are mine.

Mr. MITCHELL. And they were in Tennessee with you?

General BISSELL. That is correct.

Mr. MITCHELL. You maintain those under lock and key?

General BISSELL. Yes, sir.

Mr. MITCHELL. What right do you have to those today? They are top-secret messages.

General BISSELL. No, sir; they are not.

Mr. MITCHELL. They must be top secret because I can't look at anything that is in that record. Your letter is a binding letter on this committee, the letter you produced the last time.

Now, why do you have those when G-2 doesn't have them and when this committee can't get them?

General BISSELL. Now, wait just a minute. I have them because I made them.

Mr. MITCHELL. Correct.

General BISSELL. That is why I have them. Now, they are not official documents. There may be plenty of mistakes in them. Many of them I have never read at all.

Mr. MITCHELL. They contain the highest secrets of the United States.

General BISSELL. What is that?

Mr. MITCHELL. They contain the highest secrets of the United States Government.

General BISSELL. No, they don't.

Mr. MITCHELL. Material that has not been declassified today. Otherwise, I wouldn't be restricted from seeing them.

That is the problem I have.

General BISSELL. No, there isn't as much in them as you think, and as you will find out when you see this thing.

Mr. MITCHELL. That may be true, but it just strikes me that when you brought in an official letter from the War Department when you first testified here, stating that you can't say this and that because some stuff may be still classified, and when you retain in your own home in Tennessee something which the War Department doesn't have and which you say we can't have—

General BISSELL. Do you purport to say what I have in my home in Tennessee?

Mr. MITCHELL. No; I don't, but we do know that you have this document, this diary, and that diary is very important.

Chairman MADDEN. Will you confine yourself to questions and answers, Counsel?

Mr. PUCINSKI. Well, General, I wonder if we can get this straight now. What you have there is what is purported to be an extract of your record of events from your own personal files, or is that from the files of G-2 as obtained by you within recent weeks?

General BISSELL. This is from my own personal files.

Mr. PUCINSKI. Do you know that as a matter of fact G-2 has a similar record of events?

General BISSELL. I doubt whether they would. Some of these items are chicken feed. In other words, they wouldn't have this: "Telephoned to Doris to welcome her back."

Mr. PUCINSKI. Now, you are not answering my question, General.

General BISSELL. That is highly classified.

Mr. PUCINSKI. I want to ask you this: I am trying to establish whether or not you know the record of events you dictated every day at the end of the day has been kept and is in G-2 today.

General BISSELL. No; there is no official record of it that has been kept; and it isn't in G-2 today.

Mr. PUCINSKI. Do you know that as a matter of fact?

General BISSELL. Well, now, no one ever knows anything really as a matter of fact. Somebody might possibly have broken into G-2 and have broken into the safe, despite the nightwatchman, and might have copied this so that there would be another one in existence. I can't go as far as you want me to.

Mr. PUCINSKI. May we now have for the record the abstract which you have there?

General BISSELL. Most certainly.

Chairman MADDEN. What is that?

General BISSELL. This was prepared, as it was arranged for, by Mr. Monahan of the Department of the Army.

I had nothing to do with it whatever.

Chairman MADDEN. Mark that as an exhibit.

Mr. MACHROWICZ. Does it have any relation to the Katyn matter?

Mr. PUCINSKI. Yes, sir; very much so.

Mr. Chairman, we would like to read this now for the committee's information. On the 21st of May—

Chairman MADDEN. Wait a minute.

Mr. DONDERO. Has it been marked and has it been received in evidence?

Chairman MADDEN. What exhibit is that?

Mr. PUCINSKI. No. 39.

Chairman MADDEN. It will be received in evidence as exhibit 39.

(The document referred to was marked for identification as "Exhibit No. 39" and is as follows:)

EXHIBIT 39—GENERAL BISSELL'S DIARY

CERTIFICATE

NOVEMBER 11, 1952.

At the request of Mr. John J. Mitchell, Chief Counsel, Select Committee to Investigate Katyn Forest Massacre, House of Representatives, the undersigned has personally examined a summary of Major General Clayton Bissell's daily appointments for the periods 20 May 1945-1 June 1945, inclusive, and 15 August 1945-25 August 1945, inclusive. As a result of that examination, the undersigned certifies that the extracts from that summary listed below are the only portions thereof which refer to the Katyn Massacre, to Brigadier General

Julius Holmes, to Lieutenant Colonel John H. Van Vliet, Jr., to Doris Jepson, and to Colonel Telford Taylor.

* * * * *

20 May-21 May '45

None.

22 May '45

1. Telephoned to Doris to welcome her back.
2. Talked to Mrs. Meers about some more information on Colonel Van Vliet's statements. She is to carry out specific instructions on this matter.

23 May '45

1. Talked to Mr. Lyons of State Department and made a note for record on our conversation. It bore on Lang's and Harris' status.

24 May '45

1. Talked to Mrs. Meers about Colonel Van Vliet's report. There was another angle to the matter which we consolidated with the previous material and put away for further reference.
2. With Colonel Cox, I dictated a note for record, on a telephone call to General Holmes with reference to Mr. Braden. Holmes agreed to write Braden again and make clear that the latter must not interfere with certain of Harris' activities.

Mr. MITCHELL. Does that concern Van Vliet in any way, that comment, General?

General BISSELL. Yes. I would like to explain each of those items.

Mr. PUCINSKI. May I read these others, General?

General BISSELL. I thought you had finished.

Mr. PUCINSKI. Then we will discuss them individually. [Continues reading:]

3. General Berry called and later came in to find out about the Interdepartmental Security Committee. A telephone conversation with General Holmes indicated that it had expired and that it was unnecessary to appoint anybody to take General Strong's position on that committee. Its work has been taken over by the Swan Committee.

25 May '45

None.

26 May '45

1. Colonel Taylor came in to bid me goodbye. He has done a grand job in London and is returning to further service, this time with the War Crimes Commission. While this will get him back to professional work, I hate to see him sever his connections with Intelligence.

27 May-1 June '45

None.

15 Aug.-25 Aug. '45

None.

MILES REBER,
Major General, GSC,
Chief of Legislative Liaison.

Now, Mr. Chairman, I would like to point out at this time that we had asked the War Department counselor to let us look at the complete record of events of Colonel Bissell's activities during the period that he dealt with the Van Vliet report, namely, the period from the 22d of May to the 25th of May when he wrote his letter to General Holmes and also that period from the 21st of August when he wrote a subsequent letter dealing with the Katyn affair.

The War Department counselor advised the staff of this committee that it would be impossible for us to look at those records, and this digest that the general has handed us now is a digest which has been approved by the War Department. We do not know, because we have

not seen the original, whether the general had any conversations that day with his superiors and whether or not those conversations pertained to Katyn because we have not seen the original record of events of the general's activities for that period.

Is that fairly correct, General?

General BISSELL. You have not seen them.

Mr. PUCINSKI. They have not been made available to this committee. I called Mr. Fashion just a little while ago and told him to bring the complete record of events down here.

General BISSELL. I would like to explain those one by one and show their pertinency.

With reference to the first one about Doris Jepson, I just got through saying that the item is "Telephoned to Doris to welcome her back." She had had an appendix removed in San Francisco and she was not in the office that day and was still out on leave, I think recuperation leave. That item had nothing to do, I think, with the Van Vliet report. I have made a similar statement before. It just happened to appear in the thing.

The next one is, I think—

Mr. MITCHELL. Do you have a copy of this?

General BISSELL. No; I don't. I am following it from memory.

Mr. MITCHELL. I will hand you this document.

General BISSELL. The next one has been fully covered in my previous testimony. I stated at that time that I had taken special care to be sure that Mrs. Meers would be briefed before she handled the Van Vliet thing and that she would have a place to work. I checked with her, and she said that she would carry out her instructions implicitly. That is in my previous sworn testimony.

I have stated to you that I had talked to Mr. Lyon at the State Department on the 23d, and this next item verifies that. It is no good as evidence. I could have written it up yesterday.

Mr. MACHROWICZ. Does it say that you spoke to him regarding the Katyn matter?

General BISSELL. No; nor did I ever say that I spoke to him regarding the Katyn matter, nor did I say specifically that I spoke to Holmes about it. I said what I did in the course of these two conversations or at another time. That is my previous testimony.

Mr. MITCHELL. Both of these gentlemen testified yesterday—and you were present at that time—that if you had talked to them about it they certainly would have remembered it.

General BISSELL. That is true. They did state that they probably would have remembered it. They also stated that they had no recollection of seeing a letter which you handed them, and they stated also, more emphatically, that—

Mr. MITCHELL. Stick to that one point, please.

General BISSELL. They are not infallible.

Mr. MITCHELL. They did say that if you had discussed the Van Vliet report or had shown it to them they would definitely have remembered it. That is what they stated yesterday.

General BISSELL. I stated before and I state again that I would not under any circumstances have discussed any details of the report with them. I would have told them that we had received this thing and were working on it and that we would get it to them as soon as we could.

The note here states :

Talked to Mr. Lyon, of State Department, and made a note for record of our conversation. It bore on Lang's and Harris' status.

I told you that it was on another matter and that I might have spoken to them in connection with the Van Vliet report.

On the 24th appears this note :

Talked to Mrs. Meers about Colonel Van Vliet's report. There was another angle to the matter which we consolidated with the previous material and put away for further reference.

That is the business about the Swiss protecting power.

The next item states :

With Colonel Cox, I dictated a note for record, on a telephone call to General Holmes with reference to Mr. Braden. Holmes agreed to write Braden again and make clear that the latter must not interfere with certain of Harris' activities.

Now, there was another item I might have talked to them about. I told you that I had made a note for the record of this conversation that I had not been able to find it in G-2, and that would show what I actually said.

The next note is :

General Berry called and later came in to find out about the Interdepartmental Security Committee.

I told you that I had talked twice to General Holmes. This was the second talk with General Holmes, which indicated that the committee had expired and that it was unnecessary to appoint anybody to take General Strong's position on that committee.

Mr. MITCHELL. At no time did you talk in the course of these 2 or 3 days with your superiors, according to your memorandum of events?

General BISSELL. Well, I very seldom did. After all, what does the term "Assistant Chief of Staff" mean? It means that one handles all of those matters that belong in your field of responsibility, and that one was certainly mine.

Mr. MITCHELL. You testified before this committee on June 3 that you had a gas pipe direct to General Marshall; didn't you?

General BISSELL. No; I did to his house but not to his office. I had a squawk box to his office which could have been heard in many rooms in the building.

Mr. PUCINSKI. I would like to have you distinguish between a gas pipe and a squawk box, just for the record.

General BISSELL. I think you might like to know, if you think that a gas line is something you gas on, you are just barking up the wrong tree.

Mr. MITCHELL. I think we know what it is.

General BISSELL. I think we know what it is, and I would not like to explain it. It is still a useful thing. I would be glad to tell you individually, but I don't think it ought to be put into the papers.

Mr. MITCHELL. Would you have any objection to the members of this committee looking at the transcript of your memoranda of record in executive session, you personally?

General BISSELL. I personally would have no objection to that, but I don't think that a lot of the stuff there has any connection whatever with this committee.

Mr. MITCHELL. You have no objection?

General BISSELL. And I would say that there is absolutely nothing in there directly or indirectly relating to Katyn or to the Van Vliet thing. But I would love to have the chairman look at it. I don't believe that it is the sort of thing that should be spread on the record.

Mr. MITCHELL. It won't be spread on the record.

My specific question then, General, is this: You personally have no objection to the members of this committee looking at that true record as it stands, not abstracted or in any other way?

Chairman MADDEN. He already answered that.

Mr. MITCHELL. Just a minute.

General BISSELL. I have some trouble with that. I have two prohibitions against it. A smart fellow with a little background in intelligence could find out something about sources if he had enough about it. If he got a little of it, it wouldn't be worth a darn to him, but if he got enough of it, it might be of considerable value. I couldn't give you anything about sources, as you know.

Mr. MITCHELL. Thank you for the compliment.

General BISSELL. You are smart enough.

Now, that is the situation I am in. I have to comply with my orders. My hands are tied. If you get them to change my orders, I will go as far as they permit me to. You got my letter telling you that I would like to tell you the works.

Mr. MITCHELL. I am not asking you about your hands being tied. I will take care of the Army a little later on that matter.

Mr. MACHROWICZ. I think, Mr. Chairman, we have agreed that we are going to close the hearings this afternoon.

General BISSELL. Let me finish the last entry here, if I may. "Colonel Taylor came in to bid me good-bye." He was the General Telford Taylor who was Chief Justice Jackson's No. 2 man and who did the work—

Mr. MITCHELL. On the secondary crimes?

General BISSELL. That is right.

Mr. MITCHELL. He had nothing to do with the first crimes?

General BISSELL. No. He is the man to whom I said in my testimony I sent the Polish-London Katyn report.

Mr. MITCHELL. And you sent that to him when you were a military attaché?

General BISSELL. In London.

Mr. MITCHELL. In 1946 and 1947?

General BISSELL. Yes, when it came to me the first time.

Mr. MITCHELL. That was long after the Katyn case was heard in Nuremberg because it was heard in Nuremberg on July 1 and July 2.

General BISSELL. At that particular time and until I came here, I think in June, I didn't know the sequence in which trials were held except from what I noticed from personal observation in being present at the Nuremberg trial when the main trials were on and the major criminals were in the box. I think I mentioned that in my testimony.

Mr. MACHROWICZ. Has this anything to do with the Van Vliet report?

Mr. MITCHELL. No, sir. General Bissell just wanted to clarify the record.

General BISSELL. I wanted to get clear everything which was directly or indirectly related.

Mr. MITCHELL. General, I would like to go back to this specific question again. Did you or did you not talk to a higher authority in the War Department or in the Army or anywhere else about the Van Vliet report and its contents?

General BISSELL. I repeat, as I did in my previous testimony, I did not recall doing so.

Mr. PUCINSKI. General, the question has come up—we have dealt with this Van Vliet report, and we know that you were a very busy man at that time and that you still had the conquest of Japan in mind. Exactly how important at that time was the Van Vliet report to you?

General BISSELL. Van Vliet stated that his second report is exactly, as he remembers it, like the first one. I am quite sure that the statement appears in both of them that he had not, in his whole observation, a single factor that in itself was positive evidence, but rather that it was based on what he saw in people's faces, what he observed at the graves, what they had discussed afterward, and the conclusions reached by them. It was on that basis that he had reached his conclusion, and then he stated something which was a conclusion after he had said that he had no fact of evidence to establish it.

Mr. MACHROWICZ. Now, General. We are going into something which is unnecessary, but I would like to correct you. He didn't say anything about the fact that he judged this from the looks that he saw on people's faces.

General BISSELL. May I read that paragraph?

Mr. MACHROWICZ. I don't remember that.

General BISSELL. I will be glad to explain it. I think it is in the War Department release. I believe I have a copy of that here.

Mr. MITCHELL. I think you will find he stressed the boots more than anything else.

Mr. MACHROWICZ. He stressed the conditions of the bodies.

General BISSELL. Just let me read this, and I think I can clear it up. He says, "I have thought about this a lot in the past 7 years and freely admit that there was never presented to me any single piece of evidence that could be taken as absolute proof, but the sum of the circumstantial evidence, impressions formed at the time of looking at the graves, what I saw in people's faces, all forces the conclusion that Russia did it."

Mr. PUCINSKI. Well, General, you didn't answer my question. The question was this: What value did you personally, as G-2 of the United States Army, place on this particular document that Van Vliet dictated and signed?

General BISSELL. That by itself was not evidence. Combined with other things which would probably be in the State Department, it would probably be very important and therefore should be gotten to the State Department. It was a matter, I felt, that would involve War Crimes, and should be gotten to War Crimes. If it went to the State Department, they had a section that dealt with war crimes. I could have short-cut it direct to War Crimes, but my intention was to get it to the State Department first.

Mr. PUCINSKI. But you did place enough significance and importance on this document to—

General BISSELL. What is that?

Mr. PUCINSKI. You did place enough significance and importance on this document, the Van Vliet report, to, one, get a special secretary to take the dictation and have her destroy the notes.

General BISSELL. No, I would like to clear that up.

Mr. PUCINSKI. All right.

General BISSELL. If Van Vliet had come back, as he should have, under orders, like all returning prisoners of war, he would have gone up to Colonel Lantaff and he would have been assigned to the Captured Prisoners Personnel, Matériel section. Now, there he would have gone to the American or Allied subsection. There was also a foreign section that handled foreign prisoners of war.

If he had gone there, he would have found people specializing in just that sort of thing, and he would have been one of a number of cases. His was a more important one. There he would have met the same girl that took his dictation up in my office, a girl who was familiar with that kind of work.

Now, he didn't come in that way. He came to my office, and he insisted on seeing me. I had no objection. I didn't know he was there until I got to the office.

Chairman MADDEN. Didn't you testify to this before?

General BISSELL. Sir?

Chairman MADDEN. Didn't you testify to this before?

General BISSELL. Yes, I did testify to it. Now, that is the only reason that I called for a secretary from the CPM section. That was the only branch that knew about it.

Mr. PUCINSKI. General, the only thing I am trying to get from you now is this: You must keep in mind that the staff of this committee has spent a lot of time looking for this Van Vliet report.

General BISSELL. So have I.

Mr. PUCINSKI. Because this staff considers the Van Vliet report very, very important in the Katyn story. Now, we want to find out from you now whether or not you share with us that same opinion. Was it a very important document at that time?

General BISSELL. It was very important at the time because the consensus of expressed opinion was that the Germans had done it, and here was something on the other side.

Mr. MITCHELL. Why didn't you order a study of it?

Chairman MADDEN. Wait a minute. Let the witness complete his answer.

Mr. MITCHELL. Well, I was going to ask him why he didn't order a study of it.

Chairman MADDEN. Don't interrupt the witness. Go ahead.

General BISSELL. I felt that under those circumstances—there had been this previous announcement by the Germans accusing the Russians, and an announcement by the Russians accusing the Germans. Therefore it ought to go over to where all of this information would go, which would be the State Department.

Mr. MACHROWICZ. I think the general has already stated at least a dozen times that he considered it so important that he labeled it "top secret" and that he still considers it important.

Mr. MITCHELL. You heard the general himself testify this afternoon that he had all kinds of specialists. He had a whole file of missing Polish officers. He had a file on Katyn handled by Colonel Yeaton. Why didn't the general ask some member of his staff to make up a study on this to determine one way or the other?

Mr. O'KONSKI. That leads to a question I want to ask.

Mr. MITCHELL. Wait a minute. He hasn't answered that one. Why didn't you do that?

General BISSELL. This particular matter would not have been one that would have gone to the specialists under any consideration.

Mr. MITCHELL. You had political specialists there.

General BISSELL. Yes. Now, wait, you have to get set here. If this material had come through the mail, it would probably have gone to CPM, right where the girl came from who took the dictation. If it had come in there unlabeled and if a relatively new person in G-2, someone with only 30 days of experience had handled it, he might have sent it to either one of two specialists. He might have said, "Well, this is a Russian thing," or he might have said, "It is a Polish thing," or he might have said, "It is a German thing." So it could have gone to a German specialist or a Russian specialist or a Polish specialist—the Russian and the Polish specialists were together every day, the two of them.

If it had gone down there, they would have checked it, and Van Vliet wouldn't have gotten through so quickly. They would have been on the lookout, and they would have gone over it with Van Vliet, and they would have checked it, and I would have received some reports on it. It would have been in G-2 for a long time.

Mr. MITCHELL. Why didn't you send Van Vliet to your Russian specialists?

General BISSELL. Because I felt that the Van Vliet situation was such that I had to make a decision as to whether it was better for the man in his then condition to get this out of his system, which he was certainly anxious and eager to do, or to send him down and let him go through the mill or to send him to Walter Reed and see if he was physically all right to testify before we put him on the griddle.

Although I had met him and knew that he was tired, I also knew that he was so full of this that there was no doubt to me but that he would do the best job if I were to let him make his statement and get it off his chest and then get him on to his home, as he wished; and I did that. I am human, and I knew he had been in a prison camp.

Mr. MITCHELL. So am I. Why didn't you then turn over the Van Vliet report to McKellar or to Yeaton, who had both been military attachés in Moscow?

General BISSELL. Because anything that would have been in their files would have been in the State Department files. Therefore, sending this to the State Department gave them the same opportunity. Also the State Department had primary interest in political matters, not the Army.

Mr. MITCHELL. Why didn't you make an extra copy then for your own files?

General BISSELL. I told you the details of the making of the copies and exactly why there was not a second one made. That is all covered in my testimony and sworn to.

Mr. O'KONSKI. General, to cut this short, let me ask you one question. Let's be realistic about this.

General BISSELL. Sir?

Mr. O'KONSKI. To shorten this, let me ask you this: Let's be realistic about this. Even if the Russians had admitted that they had committed the crime of Katyn, the policy which your branch of the service followed and the policy which our State Department and our Defense Department followed would have been the same because we were having a policy of not doing anything at that time to arouse the ire of Russia. Isn't that correct?

General BISSELL. Well, studying it would not have aroused their ire. Only publicity would have aroused their ire. As long as you kept it within Government services, that would not have influenced that particular part of it.

Mr. O'KONSKI. Then let me ask you this question: If you had handled the Van Vliet or the Katyn incident in accordance with the expressed views and hopes of the higher-ups above you, you certainly would have heard about it, would you not, General?

General BISSELL. Well, let's get this straight. I wasn't actuated or induced to do anything from fear of reprisal. That kind of man is no good in a key job in the War Department. You have got to have somebody who will act on his own responsibility, knowing the chief's policies.

Mr. O'KONSKI. That isn't what I meant. What I mean is this: You, in handling the Katyn matter in the way that you did, felt that you were carrying out your duties and responsibilities under your oath and your commander in chief in implementing the foreign policy in existence at that time?

General BISSELL. As I understood it at that minute with the facts available then.

Mr. O'KONSKI. That is right. This is the basis of the whole story.

Now, I have one other question. Knowing what you do now about the Katyn matter and the terrible price that we are paying for that policy of appeasement, do you think that it was a wise policy? I am asking just for a conjecture on your part.

Considering how the matter was handled at the time, do you think you would handle it in the same manner as it was handled at that time knowing what you know now?

General BISSELL. With the facts of 7 years' experience with the Russians, I certainly would not. There is no doubt about that.

Mr. O'KONSKI. Thank you.

General BISSELL. But you wouldn't have had the same kind of thing 7 years later. That is an impossible question to answer, but I think I know what you are driving at.

With all the knowledge of all of the changes that have developed since—sure we will do whatever we can now to get our story to the people of America and to the people of the world. We have to.

Mr. PUCINSKI. General, I wonder if I can just read one paragraph from your previous testimony. When you testified before this committee on June 3, you said:

What becomes important is a matter of history and development. No one suspected that this one thing—

meaning the Van Vliet report—

would be of anything like international significance.

Mr. Machrowicz at that time asked you:

Did you say you recognized the importance of the document?

You replied at that time—and this is at page 78 of the written transcript:

Yes; I did. You bet, but not the kind of significance it has in today's world because nobody could have foreseen the situation that we have today.

Mr. MACHROWICZ. Did you say the very same thing today, that is, that you did consider it important?

General BISSELL. I certainly did consider it important.

Mr. PUCINSKI. May I ask you this, General: You heard Mr. Holmes and Mr. Lyon?

General BISSELL. Yes.

Mr. PUCINSKI. We discussed this matter with you at frequent intervals. Are you satisfied, General—

General BISSELL. What do you mean when you say that you discussed it with me at frequent intervals?

Mr. PUCINSKI. I think Mr. Mitchell—

General BISSELL. We have never talked off the record.

Mr. PUCINSKI. No.

General BISSELL. On any of these things. He has never asked my views.

Mr. MITCHELL. You and I have never talked.

General BISSELL. That is right. It has only been administrative. Now, let's not get anything wrong.

Mr. PUCINSKI. In the light of everything that has been presented here, the testimony of Mr. Holmes and the testimony of Mr. Lyon, together with the letters of transmittal, and your own doubt as to whether or not you sent it to the State Department, are you today satisfied in your own mind that this report did not go to the State Department?

General BISSELL. I am more strongly of the belief that it did go there because of what Mr. Holmes showed you yesterday. He answered a letter saying that they didn't have a certain report that they had had for a year. Now, I believe that because you have the evidence on it. He had already said in writing to me, speaking for the Secretary and as his assistant, that it wasn't in the State Department.

I expressed to you a doubt about that, and you wanted to know what was the significance. The significance was, as I said, that I didn't think they would have stopped going after it if they didn't have it.

Well, I was right. They had it. It did bring out that the Van Vliet report was there for the first time for sure.

Now, they had known it before, but that was the first time that—and it confirmed Van Vliet's statements, not his conclusions.

It confirmed that he would never talk to anybody until he got to his own people in a neutral country or his home.

Now, I wish I had gotten my teeth into that.

Mr. O'KONSKI. I have just one short question.

General, did the State Department ever show you any real interest in the Katyn massacre? Did they ever ask you for information regarding the Katyn matter?

General BISSELL. No. I am sorry; I think I didn't follow you. Suppose I made a mistake. Make the assumption that I didn't send it. Why didn't they come back on that letter?

You asked Mr. Lyon why he didn't check back. A check had been made in one office, but there were a lot of offices where the paper might have gone in the State Department. It had been processed there for 5 days less than 2 months.

You asked him about one office. Why didn't he check in others?

Mr. O'KONSKI. In other words, they were not very interested?

General BISSELL. They might have been interested, but had a policy.

Mr. O'KONSKI. At that time, as you know now, they had more information than you had.

General BISSELL. I know, because you brought out one document here that I never saw before.

Mr. MACHROWICZ. I have only one question to ask, and that is because a statement has been made which contradicts the record, and I think you want to correct it because I think it is important. It has no direct bearing on the Katyn massacre, but was a statement that you made this afternoon.

At the time the Yalta Conference was being discussed, you said that we paid a terrible price to Russia in terms of territorial concessions. I think that what you wanted to say was not that we were paying a heavy price for territorial concessions, but that they were asking our ally, Poland, to pay a heavy price in territorial concessions, even though they were not invited to Yalta, because actually we made no territorial concessions; did we?

General BISSELL. She got no part of the United States, but if you think that passing the Kurile Islands to Russia wasn't a territorial concession—that backs right up against us—

Mr. MACHROWICZ. The one big territorial concession was turning Poland over to Russia; wasn't it?

General BISSELL. History will have to write which will be the more important one. Poland will rise again if Russia doesn't swallow the world. Poland always will.

Mr. DONDERO. How about Manchuria, which had belonged to China?

General BISSELL. I don't think that is going to prove to be the most important. Poland can rise again if communism doesn't swallow the world. Poland has that kind of people.

Mr. PUCINSKI. General, as a summation of our effort to find this report, it is still your conclusion today that the State Department got the Van Vliet report as far as you know?

General BISSELL. I still have the same reasons to believe it went there and stronger ones.

Chairman MADDEN. Are we going back over that again?

Mr. MACHROWICZ. If you ask him that 10 more times, the answer will be the same.

Am I right, General?

General BISSELL. I will tell the truth every time you ask me.

Mr. PUCINSKI. Would you like to finish that statement for the record, General?

General BISSELL. I don't know where I was.

Mr. PUCINSKI. I had asked you if it is your contention today in finality that the State Department received the Van Vliet report from you?

General BISSELL. I have never said they received it. I said I had reason to believe it did, and I stated the reasons. How can I know whether they received it?

Mr. PUCINSKI. All right.

Mr. MACHROWICZ. That is the answer you will always give?

General BISSELL. Yes.

Mr. SHEEHAN. Mr. Chairman, I have a couple of questions.

General BISSELL. If I may, I would like to introduce at this time three papers which I think the committee would be interested in.

Chairman MADDEN. Congressman Sheehan has a couple of questions.

Mr. SHEEHAN. You stated earlier in your testimony, General, that one of the reasons you were following this line of action was because you had received your orders from President Roosevelt and he had shown you the Yalta agreement—

General BISSELL. President Roosevelt never showed me the Yalta agreement. I had seen the Yalta agreement.

Mr. SHEEHAN. You had seen it?

General BISSELL. Yes. President Roosevelt never showed it to me.

Mr. SHEEHAN. You had seen the Yalta agreement in which they had set up the provisions for forming the United Nations; is that right?

General BISSELL. I will have to look at it. That wasn't one of the conclusions I outlined here.

Mr. SHEEHAN. It is in there.

General BISSELL. All right.

Mr. SHEEHAN. I was wondering whether when you looked at the Van Vliet report you may have thought about how it might have affected the formation of the United Nations and whether that was in your mind.

General BISSELL. Certainly, the United Nations were very close to me for several reasons. They took my best secretary away, and you miss a thing like that, and I was hot about it.

Mr. MITCHELL. Wait a minute. I want to correct that one.

Chairman MADDEN. Correct it after he gets through. Give the witness the privilege of answering the question.

Mr. MITCHELL. All right.

General BISSELL. Thank you, sir.

Chairman MADDEN. Go ahead.

General BISSELL. My secretary was going to Yalta. I would much rather have had her in my office. I needed her and hated to give her up. But that is chicken feed. That is the sort of thing you have in front of you when somebody else is doing good work.

But I also knew the importance of the thing, and months before the United Nations got into the form of a final draft, a draft passed over my desk and I was asked to comment on it. I knew about this thing long months before and had a good background in what was going on in the United States in those days as far as the fields in which I was interested, that is, intelligence, bore any influence.

Mr. SHEEHAN. In other words, in your opinion, if the Van Vliet report, which its conclusions had become public property at that time, would it or would it not have had any effect on the formation of the United Nations?

General BISSELL. I don't think the Russians would have sat down the first time if that had come out. They would have gotten mad just like when you all asked them for some help.

Mr. SHEEHAN. That is all.

Chairman MADDEN. Are there any further questions?

General BISSELL. May I introduce these three papers?

Chairman MADDEN. Proceed. What are they? How voluminous are they?

General BISSELL. You don't have to read these if you don't want to. There have been inferences that I jumped over my boss' head and should have gone through him. I would like to submit these documents which deal with two of the three Distinguished Service Medals that were awarded me as G-2 and which recite why for the period covered by these particular citations.

I would like to have the originals back, if I may. I would also like to put into the record something that has previously been restricted, a decoration from the Polish Government in exile awarded to me on the day before Van Vliet came into my office. It was restricted until yesterday or the day before.

Mr. DONDERO. I do not want to object to this, but I think you are famous enough without those three.

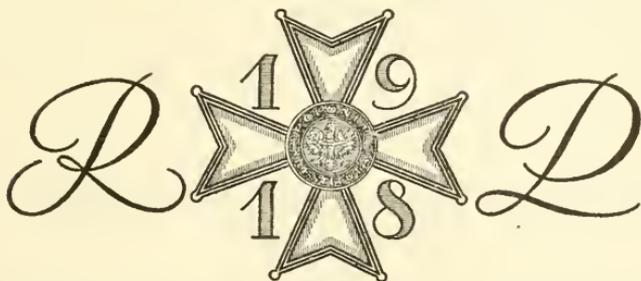
General BISSELL. I am not famous at all.

Mr. PUCINSKI. Mr. Chairman, these three letters will become group exhibit No. 40.

Chairman MADDEN. Without objection, group exhibit No. 40 will be admitted into evidence.

(The document referred to was marked for identification as "Group Exhibit No. 40," and are as follows:)

EXHIBIT 40—GENERAL BISSELL'S COMMENDATIONS



KANCLERZ ORDERU
ODRODZENIA POLSKI

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PREZYDENT RZECZYPOSPOLITEJ

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18-go MAJ A 1945 roku

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MAJOR - GENERAL CLAYTON L. BISSELL

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Kawalerów Orderu
Odrodzenia Polski
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K R Z Y Ż A K O M A N D O R S K I E G O

tego orderu

KANCLERZ

Kacimierz Sosnkowski

SEKRETARZ

A. Ostrowski

CITATION FOR DISTINGUISHED SERVICE MEDAL
(Oak Leaf Cluster)

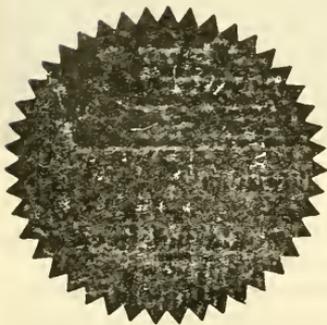
Major General Clayton Bissell performed outstanding services as Assistant Chief of Staff, G-2, War Department General Staff, from February 1944 to September 1945. He displayed vigorous leadership in reorganizing the G-2 Division on a highly practical basis to provide the General Staff and the combat theaters with operational intelligence of great value. By integrating special communications with the dissemination of operational intelligence, he made possible a quicker, more effective use of intelligence by all theater commanders. Through a keen appreciation of the relationship between intelligence activities and combat operations, he contributed materially to the successful prosecution of the war. His repeated contacts with all theater commanders, air force commanders and Allied intelligence activities brought about a mutual understanding and confidence which resulted in better coordination and integration of Allied and American military intelligence. He was at all times available for counsel and advice to other staff sections and was extremely helpful to them in their work. His aid in evolving broad policies proved of high value to the Chief of Staff at various international conferences. As War Department representative on United States Joint Security Control he was responsible in large measure for the success attained by both the United States Joint Security Control and the Combined Security Control organizations in maintaining security of information and in developing and executing the War Department's strategic deception responsibilities. By his dynamic ability to integrate intelligence activities and apply them quickly and directly to the ever-changing global situation, General Bissell performed noteworthy services for the United States.

WAR DEPARTMENT
THE ADJUTANT GENERAL'S OFFICE
WASHINGTON 25, D. C.

IN REPLY REFER TO:

CITATION FOR DISTINGUISHED SERVICE MEDAL
(2nd Oak Leaf Cluster)

Major General Clayton Bissell performed services of the utmost importance as Assistant Chief of Staff, G-2, War Department General Staff, from September 1945 to January 1946. Envisioning the Military Intelligence Division as a vital link in any national intelligence agency of the future, at the conclusion of the war with Japan he vigorously applied himself to reorganizing the division for peacetime. His keen appreciation of intelligence capabilities, foresightedness, leadership and ability to discharge great responsibilities successfully bridged the gap between a large, complex intelligence organization geared to the problems of war and that of an effective machine prepared for post-war eventualities. His sound and timely advice to the Secretary of War and the Chief of Staff on intelligence and allied problems was extremely helpful in the formulation of broad policies of far-reaching effect on the military establishment.





WAR DEPARTMENT
WAR DEPARTMENT GENERAL STAFF
MILITARY INTELLIGENCE SECTION

25 May 1945

Brig. Gen. Julius C. Holmes
Assistant Secretary
Department of State
Washington, D. C.

Dear General Holmes,

A Lieutenant Colonel, John H. Van Vliet, Jr., Inf, and a Captain Stewart, while prisoners of war at Ofit No. 61 are reported to have been given a letter by the Swiss protecting power dated about October 1943 which asked them to reply to certain questions. The questions were:

1. Had Capt. Stewart and Lieut. Colonel Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they seen a statement?

Colonel Van Vliet believes that a copy of this letter together with answers are in the State Department's files. It is requested that this be verified and, if the records referred to are in the files of State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

Clayton Bissell
CLAYTON BISSELL
Major General, GSC
Assistant Chief of Staff, G-2

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. I have just one comment.

General, if you had acted any differently it would not have done any good, because you would have been overruled anyhow.

General BISSELL. It never entered my mind to do it any other way than the way I did do it, so I don't know what would have happened.

Chairman MADDEN. General, we want to thank you for your testimony here this afternoon.

General BISSELL. May I take this opportunity to thank the committee and its counsel for the fairness with which they treated me. I

think they wished to get at the bottom of the matter, and yet they have been courteous and gentlemen. I like it.

Mr. MACHROWICZ. Mr. Chairman, before we close the testimony, I have a matter to bring up.

Mr Sheehan has received information regarding a witness which I think is very important. If we conclude the hearings today, I think it should be done with the understanding that depositions will be taken of this witness and made a part of the record. Depositions can be taken in the next 2 or 3 days.

I would rather not reveal the name, but he is a witness who will testify as to whether or not the broadcasts were censored with relation to the Katyn incident.

Chairman MADDEN. Do you want this admitted in evidence?

Mr. MACHROWICZ. No. I think we should take a deposition.

Mr. DONDERO. My comment is this: It would seem to be merely cumulative, and there are volumes of it in the record now. It is mounting a little higher, but I cannot see any motive to be served.

Chairman MADDEN. The counsel will analyze the letter and get an affidavit after consulting with the chairman.

Mr. SHEEHAN. Let me say for the record, Mr. Chairman, that letter is from the chap who is head of one big broadcasting unit of one of the big broadcasting chains. He states that he was head of one of the big broadcasting chains, of the foreign short-wave section, and he was given information or directions by the Office of War Information to play down, not to mention Katyn at all. He tells us where he can get the evidence where the communications came from, from the Office of War Information. That is important.

If that is so, Mr. Cranston and Mr. Elmer Davis and all of them have been telling stories. If it is not true, then it won't even be in there.

Chairman MADDEN. We will get his testimony, then.

This closes the testimony of the Katyn hearings. We started the testimony in October 1951, and when Congress convened this last spring, we held hearings in Washington and Chicago.

Afterward, we held hearings in London, England, and Frankfurt, Germany.

I want to thank the members of the committee, and the staff, for their diligence and their outstanding work in this arduous task, because when we started the work of the committee we were indeed pioneering.

When this resolution appeared before the Rules Committee and when it appeared before the Congress we had very little to work on. There were very few Members of Congress that had any recollection of the Katyn massacre.

But, nevertheless, to the credit of Congress, they approved our resolution and gave this committee authority to act. They also gave us authority, under another resolution, to go to England and Europe to take evidence, for which we are very grateful.

The committee also desires to express deep appreciation to all other individuals who cooperated in the work of this committee in investigating the Katyn massacre. We especially want to commend the Acting Secretary of State for Congressional Affairs, Mr. Ben H. Brown, Jr., also former War Department Counselor Francis Shackel-

ford, and the present War Department counselor, Mr. B. A. Monahan, for their cooperation.

We also wish to thank the chairman of the Banking and Currency Committee. We owe him deep gratitude for allowing us to use this hearing room.

We also wish to thank the Members of the House Banking and Currency Committee staff, who deserve commendation, Mr. William J. Callahan, clerk, and Miss Helen Ryan.

We also wish to thank especially the members of the press for their diligent and honest reporting of the proceedings of the committee, who have covered the hearings here especially this week, and who, in accordance with the American tradition, presented all sides of the Katyn question to the American people.

Now, as the members of the committee know, and the press knows, this testimony is what the committee decided would be the second phase of the hearings. We filed our interim report before Congress adjourned in July, which recorded the findings of the committee as to the guilt of the nation that committed the massacre.

By agreement of the committee it was decided to hold hearings regarding the disappearance of the files pertaining to the Katyn massacre at the present hearings. The final report will be prepared by the committee, and it is the hope of the committee that we will get this final report filed at the earliest possible time.

It must be filed before December 31 of this year.

I wish to thank again the members of the committee and the staff for their cooperation.

Mr. DONDERO. Might I make a statement here, Mr. Chairman?

Chairman MADDEN. Certainly, Mr. Dondero.

Mr. DONDERO. Mr. Chairman, as the ranking Republican member of this committee, I want to express, on their behalf and my own, our complete satisfaction with your fairness and justice, your patience and tolerance all through the hearings, both here in America and in England and Germany.

You have conducted the hearings with great ability, with competence and, I think, with justice at all times uppermost in your mind and fairness for everybody involved.

I just want the Congress to know we appreciate the work you have done. I think you have done a fine job in discharging your duty and responsibility in a very creditable way.

Mr. O'KONSKI. I want to second that.

Mr. SHEEHAN. I join with my colleagues.

Mr. MACHROWICZ. So will I.

Chairman MADDEN. Thank you.

The committee is adjourned.

(Thereupon, at 3:45 p. m., the hearing was adjourned.)

APPENDIX

EXHIBIT 37—EXCERPT OF HOUSE UN-AMERICAN ACTIVITIES COMMITTEE HEARING
(FILE IN APPENDIX)

Date: *November 13, 1952.*

Subject: United World Federalists, Inc.

Public records, files, and publications of the Committee on Un-American Activities contain the following information concerning the organization known as United World Federalists, Inc.:

The Washington, D. C., Evening Star reported in an article in the April 4, 1947, issue (p. A-16) that the United World Federalists was formed in a merger of Americans United for World Government, World Federalists, Student Federalists, Massachusetts Committee for World Federation, and World Citizens of Georgia. Neither the United World Federalists, Inc., nor any of the organizations which merged to form it has ever been investigated by the Committee on Un-American Activities or cited as a Communist-front organization by any official government agency.

A folder published by the New York State branch of the United World Federalists shows that this group is a member of the World Movement for World Federal Government, "an international coordinating association with member organizations in the following countries: Australia, Austria, Belgium, France, Germany, Great Britain, India, Italy, Luxembourg, Netherlands, New Zealand, South Africa, Sweden, Switzerland, United States of America."

In the issue of Newsweek magazine dated October 18, 1948 (p. 36), the United World Federalists, Inc., was described as "the nation's biggest world-government group * * *"

The Washington representative of the United World Federalists, Inc., has offered the full cooperation of his group to this Committee at any time it might become necessary.

The following excerpts are from articles appearing in Communist literature regarding such organizations as United World Federalists and are being set forth herein merely for informative purposes:

A feature article in the Worker for March 19, 1950 (p. 5, magazine section), is entitled "The World Government Plan" by Frieda F. Halpern. She says: "The slogan for 'world government,' whatever it may mean to many honest advocates of peace, is, in reality, but a reflection in the area of political ideology of the aspirations of American foreign policy to dominate the world. This slogan, with its promise of a peaceful world, represents, in reality, a movement toward American world empire. How can a slogan, which has rallied thousands who reject the concept of American imperialism, be at the same time for peace and for world empire? The key to this seeming riddle is to be found, not in the membership of the 'world government' organizations but in their sponsorship. There, among the sponsors, one will find as fine a collection of the monopolists, military men, and anti-Soviet careerists as can be found anywhere, together with university presidents, National Democratic and Republican Committeemen, and churchmen, the whole adding up to a sponsorship both very 'respectable' and most obviously nonradical. The 'world government' movement in the United States is sponsored by a number of organizations, each with its own particular form of 'world government' and each having Russia on the brain." Among the organizations listed for condemnation in this article is "The United World Federalists."

The Cominform organ, For a Lasting Peace, For a People's Democracy, for April 7, 1950, carries an article entitled "Struggle of Communist Parties Against Bougeois Ideology" from which we quote:

"American imperialists, together with the bourgeoisie and the Right Socialists in the Marshallized countries are trampling ever more cynically and openly upon the national sentiments of peoples, and oppose the idea of national sovereignty. They seek to poison the working class with the venom of cosmopolitanism to make it submit to the rule of American monopolists."

The following is quoted from the July 1949 issue of Political Affairs, theoretical organ of the Communist Party, USA, which reprinted this article from the Moscow New Times of April 6, 1949 (No. 15), by A. Leontyev:

"False chatter of a universal culture and science, of a 'world government,' of a United States of Europe and even of the whole world, serves in practice as a screen for the dissemination and propagation of slavish crawling before the venal science of the dollar and decaying bourgeois culture, belief in the charlatan myths about the vaunted 'American way of life,' receptivity to any blackmail of piratical Wall Street diplomacy" (p. 64).

According to the Washington Post of November 23, 1949 (p. 4), Dr. Harold C. Urey, atomic physicist, announced his resignation as a director of the United World Federalists on the ground that he could not agree with the organization's stand on Russia.

An undated letterhead of the United World Federalists, Inc., 7 East 12th Street, New York 3, New York, which was received for files on September 29, 1950, lists the following officers of the organization:

President: Alan Cranston.

Chairman Executive Council: A. J. G. Priest.

Chairman Executive Committee: Cord Meyer, Jr.

Vice Presidents:

Cass Canfield, Chairman of the Board, Harper & Brothers.

Greenville Clark, Lawyer.

Norman Cousins, Editor, Saturday Review of Literature.

Hon. William O. Douglas, Associate Justice, U. S. Supreme Court.

Mrs. J. Borden Harriman, Former U. S. Minister to Norway.

W. T. Holliday, Chairman of the Board, Standard Oil Co. of Ohio.

George H. Olmsted, Chairman of the Board, Hawkeye Casualty Co.

Walter P. Reuther, President, United Automobile Workers.

Robert E. Sherwood, Author, Playwright.

Raymond Swing, Radio News Commentator.

Financial Vice President: Joseph U. Milward.

Program Vice President: Vernon Nash.

Secretary: J. A. Migel.

Treasurer: Duncan M. Spencer, Chairman of the Board, Fiduciary Trust Co.

Counsel: Abraham Wilson.

Assistants to the President:

Robert J. Walker.

Mrs. Marion Etcheverry.

Executive Director: Mrs. J. Donald Duncan.

Field Director: Edward W. McVitty.

Legislative Director: Jerome Spingarn.

Public Relations Director: Richard Strouse.

Organization Liaison: Harden L. Crawford.

Public records, files, and publications of the Committee contain the following information concerning persons listed above: (There is no information reflected in the said records regarding the other named officers.)

Alan Cranston

In a speech before the House of Representatives, November 4, 1943, the Honorable Fred E. Busbey identified Alan Cranston as Chief of the Foreign Language Division of OWI. Mr. Busbey further stated that an article by Alan Cranston which appeared in Common Ground in the summer of 1941 opposed the "alien registration bill, which in the minds of many was a very necessary war measure. He came out in support of the Communist, Harry Bridges. His article, in many respects, parallels the program of the Communist Party" (Congressional Record, November 4, 1943).

On February 18, 1944, Mr. Busbey again referred to Alan Cranston in a speech before the House; he quoted from testimony of David Karr before the Special Committee on Un-American Activities, April 6, 1943, in which Karr claimed that Alan Cranston sponsored him for the position of senior liaison officer in the Office of Facts and Figures. In the same sworn testimony, Mr. Karr identified

himself to the Committee as having been a writer for the Communist publication, the Daily Worker, and for Equality, a Communist-front publication.

The name of Alan Cranston appears in a Study and Investigation of the Federal Communications Commission by the Select Committee To Investigate the F. C. C., House of Representatives, 1943.

It should be further noted that, according to the New York Times of February 26, 1950, page 7, Alan Cranston, president of the United World Federalists, Inc., denied a charge that his organization "stinks of Communist government" and stated that Communists are barred from membership in his organization.

Norman Cousins

In an article which appeared in the Communist Daily Worker of January 13, 1948, it was reported that "Thirty-five well-known authors, editors, clergymen, and other public figures today called on the new Federal employees Loyalty Review Board to prevent injustices to individuals in the Government's Loyalty check." Norman Cousins was one of those who signed the letter, addressed to Seth W. Richardson, Board Chairman. This article also appeared in the New York Times on the preceding day, January 12, 1948 (p. 10).

In the report of the Committee on Un-American Activities entitled, "Review of the Scientific and Cultural Conference for World Peace," dated April 19, 1949, on page 13, we find the following in reference to the speech of Norman Cousins before that organization:

"In answer to this totalitarian philosophy of dragooning culture, Norman Cousins, editor of the Saturday Review of Literature, declared amid a great deal of hissing and booing, that: 'democracy must mean intellectual freedom, that it must protect the individual against the right of the state to draw political and cultural blueprints for its painters and writers and composers to castigate them, or to enter into those matters of the mind in which the individual is sovereign.'"

Mrs. J. Borden Harriman

The Call to the Congress of American-Soviet Friendship shows Mrs. Borden Harriman as a sponsor of the Congress held November 6-8, 1943 under the auspices of the National Council of American-Soviet Friendship, Inc. (See Call * * *, p. 4). A letterhead of the National Council of American-Soviet Friendship, Inc., dated March 13, 1946, named Mrs. J. Borden Harriman as a sponsor of the organization, as did a memorandum issued by the Council, March 18, 1946. In 1944, the Special Committee on Un-American Activities stated: "In recent months, the Communist Party's principal front for all things Russian has been known as the National Council for American-Soviet Friendship" (Report 1311, March 29, 1944, p. 156). The organization was listed later as "subversive" and "Communist" by Attorney General Tom Clark (Letters to Loyalty Review Board, released December 4, 1947 and September 21, 1948).

Mrs. J. Borden Harriman was one of those who sponsored the United States participation in the World Youth Festival held in Prague from July 20 to August 17, 1947, according to the Call to World Youth Festival (p. 3), and the Fact Sheet of the United States Committee for World Youth Festival, New York City.

The Call to World Youth Festival (p. 3) also shows that the Prague Festival, 1947, was sponsored by the World Federation of Democratic Youth and the International Union of Students. The World Federation of Democratic Youth * * * was founded in London in November 1945 by delegates from over 50 nations. * * * From the outset the World Federation of Democratic Youth demonstrated that it was far more interested in serving as a pressure group in behalf of Soviet foreign policy than it was in the specific problems of international youth. * * * So strong was the Communist domination at the London conference that it aroused the deepest concern of the English bishops. (See Report No. 271, Committee on Un-American Activities, April 17, 1947, p. 12-13.)

Walter P. Reuther

In the testimony of John P. Frey, president of the Metal Trades Department of the American Federation of Labor, given before the Special Committee on Un-American Activities, August 13, 1938, we find:

"Mr. FREY. These are the two-hundred-and-eighty-odd members of the Communist Party who are now or have been on CIO organization payrolls. There are one or two who have not been on the payroll, but I will call attention to them.

"If it is the committee's desire, I will read all these names and turn them over. They are all numbered '1', '2', '3', '4', '5', and so forth, and I will comment on those which are of a more interesting or important character * * *

* * * * *
 "134. WALTER REUTHER, Detroit, Mich. This fellow is one of the leaders of the Auto Workers Union and President Martin has preferred charges against him. He visited Soviet Russia and sent back a letter to this country which included the following paragraph:

"'Carry on the fight for a Soviet America.'" (Public hearings, vol. 1, pp. 112 and 125.)

"Mr. FREY. * * * There are two disrupting factors in the automobile workers at the present time. One consists of the bulk of the membership who very much resent the Communist control that was secured of national offices. The other is an internal fight between two factions of the Communist Party. With that I do not want to deal. All that I desire to call your attention to is a complete report of their last meeting, which I am submitting—my report of what went on * * *

"Before the United Automobile Workers Union convention opened in Milwaukee, the Communist Party members held a fraction meeting or caucus Wyndham Mortimer, Ed. Hall, Walter Reuther, and about 90 delegates to the convention who were actual Communist Party members. Also present were William Weinstone, Michigan secretary of the Communist Party; Jack Stachel, of New York, * * *"

Mr. Frey also submitted a report of the Second Annual Convention, United Automobile Workers of America, from which these excerpts are taken:

"Since Martin controlled a majority of the delegates to the convention, which he had lined up before the opening day, Lovestone advised a drive to eliminate the regular Communist Party members in the leadership of the so-called unity faction, led by Vice Presidents Wyndham Mortimer, of Flint, Mich.; Ed Hall, of Milwaukee, Wis.; and Walter Reuther, head of the west side local of the union in Detroit. Lovestone's policy was to eliminate Mortimer, Hall, and Reuther and thus strengthen the position of the Trotskyist group behind Martin. There is no question that Martin and Frankenstein, influenced by Lovestone, were prepared to clean house of the Communist group, and it is equally true that up to a month before the convention the Mortimer-Hall-Reuther faction was trying to get rid of President Martin.

* * * * *
 "When President Martin, much to the surprise of John L. Lewis and the Mortimer-Hall-Reuther faction, lined up a majority of the delegates to the convention, the latter faction was forced to change its policies. As stated before, the Mortimer-Hall-Reuther faction is Communist-controlled but disguised that fact by calling themselves the Unity Group, as, under the guise of unity, they thought they could save their own necks and possibly build a fire under Martin during the course of the convention.

* * * * *
 "Mortimer, Hall and Reuther worked closely with Ora Gassaway, a personal representative of John L. Lewis; Ray Edmundson, president of the Illinois district of the United Mine Workers and CIO director in that State and David Dubinsky, president of the International Ladies' Garment Workers' Union. On the evening of August 25, Charles S. Zimmerman, president of the powerful New York Local No. 22 of the International Ladies' Garment Workers' Union and a leading Trotskyite and follower of Lovestone, arrived in Milwaukee to use his influence on Dubinsky.

"On the same day (Wednesday) a load of Communist leaders came from Chicago, among them Joe Weber, Steel Workers' Organizing Committee organizer in South Chicago; Harry Shaw and Jack Johnstone, who had in the interim returned to Chicago. Upon the arrival of the Chicago group, another Communist Party caucus was called, to which only the top elements were invited. Those present were Jack Stachel, Roy Hudson, William Weinstone, Ned Sparks, Wyndham Mortimer, Ed Hall, Walter Reuther, and B. K. Gebert * * *." (Public Hearings, Vol. 1, pp. 248-251.)

"Mr. FREY. The only material in connection with the Automobile Workers' Union which I want to file with the committee is a publication known as 'The Great Sit-Down Strike.' It was prepared by William Weinstone, who is a member of the central committee. He has an impressive record. His name is William Wolf Weinstone, and he is district organizer of district No. 7, Communist Party,

headquarters, Detroit. He has had direct charge of party activities within the Auto Workers' Union from the beginning. Among those reporting to him are Maurice Sugar, who is the counsel for one group of the auto workers, and has been a candidate for office in Detroit on the Communist ticket; also active with him are Roy Reuther, Walter Reuther, William Raymond, and Wyndham Mortimer." (Public Hearings, Vol. 1, p. 255.)

In the testimony of Walter S. Steele, National Republic, Chairman of the American Coalition Committee on National Security, representing various organizations, given before the Special Committee on Un-American Activities in public hearings, August 17, 1938, the following reference was made to Walter Reuther:

"Among those sending greetings to the Second National Negro Congress were * * * Walter Reuther, communistic president of Local 174, of the United Auto Workers Association * * *" (Public Hearings, Vol. 1, p. 626.)

The National Negro Congress was cited by the Special Committee on Un-American Activities as "the Communist-front movement in the United States among Negroes" in its report dated January 3, 1939 (p. 81); also cited in reports of January 3, 1940 (p. 9); June 25, 1942 (p. 20); and March 29, 1944 (p. 180). Attorney General Francis Biddle cited the National Negro Congress as "sponsored and supported by the Communist Party" as shown by the Congressional Record, September 24, 1942 (pp. 7687 and 7688). Attorney General Tom Clark cited the organization as "subversive" and "Communist" in letter furnished the Loyalty Review Board and released to the press by the U. S. Civil Service Commission, December 4, 1947, and September 21, 1948.

In the testimony of John D. McGillis, Secretary, Detroit Council 305, Knights of Columbus, given before the Special Committee on Un-American Activities in public hearings on October 11, 1938, it was shown that Doctors Lendrum and Shafarman of Detroit gave physical examinations to members of the Communist Party, who were able to pay for such examination, but instead billed the City of Detroit. These examinations were in connection with recruiting for Loyalist Spain, and in some cases the doctors "have given them to other people prominent in communistic activities in Detroit." Among the latter Mr. McGillis listed "Walter Reuther and his wife; * * *" (Public Hearings, Vol. 2, pp. 1239, 1247-1248.)

In the testimony of Sgt. Harry Mikuliak, Detroit Police Department, given before the Special Committee on Un-American Activities in public hearings, October 12, 1938, the following reference was made to Walter Reuther:

"Sergeant Mikuliak: * * * Walter P. Reuther is president of the West Side Local 174, and he signs this TB test stating that he could not afford to pay for the examination." (Public Hearings, Vol. 2, p. 1286.)

(Sergeant Mikuliak's testimony refers to the same matter as that referred to in the testimony of John D. McGillis quoted above.)

In the testimony of Clyde Morrow, a Ford Motor Co. employee, given in public hearings before the Special Committee on Un-American Activities on October 21, 1938, the following reference was made to Walter P. Reuther:

"Mr. MORROW. Mr. Martin, in his haste to get the automobile workers organized, went out and hired Communist members to do it. I think Martin thought he could use them 3 or 4 months and get rid of them.

"The CHAIRMAN. And they have gotten to the point where they might get rid of him?

"Mr. MORROW. That is right. They might get rid of Martin the way it looks to me. I hope not.

"The CHAIRMAN. Why cannot the international officers get rid of these men?

"Mr. MORROW. Here is the set-up in Detroit. I only speak for Detroit because that is all I know about in Michigan. The international union has fired many Communist Party organizers. * * * Now, what happens to them when Martin fires them? We have three or four 'red' locals in Detroit, Local 155, which is a haven for discharged officers, and when they are discharged by Martin these 'red' locals immediately hire them as their financial secretaries, or recording secretaries, or organizers. Local 174 is what I would call an old soldiers' home for discharged Communist Party members whom Martin has fired. They are immediately taken in by the Communists in charge of their locals, such as Lloyd Jones and Walter Reuther, and people like that." (Public Hearings, Vol. 2, pp. 1652-1653.)

The following excerpts from the testimony of John M. Barringer, City Manager and Director of Publicity of Flint, Michigan, given in public hearings, October 21, 1938, before the Special Committee on Un-American Activities, concern the sit-down strike at the Chevrolet Motor Co., December 3, 1936:

"Mr. MOSIER. What part would you say that members of the Communist Party, Socialist Party, or the left-wing group of the Socialist Party played in that strike?"

"Mr. BARRINGER. They played a very prominent part. We came in contact in every trouble with the Reuther brothers, Travis, and men of that sort.

"Mr. MOSIER. They were men you knew; and, while you could not prove they were members of the Communist Party, you knew they were in sympathy with them.

"Mr. BARRINGER. That is right." (Public Hearings, Vol. 2, p. 1682.)

In the testimony of J. B. Matthews given before the Special Committee on Un-American Activities in public hearings, November 7, 1938, the following reference was made to the Reuther brothers:

"Mr. MATTHEWS. * * * I had personal contact with all three of the Reuther brothers, who have been prominent in the automobile workers union—Walter, Victor, and Roy. The night that Walter and Victor Reuther sailed for Russia, many years ago, I had dinner with them and saw them off, and had some contact with them while they were in Russia and subsequent to their return. I do not know what their exact political connections are at the present time. I only know that their ideology, if I may be permitted to use the word here, is Communist." (Public Hearings, Vol. 3, p. 2188.)

In the testimony of Zygmund Dobrzynski, member of the UAW, given before the Special Committee on Un-American Activities in public hearings, November 14, 1938, the following reference occurred:

"The CHAIRMAN. Mr. Dobrzynski, I believe you were testifying before lunch with reference to the conferences or conversations you had with Mr. Weinstone. Did those conversations take place in his office?"

"Mr. DOBRZYNSKI. Yes, sir; they took place in the Communist Party headquarters. * * *

* * * * *

"He also mentioned the Reuther brothers, Victor, Walter, and Roy, as workers with them. He stated, of course that they were members of the Socialist Party and not of the Communist Party, but that on certain policies they worked in conjunction with each other.

"The CHAIRMAN. You say he mentioned Roy, Victor, and Walter Reuther?"

"Mr. DOBRZYNSKI. Yes, sir; as workers with him in the union on certain policies. He stated to me that they were not members of the Communist Party but were members of the Socialist Party." (Public Hearings, Vol. 3, pp. 2219-2221.)

A Report of the United States Chamber of Commerce, "Communists Within the Labor Movement," which was inserted in the record in connection with the testimony of Dr. Emerson Schmidt in public hearings before the Committee on Un-American Activities on March 26, 1947, contains the following reference to Walter Reuther:

"Gains or even demands made in one sector of the A. F. of L. or the CIO tend to repeat themselves elsewhere. It must be remembered that the labor movement is intensely political. If non-Communist leaders do not gain as much as their opponents, they may soon find themselves with an active Communist opposition in their own union. The opposition makes capital of the reasonable demands of the honest leadership. Hence irresponsibility in labor tends to become infectious.

"An illustration of this analysis can be found in the policies of Walter Reuther. In the political struggles of labor, Reuther is considered a leader of the anti-Communist bloc. But at the same time he is head of a union which has a powerful Communist minority. He faces sabotage not only from this clique but also from the national headquarters of the CIO. Communist influences there have persuaded the top leadership that Reuther is a threat to their positions. As a result, Reuther faces an alternative: he must either be aggressive or retire in favor of some Communist dupe. This explains in part the conflict in his public statements. On the one hand, he may favor increased labor productivity and deny inflationary wage rises. On the other hand, he makes wage demands which cannot be other than inflationary." (Hearings on H. R. 1884 and H. R. 2122, March 24-28, 1947, p. 173.)

Further references to Walter Reuther occur in the Committee's "Hearings Regarding Communism in Labor Unions" in the public testimony of Leon E. Venne and Walter Petersen on February 27, 1947, as follows:

"Mr. STRPLING. Just a moment, Mr. Venne. In connection with the strike, Mr. Chairman, I would like for the record to show the attitude of the now president of the United Automobile Workers with reference to this local.

"The CHAIRMAN. What is his name?"

"Mr. STRIPLING. Walter P. Reuther.

"In a newspaper article which appeared in the Buffalo Courier Express on August 5, 1941, Walter P. Reuther charged that the Allis-Chalmers local was 'dominated by political racketeers of Communist stripe.' He described a local 248 election as 'the worst kind of strong-armed political racketeering.'"

* * * * *

"Mr. VENNE. * * * I believe that labor, in order to make any of the gains that labor must make, must clean house, and it doesn't start at the bottom, but it starts at the top. We seen in Allis-Chalmers today a situation that has come about through political maneuvering of two people who want the same job in the United Automobile Workers of America; namely, Walter Reuther and R. J. Thomas. R. J. Thomas is now using the Allis-Chalmers strike to insure that at the next convention he will have 87 votes to cast in favor of his presidency. R. J. Thomas—I mean R. J. Thomas—belongs to the left-wing bloc in the international.

While I don't pretend to call him a Communist, he accepts their support.

* * * * *

"Mr. VENNE. The international—I mean local 248—is exonerated from paying per capita tax to the international union while a strike is in progress. On April 29, the day the strike was called, local 248 had 87 votes at the international convention; that is, they have a vote for every one of the members. They will still carry that 87 votes at the convention that is to be held; I believe it is in September.

"Providing that—I am getting ahead of myself.

"The constitution of the United Auto Workers states that a per capita tax will be based on a period of 1 year preceding 60 days from the convention date, which means that, if the strike continues to approximately June 31, then local 248 will carry 87 votes to support R. J. Thomas in his fight against Walter Reuther; whereas if the strike was settled, say, today, we will have to figure some months on an 87 basis and some months at possibly—I would state that if the strike were settled today the members of local 248 would drop to an all-time low of probably 2,000 to 3,000 on the outside, and probably less.

"The CHAIRMAN. Then, Mr. Venne, do you mean to imply that the real purpose of this strike is to determine the national leadership between Reuther and Thomas?"

"Mr. VENNE. I will put it this way, sir: The continuation of this strike—the continuance of the strike, is due to the—rests on the political angle of—the international fight for the presidency of the U. A. W. of A."

* * * * *

"Mr. STRIPLING. Did you hear the testimony of the preceding witness, Mr. Venne?"

"Mr. PETERSEN. Yes.

"Mr. STRIPLING. What do you have to say concerning his testimony about the 87 votes?"

"Mr. PETERSEN. That is right. If the strike is prolonged until June 1947, which would be about 60 days before the date of the convention, local 248 would still carry 87 votes * * *; and, if the strike was settled before that, they would lose, approximately, about 30 votes. * * *

"Mr. MUNDT. You mean they would lose about 60 votes?"

"Mr. PETERSEN. They would lose about 60 votes.

"Mr. STRIPLING. Have you made any effort to oust the Communists—as a member of good standing?"

"Mr. PETERSEN. Yes; we did. We have been in and out of this fight practically since 1939. In 1941, I had much correspondence with Clare Hoffman. We already knew about it.

"Mr. STRIPLING. Did you ever communicate with any of the international officers of the union?"

"Mr. PETERSEN. I did.

"Mr. STRIPLING. Did you communicate with them? Who did you communicate with?"

"Mr. PETERSEN. I communicated with Mr. Reuther and Mr. Murray both.

"Mr. STRIPLING. Walter Reuther?"

"Mr. PETERSEN. Yes.

* * * * *

"Mr. STRIPLING. Did you get any response?"

"Mr. PETERSEN. We never received any response from them whatsoever."

* * * * *

"Mr. STRIPLING. Were you alone in your petition to Mr. Murray and Mr. Reuther?"

"Mr. PETERSEN. No. This dates back to last September 1946. There was about four or five of us from our department who got together and talked things over and we gradually expanded * * *. We decided at last that there was no way we could beat them but by going on the other side of the fence and withdrawing our support from the union, which we did. There was at that time about 3,000 of us that went in and more workers came in right along and in the latter part of November we had repudiation cards printed * * *.

"Mr. STRIPLING. * * * How many members of local 248 signed such a card?"

"Mr. PETERSEN. We had approximately—at the time we sent the petition in, we had 2,600 of those cards signed.

"Mr. STRIPLING. Where did you send the petition?"

"Mr. PETERSEN. We sent it to Mr. Reuther—one to Mr. Reuther and one to Mr. Murray.

"Mr. STRIPLING. And you received no reply from them?"

"Mr. PETERSEN. We received no reply whatsoever.

* * * * *

"Mr. PETERSEN. * * *

"It happened that on December 8, Walter Reuther was in town, was in Milwaukee, and we made an attempt to contact him. I had tried to contact him all that day at different points around town. I knew where he was and failed to make connections. When the rioting happened on this Monday, we put out a call for a special meeting for that evening * * *.

"During the course of the meeting I stated the fact that Reuther was in town the day before and failed to notify us or get in touch with us, and I failed to contact him, and what happened that day out at the plant. We took that for his answer to our demands." (Hearings Regarding Communism in Labor Unions in the United States, February 27, July 23, 24, and 25, 1947, pages 36, 48, 51-53.)

It is to be noted that Walter Reuther has been president of the United Auto Workers since 1938 and that this organization, under the leadership of Walter Reuther, has for the past few years made a determined effort to rid itself of Communist Party members who had infiltrated its official family.

It is also noted that Walter P. Reuther was one of the signers of an anti-Communist statement of the organization, Americans for Democratic Action, as reported in the "ADA World," June 18, 1947, page 2.

According to its organizers, the organization known as Americans for Democratic Action was designed to "expand the New Deal social and economic program at home and support 'democratic movements based on the Four Freedoms through the World,'" and the group also rejected "any alliance with totalitarian forces of the left or right." (See Washington Evening Star for January 4, 1947, p. A-4.)

Robert E. Sherwood

It is noted that the Worker of December 19, 1948, page M-10, listed Robert E. Sherwood's book, "Roosevelt and Hopkins," among the "Best Book Buys for Holidays." The Worker is the Sunday edition of the Daily Worker official organ of the Communist Party.

Raymond Swing

The following references to Raymond Gram Swing are found in the records of the Committee:

Raymond Gram Swing was a sponsor of the Soviet Russia Today dinner celebrating the Twenty-Fifth Anniversary of the Red Army, as shown in "Soviet Russia Today" for April 1943 (p. 31).

"Soviet Russia Today" was cited as a Communist-front publication in Reports of the Special Committee on Un-American Activities dated June 25, 1942, and March 29, 1944.

A letterhead dated March 13, 1946, and a memorandum dated March 18, 1946, issued by the National Council of American-Soviet Friendship, listed Raymond Swing as a sponsor of the organization. The citation of the National Council of American-Soviet Friendship appears on page 4 of this memorandum.

Reference to Raymond Gram Swing appears in public hearings held September 25, 1947, by the Committee on Un-American Activities, regarding Hanns Eisler.

A letter addressed to the Honorable Cordell Hull, Secretary of State, from Raymond Gram Swing, 36 East Fortieth Street, New York City, dated March 28, 1939, was introduced as evidence by Mr. Robert E. Stripling, Chief Investigator for the Committee. In this letter, Mr. Swing urged extensions of stay in the United States for Mr. and Mrs. Hanns Eisler (Hearings Before the Committee on Un-American Activities, September 24, 25, 26, 1947, p. 134).

The Immigration and Naturalization Service ordered the deportation of Hanns Eisler. The deportation order came after an immigration hearing in New York into a charge that Eisler "was a member in Germany of a group advocating the violent overthrow of this Government." (See Washington Evening Star for February 13, 1948, p. B-5; also New York Times for February 13, 1948, p. 12.)

It is noted that Raymond Gram Swing was one of those who signed an anti-Communist statement of the Americans for Democratic Action, which statement appeared in the "ADA World" for June 18, 1947, page 2. See page 11 of this memorandum for a characterization of the Americans for Democratic Action.

EXHIBIT 3S—TEHRAN-YALTA-POTSDAM AGREEMENTS

[Documents formulated at the Crimea (Yalta) Conference, February 4-11, 1945]

PROTOCOL OF THE PROCEEDINGS OF THE CRIMEA CONFERENCE

The Crimea Conference of the Heads of the Governments of the United States of America, the United Kingdom, and the Union of Soviet Socialist Republics, which took place from February 4th to 11th, came to the following conclusions:

I. WORLD ORGANISATION

It was decided—

(1) that a United Nations Conference on the proposed world organisation should be summoned for Wednesday, 25th April 1945, and should be held in the United States of America.

(2) the Nations to be invited to this Conference should be—

(a) the United Nations as they existed on the 8th February 1945; and

(b) such of the Associated Nations as have declared war on the common enemy by 1st March 1945. (For this purpose by the term "Associated Nations" was meant the eight Associated Nations and Turkey.) When the Conference on World Organisation is held, the delegates of the United Kingdom and the United States of America will support a proposal to admit to original membership two Soviet Socialist Republics; i. e., the Ukraine and White Russia.

(3) That the United States Government on behalf of the Three Powers should consult the Government of China and the French Provisional Government in regard to the decisions taken at the present Conference concerning the proposed World Organisation.

(4) that the text of the invitation to be issued to all the nations which would take part in the United Nations Conference should be as follows:

INVITATION

"The Government of the United States of America, on behalf of itself and of the Governments of the United Kingdom, the Union of Soviet Socialist Republics, and the Republic of China, and of the Provisional Government of the French Republic, invite the Government of _____ to send representatives to a Conference of the United Nations to be held on 25th April 1945, or soon thereafter, at San Francisco in the United States of America, to prepare a Charter for a General International Organisation for the maintenance of international peace and security.

"The above-named governments suggest that the Conference consider as affording a basis for such a Charter the Proposals for the Establishment of a General International Organisation, which were made public last October as a result of the Dumbarton Oaks Conference, and which have now been supplemented by the following provisions for Section C of Chapter VI:

"C. Voting

'1. Each member of the Security Council should have one vote.

'2. Decisions of the Security Council on procedural matters should be made by an affirmative vote of seven members.

"3. Decisions of the Security Council on all other matters should be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VIII, Section A, and under the second sentence of paragraph 1 of Chapter VIII, Section C, a party to a dispute should abstain from voting."

"Further information as to arrangements will be transmitted subsequently.

"In the event that the Government of ----- desires in advance of the Conference to present views or comments concerning the proposals, the Government of the United States of America will be pleased to transmit such views and comments to the other participating Governments."

Territorial trusteeship

It was agreed that the five Nations which will have permanent seats on the Security Council should consult each other prior to the United Nations Conference on the question of territorial trusteeship.

The acceptance of this recommendation is subject to its being made clear that territorial trusteeship will only apply to (a) existing mandates of the League of Nations; (b) territories detached from the enemy as a result of the present war; (c) any other territory which might voluntarily be placed under trusteeship; and (d) no discussion of actual territories is contemplated at the forthcoming United Nations Conference or in the preliminary consultations, and it will be a matter for subsequent agreement which territories within the above categories will be placed under trusteeship.

II. DECLARATION ON LIBERATED EUROPE

The following declaration has been approved:

"The Premier of the Union of Soviet Socialist Republics, the Prime Minister of the United Kingdom, and the President of the United States of America have consulted with each other in the common interests of the peoples of their countries and those of liberated Europe. They jointly declare their mutual agreement to concert during the temporary period of instability in liberated Europe the policies of their three governments in assisting the peoples liberated from the domination of Nazi Germany and the peoples of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems.

"The establishment of order in Europe and the rebuilding of national economic life must be achieved by processes which will enable the liberated peoples to destroy the last vestiges of Nazism and Fascism and to create democratic institutions of their own choice. This is a principle of the Atlantic Charter—the right of all peoples to choose the form of government under which they will live—the restoration of sovereign rights and self-government to those peoples who have been forcibly deprived of them by the aggressor nations.

"To foster the conditions in which the liberated peoples may exercise these rights, the three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where in their judgment conditions require (a) to establish conditions of internal peace; (b) to carry out emergency measures for the relief of distressed peoples; (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections.

"The three governments will consult the other United Nations and provisional authorities or other governments in Europe when matters of direct interest to them are under consideration.

"When, in the opinion of the three governments, conditions in any European liberated state or any former Axis satellite state in Europe make such action necessary, they will immediately consult together on the measures necessary to discharge the joint responsibilities set forth in this declaration.

"By this declaration we reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in cooperation with other peace-loving nations world order under law, dedicated to peace, security, freedom, and general well-being of all mankind.

"In issuing this declaration, the Three Powers express the hope that the Provisional Government of the French Republic may be associated with them in the procedure suggested."

III. DISMEMBERMENT OF GERMANY

It was agreed that Article 12 (*a*) of the Surrender Terms for Germany should be amended to read as follows:

"The United Kingdom, the United States of America, and the Union of Soviet Socialist Republics shall possess supreme authority with respect to Germany. In the exercise of such authority they will take such steps, including the complete disarmament, demilitarisation, and the dismemberment of Germany, as they deem requisite for future peace and security."

The study of the procedure for the dismemberment of Germany was referred to a Committee, consisting of Mr. Eden (Chairman), Mr. Winant, and Mr. Gousev. This body would consider the desirability of associating with it a French representative.

IV. ZONE OF OCCUPATION FOR THE FRENCH AND CONTROL COUNCIL FOR GERMANY

It was agreed that a zone in Germany, to be occupied by the French Forces, should be allocated to France. This zone would be formed out of the British and American zones, and its extent would be settled by the British and Americans in consultation with the French Provisional Government.

It was also agreed that the French Provisional Government should be invited to become a member of the Allied Control Council for Germany.

V. REPARATION

The following protocol has been approved:

Protocol on the talks between the Heads of the Three Governments at the Crimean Conference on the question of the German reparation in kind

The Heads of the Three Governments have agreed as follows:

1. Germany must pay in kind for the losses caused by her to the Allied nations in the course of the war. Reparations are to be received in the first instance by those countries which have borne the main burden of the war, have suffered the heaviest losses, and have organised victory over the enemy.

2. Reparation in kind is to be exacted from Germany in three following forms:

(*a*) Removals (within 2 years from the surrender of Germany or the cessation of organised resistance) from the national wealth of Germany located on the territory of Germany herself, as well as outside her territory, equipment, machine tools, ships, rolling stock, German investments abroad, shares of industrial, transport, and other enterprises in Germany, etc., these removals to be carried out chiefly for purpose of destroying the war potential of Germany.

(*b*) Annual deliveries of goods from current production for a period to be fixed.

(*c*) Use of German labour.

3. For the working out on the above principles of a detailed plan for exaction of reparation from Germany, an Allied Reparation Commission will be set up in Moscow. It will consist of three representatives—one from the Union of Soviet Socialist Republics, one from the United Kingdom, and one from the United States of America.

4. With regard to the fixing of the total sum of the reparation as well as the distribution of it among the countries which suffered from the German aggression, the Soviet and American delegations agreed as follows:

"The Moscow Reparation Commission should take in its initial studies as a basis for discussion the suggestion of the Soviet Government that the total sum of the reparation in accordance with the points (*a*) and (*b*) of the paragraph 2 should be 20 billion dollars, and that 50 percent of it should go to the Union of Soviet Socialist Republics."

The British delegation was of the opinion that, pending consideration of the reparation question by the Moscow Reparation Commission, no figures of reparation should be mentioned.

The above Soviet-American proposal has been passed to the Moscow Reparation Commission as one of the proposals to be considered by the Commission.

VI. MAJOR WAR CRIMINALS

The Conference agreed that the question of the major war criminals should be the subject of enquiry by the three Foreign Secretaries for report in due course after the close of the Conference.

VII. POLAND

The following Declaration on Poland was agreed by the Conference:

"A new situation has been created in Poland as a result of her complete liberation by the Red Army. This calls for the establishment of a Polish Provisional Government which can be more broadly based than was possible before the recent liberation of the Western part of Poland. The Provisional Government which is now functioning in Poland should therefore be reorganized on a broader democratic basis with the inclusion of democratic leaders from Poland itself and from Poles abroad. This new Government should then be called the Polish Provisional Government of National Unity.

"M. Molotov, Mr. Harriman, and Sir A. Clark Kerr are authorized as a commission to consult in the first instance in Moscow with members of the present Provisional Government and with other Polish democratic leaders from within Poland and from abroad, with a view to the reorganisation of the present Government along the above lines. This Polish Provisional Government of National Unity shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates.

"When a Polish Provisional Government of National Unity has been properly formed in conformity with the above, the Government of the U. S. S. R., which now maintains diplomatic relations with the present Provisional Government of Poland, and the Government of the United Kingdom and the Government of the U. S. A. will establish diplomatic relations with the new Polish Provisional Government of National Unity, and will exchange Ambassadors by whose reports the respective Governments will be kept informed about the situation in Poland.

"The three Heads of Government consider that the Eastern frontier of Poland should follow the Curzon Line with digressions from it in some regions of five to eight kilometers in favor of Poland. They recognise that Poland must receive substantial accessions of territory in the North and West. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the Western frontier of Poland should thereafter await the Peace Conference."

VIII. YUGOSLAVIA

It was agreed to recommend to Marshal Tito and to Dr. Subasic—

(a) that the Tito-Subasic Agreement should immediately be put into effect and a new Government formed on the basis of the Agreement.

(b) that as soon as the new Government has been formed it should declare—

(i) that the Anti-Fascist Assembly of National Liberation (AUNOJ) will be extended to include members of the last Yugoslav Skupstina who have not compromised themselves by collaboration with the enemy, thus forming a body to be known as a temporary Parliament; and

(ii) that legislative acts passed by the Anti-Fascist Assembly of National Liberation (AUNOJ) will be subject to subsequent ratification by a Constituent Assembly;

and that this statement should be published in the communiqué of the Conference.

IX. ITALO-YUGOSLAV FRONTIER AND ITALO-AUSTRIA FRONTIER

Notes on these subjects were put in by the British delegation, and the American and Soviet delegations agreed to consider them and give their views later.

X. YUGOSLAV-BULGARIAN RELATIONS

There was an exchange of views between the Foreign Secretaries on the question of the desirability of a Yugoslav-Bulgarian pact of alliance. The question at issue was whether a state still under an armistice regime could be allowed to enter into a treaty with another state. Mr. Eden suggested that the Bulgarian and Yugoslav Governments should be informed that this could not be approved.

Mr. Stettinius suggested that the British and American Ambassadors should discuss the matter further with M. Molotov in Moscow. M. Molotov agreed with the proposal of Mr. Stettinius.

XI. SOUTHEASTERN EUROPE

The British Delegation put in notes for the consideration of their colleagues on the following subjects:

- (a) the Control Commission in Bulgaria;
- (b) Greek claims upon Bulgaria, more particularly with reference to reparations;
- (c) Oil equipment in Roumania.

XII. IRAN

Mr. Eden, Mr. Stettinius, and B. Molotov exchanged views on the situation in Iran. It was agreed that this matter should be pursued through the diplomatic channel.

XIII. MEETINGS OF THE THREE FOREIGN SECRETARIES

The Conference agreed that permanent machinery should be set up for consultation between the three Foreign Secretaries; they should meet as often as necessary, probably about every three or four months.

These meetings will be held in rotation in the three capitals, the first meeting being held in London.

XIV. THE MONTREUX CONVENTION AND THE STRAITS

It was agreed that at the next meeting of the three Foreign Secretaries, to be held in London, they should consider proposals which it was understood the Soviet Government would put forward in relation to the Montreux Convention and report to their Governments. The Turkish Government should be informed at the appropriate moment.

The foregoing Protocol was approved and signed by the three Foreign Secretaries at the Crimean Conference, February 11, 1945.

E. R. STETTINIUS, JR.
M. MOLOTOV.
ANTHONY EDEN.

Protocol on the talks between the heads of the three governments at the Crimean Conference on the question of the German reparation in kind

The Heads of the Three Governments agreed as follows:

1. Germany must pay in kind for the losses caused by her to the Allied nations in the course of the war. Reparation are to be received in the first instance by those countries which have borne the main burden of the war, have suffered the heaviest losses, and have organised victory over the enemy.

2. Reparation in kind are to be exacted from Germany in three following forms:

(a) Removals (within 2 years from the surrender of Germany or the cessation of organised resistance) from the national wealth of Germany located on the territory of Germany herself, as well as outside her territory, equipment, machine tools, ships, rolling stock, German investments abroad, shares of industrial, transport and other enterprises in Germany, etc., these removals to be carried out chiefly for purpose of destroying the war potential of Germany.

(b) Annual deliveries of goods from current production for a period to be fixed.

(c) Use of German labour.

3. For the working out on the above principles of a detailed plan for exaction of reparation from Germany, an Allied Reparation Commission will be set up in Moscow. It will consist of three representatives—one from the Union of Soviet Socialist Republics, one from the United Kingdom, and one from the United States of America.

4. With regard to the fixing of the total sum of the reparation as well as the distribution of it among the countries which suffered from the German aggression, the Soviet and American delegations agreed as follows:

"The Moscow Reparation Commission should take in its initial studies as a basis for discussion the suggestion of the Soviet Government that the total sum of the reparation, in accordance with the points (a) and (b) of the paragraph 2, should be 20 billion dollars, and that 50 percent of it should go to the Union of Soviet Socialist Republics."

The British delegation was of the opinion that, pending consideration of the reparation question by the Moscow Reparation Commission, no figures of reparation should be mentioned.

The above Soviet-American proposal has been passed to the Moscow Reparation Commission as one of the proposals to be considered by the Commission.

WINSTON S. CHURCHILL,
FRANKLIN D. ROOSEVELT,
JOSEPH V. STALIN.

FEBRUARY 11, 1945.

Agreement regarding Japan Agreement

The leaders of the three Great Powers—the Soviet Union, the United States of America, and Great Britain—have agreed that, in two or three months after Germany has surrendered and the war in Europe has terminated, the Soviet Union shall enter into the war against Japan on the side of the Allies on condition that—

1. The status quo in Outer Mongolia (The Mongolian People's Republic) shall be preserved;

2. The former rights of Russia violated by the treacherous attack of Japan in 1904 shall be restored, viz:

(a) the southern part of Sakhalin as well as all the islands adjacent to it shall be returned to the Soviet Union;

(b) the commercial port of Dairen shall be internationalized, the pre-eminent interests of the Soviet Union in this port being safeguarded, and the lease of Port Arthur as a naval base of the U. S. S. R. restored.

(c) the Chinese-Eastern Railroad and the South Manchurian Railroad, which provides an outlet to Dairen, shall be jointly operated by the establishment of a joint Soviet-Chinese Company, it being understood that the pre-eminent interests of the Soviet Union shall be safeguarded and that China shall retain full sovereignty in Manchuria;

3. The Kuril islands shall be handed over to the Soviet Union. It is understood that the agreement concerning Outer Mongolia and the ports and railroads referred to above will require concurrence of Generalissimo Chiang Kai-shek. The President will take measures in order to obtain this concurrence on advice from Marshal Stalin.

The Heads of the three Great Powers have agreed that these claims of the Soviet Union shall be unquestionably fulfilled after Japan has been defeated.

For its part the Soviet Union expressed its readiness to conclude with the National Government of China a pact of friendship and alliance between the U. S. S. R. and China in order to render assistance to China with its armed forces for the purpose of liberating China from the Japanese yoke.

J. STALIN,
FRANKLIN D. ROOSEVELT,
WINSTON S. CHURCHILL.

FEBRUARY 11, 1945.

Agreement Relating to Prisoners of War and Civilians Liberated by Forces Operating Under Soviet Command and Forces Operating Under United States of America Command

The Government of the United States of America on the one hand and the Government of the Union of Soviet Socialist Republics on the other hand, wishing to make arrangements for the care and repatriation of United States citizens freed by forces operating under Soviet command and for Soviet citizens freed by forces operating under United States command, have agreed as follows:

ARTICLE 1. All Soviet citizens liberated by the forces operating under United States command and all United States citizens liberated by the forces operating under the Soviet command will, without delay after their liberation, be separated from enemy prisoners of war and will be maintained separately from them in camps or points of concentration until they have been handed over to the Soviet

or United States authorities, as the case may be, at places agreed upon between those authorities.

United States and Soviet military authorities will respectively take the necessary measures for protection of camps, and points of concentration from enemy bombing, artillery fire, etc.

ARTICLE 2. The contracting parties shall ensure that their military authorities shall without delay inform the competent authorities of the other party regarding citizens of the other contracting party found by them, and will at the same time take the necessary steps to implement the provisions of this agreement. Soviet and United States repatriation representatives will have the right of immediate access into the camps and points of concentration where their citizens are located and they will have the right to appoint the internal administration and set up the internal discipline and management in accordance with the military procedure and laws of their country.

Facilities will be given for the despatch or transfer of officers of their own nationality to camps or points of concentration where liberated members of the respective forces are located and there are insufficient officers. The outside protection of and access to and from the camps or points of concentration will be established in accordance with the instructions of the military commander in whose zone they are located, and the military commander shall also appoint a commandant, who shall have the final responsibility for the over-all administration and discipline of the camp or point concerned.

The removal of camps as well as the transfer from one camp to another of liberated citizens will be effected by agreement with the competent Soviet or United States authorities. The removal of camps and transfer of liberated citizens may, in exceptional circumstances, also be effected without preliminary agreement provided the competent authorities are immediately notified of such removal or transfer with a statement of the reasons. Hostile propaganda directed against the contracting parties or against any of the United Nations will not be permitted.

ARTICLE 3. The competent United States and Soviet authorities will supply liberated citizens with adequate food, clothing, housing, and medical attention both in camps or at points of concentration and en route, and with transport until they are handed over to the Soviet or United States authorities at places agreed upon between those authorities. The standards of such food, clothing, housing, and medical attention shall, subject to the provisions of Article 8, be fixed on a basis for privates, non-commissioned officers and officers. The basis fixed for civilians shall as far as possible be the same as that fixed for privates.

The contracting parties will not demand compensation for these or other similar services which their authorities may supply respectively to liberated citizens of the other contracting party.

ARTICLE 4. Each of the contracting parties shall be at liberty to use in agreement with the other party such of its own means of transport as may be available for the repatriation of its citizens held by the other contracting party. Similarly each of the contracting parties shall be at liberty to use in agreement with the other party its own facilities for the delivery of supplies to its citizens held by the other contracting party.

ARTICLE 5. Soviet and United States military authorities shall make such advances on behalf of their respective governments to liberated citizens of the other contracting party as the competent Soviet and United States authorities shall agree upon beforehand.

Advances made in currency of any enemy territory or in currency of their occupation authorities shall not be liable to compensation.

In the case of advances made in currency of liberated non-enemy territory, the Soviet and United States Governments will effect, each for advances made to their citizens necessary settlements with the Governments of the territory concerned, who will be informed of the amount of their currency paid out for this purpose.

ARTICLE 6. Ex-prisoners of war and civilians of each of the contracting parties may, until their repatriation, be employed in the management, maintenance, and administration of the camps or billets in which they are situated. They may also be employed on a voluntary basis on other work in the vicinity of their camps in furtherance of the common war effort in accordance with agreements to be reached between the competent Soviet and United States authorities. The question of payment and conditions of labour shall be determined by agreement between these authorities. It is understood that liberated members of the respective forces will be employed in accordance with military standards and procedure and under the supervision of their own officers.

ARTICLE 7. The contracting parties shall, wherever necessary, use all practicable means to ensure the evacuation to the rear of these liberated citizens. They also undertake to use all practicable means to transport liberated citizens to places to be agreed upon where they can be handed over to the Soviet or United States authorities respectively. The handing over of these liberated citizens shall in no way be delayed or impeded by the requirements of their temporary employment.

ARTICLE 8. The contracting parties will give the fullest possible effect to the foregoing provisions of this Agreement, subject only to the limitations in detail and from time to time of operational, supply and transport conditions in the several theatres.

ARTICLE 9. This Agreement shall come into force on signature.

Done at the Crimea in duplicate and in the English and Russian languages, both being equally authentic, this eleventh day of February, 1945.

For the Government of the United States of America:

JOHN R. DEANE,
Major General, U. S. A.

For the Government of the Union of Soviet Socialist Republics:

LIEUTENANT GENERAL GRYZLOV

Report of the Crimea Conference

For the past eight days, Winston S. Churchill, Prime Minister of Great Britain, Franklin D. Roosevelt, President of the United States of America, and Marshal J. V. Stalin, Chairman of the Council of Peoples' Commissars of the Union of Soviet Socialist Republics have met with the Foreign Secretaries, Chiefs of Staff and other advisors in the Crimea.

In addition to the three Heads of Government, the following took part in the Conference:

For the United States of America:

Edward R. Stettinius, Jr., Secretary of State,
Fleet Admiral William D. Leahy, U. S. N., Chief of Staff to the President,
Harry L. Hopkins, Special Assistant to the President,
Justice James F. Byrnes, Director, Office of War Mobilization,
General of the Army George C. Marshall, U. S. A., Chief of Staff, U. S. Army,
Fleet Admiral Ernest J. King, U. S. N., Chief of Naval Operations and Commander in Chief, U. S. Fleet,
Lieutenant General Brehon B. Somervell, Commanding General, Army Service Forces,
Vice Admiral Emory S. Land, War Shipping Administrator,
Major General L. S. Kuter, U. S. A., Staff of Commanding General, U. S. Army Air Forces,
W. Averell Harriman, Ambassador to the U. S. S. R.,
H. Freeman Matthews, Director of European Affairs, State Department,
Alger Hiss, Deputy Director, Office of Special Political Affairs, Department of State,
Charles E. Bohlen, Assistant to the Secretary of State,
together with political, military, and technical advisors.

For the United Kingdom:

Anthony Eden, Secretary of State for Foreign Affairs,
Lord Leathers, Minister of War Transport,
Sir A. Clark Kerr, H. M. Ambassador at Moscow,
Sir Alexander Cadogan, Permanent Under Secretary of State for Foreign Affairs,
Sir Edward Bridges, Secretary of the War Cabinet,
Field Marshal Sir Alan Brooke, Chief of the Imperial General Staff,
Marshal of the Royal Air Force Sir Charles Portal, Chief of the Air Staff,
Admiral of the Fleet Sir Andrew Cunningham, First Sea Lord,
General Sir Hastings Ismay, Chief of Staff to the Minister of Defense,
together with
Field Marshal Alexander, Supreme Allied Commander, Mediterranean Theatre,

Field Marshal Wilson, Head of the British Joint Staff Mission at Washington,
Admiral Somerville, Joint Staff Mission at Washington,
together with military and diplomatic advisors.

For the Soviet Union:

V. M. Molotov, People's Commissar for Foreign Affairs of the U. S. S. R.,
Admiral Kuznetsov, People's Commissar for the Navy,
Army General Antonov, Deputy Chief of the General Staff of the Red Army,
A. Ya. Vyshinski, Deputy People's Commissar for Foreign Affairs of the
U. S. S. R.,
I. M. Maisky, Deputy People's Commissar for Foreign Affairs of the U. S. S. R.,
Marshal of Aviation Khydyakov,
F. T. Gousev, Ambassador in Great Britain,
A. A. Gromyko, Ambassador in U. S. A.

The following statement is made by the Prime Minister of Great Britain, the President of the United States of America, and the Chairman of the Council of Peoples' Commissars of the Union of Soviet Socialist Republics on the results of the Crimean Conference :

I. THE DEFEAT OF GERMANY

We have considered and determined the military plans of the three allied powers for the final defeat of the common enemy. The military staffs of the three allied nations have met in daily meetings throughout the Conference. These meetings have been most satisfactory from every point of view and have resulted in closer coordination of the military effort of the three Allies than ever before. The fullest information has been inter-changed. The timing, scope and coordination of new and even more powerful blows to be launched by our armies and air forces into the heart of Germany from the East, West, North and South have been fully agreed and planned in detail.

Our combined military plans will be made known only as we execute them, but we believe that the very close working partnership among the three staffs attained at this Conference will result in shortening the war. Meetings of the three staffs will be continued in the future whenever the need arises.

Nazi Germany is doomed. The German people will only make the cost of their defeat heavier to themselves by attempting to continue a hopeless resistance.

II. THE OCCUPATION AND CONTROL OF GERMANY

We have agreed on common policies and plans for enforcing the unconditional surrender terms which we shall impose together on Nazi Germany after German armed resistance has been finally crushed. These terms will not be made known until the final defeat of Germany has been accomplished. Under the agreed plan, the forces of the Three Powers will each occupy a separate zone of Germany. Coordinated administration and control has been provided for under the plan through a central Control Commission consisting of the Supreme Commanders of the Three Powers with headquarters in Berlin. It has been agreed that France should be invited by the Three Powers, if she should so desire, to take over a zone of occupation, and to participate as a fourth member of the Control Commission. The limits of the French Zone will be agreed by the four governments concerned through their representatives on the European Advisory Commission.

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; eliminate or control all German industry that could be used for military production; bring all war criminals to just and swift punishment and exact reparation in kind for the destruction wrought by the Germans; wipe out the Nazi party, Nazi laws, organizations and institutions, remove all Nazi and militarist influences from public office and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world. It is not our purpose to destroy the people of Germany, but only when Nazism and Militarism have been extirpated will there be hope for a decent life for Germans, and a place for them in the comity of nations.

III. REPARATION BY GERMANY

We have considered the question of the damage caused by Germany to the Allied Nations in this war and recognized it as just that Germany be obliged to make compensation for this damage in kind to the greatest extent possible. A Commission for the Compensation of Damage will be established. The Commission will be instructed to consider the question of the extent and methods for compensating damage caused by Germany to the Allied Countries. The Commission will work in Moscow.

IV. UNITED NATIONS CONFERENCE

We are resolved upon the earliest possible establishment with our allies of a general international organization to maintain peace and security. We believe that this is essential, both to prevent aggression and to remove the political, economic and social causes of war through the close and continuing collaboration of all peace-loving peoples.

The foundations were laid at Dumbarton Oaks. On the important question of voting procedure, however, agreement was not there reached. The present conference has been able to resolve this difficulty.

We have agreed that a Conference of United Nations should be called to meet at San Francisco in the United States on April 25th, 1945, to prepare the charter of such an organization, along the lines proposed in the informal conversations at Dumbarton Oaks.

The Government of China and the Provisional Government of France will be immediately consulted and invited to sponsor invitations to the Conference jointly with the Governments of the United States, Great Britain and the Union of Soviet Socialist Republics. As soon as the consultation with China and France has been completed, the text of the proposals on voting procedure will be made public.

V. DECLARATION ON LIBERATED EUROPE

We have drawn up and subscribed to a Declaration on liberated Europe. This Declaration provides for concerning the policies of the three Powers and for joint action by them in meeting the political and economic problems of liberated Europe in accordance with democratic principles. The text of the Declaration is as follows:

The Premier of the Union of Soviet Socialist Republics, the Prime Minister of the United Kingdom, and the President of the United States of America have consulted with each other in the common interests of the peoples of their countries and those of liberated Europe. They jointly declare their mutual agreement to concert during the temporary period of instability in liberated Europe the policies of their three governments in assisting the peoples liberated from the domination of Nazi Germany and the peoples of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems.

The establishment of order in Europe and the rebuilding of national economic life must be achieved by processes which will enable the liberated peoples to destroy the last vestiges of Nazism and Fascism and to creat [sic] democratic institutions of their own choice. This is a principle of the Atlantic Charter—the right of all peoples to choose the form of government under which they will live—the restoration of sovereign rights and self-government to those peoples who have been forcibly deprived of them by the aggressor nations.

To foster the conditions in which the liberated peoples may exercise these rights, the three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where, in their judgment, conditions require (a) to establish conditions of internal peace; (b) to carry out emergency measures for the relief of distressed people; (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections.

The three governments will consult the other United Nations and provisional authorities or other governments in Europe when matters of direct interest to them are under consideration.

When, in the opinion of the three governments, conditions in any European liberated state or any former Axis satellite state in Europe make such action

necessary, they will immediately consult together on the measures necessary to discharge the joint responsibilities set forth in this declaration.

By this declaration we reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in cooperation with other peace-loving nations a world order under law, dedicated to peace, security, freedom, and the general well-being of all mankind.

In issuing this declaration the Three Powers express the hope that the Provisional Government of the French Republic may be associated with them in the procedure suggested.

VI. POLAND

We came to the Crimea Conference resolved to settle our differences about Poland. We discussed fully all aspects of the question. We reaffirm our common desire to see established a strong, free, independent, and democratic Poland. As a result of our discussions, we have agreed on the conditions in which a new Polish Provisional Government of National Unity may be formed in such a manner as to command recognition by the three major powers.

The agreement reached is as follows:

A new situation has been created in Poland as a result of her complete liberation by the Red Army. This calls for the establishment of a Polish Provisional Government which can be more broadly based than was possible before the recent liberation of western Poland. The Provisional Government which is now functioning in Poland should, therefore, be reorganized on a broader democratic basis, with the inclusion of democratic leaders from Poland itself and from Poles abroad. This new Government should then be called the Polish Provisional Government of National Unity.

M. Molotov, Mr. Harriman, and Sir A. Clark Kerr are authorized as a Commission to consult in the first instance in Moscow with members of the present Provisional Government and with other Polish democratic leaders from within Poland and from abroad, with a view to the reorganization of the present Government along the above lines. This Polish Provisional Government of National Unity shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates.

When a Polish Provisional Government of National Unity has been properly formed in conformity with the above, the Government of the U. S. S. R., which now maintains diplomatic relations with the present Provisional Government of Poland, and the Government of the United Kingdom and the Government of the United States will establish diplomatic relations with the new Polish Provisional Government of National Unity and will exchange Ambassadors, by whose reports the respective Governments will be kept informed about the situation in Poland.

The three Heads of Government consider that the eastern frontier of Poland should follow the Curzon Line, which digressions from it in some regions of five to eight kilometres in favor of Poland. They recognize that Poland must receive substantial accessions of territory in the north and west. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the western frontier of Poland should thereafter await the Peace Conference.

VII. YUGOSLAVIA

We have agreed to recommend to Marshal Tito and Dr. Subasic that the Agreement between them should be put into effect immediately, and that a new Government should be formed on the basis of that Agreement.

We also recommend that as soon as the new Government has been formed it should declare that:

(i) The Anti-Fascist Assembly of National Liberation (Avnoј) should be extended to include members of the last Yugoslav Parliament (Skupschina) who have not compromised themselves by collaboration with the enemy, thus forming a body to be known as a temporary Parliament; and

(ii) Legislative acts passed by the Anti-Fascist Assembly of National Liberation (Aunoј) will be subject to subsequent ratification by a Constituent Assembly.

There was also a general review of other Balkan questions [sic].

VIII. MEETINGS OF FOREIGN SECRETARIES

Throughout the Conference, besides the daily meetings of the Heads of Governments and the Foreign Secretaries, separate meetings of the three Foreign Secretaries and their advisers have also been held daily.

These meetings have proved of the utmost value, and the Conference agreed that permanent machinery should be set up for regular consultation between the three Foreign Secretaries. They will, therefore, meet as often as may be necessary, probably about every three or four months. These meetings will be held in rotation in the three Capitals, the first meeting being held in London, after the United Nations Conference on world organization.

IX. UNITY FOR PEACE AS FOR WAR

Our meeting here in the Crimea has reaffirmed our common determination to maintain and strengthen in the peace to come that unity of purpose and of action which has made victory possible and certain for the United Nations in this war. We believe that this is a sacred obligation which our Governments owe to our peoples and to all the peoples of the world.

Only with continuing and growing co-operation and understanding among our three countries and among all the peace-loving nations can the highest aspiration of humanity be realized—a secure and lasting peace which will, in the words of the Atlantic Charter, “afford assurance that all the men in all the lands may live out their lives in freedom from fear and want.”

Victory in this war and establishment of the proposed international organization will provide the greatest opportunity in all history to create in the years to come the essential conditions of such a peace.

WINSTON S. CHURCHILL.
FRANKLIN D. ROOSEVELT.
JOSEPH V. STALIN.

FEBRUARY 11, 1945.

(Prepared by the Assistant for Treaty Affairs, Office of the Legal Adviser, Department of State, Washington, D. C., July 2, 1951.)

EXHIBIT 41—MESSAGES SENT TO DEPARTMENT OF STATE BY AMBASSADOR HARRIMAN DURING FORMATION OF POLISH PROVISIONAL GOVERNMENT—SEE HARRIMAN TESTIMONY

[Paraphrase of telegram]

LONDON, *November 23, 1944.*

SECRETARY OF STATE,
Washington.

(For the President and the Secretary. Secret.)

Today at lunch with Romer and Mikolajczyk, the latter stated that he had had talks with his colleagues in the London Polish Government subsequent to the receipt of your letter. It is now his conviction that he cannot obtain any support for his program of reconciliation with the Lublin Poles and the Soviets.

The leaders of the other three parties in the London Polish Government are all definitely against a settlement now, although he has obtained complete support and authority to act from the Peasant Party leaders inside Poland. Since he could not obtain the agreement of his associates to a boundary settlement at present, he cannot, under the circumstances, in fairness ask for your intervention with Stalin in an effort to get a more favorable settlement of the frontier to include the LWOV area. I will not therefore discuss with Stalin at this time the question of LWOV unless you instruct me otherwise.

For your letter and sympathetic consideration of Polish problems, Mikolajczyk is very grateful and he will so inform you directly. He has requested me to convey his apologies for having requested that you intervene at a time when, as it worked out, he is not able to win the support of his colleagues in the effort to attain a realistic settlement with the Soviets.

In the opinion of his associates, Soviet policy was to communize Poland, Mikolajczyk said. His associates plan to wait until after the liberation of Poland, to continue within the country a resistance to the domination of Soviet Russia, and to hope that the influence of the United States and of Great Britain might be brought to bear on the Soviet Union at some future time to induce that country to permit the Polish people the right freely to choose their own government. This policy is not shared by Mikolajczyk personally and he deeply regrets that

he is not able to persuade his colleagues to join him in an earnest effort to find a solution now.

After he has talked further with Eden and Churchill, it is the intention of Mikolajczyk, under these circumstances, to resign. It is his feeling that to remain Prime Minister would be to become involved in accusations and counter-accusations with the Soviets. He feels that no good will come from this, and that his usefulness to his people in the future will be lost.

I am staying here for an additional day in order to talk with Eden and Churchill, and I will send you reports concerning their reactions to these developments.

In addition, Mikolajczyk informed me that in the Lublin Committee the communist influence was becoming greater and that several individuals, who were more independent had resigned or been forced out. Mikolajczyk said that he feared the result will be terrorism and counter-terrorism. The developments in London and Lublin have made him very pessimistic, and he considers that his best course is to withdraw, at the same time holding himself available to be of help in the future if the moment arises. Even with full Soviet support the Lublin Committee cannot compel Polish sentiment, in his opinion, and he feels that a compromise of some sort may be found some day which will allow an opportunity for Polish nationalism to express itself.

WINANT.

[Paraphrase of telegram]

LONDON, November 25, 1944.

SECRETARY OF STATE,

Washington.

Mikolajczyk, whom I saw this morning, informed me that the reason for his resignation as Prime Minister was his feeling that an agreement between Poland and the Soviet Union was necessary at this time, whereas the three major political parties, except for his own Peasant Party, were of the opinion that frontier questions should not be taken up until after the war was ended. (This telegram is from Schoenfeld.)

Mikolajczyk knew that he would have been the object of attacks if his government had made the concessions which the Soviets desired, but Mikolajczyk reasoned that if an agreement were not reached, the risk for Poland would be not only the loss of territories in the East but also in all probability the loss of real compensation in the West. He felt that American and British public opinion, once the war had come to an end, would not stand behind thorough going compensation for Poland in the West. Furthermore, if there were no agreement, it was certain that Poland would be subjected to severe attempts to communize the country. Those elements of the Lublin Committee which were not communist were being speedily eliminated, and that Committee was already largely communist. The members of the London Government might be successful in preventing Poland's communization if they were able to return to Poland soon. There were those who doubted Soviet intentions, and he could agree with them, but he felt that they should at least try if there was the slightest chance of success. Besides this, in view of advances by the Soviets from the southeast and from the north, the Polish Government, in the absence of an agreement, was faced with the likelihood of additional difficulty in keeping up communications with the underground organization in Poland, and in supplying it.

He would also have wished to gather up and keep intact the "capital of energy" which is still at the disposition of Poland abroad if he had had more time. It would have been a source of strength to withstand efforts aimed at the communization of Poland if the parties had been able to unite on a policy, but the parties were necessarily ineffective when they were divided. In addition, there were perhaps even a million Poles in Germany and several hundred thousand in Western Europe. In German territory which was captured recently a surprising number of Poles had already been found in prison camps. In the interests both of the war effort and of rehabilitation of these Poles he would have wished to recruit them for military service. They would have been useful as a nucleus for the rebuilding of Poland. But in the opinion of the Supreme Allied Command, it was too late to train these Poles for the war effort and only the numbers sufficient to make up losses in presently existing Polish military units were permitted. So long as there was no unity among the parties and in the absence of more support from the Allies, it was not possible for him to effect this preservation of Polish energies.

Mikolajczyk had not felt that he could take advantage of the President's offer to intervene with Stalin regarding the oil areas of Galicia and Lwow inasmuch as he was not able in any event to obtain the support of his own government to the general boundary settlement which had been proposed by the Soviets. He said that he was grateful to the President for this offer. This was in the course of a reference to his recent conversation with Harriman. It was possible, Mikolajczyk said, that "the others" were right in their estimate of the future and that he was wrong, but his own estimate was his honest conviction and he did not feel that he could continue as Prime Minister under the circumstances.

In reply to my question Mikolajczyk said that he would not undertake to form a government if Kwapinski's attempt failed. So far as his immediate plans were concerned, he said that he did not know what he would do.

Throughout this conversation Mikolajczyk spoke with quiet simplicity and kept his normal calm and self-possession, although he was somewhat more subdued than customary. He showed emotion only as I was taking leave and when I expressed my sorrow that he had resigned. He asked me to convey to the President his great admiration and appreciation and said that he appreciated deeply the understanding which had always been shown him from the American side.

WINANT.

[Paraphrase of telegram]

Moscow, June 15, 1945.

SECRETARY OF STATE,
Washington:

Together with the British Ambassador I met with Molotov afternoon today, and it was agreed that we should send another communication to Witos to urge him to come to Moscow despite his earlier decision not to do so, offering to see that all necessary arrangements were made for his medical attention and comfort both in Moscow and en route, and emphasizing the importance which we attached to his being here. We further agreed that Kiernik should be invited in the place of Witos if the latter finally decided that he could not come. It was the position of Molotov that the question of an interview in Poland between Witos and Mikolajczyk should be postponed until the consultations had already begun.

The British Ambassador and I gave our concurrence to inviting Kowrdzei instead of Zakowski, in connection with the agreement to Kiernik by Molotov. Molotov declined to reconsider Popiel.

At 7 p. m. tomorrow (Saturday) the Commission will receive all of the Poles, and it is a matter of urgent necessity that Stanczyk and Mikolajczyk should leave London tomorrow morning early. If possible it would seem desirable to bring Kolodzei, to whom an invitation is to be extended by the Foreign Office. We will meet with the others after we have met with the representatives of the Warsaw Government on Monday.

Molotov gave his concurrence to the rotation of the chairmanship among Commission members. This was at the suggestion of Clark Kerr. Inasmuch as Hopkins, in a conversation with Stalin, had referred to Molotov as Chairman, I spoke against the proposal but concurred in the majority vote.

HARRIMAN.

[Paraphrase of telegram]

Moscow, June 21, 1945.

SECRETARY OF STATE,
Washington:

An agreement which was reached among the Poles themselves was reported tonight to the Commission.

The National Council presidium will consist of the following: President—Bierut, Deputy Presidents—Witos, Szwalbe, and Grabski, plus three additional present members. When the Council is not in session, the presidium is the source of power of the Government. (This telegram was also sent to Ambassador Winant in London and to Minister Schoenfeld also in London.)

Morawski remains as Prime Minister in the Government and Gomulka of the Workers' Party stays on as Vice Prime Minister. The offices of Vice Prime

Minister and Minister of Agriculture will be assumed by Mikolajczyk, with no substantial changes in the other Ministers except that the Minister of Public Administration will be Kiernik of the Peasant Party, and the Minister of Labor and Social Welfare will be Stanczyk, the Minister of Posts and Telegraph will be Thugutt of the Peasant Party from London, Kolodziejski, a nonparty man, will be Minister without Portfolio and the Minister of Education will be Wycech of the Peasant Party within Poland. Thus out of a total of twenty there will be six new Ministers. An invitation will be extended to Popiel of the Christian Labor Party to return to Poland and to participate in public affairs. Mikolajczyk hopes that at a later date Popiel will be given a Ministry.

The Peasant Party representatives, Mikolajczyk and Kiernik, have brought in four new Peasant leaders and have therefore not done badly. A very strong position was not taken by the Socialists, however, and the only new Socialist Minister is Stanczyk. It is their hope that the old-time Socialists will be able to increase their influence after the organization of the new government. The agreement reached by the Polish conferees was accepted by the Commission and tomorrow, Friday evening, a meeting will be held for the purpose of agreeing on the public announcement. No publicity is to be given in the meantime. I asked for instructions urgently but unless instructions to the contrary are received by 1 o'clock Washington time, 8 o'clock Moscow time, I will accept the settlement as complying with the agreement at Yalta.

It was made clear by Clark Kerr and myself that the forming of the provisional government of national unity was the first step only and that there would be no fulfillment of the Yalta decision until a truly free election was held.

Agreement has been reached in principle only on some additional understandings. For example, that the National Council shall be re-formed to include equitable representation of the various parties which have members in the government and that the same proportion shall be used in selecting the men for under-ministerial posts. It is the fundamental basis of the government, as reorganized, that the Socialist Party, the Workers' Party, and the Peasant Party each will have six ministries, and other democratic parties are to have two. Although there is no assurance that this will be done, it is the hope of both the old-line socialists not at present affiliated with the Warsaw Government, and of Mikolajczyk as well, that they can replace some of the weaker men who hold portfolios at a later date.

I must report in frankness that this settlement was reached because all the non-Lublin Poles are so concerned about the situation now in Poland that they are prepared to agree to any compromise which would offer some hope for individual freedom and for Polish independence. I asked for assurances at the meeting tonight that the principal parties concerned would promise to maintain the basic agreement until it was possible to hold a free election. Definite assurances were given. In addition, I asked for assurances of freedom to discuss and of assembly in the party before the election, and for amnesty to benefit people within Poland who were charged with political offenses. The answers were in generalities only, but after the meeting Bierut assured me privately that there was already acceptance for the principle of amnesty and he said that it was his expectation that 80 percent of the people now under arrest in Poland would be released.

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It was impossible not to have the impression that the Warsaw Poles and Molotov were in high spirits and that serious concern was felt by the other Poles, who hoped that as a result of the trust they had demonstrated for the good faith of Moscow there would be a freer hand for the Poles to conduct their own affairs. For my part I am much relieved that a settlement has been agreed to by the Poles themselves, and there is no reason that I can see why we should not accept it. We must face the fact on the other hand that the Poles are relying on us for continued interest in making sure that there will be a free election.

HARRIMAN.

[Paraphrase of telegram]

Moscow, June 23, 1945.

SECRETARY OF STATE,
Washington:

I presided at the last meeting of the Commission yesterday evening. The first matter considered was the communiqué which was agreed to in the form

in which it was later released. Because he has for personal reasons declined to serve, Kolodziejski was not included in the list of new ministers. With the support of the other Poles, including Mikolajczyk, Bierut spoke in favor of the dropping of "Provisional" in the name of the new government, urging that this would increase the effectiveness and prestige of the government. This matter was discussed by Vyshinski and myself that afternoon and since he had agreed that the word should be retained, I assumed that the Soviets would support my contention that the name of the government had been decided, after a thorough consideration, at Yalta by the three heads of government. Bierut was supported by Molotov, despite my agreement with Vyshinski. Molotov suggested that the three governments might be consulted in this matter, although he conceded that my position was in literal agreement with the Crimean decision. He said that there was no objection on the part of the Soviet Government to eliminating the word.

At that point I said that owing to the time difference between the United States and Moscow, at least 48 hours would be required to obtain an answer from my Government. Molotov withdrew his suggestion on hearing this. To my question as to whether the Poles accepted the Crimean decision on the title of the government, Bierut expressed his agreement but advanced a proposal that after the new government had been organized it should suggest three governments the elimination of the word "Provisional." This was agreed to by Molotov. While I did not express opposition to this, I explained that until free elections had occurred which would establish a permanent government, the Crimea decision would not be fulfilled. I also indicated that it was not my intention to offer any hope that the Government of the United States would agree to a change from the decision on this question by President Roosevelt. Bierut answered in the affirmative my question as to whether he agreed that the word "Provisional" would not be changed without the agreement of the United States and British Governments.

In order to eliminate any misunderstanding about the translation, it was agreed that the official text for the use of the Poles among themselves should be the Polish text of the agreement.

* * * * *

I said that the Government of the United States had agreed to the Crimea decision and that my Government would carry out its commitments under that decision when the new government was formed as provided therein. I also said that while I accepted the settlement as a member of the Commission, I had not yet heard from my Government.

I then referred to supplementary understandings which had been reached among the Poles themselves at a previous meeting, and which had been mentioned in various statements, but which were not included, I discovered, in the written statement and I requested an explanation of these understandings so that I would be able to report them accurately to the Government of the United States. Specifically I made reference to the statement of Bierut the night before with reference to the National Council and inquired if my understanding was correct that there would be a broadening of the National Council on the same democratic basis as the government. Bierut made reference to the provision in the written agreement regarding additional members of the presidium. I then asked for further information concerning the membership of the Council itself. At this point there was an interruption by Molotov, who talked at length raising the question as to the appropriateness to ask about private matters of the Polish Government. It was quite proper for the Government of the United States to be informed completely with regard to all agreements which had been reached among the Poles, I maintained. The question was one which should be discussed, Mikolajczyk said, since the Supreme Authority of the Polish Government was the National Council, and he thought that the Poles had nothing to hide. At this Bierut enlarged and confirmed the statement he had made last evening, explaining that the Council had only 140 members at this time and that there would be a broadening of the Council's base through the local councils so that broader representation from groups now not represented could be brought in, and that there would be invitations to join the Council to all the conferees in Moscow and that after their return to Warsaw there would be further consideration of the question.

Molotov interrupted again when I inquired concerning the understanding with regard to Under-Ministerial posts. He said that since this question had not been previously raised, he did not see why we should examine into the affairs of the Poles, and he added that he was thoroughly satisfied. (My raising of this ques-

tion was motivated by the fact that Mikolajczyk had informed me that a proportional distribution of the Under-Ministerial posts had been agreed to by Bierut but that the latter had failed at the previous meeting to report this.) I did not get a direct reply from Bierut, although I pressed him for one. Bierut said that there was in Poland plenty of work for all able men and that democratic elements which would contribute to the competence of the Government would be brought in but that individual ability rather than party affiliation should be the base for appointments. He added that this was a democratic principle. Although agreeing generally, Mikolajczyk pointed out that recognition was given in democratic governments to the relative strength among the people of the different parties, and that there should be recognition for this principle as well. Bierut commented that there was a firm agreement to work together and that he was confident that this question could be settled among themselves without interference by the Allies.

I said that I wished to make clear the point that I had raised these questions so that the Government of the United States could fully understand the agreement which the Poles themselves had reached and also the manner in which the Poles planned to achieve the unity which was the common objective of all of us.

At the close of the meeting there was expression of mutual thanks and confidence in the settlement which had been achieved.

I entertained all participants at the Embassy after the meeting.

In my opinion the discussion concerning supplementary understandings was useful, although Molotov expressed objections to that discussion. Almost all of the outside Poles thanked me profusely after the meeting, expressing the belief that it would be of assistance to them in securing a fair interpretation of oral understandings which had been reached.

Unfortunately there is a clue in the remarks of Molotov that he may resist the execution of the understanding reached at Yalta that our Governments would continue to interest themselves in Polish developments through our Ambassadors in Warsaw. It is of the utmost importance, in my judgment that the United States Ambassador should arrive in Warsaw at the earliest possible date after the new government is formed. It is also of real importance, I think, that prior to his arrival in Warsaw I should see him personally so that I can give him a complete picture of the talks here.

In private conversations with me, Bierut and his associates have made it clear that they wish and need American economic and moral support and that they are prepared to establish frank and closer relations than Molotov seems to wish at present. For their part the other Polish leaders from inside Poland have clearly indicated that their only hope of securing reasonable personal freedom and independence lies in the continued interest of the American and British Governments in the implementation of the agreements which have been reached.

HARRIMAN.

[Paraphrase of telegram]

Moscow, June 23, 1945.

SECRETARY OF STATE,
Washington:

I wish to make a fuller report supplementing my earlier telegram, in view of the importance of the meeting Thursday.

In accordance with the agreed rotation of chairmen, Clark Kerr was in the chair. * * *

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Bierut read a statement which all the Poles had agreed to describing the proposed reorganization of the Provisional Government along the lines which I have described previously. In reply to a question, he described the functions of the Polish National Council as the highest legislative organ and of the presidium of the National Council which functions as a legislative organ in the interim between regular Council sessions.

In response to a request for his views, Mikolajczyk said that he agreed with settlement which had been reached and felt that it was one of the best paths to an independent and free Poland. The settlement would assure, he said, the participation of great democratic parties and the masses of the Polish people in the government. He called for close relations with the Soviet Union, treaties of alliance with France and the United Kingdom and sincere cooperation and friendship with the United States and also for collaboration with all the Slavic peoples. In joining the Government of National Unity, he said that it was his

understanding that he and his colleagues obtained the right to put forward a claim of the Polish nation to the western boundaries contemplated by the Yalta Conference and also the speediest possible return of democratic Poles to Poland. He requested that Bierut should confirm his understanding that the possibility had not been excluded that Popiel would be included in the government and that there should be a widening of the National Council on the basis of the participation of all democratic parties and on proportional representation. Bierut made a long statement in reply to this, urging the great powers to give their support in principle to the demands of Poland concerning western boundaries. In addition, he confirmed Mikolajczyk's understanding on the possibility of broadening the National Council and of including Popiel.

* * * * *

I limited myself to the remark that the Crimea decision stood and that the determination of the position of the American Government would be made when the new government was formed. In addition, I said that I felt sure that Washington would welcome the news that agreement had been reached among the Poles themselves.

* * * * *

Molotov said that the Soviet Government would welcome the formation of the new government and give it every support.

* * * * *

He added that the attitude of the Soviet Government concerning western boundaries was based on the decision at Yalta and said that the Soviet Government felt that the claims of Poland to the Oder Neisse Line were well founded and fully justified.

In reply to a request for my views, I said that there was nothing I could add to the terms of the Yalta decision.

* * * * *

Osobka Morawski then requested permission to speak and advance Polish claims concerning participation in Reparations Commission, and in the War Crimes Commission, which had been brought up in his telegram to the Government of the United States. He also advanced Polish claims concerning the repatriation of Poles. * * * I made no commitment.

I said in effect that I would like to be able to inform my Government that the parties had pledged themselves to maintain the agreement until the holding of elections, and I pointed out that I was not referring to future changes in ministerial posts but to the observance of the basic principles of the agreement which had been reached among the parties. In reply Bierut said that an agreement had been reached, and that they would strive to achieve a lasting unity and to hold free elections and to broaden the legislative organs along the lines agreed. This statement was subscribed to by Mikolajczyk on behalf of his party and he said that he thought he was expressing the opinion of other parties also.

I brought up the question of assurances of freedom of discussion and of assembly during the election campaign and the proposal for immunity of persons accused of political offenses. I also stressed the importance attached by us to the participation of the Christian Labor Party in the new government. Molotov, without giving Bierut a chance to answer my questions, said that he did not wish to go into a discussion of the future activities of the new government but said that he was confident, on the basis of the agreement which had been reached, that the new government would find the correct solution to the problems which faced it. The new Polish Government, he said again, would enjoy the full confidence of the Soviet Government, a confidence in the abilities and possibilities of the democratic force of new Poland. Taking his lead from Molotov, Bierut spoke only in generalities, saying that he was confident that the Poles could solve all the difficult problems confronting them in the spirit of the agreement. It was decided in the remainder of the meeting, which was devoted to a discussion of the press release concerning the agreement which had been reached, that the statement would be redrafted by the Poles today and that before the meeting of the Commission this evening there would be worked out the text of the press release. A report on this meeting will follow.

HARRIMAN.

EXHIBIT 42—DISPATCHES DESCRIBING POLISH-SOVIET RELATIONS PREPARED BY AMERICAN AMBASSADOR TO THE POLISH GOVERNMENT IN EXILE IN LONDON, J. ANTHONY DREXELL BIDDLE

[Portion of message from Ambassador Biddle in London dated April 23, 1943]

"* * * Sikorski characterized Soviet denials as vague and as attempts to hide a grim example of present-day Russia's return to Ivan the Terrible methods. When he had questioned Stalin concerning the whereabouts of the missing officers during their talks in Moscow in December 1941, Sikorski definitely had the impression from Stalin's marked evasiveness that he knew what had happened to these officers at the hands of Russian authorities. Sikorski then mentioned the following additional piece of circumstantial evidence. In evacuating the three prison camps originally holding Polish officers in the spring of 1940, the Soviet authorities had sent a relatively small number to another camp in Eastern Russia, from which the men were released in July 1941, while the remainder, about eight or ten thousand, were sent to an unknown place, which was understood later to have been west of Smolensk. The present Justice Minister, Komarnicki was one of the party sent to Eastern Russia, and several officers of the other party had told him that the Soviet authorities had said that Smolensk was their probable destination. Besides this, all the Polish officers had, at the beginning, been allowed to write to their families in Eastern, as well as Western, Poland. By the spring of 1940, this correspondence stopped, except for the group which had been sent to Eastern Russia. * * *

In response to a request by the Chief of the Polish underground, General Sikorski sent him an order to maintain quiet about the German charges, and to keep in mind that their number one enemy was Germany and that everything must be done to defeat Germany.

* * * In speaking of the Polish press Sikorski felt as I personally did that further polemics could effect him personally. He could, therefore, instruct Minister of Information Kot, to quiet the tone of the Polish press and to direct the press and Polish speakers also to take the line that "regardless of whether the German charges were true or not, the Germans could be expected to describe the situation in a way to further their own ends * * *."

[Paraphrase of telegram]

LONDON, April 27, 1943.

SECRETARY OF STATE,
Washington:

Sikorski informs me that the Polish Ambassador at Moscow reported yesterday a meeting early yesterday morning at which Molotov read to him the gist of the Soviet Government's note telling the Polish Government of the decision to break relations. The Polish Ambassador in his report said that he had refused to receive the note.

This is a telegram from Biddle in the Polish series.

I was also informed by General Sikorski that an additional telegram from Ambassador Romer which came in today tells that Molotov later sent the note to the Embassy of Poland. Romer added that after studying it he found that the Soviet Government used the term "suspend" relations instead of "sever" as he had thought previously. Ambassador Romer therefore feels that the door may thus be still open for talks.

I am also informed by General Sikorski that in a meeting with Mr. Eden on Saturday, the latter told him that Stalin had telegraphed to Prime Minister Churchill to the effect that the Soviet Government would break relations with the Polish Government unless the German allegations concerning the fate of the Polish officers near Smolensk were personally denied by General Sikorski and unless General Sikorski would withdraw the request of the International Red Cross for an investigation of the matter. I am told by General Sikorski that he informed Mr. Eden that it would not be possible for him to comply with the conditions of Stalin but that he, Sikorski, would agree to Mr. Churchill's informing Stalin that the Polish press would be "soft pedalled" by Sikorski in the matter of the missing officers and, moreover, that he would not press for the International Red Cross investigation but that he desired permission by the Soviets for the evacuation of certain categories of Poles from the Soviet Union. General Sikorski states that he was assured that a message of this kind would be sent.

The next development was the note to Ambassador Romer by the Soviet Government.

I am also informed by Sikorski that the matter was discussed fully today in the Polish Cabinet and that the Sikorski Government proposes, subject to the approval of Mr. Churchill, to issue a statement described by General Sikorski as "polite, firm, and dignified." The text of this statement is still in Polish, but General Sikorski informs me that it is about as follows:

(a) a review of relations between the Soviet Union and Poland subsequent to their agreement of 1941;

(b) despite the fact that difficulties arose for the Polish Government owing to a lack of precise information about the fate of the missing Polish officers, the Government of Poland desired to keep up good relations with the Government of the Soviet Union;

(c) information concerning these officers had been received by the Polish Government from Polish sources before the German allegations were made;

(d) it would be denied that there had been collaboration with the German Government both in the matter of the allegations and in the question of the request for an investigation by the International Red Cross;

(e) the policy of the Polish Government is to protect Polish interests and the citizens of Poland and to reinforce the unity of the common front against the enemy.

So far as General Sikorski is concerned, he is not at all certain what may lie behind the move by the Soviets. General Sikorski feels that it may be either a move intended to compel the Polish Government now in existence or a reconstructed Polish Government to pay a high price for the resumption of relations, or it might be an idea entertained for a long time by the Soviet Union of attempting to find a pretext favorable to the Kremlin to justify the break in relations with the Government of Poland. In support of the first theory there is the use of the term "suspend" in the recent note. In support of the other theory, however, General Sikorski thinks that there are the following considerations: A radical leftist of Krakow, named Droboner, has been built up by the Soviets as a possible chief leading a national committee of some sort, as the Soviets threatened in the summer of 1941 during the Polish-Russian negotiations; moreover, the establishment of a communist Polish armed force under General Rogozowski; and finally the publication of *Wolna Polska*, a Polish communist newspaper. In any event General Sikorski felt that the belief of the Soviet Government, that it should adopt an offensive rather than a defensive policy, to distract attention from the alleged massacre of Polish officers and the suggested investigation by the International Red Cross, was the primary motivation in the Soviet Government's desire to suspend relations with the Sikorski Government.

WINANT.

[Paraphrase of telegram]

Moscow, May 8, 1943.

SECRETARY OF STATE,
Washington:

I am not reporting in detail my conversation with the British Ambassador concerning his conversation with Stalin last night since he tells me that the Department will be informed fully by his Foreign Office. It is noteworthy that the Ambassador stated that Stalin did not seem to attach too great importance to the break with Poland and that although Stalin did not apparently hold Sikorski in high regard, asserting that he was weak and open to influence from the pro-German elements in the Polish Government, Stalin, however, was inclined to accept Sikorski as the leader of a reconstituted Polish Government provided that the President and Mr. Churchill desired it. There would have to be a change in the top position of the Polish Government, however, before relations could be resumed.

The British Ambassador said that his Embassy had taken over Polish interests for the time being although it did not seem practical to handle day-to-day matters actively while they were engaged in the broader aspects of the dispute. It had been proposed, therefore, that the Australians or the Canadians who did not have a great deal to do here should take over the work. It was still hoped that the Australians would assume the responsibility, although the

Canadians had declined to accept it. I said to Molotov on May 6 that, speaking personally and without instructions in the matter, I hoped he would not hesitate to call on me if there were anything I could transmit to my government in order to regularize the present unfortunate state of Polish-Soviet relations. Molotov said that Stalin's letter to Parker explained the position of the Soviet Government, which had only good intentions toward Poland and wished to do anything in the common interests to further the common effort of the Allies provided, of course, that the interests of the Soviet Union were reserved. He said this with bitterness, adding, however, as a personal comment, that he doubted it would be possible to come to an agreement with the present Polish Government.

[Paraphrase of telegram]

LONDON, April 28, 1943.

SECRETARY OF STATE,

Washington:

The Polish Government plans to issue following declaration this evening.

"The Polish Government affirm that their policy aiming at a friendly understanding between Poland and Soviet Russia on the basis of the integrity and full sovereignty of the Polish Republic, was and continues to be fully supported by the Polish nation.

Conscious of their responsibility towards their own nation and towards the Allies, whose unity and solidarity the Polish Government consider to be the cornerstone of future victory, they were the first to approach the Soviet Government with a proposal for a common understanding, in spite of the many tragic events which had taken place from the moment of the entry of the Soviet armies on the territory of the Republic, i. e., September 17, 1939.

Having regulated their relations with Soviet Russia by the agreement of July 30, 1941, and by the understanding of December 4, 1941, the Polish Government have scrupulously discharged their obligations.

Acting in close union with their government, the Polish people, making the extreme sacrifice, fight implacably in Poland and outside the frontiers of their country against the German invader. No traitor Quisling has sprung from Polish ranks. All collaboration with the Germans has been scorned. In the light of facts known throughout the world, the Polish Government and Polish nation have no need to defend themselves from any suggestion of contact or understanding with Hitler.

In a public statement of April 17, 1943, the Polish Government categorically denied to Germany the right to abuse the tragedy of Polish officers for her own perfidious schemes. They unhesitatingly denounce Nazi propaganda designed to create mistrust between Allies. About the same time a note was sent to the Soviet Ambassador accredited to the Polish Government asking once again for information which would help to elucidate the fate of the missing officers.

The Polish Government and people look to the future. They appeal in the name of the solidarity of the United Nations and the elementary humanity for the release from U. S. S. R. of the thousands of the families of Polish soldiers who are fighting or who in Great Britain and in the Middle East are preparing to take their part in the fight—tens of thousands of Polish orphans and children for the education of whom they would take full responsibility, and who now, in view of the German mass slaughter, are particularly precious to the Polish people. The Polish army, in waging the war against Germany, will also require for reinforcement all fighting Polish males who are now on Soviet soil, and the Polish Government appeal for their release. They reserve their right to plead their cause to the world. In conclusion, the Polish Government ask for the continuation of relief welfare for the mass of Polish citizens who will remain in the U. S. S. R.

In defending the integrity of the Polish Republic, which accepted the war with the Third Reich, the Polish Government never claimed and do not claim, in accordance with their statement of February 25, 1943, any Soviet territories.

It is and will be the duty of every Polish Government to defend the rights of Poland and of Polish citizens. The principles for which the United Nations are fighting and also the making of all efforts for strengthening their solidarity in this struggle against the common enemy remain the unchanging basis of the policy of the Polish Government.

WINANT.

[Paraphrase of telegram]

LONDON, April 21, 1943.

SECRETARY OF STATE,
Washington:

Within the next few days, according to information we received at the Foreign Office, the British plan to approach the United States in order to suggest a parallel or joint demarche at a high level in Moscow in the hope of effecting some amelioration of Russian-Polish relations. It is our understanding that this suggestion originated prior to the recent bitter exchange on the question of the fate of the 8,000 Polish officers and that it is quite separate from this question. It is the belief of the Foreign Office that an American and British appeal to the Soviet Government, based on the necessity for United Nations unity and on the fact that if relations between the Poles and Russians continue bitter, it will only be playing the German game. The Foreign Office feels that this appeal may have some effect and might lead to a certain relaxation of the Russian attitude toward Poles in the Soviet Union. The Russian desire to reinforce and express Russian territorial aspirations in Eastern Poland is the motivation for the measures taken against such Poles since January, in the view of the Foreign Office. The point is stressed that the approximately 100,000 Polish troops in the Middle East, who are now fully equipped and who will turn out to be a valuable armed force, are becoming increasingly dissatisfied and, moreover, the Polish armed forces in the United Kingdom are also affected by the continuance of the present Russian attitude.

In addition to this there is the question of the possible evacuation from the Soviet Union of several hundred thousand Poles, their ultimate destination, and the possibilities of transporting them. The Soviet attitude concerning this possible evacuation is not known.

With respect to the German propaganda account of the 8,000 officers, the Foreign Office while understanding Sikorski's position and the fact that it has not been possible for the Poles to discover the whereabouts of these officers, tends to take the view that a mistake was made in accepting the German bait and in particular in the appeal for an investigation by the International Red Cross. Whatever the fate of these officers may have been, it seems strange, the Foreign Office feels, that the Germans after being in Smolensk so long should only now have discovered the 8,000 graves and be prepared with the identity cards of the alleged victims completely in order. The Foreign Office considers that it is now too late to remedy this particular incident in any way, unfortunate as it is, in creating anti-Soviet sentiments among the Poles and anti-Polish sentiments in Moscow as a result of the Polish communiqué. The opinion is expressed in the Foreign Office that any Anglo-American move at Moscow should be directed toward the need to effect an improvement in the near future.

WINANT.

[Paraphrase of telegram]

LONDON, May 1, 1943.

SECRETARY OF STATE,
Washington:

Moscow is insisting that Sikorski personally make a public statement withdrawing the request of the Polish Government for an International Red Cross investigation. General Sikorski was informed of this yesterday by Mr. Eden. General Sikorski explained to Mr. Eden that he could not make such a public statement, but suggested instead that the BBC be allowed to broadcast a "Polish Telegraph Agency" statement to the effect that it had been informed that the Government of Poland, following the reply of the International Red Cross explaining the difficulties of complying with the Polish request for an investigation, regarded its appeal to the International Red Cross as having lapsed. A statement as described above was broadcast by the BBC last night, according to General Sikorski, who said that Mr. Eden had accepted his suggestion.

It remains to be seen whether a statement in this form satisfied the request of Moscow. A biting criticism in today's Daily Worker is the only indication thus far of Moscow's reaction in the matter. An "Impudent gesture at the United Nations" and "a piece of somewhat shop-soiled political ventriloquism"

were the descriptions which the "diplomatic correspondent" of the Daily Worker gave to the statement above mentioned. The British Government will probably not receive before Sunday or Monday Moscow's official reaction either to the above-mentioned statement or to the Polish Government's statement of April 28, according to General Sikorski.

WINANT.

[Paraphrase of telegram]

LONDON, April 26, 1943.

SECRETARY OF STATE,
Washington:

I am informed by General Sikorski that the Soviet Government handed Ambassador Romer his passport and broke relations with Ambassador Romer this morning.

I am seeing General Sikorski again tomorrow morning. He has no further details at present.

This telegram is from Ambassador Biddle, in the Polish series.

WINANT.

[Message from the American Ambassador at Kuibyshev dated May 28, 1942]

I told Vyshinski in my conversation with him last week that my Government hoped that the most liberal interpretation possible would be made by the Soviet Government of the agreements between Poland and the Soviet Union. I stated merely that it was felt by my Government that it would further the United Nations' cause if the fighting forces of Poland were to be increased in the Near East and the Soviet Union as much as possible and if the Soviet Government, in interpreting the clauses in the Soviet-Polish Agreement regarding the evacuation and release of Polish civilians, would display as humanitarian and as liberal an attitude as possible in the circumstances. I tried to make it clear, however, that it was not the desire of the American Government to interfere in Polish-Soviet relations or in internal Soviet affairs. The reply given to me by Vyshinski was to the effect that Soviet agreements with Poland were being fulfilled to the letter by the Soviet Government, and he made a comment to the effect that little disposition had been shown by the Poles to engage in actual warfare although for more than six months they had been arming. From the attitude shown by Vyshinski the distinct impression was received by me that my overtures did not strike a sympathetic chord in him and that the interests shown by us in Soviet affairs might even have aroused his resentment.

[Paraphrase of telegram]

LONDON, May 2, 1943.

SECRETARY OF STATE,
Washington:

During a long conversation with Bogomolov, the Soviet Ambassador, the larger part of his remarks were in the form of a tirade against (a) the attitude of the Government of Poland in general, and in particular against the "viciously anti-Soviet element" of the Polish Government, and (b) the provocative tone of the Polish press after he had assumed his duties in London.

I have these impressions in evaluating the implications of his comments and of the continued harsh tone of both the Moscow-inspired press here and of the Moscow press itself:

Firstly: That the case against the Polish Government had been prepared by the Soviet Government simultaneously with or perhaps even prior to the sending of the Russian note of January 16, 1943, which in effect declared all Poles in the Soviet Union to be Soviet citizens.

Secondly: That from the standpoint of the Soviet Government the basic issues concerned go further than even the question of the frontiers between Poland and the Soviet Union and include additional Soviet postwar "security—frontiers" aims in the "Middle East."

Thirdly: That the Kremlin was merely waiting for a pretext which it might use to the benefit of its own interests in the future.

Fourthly: That the Soviet Government intends to exploit to the full the present political crisis in order to gain the assent of the British and United States Government to its proposed territorial "claims" at a time when, in the view of Polish government people, it is statedly considered by the Soviet Government that both the British and American Governments would be "reluctant to offend Moscow" (it does not appear to be without significance in connection with the above that Moscow for the first time took the opportunity, in its stiff note suspending diplomatic relations with the Polish Government, to state officially and publicly that it considered the Polish Ukraine, White Russia, and Lithuania to be already a part of the Soviet Union).

The Soviet Ambassador considered that the situation necessitated a reconstruction of the Polish Government and he pointedly denied that the Kremlin contemplated the formation on Russian soil of a "Polish National Committee." In his view there were among the Poles here a sufficient number to permit the formation of a "more reasonable and realistic" government than the one at present. According to Bogomolov the situation would result in a victory for the United Nations rather than for Dr. Goebbels if the present crisis resulted in the removal from the Polish Government of "fifth columnists" who were constantly endangering the solidarity of the United Nations. I gained the impression in this connection that the indignation of the Soviet Ambassador is particularly directed at the former Polish Ambassador to Moscow, Mr. Kot, who is now Minister of Information, and at Mr. Seyda, who is Minister of Post War Reconstruction. The Soviet Ambassador made known his suspicion that the request for the International Red Cross investigation was thought up by Minister Kot and that Kot drafted this particular communiqué. (Kot's responsibility in this connection is known to me. Sikorski's closest associates told me that after the communiqué had been written by Kot, Kot succeeded in influencing General Sikorski by telephone to permit Kot to release the communiqué. This happened at a moment when General Sikorski was ill and tired. I am also informed that on thinking the matter over Sikorski wished to withdraw the communiqué, but it had already been given to the press.)

With a view to the future, and in this connection, I have given Sikorski to understand that in my personal opinion (repeat personal) this "diplomatic blunder" had presented the Kremlin with an excuse for coming to grips with the Polish Government; that the fact that the Polish Government had failed to consult with either the British Government or the Government of the United States or either of them before releasing the communiqué had unfortunately given the impression in my mind that when General Sikorski's Government was creating trouble it would rather not consult us but that when it got into trouble it turned to us to get it out. General Sikorski greeted these observations with full comprehension, accepting them as my personal reaction.

WINANT.

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