Video Tape Transcript

DW: Hello my name is Deb Weisbein, and I'm here at the University of Pennsylvania Law School. It is Thursday, March 1st, 2001 at 2:00pm and I am going to be conducting an interview of honorary fellow Eli Rosenbaum. Good afternoon, Mr. Rosenbaum.

ER: Good afternoon.

DW: Thank you so much for taking the time to do this interview.

ER: It is a great pleasure.

DW: OK, let's begin. When and where were you born?

ER: I was born in New York City in Manhattan in May of 1955.

DW: And did you grow up in the city?

ER: I grew up, actually, on Long Island in Central Nassau County in a little town called Westbury.

DW: And how many siblings do you have?

ER: I have two younger brothers.

DW: And what did your parents do?

ER: My mom was a homemaker and took care of us, that was more than a handful, and my dad worked for his father in a company that originally had some small five and ten cent stores and then later, much larger department stores and became a fairly big company, public company, very successful for many years.

DW: Your father was a U.S. army psychological warfare specialist?

ER: Yup, my dad was a non commissioned officer in the United State's seventh army's psychological branch.

DW: And he served during WWII?

ER: He did indeed, in North Africa and Europe, including the occupation of Germany.

DW: And how, if at all, did that affect your childhood?
ER: My dad would occasionally, or could occasionally, be drawn into telling war stories, and like most people who served in the military, including people who served in wartime, however awful many of their experiences were, they also had a lot of very entertaining stories and even funny stories. And so my father, for instance, would tell about the time when they needed someone in his unit to box against somebody from another unit and somehow my dad got cajoled into boxing. He'd never boxed and apparently he was reasonably good at it as someone with no experience. He tended not to tell the scary stories to me, as his oldest child, who was most interested in these things. The closest he ever came was explaining that one of their responsibilities was to string speaker wire across the front line and put up speakers so they could broadcast messages so to speak, or announce messages to the German side, urging them to surrender. I had thought, until he told me that story, that psych warfare was a comparatively safe unit to be in, but no, no, no, not when you are running speaker wire across the front line. The other story that he told me, which I think really did influence my career, he told me one day when we were driving just the two of us on the New York state through-way in a blizzard and there was really nothing else to do but talk and we got into war stories and somehow, I don't recall how, it came out that he had been dispatched by his commanding officer to go to the Dachau Concentration Camp a day or so after its liberation, because word had spread very quickly in the region that some terrible thing had been encountered by U.S. forces there, and they sent my dad and another fellow to check it out and report back on what was there. I should add that only last year we, or two years ago, we found in my, or my dad found in his small box of things that he had saved from the war, the actual order sending him and another individual to the Dachau camp to report on what was there. And I, of course, said “Well, dad, what was there? What did you see?” And, his mouth opened as though he were about to speak and no sound came out. And then I noticed that his eyes were welling with tears, and...its hard to talk about even now...and he didn’t say anything. And to this day he never told me. But he didn’t need to tell me because that really said what needed to be said. But that, you know, as a young person – I couldn’t have been much more than twelve – seeing your father cry is a profound experience and it was the beginning of an understanding for me of how awful the Holocaust was.

DW: So, where did you go to high school when you were growing up?

ER: I went to William Trespar Clark Junior-Senior High School in Westbury East Meadow Long Island, public school.

DW: And were you involved in any activities there that lead you down a legal
career path?

ER: No. No. I did the usual things that liberal students did in the late '60s, early '70s. I belonged to the human rights club and the model congress, that kind of thing. But I don't think – I did not have law in mind then at all.

DW: Was your family religious?

ER: They were moderately, what's the word? Not observant...oh boy...we were affiliated...I mean, we went to...we were Jewish, part-Jewish, we went to services on the high holidays and that was, you know, about it. Mostly the high holidays, occasionally a little more, but we took it seriously. But we were not, you know, weekly...I did, when I was a little boy I used to go every Saturday for a couple of years. I liked it. I should add that both of my parents are from Germany. Both of them escaped Germany just before the war and that I am sure had some impact on my interest in this field. Neither of my parents spoke about the war, about the Holocaust much and I think it was their silence about it that made me more interested. You know, that which is taboo is much more interesting to children. And, although I was not a big reader of Holocaust literature, I read some. And I saw one thing on television that had shocked me as a child: a reenactment of a war crimes trial that I think was on CBS and it was something that I thought about.

DW: And did they talk at all about their experience in Germany, other than the war?

ER: Very little, very little. I remember my father talking about attending an assembly in school in which they had to listen to a Nazi anthropologist expound on the inferiority of Jews, and this was at a time when Jews were still allowed to go to school, public school, and he was, he decided to prove this by picking a sort of model Aryan from the student body to come up on stage and a Jew. So first he picks his model Aryan, who turned out to be my blond, blue-eyed father, whom all the students knew was Jewish and, of course, they erupted in laughter. The one story my mom told that I recall – they must have both had very frightening experiences, but they didn't talk about it – the one I remember from my mom was that she and her best friend were the only Jewish kids in their school until Jews weren't allowed to go to public school. And there was a Christian prayer every morning, and when that happened, she and her friend were ushered out of the classroom so that the other children could pray. And she said that she felt really bad, as though there was something wrong with their religion because they were excluded from this and that has definitely informed my view on prayer in public school and it's one reason why I am so opposed to it.
DW: Did your parents meet in Germany?

ER: No. They met here, in New York.

DW: So what brought you to Philadelphia and to Penn?

ER: Well, I applied in high school to college and among the schools I got into were Cornell and Penn, and my mom dutifully took me to Ithaca to see Cornell on a beautiful sunny day and my dad — and it’s a gorgeous campus, meaning no disrespect top any other school — and my dad kindly took me to Philadelphia on a cold, rainy winter day when the students were on strike, against I think the war in Vietnam, so there was really nobody to see me, the place looked awful, it was a city, and I thought, no, no, no, I’m going to Ithaca. So, I went to Ithaca and hated every minute of it. Cornell has a beautiful campus from the day you arrive in early September, until about October 1, when the leaves fall off the trees and the snow begins, and then it is a hideous campus until the spring. And I didn’t like the school at all, so I applied to transfer to Penn, to Wharton, and that was one of the best decisions I ever made. So, starting in my sophomore year, I came to Penn and fell in love with the school, with the teachers, with the students, with the city of Philadelphia, and hung around also to get my MBA at Wharton, and in many respects, those are the best years of my life. So, at the end of this interview, I am staying, I am not leaving.

DW: What lead you to go to Wharton and to get a degree in Finance and to get your MBA?

ER: Well, I had thought, like my father went to work for his father, I was going to go to work for my dad. And that is what I usually did in the summers. So, of course, a degree in Finance would be very useful. In fact, when I went to Cornell, I was in the School of Industrial and Labor Relations, again thinking that that kind of training would be useful. What Cornell told me was that, although they did not have a business school, that I could somehow craft a Wharton-type of education by taking classes at the Industrial and Labor Relations School and the School of Agriculture, at the Hotel School. It turned out to be baloney, couldn’t do it. So, I came to Wharton...to get the real thing.

DW: And, I know you also taught finance classes for a little while at Wharton.

ER: Yeah.

DW: Did you ever think about becoming a professor?
ER: No. My one semester of teaching in the Community Wharton Education Program disabused me of any notion that I could be a teacher. I taught intro finance to a wonderful group of older students, most of whom were business people in Philadelphia and that was very rewarding, but I will say it was also a little scary because if you are going to teach a course, you better know it inside and out, and so I prepared like I've never had to prepare in my life and I was lucky I never had to rely on that old fall-back of professors when they don't know the answer, which is say, OK, who knows? But, it was a great experience.

DW: And, immediately upon earning your MBA you then enrolled in Harvard Law School?

ER: Yeah.

DW: So, when did you decide that you didn't want to go to work for your father?

ER: I never decided that. At least, I hadn't decided it at the time and in all candor I think what happened was that during my first year at Wharton graduate school, which took the place of my last year as a Wharton undergrad, I was seeing that my friends were mostly going to law school or medical school and I thought, well, gee, after next year, I am going to be finished, and I am out in the real world, and I am not really ready for that. So, you know, my folks probably will pay for it, so what the heck, I'll just keep going, I'll get a law degree, it couldn't hurt. So, I applied to law school. At the time that I was applying I was actually in London, having been selected to be one of the three Wharton students representing the school with the London Graduate School of Business, so I got to spend a semester in London also – an extraordinary experience and where I was very proud to represent the University, and Wharton in particular, in London, and so I was applying from there.

DW: Did you find a lot of similarities between the school in London and schools here?

ER: They were pretty different. They were much more case-study oriented, more the Harvard Business School approach, and I don't know what Wharton does today, but twenty-five years ago we were not as much into case studies as London or Harvard were, particularly on the finance side we weren't. The biggest challenge, frankly, was after, when I discovered how different the British accounting system was. And so the first three weeks I spent just trying to ascertain the differences so that I could understand what they were doing there, in the finance classes I had to take there. And I finally mastered British accounting. The downside of that was, when I came back to America, I no longer
remembered as much as I should about U.S. accounting and though I am but one course away from eligibility to take the CPA exam, there is no chance anymore that I could score a point on that exam.

DW:  So, you went to Harvard Law School –

ER:  Yup.

DW:  and you had Alan Dershowitz as a professor –

ER:  Sure did.

DW:  you earned an A+ in his class.

ER:  I earned an A+ from Alan Dershowitz in Professional Responsibility and I hope Alan wouldn’t be offended if I say, one doesn’t really know what that means. But, he’s a great professor, and a great individual, and a great human rights activist, and he’s always been extremely kind to me.

DW:  So, while he was probably the most famous of your professors, was he your most memorable professor?

ER:  I would say either Alan or Richard Parker, who taught us Constitutional Law. I mean I had other famous professors. I had Archibald Cox, of Watergate fame, teaching Labor Law, the problem with that was Labor Law was, to me, very boring. But, I remember Richard Parker – he was a young assistant professor, didn’t have tenure at the time and I didn’t know much about constitutional law and I really hadn’t liked law school at all until that course and I was in awe of that document after a few weeks of con law and I remain in awe of that wonderful document and what it has enabled this country to do and the way in which it’s protected our rights and allowed our rights to develop and flourished and has hardly, you know, has not changed really all that much in these hundreds of years. So, that was my most memorable course.

DW:  And did you take Constitutional Law in your first year?

ER:  Uh, gosh, you know it would have either been in the second semester – I think it was the second semester of the first year. The other really memorable course was Copyright, which I had, I believe, in my third year with Arthur Miller, from whom I had had Civil Procedure. Civil Procedure was not a great experience, but Copyright was, in part because we used to be shown alleged copyright violations and we would have to decide whether this really was an infringement and I think I am the only person who was in that class who still does not believe that George Harrison’s song, My Sweet Lord, is a “rip-off”, to use
the popular expression, of He's So Fine, by...is it the Chiffons? I don't remember. You can play those songs for me as many times as you like, and I don't believe it. Sorry Professor Miller.

DW: You said that you read in a Philadelphia magazine, or a Philadelphia newspaper, a story about how INS was creating a special unit to investigate and prosecute Nazis, which of course was OSI, and that you knew instantly that you wanted to work there that summer. How did you know that?

ER: Well, let me back up and say that in the fall of my second year of law school, I came down to Philly with a friend for a wedding of friends of the friend and on the way back, she was driving and we stopped because I wanted to get a soda or something, or some pretzels I suppose, for the trip and I go into a little convenience store and I thought well, I'll get a newspaper too, and I see all these newspapers and I see one called the Jewish Exponent, which is the Jewish newspaper for Philadelphia, and among Jewish newspapers, quite prominent, but I had never heard of it in four years - four? - four years of going to school in Philadelphia, I had never even heard of it, much less seen it. So I though, well, what the heck? It might be interesting, I'll buy it. And as I am reading it in the car, I see a little blurb, maybe about an inch high, that INS is setting up a unit to deal with the Nazi cases. And about a year earlier I guess, I had read a book by Howard Blum of the New York Times, called Wanted: The Search for Nazi Criminals in America, which I had found absolutely shocking. I had no idea that other than the one famous case of Hermine Braunsteiner Ryan from the 1960s, that other Nazis were here. And, as Blum presented it, there was a cover-up by the United States government, and at best the U.S. government was doing nothing, at worst, it was intentionally allowing these people to live here in freedom. And I remember having gotten quite upset about the book, about the revelations as I understood them to be in the book. I must say that some of Blum's claims, now that I have access to the facts, turn out to be not entirely correct, but the people he identified as Nazis really were, some very bad people. And I had actually toyed around with the idea of applying to INS for a summer position, you know - forgive me, students can be a little naive - here I would be a student intern, hoping to find out what was really going on. I would have been more like Inspector Clouseau, I suspect. In any event, they had established this unit. The moment I saw it I thought, that's it, that's the job for me, I've got to get an internship there. We reached Cambridge around midnight, certainly I got back to my room around midnight, to my apartment, and I figured, well, the Justice Department must have twenty-four hour operators, I'll call I'll get the phone number of the unit so that first thing in the morning I can call. And, around midnight, I got the number of the unit and I spoke with the
director, at that time Martin Mendlesohn, and he said, "Where do you go to school?" And I said, "Harvard Law School." And he said, "OK," he said, "Do you know Alan Dershowitz?" And I said, "Well, I don't know that there is any student here that can say that he or she really knows Alan Dershowitz. The man is incredibly busy, I don't think he has time to really get to know students, but he might remember me." I realize that I must have misspoken, this must have been my second year of law school already. Maybe that is what I said. In any event, I said, "He might remember me because he gave me the only A+ I have ever gotten in my entire life, starting with nursery school, in Professional Responsibility, and B, I'm active in the Jewish Law Students Association and he is our faculty advisor. So I believe that Mr. Mendlesohn called Professor Dershowitz and Alan recommended me and I had the job.

DW: Do you know if Mr. Mendlesohn was anticipating hiring a summer associate for that summer?

ER: I don't know. I don't know, but I was the first summer intern who ever worked there.

DW: Do you remember your first day of work that summer?

ER: Yeah, yeah. It was almost unreal to me. I mean, here I was, all of — how old could I have been? Twenty... well let's figure it out....'79... '55... twenty-four-years-old, to my mind, quite late in history, and I am in the middle of a Nazi-hunting operation and there are classified documents all around me, which I am not allowed to see because I don't have a security clearance and here are these amazing people, who really care about these cases and are racing the clock to try to find the evidence and bring these cases, and I almost felt like I had to pinch myself, that I really had this job. Very few of us, I think, in life get to have the job that they want more than any other job, and since I couldn't play for the Yankees — didn't have that talent — this was, you know, the second choice, and maybe even would have been the first choice. And there I was. Had an amazing summer assisting in legal research, learning a lot, working with real lawyers, and I had worked with lawyers before. I had done a summer internship the previous summer at Skadden Arps, one of the biggest, most powerful firms in the country, doing mergers and acquisitions work there, their famous specialty, in Manhattan, didn't care for that, it bored me, and now I was doing exciting work. And I remember that I had tears in my eyes at the end of the summer when I was driving home.

DW: Did they offer you a position at the end of the summer?
ER: Marty made it clear that since he knew that I wanted to come back – I must have made it clear – that he would like me to come back and would try to help me do that, but the route into the Justice Department then, as now, if you are coming right out of law school is only through the Justice Department Honors Program, which is very difficult to get into. In the Criminal Division they were taking, I think, ten students, graduates, for the entire division, and they sought diversity – racial diversity, gender diversity, and geographic diversity. So, basically there was, you know, a slot for a white male, maybe, from the Northeast, and I'd have to get that, and I did, that goodness. But, you know, Marty and others fought hard for me, 'cause I don't know that I would have gotten it otherwise.

DW: Maybe we should back up for a minute and explain exactly what OSI does, because you guys do not have criminal jurisdiction, which is unusual for the Criminal Department of the Department of Justice.

ER: Yes. We are an anomaly in the Criminal Division. Our office was set up in 1979, '78-'79 really, initially in the Immigration Service, transferred in '79 and renamed Office of Special Investigations, in the Criminal Division. We were set up largely as a result of scandal. Howard Blum's book and New York Times coverage of this issue led to congressional hearings in '76-'77. The principle instigators of those hearings in the Congress were Congressman Joshua Albert of Philadelphia, and Congresswoman Elizabeth Holtzman of New York, and Congressman Hamilton Fish, Jr. of New York and the testimony that was elicited in those hearings was quite shocking. Again, at best the government had given up years earlier, at worst they were covering up. And it was clear that there were at least hundreds of these people who had come to the United States. A lot of pressure was brought to bear on the Carter Administration to do something and they finally set up this unit in INS to undertake the first ever comprehensive law enforcement inquiry into these cases. As you say, we lack criminal jurisdiction because the crimes took place outside of the United States. There are now laws on the books that give the United States extra-territorial jurisdiction, for instance in aviation piracy cases, in torture cases. But, of course, to avoid being violative of the Constitution's ex post facto provisions, those statutes can only be prospective; you must commit the crime after the statue was enacted, so we cannot have a statute that retrospectively confers jurisdiction on World War II offenses. When we were set up, our supporters – and they were mostly in the Jewish community, though certainly not exclusively – said to us that they were pleased that at long last the government apparently was getting serious about these cases, decades after it should have been, and they were pleased that at long last individuals who lived in this country who were complicit in these crimes would have something to worry about. I mean these people surely, I know from experience, had concluded decades earlier that they
had gotten away with it, nobody was looking for them, they were home-
free in the land of the free, ironically living in a country that is home to so
many Holocaust survivors, perhaps more than any country other than
Israel. But, our supporters said that they were realists and they
understood the obstacles in our way would be daunting. After all, it’s
hard enough to prove a crime that took place yesterday; these crimes
took places decades earlier, and they took place thousands of miles
away. Moreover, the crimes were committed in a manner intended to
physically to eliminate those people who, had they survived, might have
been inclined to cooperate with a government investigation. And
usually the Nazis succeeded in that effort, and they did murder all the
witness. I am suddenly reminded of a New Yorker profile of a prominent
defense, criminal defense lawyer in New York a few weeks ago who said
that his preferred – he loves murder cases, he said because the witness
is dead, easy to defend. But those cases, of course, are hard to
prosecute. So, the victim population was minimal. Moreover, in most
cases the witnesses don’t know the names of the perpetrators; it was a
mobile killing unit that came through town, all you could do, if you were
lucky, was hide, maybe you could see them at a great distance. Even in
the concentration camps, they didn’t usually know the names of the
guards, they didn’t wear little name tags. The prisoners usually knew
them by nicknames, based on their physical appearance or their
particular kind of conduct, particularly if it was excessive cruelty. Well,
we were told, you know you’d have documents. The Germans and their
acolytes were famous for reducing things to writing, and of course the
Nuremberg trials and the subsequent trials were based largely on
captured documents. Well, unfortunately, in the closing months of the
war, when the Nazis realized that all was lost, they had huge bonfires
and they burned perhaps the bulk of the incriminating documentation.
The best, so to speak, of what survived was behind the Iron Curtain; it
was captured by the Red Army, and it was in the archives of the then
Warsaw Pact nations. The Soviets would not allow any Westerners into
their archives and, until the day the communist regime died, so to speak,
in Russia in the early 1990s, in the Soviet Union, they never did allow
us, or anybody else from the West into their archives, and it wasn’t at all
clear that they would cooperate with us in any fashion. Yet most of the
crimes of the Holocaust took place on territory that was now behind the
Iron Curtain. And you have to pursue the evidentiary trail to the scene
of the crime, or you’ve got hardly any chance of prevailing. Moreover,
the documents that did survive and were in accessible archives were
largely in disarray. That’s still the truth, or that’s still true. They are
poorly indexed, if at all. It is very much a needle in a haystack search –
it’s the ultimate needle in a haystack search, but we were given
historians, or permission to hire historians, and we did hire them and
they are the backbone of our effort. We’re the only prosecutorial unit in
the entire United States, probably in U.S. history, that has its own
complement of historians, people who can find the proverbial needle in the haystack, and we've been working at doing that now for some twenty-one years, and since I am also the chief cheerleader of our office, I say with great pride on behalf of my colleagues, that we are by far the most successful government Nazi investigation and prosecution unit in the world; we've won more cases of this sort than all the other governments of the world put together and doubled or tripled in the last ten years. We're really good at what we do. Our record over the last eleven years from 1990 to date is fifty-six wins against two losses, and I will defend those two losses - we didn't lose them on the facts, we lost them on points of law and I think the judges were wrong. That is what we do and I would add that one can go to the media and see ABC News and the Washington Post and others calling us the most successful government Nazi-hunting unit on Earth and I am very proud of what my colleagues have accomplished.

DW: So, you obviously work with historians, and you work with INS because they help with the denaturalization and deportation process -

ER: With the deportation cases. We work with the U.S. Attorney's offices on the denaturalization cases, but frankly, with rare exceptions, they, the other components of the Justice Department, step aside and let us do it because they know that we have the expertise. These cases are, deal with arcane historical subjects and arcane areas of law. Until recently I could have said that all of the denaturalization cases, or virtually all of the denaturalization cases, over the last twenty years - citizenship revocation cases - were all prosecuted by my office; nobody else was doing those. They're very hard to win; the seminal cases are organized crime cases involving mobsters from Sicily, all of whom were able to hire the best lawyers and they won important decisions that make it difficult to prevail in these cases - good lawyers. But on occasion there will be a U.S. Attorney's office that wants to help us and then they become our partners, but for the most part we do it alone and we do our own appellate work, everything except Supreme Court advocacy, which is the sole province of the Solicitor General's office. We are extremely unusual by U.S. law enforcement standards in that we do our own investigative work and our own prosecutorial work. You mentioned you had done an internship in the Philadelphia DA's office, so you know that they rely on the Philadelphia police, and other so-called gun-carrying law enforcement agencies, to do the bulk of the investigative work. If there's a bank robbery, the police and the FBI handle it. We don't do that, the other agencies don't know how to investigate these cases. That's why the government lost nearly all of the relative handful of cases that it brought from 19...the early '50s until we were set up in 1979. You can't dabble in these cases; you've got to have specialized human and material resources.
DW: As you mentioned, it's really hard to do your investigations because you don't have the kind of evidence that normal prosecutors are used to – you have no weapons, you have no fingerprints -

ER: DNA

DW: You don't even have a lot of the victims. So, how does the investigation process start? Maybe you could walk us through, you know, how it finishes.

ER: Exactly. We don't have the kind of evidence that prosecutors the world over are accustomed to having – no murder weapon, no fingerprint – and our cases are really, in a sense, the obverse of a traditional law enforcement investigation. The classic murder case, for instance, is you've got a body at the corner of Chestnut and Sansom – do they intersect? I think so – here at the law school. There is a body there and the question as Agatha Christie would pose it classically is, Who dun it? Our cases are very different. We normally work not from the crime to the perpetrator, but from the suspect to the crime. We will identify someone – and I'll explain how we do that – who was likely involved in Nazi crimes of persecution. That is our legal standard under Title VIII for deportation and it is our legal standard also in general for denaturalization. We have to prove involvement in Nazi war, for that matter Axis, Japanese even, sponsored acts of persecution. And we have had some Japanese cases which I hope there will be a moment to address. So, for instance, we will have someone who was a concentration camp guard, or who was a member of a unit that was primarily a mobile killing unit, or who was a collaborationist police official in say, Lithuania, or, as in the Otto Von Bolshwin case, was a senior advisor to Adolf Eichmann, the so-called architect of the so-called final solution to the so-called Jewish question. But what did they do? What did they do? They had years, and years, and years of service during the war and at any particular moment they might have stepped over the line and committed an crime of persecution, or participated in such a crime, but you've got to figure out how, when, and that's as challenging an undertaking as I think exists in American, or in world, law enforcement. But we have great experience now in doing that, and so I'll give an example. We have tasked our historians, since almost the beginning, with responsibility for gathering names of suspects and they do this as they conduct their research in archives all over the world, including in the United States, and they have succeeded in gathering more than 60,000 names of suspected European and Japanese perpetrators. The entire senior core of the SS is actually the largest block of names, that's over 40,000 names right there. And we have done something unique with those names. There is this Hollywood
conception of our work, best exemplified by the closing scene of the movie *Marathon Man* where the Nazi doctor character, played by Sir Lawrence Olivier, makes the mistake of going to the diamond district of Manhattan, where many survivors were working twenty years ago, and he is recognized by a woman, an elderly woman survivor, who screams out his name and gives chase, and she is joined by other survivors. It's very dramatic. It's great cinema, but it's not reality. We do get these calls from the public, we call them "my neighbor's a Nazi." It's usually "he's European, and he's the right age, and he's very unpleasing, and he wears a leather coat, he has a German Shepherd." Those never pan out. What we do instead, is take these names that our historians have gotten and check them methodically, one by one, against U.S. immigration records, trying as best as we can to allow for different spellings of names, for instance Syrilic names, like Russian names, Bella Russian names, Ukrainian names can be transliterated any number of ways. We have to allow for that. And we check them one by one against U.S. immigration records and that's how we find our suspects. For example, in the 80s, we got a list of guards at the Mauthausen Concentration Camp in German Annex Austria, near Linz, and we got birth dates on those men – that is often very difficult, but we got birth dates – and we sent the names to the immigration service and a number came back as hits, as we call them, one of them being a fellow named Stefan Lily. Then we checked to find out if Lily is still alive. That knocks out, at this point, over fifty percent of our preliminary inquiries. But, he was alive, living in northern New Jersey in a New York City suburb, and we put two people on the case: Peter Black, who was Dr. Peter Black, our chief historian, almost all of our historians have Ph.Ds, all speak German and they have other languages among them, with one exception, all by the way born in the United States, and also a very talented lawyer named Mike Bernstein, who would later become my deputy. Peter decided to begin his research at the National Archives down the street from us because the United States Army had liberated Mauthausen, so the documents that were captured would likely repose in the National Archives. Sure enough, there were many documents there. And, early in his research, Peter encountered a series of volumes, big books, accountant logs really, with preprinted lines going horizontally and vertically and handwritten entries going all the way from the left-hand margin of the left page to the right-hand margin of the right page. And what each of these few surviving volumes was, was a chronological listing of prisoners who died, but they were prisoners who died in a particular way. The SS denominated each volume "Registry of Unnatural Deaths at the Mauthausen Concentration Camp" and in SS parlance an unnatural death was an execution, because a natural death, alas, at Mauthausen was death due to the usual reasons of starvation, exposure, disease, general mistreatment. These people were executed. And as you go down the columns, you see last, you know, name, reason
held, which was usually French Jew, Dutch Jew, Jew of one nationality or another, but also American prisoners of war, who were murdered en mass, there are British prisoners of war, date of death, location within the camp system of the execution, the means of execution employed, and it will say *erschussten* for shooting, or *erhangen* for hanging...I think it’s *erscheissen* for shooting, and then, most importantly, the name of the SS man who carried it out. Obviously the Germans never imagined that they could lose the war and that these documents could fall into allied hands. Our forces paid for these documents in blood, and we treat them with great reverence knowing that 200,000 American families sacrificed their precious sons to win that war, just the war in Europe alone. And, we knew from this document, I remember it well, that a French Jew named Leon Axelrud, who was very young, around twenty, held because he was a French Jew, died there on the ninth day of December 1943, having been shot to death at the main camp by SS shutza, SS private, Stefan Lily. Well, Mike then sent Lily a letter asking him to come to the U.S. Attorney’s office in Newark, New Jersey for an interview, voluntarily. You have a right not to come, a right to bring an attorney if you do come. Lily shows up, no attorney. And Mike proceeds to question him, and it’s on audio tape, and it’s pretty much a standard OSI interrogation: “SS?” “No, I was never in the SS. I was in the German Army.”

Until Mike showed him an SS record and then it was like “Oh well, I thought of it as the German Army, but it was sort of, you know, a combat unit of the SS.” “Concentration camp?” “No, not me. I didn’t even hear about camps until after the war.” Until Mike showed him a document that proved he was at Mauthausen. “Oh, that camp. Well, I was on the outside, I never went in and I don’t even know what happened there. No idea. Nobody told me.” “Could you see inside?” “No.” “Could you smell anything in the air?” “No.” “ Didn’t hear any screams?” “No.” “Never saw a prisoner?” “No.” Until Mike showed him – “Ever shoot anyone?” “No.” Until Mike showed him this document, the best evidence of murder I have ever seen because it’s the routine bureaucratic administrative recordation of a homicide. It is better than a confession because some people, for whatever reason, confess to things that they didn’t do, either because of what we can call over-reaching by the authorities, even torture, or because they have a mental problem or they’re trying to cover for somebody else. And when shown that Lily said “Oh yes! There was that one time.” And well, Mike said, “Why did you shoot him?” And he said “Because he was running.” And then Mike asked what I still think is the best question I have ever heard a prosecutor ask, he said “Well, he couldn’t have escaped, could he?” And Lily said, “Oh no, it was impossible to escape.” “So why did you shoot him?” “Because he was running.” We later ascertained that what almost certainly was going on here was the SS forces, Lily among them, were engaged in a fairly common practice at
Mauthausen, which is they would take a prisoner, ask the prisoner, order the prisoner to toss his cap across the line near the fence beyond which prisoners were not allowed to go, or they would do it for him, and then they would order the prisoner to retrieve his cap. If he retrieved his cap, went over the line, it was human target practice time and if he refused, they would say "You have disobeyed an order, we are going to shoot you." The prisoner would normally run, and they would, again, get their human target practice in. At that is how young Leon Axelrud left this earth. We then brought a denaturalization case in Federal District Court in Newark. As soon as we filed it, Lily fled to Germany and we won a default judgement and Germany was an acceptable destination as far as we were concerned because they have criminal jurisdiction. They investigated, did not prosecute – unfortunately that is common in Germany and elsewhere in Europe. Europe has long ago abdicated its moral and legal responsibility in these cases; they hardly ever prosecute. Lily changed his story when he got there, now he said he shot him in, shot the prisoner in the leg, or else he said he shot him in the shoulder. In any event, he died fairly recently without ever having been prosecuted. If I may tell the end of this story, a couple years later, the Austrian government, in a fit of peak, I suppose, over the United States government's decision to bar the entry of their president, Kurt Waldheim, the former UN secretary general, based on an investigation that I had initially done during the period between my two stints at Justice when I was general counsel of the World Jewish Congress in New York, and we had exposed his involvement in Nazi crimes in the German Army in the Balkans. The Austrian government of Kurt Waldheim, of President Waldheim, not being amused, shall we say by this, suddenly told us that they would no longer take back into Austrian territory Nazis who had immigrated to the United States from their country and we showed them an agreement between our countries from 1954 in which Austria said they would take back people who immigrated through fraudulent means to the United States from Austria, and they nonetheless said they would not take them, that they did not consider that agreement still to be binding, even though it said by its terms that it would take these people back "at any time," and we virtually wanted to should out "What is there about 'at any time' that you don't understand?" But they agreed to discuss the issue, and my boss and I were considered, by us, too controversial as interlocutors because of our roles in the Waldheim case, so the task fell to my deputy, Mike Bernstein. They had a round of discussions in Washington, which did not succeed in changing the Austrian position. The Austrians said the next round has to be in Vienna, and in December 1998, Mike flew to Vienna, somehow persuaded the Austrians to relent, and they agreed to take these people back. With the fruits of victory in his briefcase, Mike returned homeward, and he flew from Vienna to London, Heathrow where he realized he could get home to his family an hour earlier if he
changed flights and so he changed from a Lufthansa flight to Pan American World Airways flight 103, which, two hours later I think, or an hour later, was exploded in midair by a terrorist bomb over Lockerbee, Scotland, killing Mike and 269 other people in the air and on the ground, which was, by far, the worst experience I’ve ever had in the workplace. Seeing and spending time with Mike’s wife, Stephanie, and his children, Sarah, who was seven, and Joey, three and a half, and it was Hanukkah for their family, expecting Daddy to be home, and he wasn’t. But if you told me then that in January-February of the year 2001, where we are, where we have just passed, that one of the monsters who planted that bomb would actually have been found, would be tried and convicted and sentenced to life imprisonment, I would have thought that highly unlikely, but that is what has happened. So, I rather think that the Pan Am 103 case is like the Nazi cases that we do, a small measure of justice has been secured...so far.

DW: You mentioned earlier that you had left the department of justice for a few years. You joined a big New York law firm, then you went to work at the World Jewish Congress, where you did investigate and expose former UN Secretary General, Kurt Waldheim, as having a Nazi past. There was, obviously, a lot of controversy over this exposure. Was this investigation, do you think, the most publicized of any that you’ve done?

ER: I would say that or the Arthur Rudolph case would be the highest profile cases that I’ve personally worked on. I must say, I miscalculated several times in the Waldheim case, the first was when I was told that there was some suspicions about Kurt Waldheim, Eli go to Vienna because you’ve done these investigations for the Justice Department, you’ll know what to do. And my response was, get serious! I mean the man was ten years in the media capital of the world, Manhattan, it was well-known that he had served in the German Army, people used to whisper “That Nazi, Waldheim.” Surely, no one who had a compromised past, who was involved in Nazi war crimes, would have dared to subject himself in that way to the scrutiny of the New York media. So, I didn’t believe it, but I was wrong. And he was involved in those crimes, during his service in the high command of Army Group E in the Balkans, particularly in Bosnia. The poor people of Bosnia have suffered through crimes against humanity twice in this past century, once during World War II and once fairly recently during the breakup of Yugoslavia. The other time I miscalculated was I had assumed that when we exposed him, which was while he was running for the presidency of Austria, you know how these things come out during campaigns, I had assumed that he would immediately resign. We gave the story to the New York Times, which of course ran it on the front page back in March of ‘86, and suddenly it was, you know, the biggest Nazi expose of all times, and one of the greatest political scandals of all times. In the United States, and
of course we came to this from an American perspective, where candidates have had to drop out of presidential elections because of marital infidelity, because of marijuana, I think, because of all kinds of, by comparison, modest offenses. You know, almost little bitty lies are enough at the presidential level to get you disqualified, and this was a big lie, I mean he had completely distorted his wartime history; while he claimed he was a law student, which you and I will recall as the, basically, the lowest form of life, he was, in fact, at that even lower form of life, he was, you know, fighting for the Nazis in the Balkans. Sorry. But he didn't resign, and instead, he got stronger as a candidate, and the party that was sponsoring his candidacy, the Austrian People's Party, responded by launching the first overtly anti-Semitic campaign to be run at the national level by a major European political party since the Nazi party of Europe had done – of Germany – had done it the 1930s. And to our astonishment, and horror, it seems to have succeeded, and he was elected and served his full six-year term as the pariah president of Austria who was unable to secure an invitation to any foreign countries, except Germany, Liechtenstein, Pakistan, and some of the countries in the Arab world.

DW: You actually exposed, as you said, Waldheim while he was running for office, but you actually claim that famed Nazi hunter, Simon Wiesenthal, had known about Waldheim's record, but failed to make it public.

ER: I ended up writing a book on the Waldheim case called Betrayal, which was supposed to be the story of the investigation and the cover-up, and it was. In the course of writing the book, which took a very long time, six years or so, I found that I was finally able to answer the biggest mystery of the case, which was no longer, What did he do during the war?, that was amply documented, but rather, How was it that it never came out? And it was painful for me, who had lionized Simon Wiesenthal, the famed Vienna Nazi hunter, and I had lionized him as a younger, to tell the truth, which was that during Waldheim's UN tenure, when he had been overtly hostile to Israel on a number of occasions, turned out the Israelis suddenly thought, You know, we ought to look into his past, let's see what is going on here. And to whom did they turn? Simon Wiesenthal, made sense. And Wiesenthal used his resources to get some of Waldheim's war records, and had Wiesenthal studied those records carefully, he would have found that they showed that Waldheim was in a very bad unit during World War II and that he was lying about it, that he was there when he was supposed to have been in law school. Wiesenthal didn't do his homework, as, unfortunately, was often the case, and also was – has a bias in favor of Waldheim's party for a number of reasons, and told the Israelis that Waldheim was clean, so to speak. And so the one attempt by a government that had an incentive to expose Waldheim failed
because they relied on the wrong person. Exposing what Mr. Wiesenthal did, and I should add that during the many months in which Waldheim was being exposed, his biggest defender was Simon Wiesenthal, it was very awkward for us to have Waldheim constantly say, “Wiesenthal says I didn’t do anything wrong.” Later, I realized that the reason Wiesenthal was saying that was because he had already cleared Waldheim for the Israelis and was hoping it would not develop that Waldheim was a war criminal, because that would prove that he was wrong. It was already clear that he had not done a competent job of vetting Waldheim. That was, again, a very controversial part of my book. It was very painful to have people attack me for telling the truth, and since I felt that people would not believe that Wiesenthal had been incompetent in this case, because there was, “Well, he’s so – did such a wonderful job on all these other cases, why would he suddenly get stupid?” so to speak. I decided I really needed to tell the whole truth, which I did in the book, and it’s sort of the sub-theme of the book, that in case after case after case, Mr. Wiesenthal, who deserves a tremendous amount of credit for keeping the issue of unprosecuted Nazis alive – without Wiesenthal, my office wouldn’t exist, no one would be looking for Nazis anymore, I must admit that – but his claims to prowess in Nazi hunting are mostly baloney. A man who has taken credit for finding Eichmann, didn’t find Eichmann. He didn’t tell the Israelis where Eichmann was in 1959-1960. He told the Israelis that Eichmann was in Germany. Eichmann was in Argentina, that’s where the Israelis found him. He has taken credit for a lot of things, he’s been wrong in all the major cases...all the major cases. So, I had to tell that story too, and I took some heat. On the other hand, I won some nice accolades for the book, and that was a great relief to me.

DW: But, of course, Waldheim was not the only cover-up. You worked on Arthur Rudolph, who worked for NASA in the United States. Our government actually brought these people here and protected them. How did those cases affect you, knowing that it was your own government who was giving safe-harbor to these people?

ER: You know there are times in my work where one doesn’t feel as proud as one would like to feel as a U.S. official. Our government has, on occasion, done things that I have encountered that one would have preferred that they not have done. One was bringing Otto Von Bolshwin to the United States, he was brought here by U.S. intelligence, a man who had worked for Eichmann, and who, although U.S. intelligence really didn’t know, we found out later, had actually proposed to Eichmann, the pogrom that we now know as Kristallnacht in Germany.

Rudolph was another case. He had been a Nazi slave master, supervising concentration camp inmates under grotesquely inhumane
conditions, building V-2 missiles in an underground missile factory that was part of the Dora-Norhausen Concentration Camp in central Germany. At the end of the war, he and Wernher von Braun, and the rest of the major figures in the German missile program, were brought to the United States under a then-secret program called Project Paperclip and they were put to work on the U.S. Defense Program, building missiles for us. Rudolph became, ultimately, the head of the Pershing Missile Program and then in the early '60s, after President Kennedy announced that we would attempt a lunar landing within the decade, he and most of the others switched over to the National Aeronautics and Space Administration, NASA, and Rudolph became project director of the Saturn V project...program there – the Saturn V program, so it is a sad part of our history that the man who built the rocket that took human-kind to the moon in 1969 was a Nazi slave master, and I questioned him, he made a lot of damning admissions, we found a extraordinary documentation on his case, and he agreed to leave the country and give up his citizenship and go back to Germany, rather than contest charges here, and as it is so often the case, the Germans investigated, but did not prosecute.

DW: In the early 1990s, the Iron Curtain fell, and millions of documents that had been sealed off from Western eyes were made available to you and your colleagues. When you heard that the curtain had fallen, did you know that you would get access to these documents?

ER: Well, we hoped that we would. What we did not know is what a treasure trove of evidentiary riches we would find there. We got some of our people in to the archives just as the Iron Curtain was falling. I have in mind Mike McQueen, one of our top historians, who got into Soviet archives in Lithuania when there were two governments there, the self-proclaimed independent government of Lithuania, and the Soviet Republic government. And if you had a Soviet visa to get into Lithuania, and you couldn't get in without a Soviet visa 'cause you had to go through Moscow, the Lithuanians wouldn't talk to you, but somehow Mike got everybody to talk to him and found these amazing documents, and we had thought that we were nearing the end of our program by that point, we had mined most of the troves of evidence we were award of. Suddenly we found this new treasure trove and found that cases that had languished as investigations, in which we had reached dead ends, suddenly were prosecutable cases, the evidence could be found. We also found evidence on many, many people who had died while they were under investigation, and were they still alive, we would have been able to prosecute them. We also found leads on lots of new cases, and suddenly we were incredibly busy again, and even now in the year 2001, we are terrifically busy. We have seventeen cases in court around the country, over 200 people under investigation, we have as many cases in
court as the Hate Tribunal has – the Hate Tribunal that’s been set up by the UN to handle cases involving the former Yugoslavia crimes in Bosnia and Croatia and elsewhere – one difference is our budget is about $4,000,000 and their budget’s, I think, over $200,000,000, but of course they do very fine work, and I think so do we. If you had told me in 1979 when I was a summer intern, or in 1980, or in 1985, that we would still be in business in 2001, still be busy, still be so busy that I hardly ever get to have lunch, except, you know, a sandwich at my desk, that I would still in the year 2001 feel that the worst thing that can happen to me on the phone is for someone to say “Hey, let’s do lunch,” ‘cause it takes me away from the work, I would have said impossible. But we’re swamped. We’re swamped with our regular cases, we’ve got thirty-three people doing this work, I think it’s thirteen lawyers, ten of the best historians in the world, and support staff, we are swamped with our regular cases, we’re swamped with the work that we do in support of the U.S. government effort at this late date to trace the fate of gold, and artwork, and books, and other property that was looted by the Nazis, we’re swamped by our work pursuant to the Nazi War Crimes Disclosure Act of 1998 that requires the executive branch to locate every classified document in federal possession relating to Axis crimes and to review them, to declassify them, and to disclose them. It’s the largest search, declassify, and disclose operation in world history, for which Congress allocated in the first year or so, the grand sum of zero dollars. And yet we’ve been doing it; we’ve disclosed hundreds of thousands of important documents. It’s really beyond belief, and on top of it all, the Senate has passed a bill that confers on my little office jurisdiction over post-World War II crimes against humanity. Unfortunately the U.S. government has repeated the mistake that it made in the Nazi cases: waiting decades to get serious and so now we have a significant number of Cambodian war criminals, Somalian war criminals, Rwandan war criminals, Guatemalan war criminals, you name it, they’re here. And, the government is still behind the curve in taking action.

**DW:** Like you said, now you have jurisdiction to prosecute these other crimes -

**ER:** We actually don’t have it yet. The Senate passed the bill. The House version is languishing.

**DW:** Do you think that it will pass?

**ER:** I don’t know. I don’t know. I think that some version of the law will pass. I think the issue is whether my office will end up being heavily involved in the cases, but someone, I hope, is going to do this work because it needs to be done.
DW: Well, just last week, for the first time in history, the United Nations handed down a decision in a case where they prosecuted and condemned Bosnian-Serb soldiers for sexual slavery. And, for the first time rape was actually defined as a crime against humanity. Do you think that this will help OSI at all in their prosecutions, for example, of Japanese soldiers who had used women, they termed them "comfort women", during World War II?

ER: Well, it's a landmark development. The first time that rape was ever prosecuted in the World War II context actually was right after the war by a Dutch court, and the victims there were the so-called "comfort women" who were Dutch citizens in Indonesia, which Japan occupied. Years ago, as you mentioned, we took up these Japanese cases and focused initially on the so-called "comfort women" cases...the only...correction I'll make is they weren't all women, a lot of them were children, they were young girls...very young some of them, and they were kidnapped in places like Korea and occupied-China, Indonesia, the Philippines, and taken to serve day after day, month after month, year after year, in camps where they were forced to provide sexual services to Japanese soldiers and officers. And, as if that weren't bad enough, having to do that, many times a day, many of them were tortured, some of them were killed, when they got pregnant, their babies would be taken away and even killed. These are some of the worst crimes we've ever encountered. We've actually interviewed two of the surviving "comfort women" from Korea and we'd like to think of ourselves as fairly hardened prosecutors, but they had us all in tears, as do Holocaust survivors frequently do to us. And in 1996, we identified some people who were involved in the so-called "comfort women" cases, and although they weren't here, we put them on this so-called border control "watch list" maintained by the INS and State Department and Custom Service, same list that we put Kurt Waldheim on and more than 60,000 other people, and every month we get calls from INS at different airports that one or another Nazi or Japanese perpetrator who's been put on the watch list at our behest, has now shown up. We have them questioned and usually sent back. We issued an announcement in '96 that individuals involved in the "comfort women" crimes were being barred, and we had a little discussion with the State Department because our draft press release for the Justice Department used what I call the "R" word, we called it what it was, it was the crime of rape, and the State Department said "Oh, you know, the Japanese are going to be very upset with this. And, they are very sensitive on World War II issues. We can't really deal with them the way we deal with the Germans. We really forced the Germans to confront their past, we did not do that with the Japanese. We have to tread lightly. Can't you just avoid that word?" which we had put in our press release about five times. And frankly, our hope was, in publicizing those cases, that we would give a
shot in the arm, so to speak, to those who were pressing to have rape in wartime treated as a crime against humanity and prosecuted like the other crimes against humanity. And I'd like to think that we did contribute to that development in the Hague in some very small way. And, so we discussed this with the State Department, and I recall finally saying, "look, if you want we can send this issue of using the 'R' word up the chain of command in your agency and mine and ultimately it will get to the Secretary of State and the Attorney General, and I am fairly confident that Secretary of State, Madeleine Albright, and Attorney General, Janet Reno, will agree that we should call the crime rape." And that kind of ended the discussion.

DW: You have two very young daughters.

ER: Yeah.

DW: How much do you tell them about your work and the atrocities that you learn about?

ER: I have a twelve year old and a nine year old and I have not discussed it with them. I did very much want to shield them from this. I know my twelve year old has, for some years, been interested. She read the Diary of Anne Frank and some other works that are not on the sort-of gruesome side of Holocaust literature, but more geared to children. I think my older daughter knows, probably, a lot because I have an extensive library at home and I'm sure, being a normal child, she has invaded that from time to time and read some things. I don't know if my nine year old really knows anything. In fact, her Brownie troop just did, or was about to do a field trip to the Holocaust Museum and I am holding her back from that, she's not ready.

DW: If you could leave them with lesson from your work at OSI, what would it be?

ER: One last?

DW: One lesson.

ER: One lesson.... I think I know what that would be. It would be to stand up to injustice and I would give them two examples of two women who did that. One was Elizabeth Holtzman, who almost single-handedly forced the Carter Administration to set up our office. She fought them every day. I don't know why the administration resisted, probably because they knew these cases were so hard that the odds of prevailing were between slim and none. And I think sometimes that the White House finally set up the unit only when they were convinced that Liz
was maybe a day away from setting herself afire in front of the White House. So, Liz would be one example.

And the other would be Vladka Meed...well maybe two other examples, Vladka Meed, who I have had the privilege of meeting, who is a survivor and a heroine of the Warsaw Ghetto Resistance. She was a courier and very bravely went in and out of the ghetto. She had sort of Aryan looks, and that enabled her to pass as a non-Jew. Risked her life every day.

The great privilege of my work has been to meet survivors and to meet rescuers, so the final example I would give is Miep Gies, who is the principle heroine of the Anne Frank story, the only personality, if you will, from the Anne Frank story who is still alive, g-d bless her, and I had the extraordinary experience, just a few years ago, of arranging a meeting for her, when she was visiting Washington with Attorney General Reno, and this amazing lady, who risked her life for over 700 days to protect the Franks and the others in the secret annex, bring them food, and it was very dangerous what she did, and it’s amazing she didn’t get caught, and then, when the raid came, she risked her life trying to bribe local officials into releasing these people, and then risked her life again to violate a police ban on going back into the annex. She went in, found the diary, rescued it, saved it for the world, and then on that terrible day...which, as a father of daughters is hard to remember, but I read it in Miep’s book, Mrs. Geis’s book, that terrible day when they were sitting in Otto Frank’s office in Holland, hoping against hope that the children were coming back...and the word came back that they had died, she reached into her desk drawer, unlocked it, pulled out the diary, and brought it to Mr. Frank and said, “Anne left this for you.” So this woman who saved the diary, created the conditions under which could be written, and actually I think even had purchased the blank diary for this little girl, she’s a good example for all of us. I think actually that the most important thing, lesson to come out of the Holocaust comes not out of studying the perpetrators, because there will always be bad people everywhere who, given the opportunity, will do bad things, but what we have to learn is what motivates people to be heroes. Where did Meip Gies find the courage to do what she did? I’ve met a number of those people and they all look at me like I’m from another planet when I ask that question. I met a Catholic priest from Poland who was a part of a very large family, he was a teenager, and they saved a large number of Jews in their barn. Had they been caught, they all would have been killed, the father, the mother, all the children. That was the standard penalty. And yet they did it. And I asked him, you know, “Where did you, where did your dad, who was the principle force in this, where did he find the courage to do this?” And, you know, he looked at me like I was crazy and he said, “Look, you know, my father said that what the Germans are doing to these Jews is wrong and so,
we must help them, and if they perish, then we will perish with them." Just like that. And the whole family followed. And I remember thinking, nah, that doesn't tell me anything, I didn't learn anything. And then later I thought, no I did learn something, I learned something very important, it must have been the case that his father had established himself through word indeed, over the years, within that family as a moral authority. They knew that he always did the right thing, and so when their father said, "this is the right thing to do," they knew from experience that he always was correct about such things, and so they all followed. The problem is it doesn't tell me where he found the courage to do that, because I think very few of us would have that courage. I mean if you ask me, if g-d forbid, and I've thought a lot about this, a crime, a genocidal crime was committed against some group in the United States that I was not a member of, I would certainly want to help them. And, if I were single, maybe I would have the courage to do it. If you ask me, could I risk my life? I would like to think so, though when tested, of course, very few of us have that courage, so I don't know. I have the same fears that everybody else has. Would my wife risk her life with me? Maybe, she's a good person. But, would we risk our children's lives? That's very hard to imagine. Very, very hard to imagine. And yet, people did that. If we can figure out what motivates them and bottle that, we'll save the world. That's the key. Study those people.

**DW:** Well, OSI has been named, as you mentioned earlier, by ABC News, the most successful government Nazi hunting organization on Earth, and the Washington Post said it is the world's most aggressive and effective Nazi hunting operation and it has also been said that OSI boasts a tremendous success record having uncovered and won more cases than any other Nazi hunting operation in the world, and you personally have been called the man the Nazis fear most. That is a tremendous legacy to leave and you should be very proud of yourself. Congratulations.

**ER:** Well, thank you. That is very kind.

**DW:** Thank you very much.

**ER:** Thank you. This was a great interview. And as I said, I appreciate the opportunity to come back to Penn, where I had many of the happiest years of my life. I love this university, didn't go to this law school, but I went to this university, and I love it dearly and it's a privilege to be back.

**DW:** Thank you.

**ER:** Thank you.