

25 October 1945.

APO 403, U.S. Army.

Brig. Gen. Ed. C. Betts,
Headquarters, U.S.F.S.T.,
Judge Advocate's Department,
A.P.O. 87, U. S. Army.

My dear General Betts:

The hasty inquiry I have been able to make about the capacity of my organization to take over responsibilities which were not given to it in the original Executive Order frankly frightens me and the difficulties fall under three heads:

1. I must find a man of suitable stature to take complete responsibility of administration of my new duties. With less than thirty days left to complete preparation and a long trial ahead, I cannot take additional problems onto my own desk. These proposed additional responsibilities are sufficiently difficult and exacting so that I do not think they can be handled on any part-time basis and as I told Shea when he was considering the matter, I do not see how anyone can undertake this and still expect to carry any substantial part of the actual labor of the major trial.

2. As to the major Nazi characters who may not be reached by this trial and ought to be tried before an American commission, I am convinced that preparation should be going forward immediately if the deadline of June, 1946 which you suggest is to be observed. My staff has been concentrating on those already indicted but, of course, some by-product work is done on others who are also guilty. But in the re-organization carried out Monday and Tuesday of my staff we find no surplus of lawyers that could be assigned to the building up of these other cases. Nor is there time to recruit them in the United States and frankly, I have about exhausted recruitments under present personnel conditions. It would, of course, be possible to put a part of my staff to work on these other cases as the trial gets underway and perhaps something could be done to handle this phase of the work if I could find a suitable man to undertake as a full-time job the organizing of it at this time and the supervising of it from now on.

3. The statistics indicate that there will be upwards of 100,000 members of organizations which we fully expect will be convicted as criminal organizations. Without awaiting completion of the Nurnberg trials I feel that appropriate action should be taken by whoever is going to be responsible for this work to apprehend, interrogate and classify all members of indicted organizations and to procure written confessions of voluntary membership, rank, service and other facts concerning their cases wherever possible. Arrangements should be made to set up tribunals for the hearing of these cases and to provide staff for

10/25/43.

interpreting and reporting trials as well as staff for conducting them. I have no staff adequate to do this job and, of course, the Executive Order and International Agreement did not contemplate that it would be a part of my work. I simply cannot get enough interrogators, interpreters, stenographers and clerks to do this job by any methods of recruitment that are in my control. I have been obliged to borrow and beg and I have never yet been able to supply until far too late the need in my limited work for this class of help. As you know, it is the class of help particularly affected by the demoralizing effects of the point system. My hasty survey shows that I do not have personnel and cannot get personnel for this task and that it will have to be done by G-2, J.A.G., or Military Government.

If I could enlist the interest of a suitable man on my staff to head this work, he might, of course, assume responsibility for supervising it and for endeavoring to establish a uniform policy for the disposition of membership cases. But my apprehensions about the help situation are so strongly stirred by my experience in having my office demoralized with large turn-over that I should want to know definitely who would assume the responsibility for interrogating and classifying these hundred thousand prisoners and putting their cases in dossier form, and when I could depend on it being completed, before I would want to take the responsibility of having these cases in shape to clean up by June, 1946.

You are far more familiar with the Army setup than I am and perhaps you can tell me what it can definitely guarantee by way of either handling this work or furnishing without delay adequate staff to do it. As you know, I asked no appropriation for my work, conceiving it to be a limited task and one that could be accomplished by borrowing personnel from other Departments. There is no place on earth I could borrow this personnel except from the Army and with the demoralizing turnover that I am witnessing in what I see of the Army, I am sure that I cannot get it there. But at least Congress will make an appropriation to support the Army and that I do not have.

General Donovan says that he assured you he would make a survey of the situation as to help and decide promptly whether he would be interested in heading up the work. Meanwhile, I will be grateful if you will give me your appraisal of the personnel situation.

It was altogether delightful to see you here and I regret that the pressure on me has been so great that my time was limited.

With high regards and good wishes,

Sincerely yours,

ROBERT H. JACKSON.