AMERICAN CONSULATE GENERAL,
Berlin, Germany, July 25, 1933.

MEMORANDUM OF CONVERSATION WITH DR. PUNK,
STAATSSSEKRETÄR ACTING AS HEAD OF THE MINISTRY OF PROPAGANDA AND PUBLIC ENLIGHTENMENT, IN THE ABSENCE OF THE MINISTER, DR. GOEBBELS.

In accord with an appointment I called on Dr. Funk, the acting head of the Ministry of Propaganda, on Tuesday, July 25 at 1 p.m. I brought to his attention the closing of the Jewish Telegraphic Agency in Berlin by the State Secret Political Police, as well as the order given to Mr. Smolnar, the American correspondent of the Agency, that he was to stop sending all news. I brought to Dr. Funk's attention that the action of the State Secret Political Police in this connection seemed to me very summary and arbitrary and that certain considerations of policy and comity had evidently not been kept in mind in the summary action taken. I pointed out that the Jewish Telegraphic Agency was entirely American owned and was a business project; that the Agency got out here in Berlin a circular every day of news of interest throughout the world, on Jewish matters, and that this news sheet was distributed to newspapers all over Germany and in other countries. I brought out, therefore, that the summary suppression of this news sheet was interfering with a regular service and caused serious financial loss to the Jewish Telegraphic Agency, as well as serious inconvenience to its subscribers in Germany and other countries. I said that if the German authorities had any valid objection to the activities of the Agency, individuals might be responsible whose activities could be gone into and their future connection with the Agency a subject of conversation; but that the activities of the Agency itself could not be stopped in the arbitrary manner it had been.

With respect to Mr. Smolnar, the American correspondent, I said that this was particularly grave as it raised the whole question as to whether a correspondent for a particular paper could be so summarily stopped from sending out any news. I said that it was just as much in the interests of Germany as it was of the United States that there should be correspondents here and that the principle that responsible American newspapers can have a correspondent here could certainly not be in question. The arbitrary action against Smolnar must be considered in the light of affecting the correspondence of his newspaper and not merely in the light of an individual.
I stated that both in the case of the correspondent, Salmon, and of the Jewish Telegraph Agency, a question of principle was involved which I believed important and on which I would like to have a definite statement of the attitude of the Ministry of Propaganda. Dr. Funk stated that his Ministry recognized in principle that the action was too arbitrary in this case and that the right for a newspaper to have a correspondent, and for such a newspaper to operate, should be clear and was clear to them. Objections to individuals should be cleared up so that the correspondents and the Agency should not be interfered with. He asked me to write him with regard to this matter in order that he could take it up with the State Secret Political Police, and promised to assist in the rapid and satisfactory clearing up of the situation.

I did not fail to bring to his attention the importance of this matter in view of the many correspondents of American newspapers in Germany, and of other news agencies American owned. Dr. Funk's attitude seemed to be entirely correct and satisfactory from our point of view.

I then brought to Dr. Funk's attention the continued activities of the German photographic firms which are trying to make difficulty and had made difficulties for the New York Times G.m.b.H., the Associated Press G.m.b.H. and the Keystone View Company. I thanked him for the energetic action he had already taken in seeing that the treaty rights of the American firms above mentioned were protected. I stated, however, that the German firms were not satisfied and were continuing their disloyal competition and the constant making of difficulties both with public departments and with private firms. Dr. Funk recognized this and stated that we could depend upon the Ministry continuing to aid in stopping this interference which he hoped would rapidly come to an end. I called to his attention that in spite of the satisfactory attitude of his Ministry and the action which it had taken with other departments, we had information that it was contemplated in the new press law to have provisions which would make it impossible for American owned photographic firms to operate. He said that he knew what was in the new press law, or should know, and that there was nothing in it of this kind. He admitted by inference that efforts had undoubtedly been made to get such a clause into the press law but he assured me categorically that there was nothing in the law as it now stood and in the form in which it would be issued.

I also brought to his attention the fact that we had received information that American news agencies such as the United Press, might have difficulty in continuing to supply news to German papers. He stated
that in the new press law there was nothing which would interfere with the operation of American news agencies such as the United Press. I asked for his categorical assurances on this point, which he gave me.

I did not ask him when the new press law would appear and he did not offer to tell me; but he did state that it confined itself to the German press entirely and to German correspondents and had nothing to do with foreign correspondents, photographic firms, or anything which might make difficulty for the interests which I had in mind.

I took this opportunity to bring to the attention of Dr. Funk the activities of Mr. Brinkley who is posing in Germany as a noted American speaker over the radio. I told him that Mr. Brinkley had made false representations as to his connection with the National Broadcasting Company and the Columbia Broadcasting Company. I also stated that so far as I could learn he was an entirely unimportant person and was imposing himself on the German authorities under false pretenses and certainly had made false statements to them. I called attention to the fact that Mr. Brinkley had been present as an American guest at a recent important gathering in the Propaganda Ministry and that I merely gave this information to him confidentially for his background and that it was not in the interests either of Germany or of the United States that Mr. Brinkley should operate here so constantly over the radio as one representing American opinion and speaking on behalf of the American public. As an example I called his attention to the article in the "Berliner Tageblatt" of July 23, No. 340, entitled: "Deutschlands Friedenslilie", which statement of Mr. Brinkley over the radio gave an entirely wrong opinion both as to who he was and as to public opinion in the United States.

Dr. Funk thanked me for this information which he stated would be of interest.

I also took the occasion to bring to his attention the activities of a Mr. Lane, an American living in Berlin, who was giving to the German authorities an impression as to his importance, etc., which was not justified. I said that Mr. Lane had evidently succeeded in making high-ranking persons in the Party believe that he was a person of some importance. I suggested that great care should be used in how they used or listened to Mr. Lane, as he was a person without any importance or significance either in the American colony in Berlin or at home.

Dr. Funk stated that he had heard of Mr. Lane and that he appreciated my comment which he was glad to have for his personal information.

George M. Messersmith,
American Consul General.