1. GENERAL.

Reports dealing with prisoners taken up to the time of the recent breakthrough indicate that the previously reported level of pessimism (less than a quarter expect German victory) remains about constant. A minority persists in the attitude that the Allies have been allowed to walk into a trap in which they will be the victims of new weapons.

Paratroopers appear to have the best morale although they seem to be lower in physical standard than paratroopers taken in Italy and Sicily.

2. REACTION TO ATTEMPTED ASSASSINATION OF HITLER.

Almost all of the PoW captured after the attempt on Hitler's life knew at least something about the affair. The bulk of PoW interrogated after the announcement of the attempted assassination of Hitler revealed that they learned of the matter through brief, formal statements from their officers who did not reveal the conflict between Hitler and the Army. Other PoW, especially those in forward positions, were told by their comrades; a minority was informed of the crisis through P.O.W. leaflets.

In general, it appears that to date the announcement of the attempted assassination has not caused any significant lowering of German morale. The majority of the PoW, either because of lack of specific information or because of general indifference towards political matters, express no strong reactions in either direction. They believe that the war would continue if Hitler were killed. Successors named were both Goering and, to a lesser extent, Himmler. Many of the PoW who expressed such attitudes thought that the conspirators were malcontents or self-seekers. The minority of extreme defeatists and outspoken anti-Nazi expressed a genuine regret that the attempt had failed since they believed it might have ended the war. The minority of intensely loyal Nazis were shocked and angry that Wehrmacht officers participate in such a conspiracy when fighting at the front was so critical. They believed that these officers had little following in the Army and that the efficient Himmler would root out dissenters very quickly.

The widespread feeling of aloofness towards the whole affair may be a result of a lack of exact information as to what took place.

3. FEAR OF ILL TREATMENT AS P.O.W.

There is no indication of a growth of fear of ill treatment as a P.O.W. However, PoW report more frequently that their officers are spreading stories that the PoW mistreat PoW. Such statements are most frequently made by SS and paratroop units. In this connection interrogations continue to reveal stories that officers and N.C.O.s in certain sectors threaten to shoot soldiers who attempt to desert or who try to join battle with the Allies. Threats of reprisals against relatives are also reported in some instances.

In general, deserters emphasize the great difficulty of desertion and the risk of being shot either by Allied troops or by their own soldiers. In the opinion of the PoW the most effective way to come over to the Allies is to stay in a foxhole or to hide in a barn while awaiting the arrival of Allied troops. The increasing fluidity of the front will assist the would-be deserters.
4. ATTITUDE TOWARDS OFFICERS.

Frequent changes in Battalion and Regimental Commands are reported by many Ps/W. Likewise an absolute shortage of officers has appeared in certain sectors during recent weeks according to Ps/W. These two factors, when taken in conjunction with statements that many officers are shirking responsibility may indicate that officers are increasingly failing in the maintenance of troop morale.

Enlisted men on the whole view the substitution of the Nazi for the traditional Wehrmacht salute as another Army order and did not ascribe to it any particular significance. However, many of the interrogated German officers expressed a distaste for giving the Hitler salute and felt that it was additional evidence that the SS and the Party were taking over control of the Army.

5. Indications of dissatisfaction among troops because of failure to be relieved have been reported. In many cases the soldiers blame their Commanding Officer for the failure to be relieved. An outstanding example of such a situation reported on 27 July, is the 17th SS Division where the troops claim that the Divisional Commander stated that their outfit would not be relieved since they had not been in the line long enough. They had already been in the line since the beginning of the invasion and had suffered losses up to 50%.

6. ATTITUDE TOWARDS NAZISM.

There has been an increase in attempts by Ps/W to disassociate themselves from Nazi policy and the Nazi party. There is likewise an increase in the tendency to state that they only joined the Party in order to keep their job. Although such expressions usually represent attempts by the Ps/W to ingratiate themselves with their captors, the present increase in this sentiment, if persistent, must be considered as manifestation of pessimism about the outcome of the war, as well as a fear of Allied vengeance. Among many non-political German soldiers the fear of being treated as Nazis by the Allies acts as a powerful deterrent to surrender.

7. It appears that faith in the secret weapon continues to decline. The statement that a secret weapon which is supposed to have a decisive military effect would not be called a Vergeltungswaffe (a weapon of retaliation) has become quite widespread. "Wenn das wirklich EINE WIRKSAME Waffe wär, wäre denn die SIE doch NICHT VERGEILTUNGSWaffe nenennen, das KLEINT DOCH SO KLEINLICH". (If that would be a decisive weapon they would not call it a weapon of retaliation. That sounds to petty).
REMARKS REGARDING EVIDENCE

In remanding cases to Federal and State Courts the Commissioner of

Immigration and Naturalization Service has been asked to consider

whether any part of the evidence is not relevant or unnecessary.

It has been suggested that evidence which is not relevant or

unnecessary should be excluded under the Federal Rules of Evidence.

In view of the policies of the Commissioner of Immigration and

Naturalization Service, it is recommended that the courts should

be guided by the following principles:

1. Evidence which is not relevant or necessary should be excluded.

2. Evidence which is relevant or necessary should be admitted.

3. Evidence which is both relevant and necessary should be admitted.

4. Evidence which is neither relevant nor necessary should be

excluded.

5. Evidence which is relevant but unnecessary should be

admitted only if it is of a substantial character.

6. Evidence which is necessary but irrelevant should be

admitted only if it is of a substantial character.

7. Evidence which is both relevant and necessary should be

admitted only if it is of a substantial character.

8. Evidence which is neither relevant nor necessary should be

excluded.

In view of the above principles, it is recommended that the courts

should exercise their discretion in the admission of evidence.

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