

anne frank house

German bombs and US bureaucrats.

How escape lines from Europe were cut off.

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Because of Germany's proximity the smell is not always pleasant, but the Dutch are tolerant. Politics in general has lost their course. Europe sits on a powder keg, no matter how the present differences will be resolved.

— Otto Frank, April 14, 1936

I am forced to look out for emigration and as far as I can see USA is the only country we could go to.

— Otto Frank, April 30, 1941

The United States had no specific refugee policy prior to World War II. Those seeking to escape Nazi persecution in Europe, like the families of Otto Frank and Hermann van Pels, had to clear the same bureaucratic hurdles as other immigrants. Both families were ultimately unsuccessful in their emigration attempts. In 1942, both went into hiding in Amsterdam city center, along with dentist Fritz Pfeffer, who had failed in his own attempt to immigrate to South America. Their experiences in this 25-month period of hiding are well-documented in Anne Frank's famous diary, and the eight residents of the "Annex" are now household names. Before 1942, however, the Frank and van Pels families were among the hundreds of thousands of applicants for American immigration visas.

The United States Holocaust Memorial Museum and the Anne Frank House joined efforts to research the attempts of these two families to immigrate to the United States. This resulted in the finding of new sources that sharpen the focus on the developments on both sides of the Atlantic.



New legislation

In the United States, immigration was controlled by Congress. The Johnson-Reed Act, which became law on May 26, 1924, marked an end to the era of mass immigration. The law continued a system of “national origins” quotas, setting annual limits on the number of people born in each non-Western hemisphere country who could immigrate to the United States. After 1929, a maximum of 153,879 quota immigrants could enter every year. These quotas were calculated by immigration restrictionists, who set higher limits—therefore providing greater immigration opportunities—for applicants from northern Europe and Great Britain. Far fewer quota slots were available for southern and eastern Europeans, whom the restrictionists — who believed in eugenics and opposed to any leniency towards aspiring migrants — considered racially, economically, and socially inferior. Many Asians and Africans were racially ineligible for immigration entirely. This law remained in effect until 1965.

All of the members of the Frank and van Pels families were born in Germany and fell under the relatively large German quota, which permitted a maximum of 25,957 immigrants per year, even though both families had immigrated to the Netherlands (which had a quota of 3,153).

Congress passed no new major immigration laws for Jews or any Europeans, between 1933 and 1945. Between 1938 and 1941, however, American lawmakers introduced numerous bills to further restrict immigration, or to end it entirely. None of these bills passed, and most were never voted upon, but the threat of these measures led a group of Jewish congressmen in 1938 to conclude that any new legislation increasing immigration might lead to a public rise in antisemitism and xenophobia, and the backlash might cause a restrictionist bill to pass. In May 1938, public opinion polls showed that 67% of Americans wanted to keep German, Austrian, and “other political refugees” out of the United States. President Franklin Roosevelt deferred to existing immigration law, and rarely interfered with the State Department’s strict interpretation of the law. He called the Evian Conference in July 1938, to discuss an international solution for the emerging refugee crisis, but the United States would not commit to expanding the quotas. However, following the *Anschluss* in 1938, Roosevelt did recommend the German and Austria quotas be combined, creating a new German quota of 27,370.

State Department consular staff were responsible for evaluating the paperwork, interviewing the applicant, and ultimately deciding whether or not to grant the immigration visa. To obtain an immigration visa for the United States, applicants needed to apply at the closest visa-issuing consulate to their homes and gather the extensive paperwork required by both Germany and the US government. In the Netherlands, only the Rotterdam consulate issued immigration visas, so Otto Frank and Hermann van Pels had to travel there to apply.

Seeking help

On April 30, 1941, Otto Frank wrote to his friend Nathan “Charley” Straus, his old friend from the days of Heidelberg university, explaining that he had filed an application at the American consulate in Rotterdam three years earlier, in 1938. Otto’s passing comment to Straus is the only known evidence that he had applied in 1938, and unfortunately, he does not give a specific date for his application. The year 1938 was especially turbulent: the *Anschluss* in March absorbed Austria into the Third Reich, the young state of Czechoslovakia was carved up, and in November, Nazis terrorized Jews throughout the Reich on *Kristallnacht*. These events uprooted Europe’s already troubled societies and nations even further, increasing the number of refugees seeking escape. The waiting list for a German quota visa skyrocketed from 139,163 on June 30, 1938, to 309,782 in June 1939. In that year, for the first time since 1930, the State Department entirely filled the German quota. Still, no matter when Otto applied in 1938, the Frank family could anticipate a multi-year wait to be called for an interview at the American consulate.

While preparing for their interview, applicants had to gather paperwork: two copies of each family member’s birth certificates, military records, and “all other public records concerning him kept by the Government to which he owes allegiance.” Most applicants also needed an American financial sponsor, preferably a relative, because the United States was still suffering the effects of the Great Depression; in 1938, unemployment levels reached 19%. The American sponsor, therefore, was necessary to prove the immigrant would never need public assistance, and had to



provide a financial affidavit listing his resources, as well as letters from employers, bank statements, and tax documents.

Jumping hurdles

Once the applicant reached the top of the waiting list, he or she was called to the consulate for an interview, and had to submit all the necessary documentation, including proof of a paid ship ticket. Each applicant also needed to pass a medical screening with a State Department-approved physician. If the applicant made it through these steps without being rejected, the consular officer would stamp an immigration visa into the applicant's passport, which was valid for four months. Even after receiving the visa, applicants needed to collect exit visas from their country of residence, and transit visas for any country through which they would need to travel to reach a port where they could board a ship that could take them to the United States.

We do not know whether Otto began gathering his documentation in 1938 or 1939, but we do know he was not the only member of the extended Frank family to prepare for immigration. Julius Holländer, Edith Frank's brother, received a visa from the American consulate in Stuttgart and immigrated to the United States on April 5, 1939, settling near Boston. Another brother, Walter, who received his visa from the consulate in Rotterdam, joined Julius in the United States in December 1939. Due to the length of the German quota waiting list, both must have submitted their initial applications prior to Otto Frank. The Holländer brothers found employment, but their recent arrival in the United States and meager earnings made it impossible for them to successfully serve as the Frank family's financial sponsors.

Setbacks

In Otto Frank's 1941 letter to Nathan Straus, which mentioned his 1938 application in Rotterdam, Otto added, "but all the papers have been destroyed there." On May 14, 1940, while the Frank family was still on the waiting list, the American consulate was destroyed during the German bombardment of Rotterdam. A detailed account of the consul-general shows the complete devastation of the building and—critically—the consulate's files, including any applications that had been filed, any paperwork that applicants had already submitted, and the waiting list. When the consulate reopened at a new location weeks later, the public was informed that all applications prior to May 10, 1940 – the day German troops invaded the Netherlands – should be renewed.

In an effort to reconstruct the waiting list, previous applicants had to produce the receipts they received when first submitting their applications. The dates and numbers on the receipt indicated the person's position on the waiting list. This makeshift effort in fairness was, of course, rife with corruption. A police investigation revealed that consular clerks in Rotterdam, most of whom were Dutch nationals, took bribes to improve eager applicants' positions on this list. At least a dozen applicants were implicated in the affair.

It does not appear that Otto Frank produced his receipt to the Rotterdam consulate and reestablished his family's place on the German waiting list. We do not know whether Otto had already submitted any of his family's documents to the consulate—official birth certificates, military papers, or financial documents—but if he had, they were all destroyed in the bombing. He would need to collect them again.

Suspicion

The outbreak of war, in particular the German invasion of Western Europe, only made immigration to the United States more complicated. State Department officials, who were generally obstructionist and now worried about possible spies and saboteurs infiltrating the United States, were under instructions to scrutinize each application even more carefully and reject anyone about whom they had any doubts. Moreover, far fewer passenger ships crossed the Atlantic as the war dragged on. In June 1939, sixty-one ships carrying Jewish refugees arrived in New York harbor from all over Europe: Bremen, Le Havre, Liverpool, Hamburg, Rotterdam, Naples, Gdynia. In June 1941, only fourteen arrived, almost all from Lisbon, since ports in Nazi-occupied territory, including Germany,



Poland, and the Netherlands, were closed to American-bound vessels. Refugees needed to physically leave Nazi territory in order to find transportation to the United States. For many, this barrier was insurmountable.

In December 1940, although State Department officials still treated immigrants as potential threats, anyone who successfully completed an application, gathered their paperwork, found their American financial sponsor, and—most importantly—had purchased a ship ticket, could be interviewed to receive an immigration visa. In 1941, only 62% of the German quota was filled, since so few refugees could pass the rigorous security screening, collect the necessary documents, and obtain a ship ticket.

An influential friend

When Otto Frank first wrote to Nathan Straus in April 1941 about his renewed attempts to immigrate, he was beginning to collect the necessary paperwork. If, in the future, he thought he could obtain everything required, he could purchase ship tickets and alert the American consulate in Rotterdam to schedule an interview.

This is why Otto turned to Nathan Straus Jr. when he did. Straus came from an affluent family. His father co-owned Macy's department store, and, in 1941, Straus Jr. worked for the Roosevelt administration as the head of the United States Housing Authority. One would suspect that such wealth and political connections should have guaranteed a successful outcome.

Otto originally asked his friend to place a deposit of five thousand dollars in his favor. After consultation, the National Refugee Service (NRS), a Jewish agency that assisted refugees in navigating the American immigration process, advised Straus to send affidavits of support for Otto Frank as well as his family, expecting that no deposit would actually be needed. Since consuls would always look with greater favor upon documents submitted by family, Otto Frank's Boston-based brothers-in-law Walter and Julius Holländer were urged to express their support as well. Through the intervention of the Boston Committee for Refugees, their affidavits for the Frank family, including Anne's grandmother Rosa Holländer-Stern, were sent to Amsterdam by air mail on May 10, 1941.

Despite Straus' efforts, and those of Edith's brothers, the red tape could not be cut in time. In the midst of their correspondence, circumstances overtook them.

More obstacles

On July 1, 1941, the State Department put into effect two rule changes, citing national security concerns. First, applicants with close relatives remaining in German-occupied countries would no longer be eligible for visas. The State Department also decided that all applications for immigration had to be sent to Washington for further review and approval by an interdepartmental review committee consisting of representatives of the State Department's Visa Division, Immigration and Naturalization Service, FBI, Military Intelligence Division of the War Department, and the Navy Department's Office of Naval Intelligence. Even if an applicant were approved by this interdepartmental committee, he or she still had to appear at a consulate in Europe for an interview, and a suspicious consular officer could still reject the visa. In a Gallup poll conducted a year earlier, in June 1940, 71% of respondents believed that Nazi Germany had already established a network of spies and saboteurs in the United States; FDR had warned that even Jewish refugees could be "spying under compulsion" to save the lives of family members held hostage in Nazi Germany. National security took precedence over humanitarian concerns.

An additional change led Otto Frank to write to Straus at the end of June that all their efforts would be useless. After Washington ordered the closure of all German consulates in the United States, Nazi Germany ordered all American consulates to close in Nazi-occupied and collaborationist territory. The Rotterdam offices closed in early July. On July 10th, officials in Rotterdam reported to Washington that they had destroyed their visa stamps. There is no evidence to suggest that Otto Frank was ever interviewed by an American consular official; therefore, the family was never actually denied American immigration visas.



Alternative routes

Otto Frank subsequently set his sights on Cuba, hoping to use admission to that island as a jumping board to the United States. As an austerity measure Otto wanted to “test the water” by initially applying for a visa only for himself. On August 14th, a certain “O. Frank” was sent a certificate of moral conduct by the municipality of Amsterdam. The document was issued for the purpose of emigration to South America. Although it is not possible to be absolutely sure, it is highly likely that this is Otto Frank.

On September 8, 1941, he wrote to Nathan Straus that many acquaintances had Cuban visas, however the Cuban consulate was now closed too. Aid agencies steered clear from direct dealings in the confusing and often changing administrative rulings of the Cuban authorities. As an NRS official wrote to Straus: “There are always risks involved where Cuba is concerned.” At this point in time, the Jewish Council for Amsterdam, an administrative body imposed by German authorities, became involved in the correspondence. On October 12th, the Council’s department for Support and Community Service wrote to the NRS that it would be impossible for Otto to travel to a US consulate in a neutral country. He would have had to traverse multiple Nazi-occupied countries to find American diplomatic personnel in Marseilles, Madrid, or Lisbon, and by the fall of 1941, this was impossible. His last option was the Cuban route.

Another problem was obtaining an exit permit to leave the Netherlands. Such a permit was, in principle, only issued if an entry visa as well as ship passage was assured. The NRS was under the impression that only those between eighteen and forty-five years of age qualified for permission to leave Europe. The tedious process became more complicated when on November 25th, all German Jews living outside of Germany were officially stripped of their nationality. Since the Frank family had never become Dutch citizens, they were now officially stateless.

Limited options

Yet, in November securing a visa for Cuba seemed possible for fifty-two-year-old Otto. However, it didn’t work out in the end. On December 11th, his Cuban application was cancelled. This date suggests that the Pearl Harbor attack four days earlier and the United States’ entry into World War II disrupted Otto’s possibilities to travel to Cuba.

Unable to immigrate to the United States, Otto Frank’s migration attempts were not yet over. By the end of 1941 he joined the long queue of German-Jewish residents of the occupied Netherlands who were instructed to file applications of their intention to immigrate with the Jewish Council, whether or not there was any actual possibility of immigration. Still, the exercise left paper sources that shed light on the events in the lives of the family members. And in particular the life of the head of family: Otto Frank.

There are four registration slips, showing that all four family members – by now excluding Anne’s seriously ill maternal grandmother – were included in this process. Otto’s solicitor in their old hometown Frankfurt am Main wrote that he faced problems in procuring Edith’s birth certificate from Aachen, her hometown. This letter was dated November 11, 1941. That was by far too late to be of use in immigrating to the United States. Almost two weeks later Otto mentioned in a letter to his brother-in-law, Julius Holländer in Boston, that the whole family was vaccinated against typhus. Proof of this prophylaxis was mandatory for most countries. This letter, in retrospect, is even more devastating, as both Anne and Margot died of typhus at Bergen-Belsen in February 1945.

The circumstantial sources also include a list of Jewish citizens who apparently submitted the required application form. This list shows that the extensive questionnaires of the four-person family, to be filled out for every individual applicant, were sent to a German agency in Den Haag on January 27, 1942. Rosa Holländer died of illness two days later. As far as it is possible to ascertain, she was not part of this procedure. A little more than five months later, the Frank family would leave an indication that they had left Amsterdam and headed in southern direction, but in reality would enter the annex at 263 Prinsengracht.



Similar experiences

Hermann van Pels also pursued emigration to the US for his family. The consulate confirmed his application on April 25, 1939. The family all had Dutch citizenship, but since American quotas were based on country of birth, they were listed under the more requested German quota. Like Otto Frank, his waiting list number would not have come up prior to the bombing of the Rotterdam consulate, and like Otto Frank, we do not know whether he placed his name back on the waiting list.

Max van Pels, Herman's brother, must have submitted his application to the Rotterdam consulate much earlier. He is listed as having received the required certificates of moral conduct from the Amsterdam municipality in June 1938. Max and his wife Annie, who had traveled to the United States several times in previous years as tourists, received their quota immigration visas on July 5, 1938, in Rotterdam. They embarked on the steam liner *Samaria*, which sailed from Liverpool on August 27th and arrived in New York on September 5, 1938. Just like the brothers of Edith Frank, Max was lucky enough to file his application at a favorable moment in time. The most frantic run on the limited number of slots was yet to begin. And they did not experience delay due to the destruction of the consulate.

Waiting in vain

Since Hermann van Pels does not appear on the ledgers listing certificates of moral conduct that have been issued, an *argument from silence* is warranted: his application never came up for consular examination. He was one of the many who tried in vain. At least 160,000 applicants joined the waiting list between Max's successful immigration and Hermann's unsuccessful application. This simple fact supersedes any eventual difficulties he may have had in obtaining the desired documents: procuring them without hope of being called to the consulate for an interview would be pointless anyway. In the case of Otto Frank, similar complications are likely to have arisen. He faced trouble in obtaining Edith's birth certificate, and did not apply for a certificate of good conduct before August 1941. It was necessary to present both to the consulate when applying for a US visa.

In the case of Hermann van Pels, no documents such as the National Refugee Service correspondence regarding Otto Frank have surfaced. There is no evidence that either the Frank or van Pels families were explicitly denied visas by the American consulate, yet their efforts were thwarted by American bureaucracy, war, and time. All in all, the conclusion must be that both the Frank and van Pels families' attempts were not successful because of the rapidly growing numbers of applicants for a small number of openings on the quota lists; the unwillingness of the president, State Department and Congress (or the American people) to open immigration beyond the limits set by the 1924 quota laws or to endeavor to fill these quotas; and, eventually, the impact of the war on the possibility of escape.

