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J.B. ENRA Date 8-2

RG 466
Entry 1604
File 2671
Box 8

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)

Office of the Economics Adviser

Property Group

APO 742

Berlin, Germany

PG Cir No. 1

1 July 1949

SUPERVISION OF THE RESTITUTION PROGRAM UNDER MILITARY GOVERNMENT LAW NO. 59I. RESPONSIBILITY1. Responsibility of Property Group, Office of the Economics Adviser, OMGUS

The responsibility for the general supervision of the administration of the Restitution Program in the US Zone has been assigned to the Property Group, Office of the Economics Adviser, OMGUS. It is responsible for policies and instructions with respect to claims for the restitution of identifiable property to which Military Government Law No. 59 is applicable.

Pursuant to letter AG 334 (PD) dated 23 April 1949, subject: "Establishment of a Zonal German Property Control and Internal Restitution Coordinating Agency", Land Directors of Military Government have no further responsibility with respect to the Property Control and Internal Restitution programs after 1 July 1949, except as may be specifically designated by OMGUS.

2. Responsibility of the Internal Restitution Supervision Section

The Internal Restitution Supervision Section, under Property Group, Office of the Economics Adviser, OMGUS, exercises direct supervision over the functional operations of the authorities responsible for the administration of Military Government Law No. 59.

Immediate responsibility for the execution of the Restitution Program rests with the German authorities, through the Minister-Praesidenten of the Laender in the US Zone. It is carried out by and through Restitution Agencies and Courts established under Military Government Law No. 59, which are administered by officials selected or approved by the Minister-Praesidenten. Supervision of the program should, therefore, be conducted without interference with the actual operation of Restitution Authorities and in such a manner as not to cause unnecessary friction which may adversely affect the program.

Since Military Government Law No. 59 provides for sufficient safeguards against miscarriage of justice, through the right of appeal to the Restitution Chambers, the Oberlandesgerichte and, finally, to the Board of Review (composed of American judges), the Internal Restitution Supervision Section will concern itself mainly with the supervision of the administrative aspects of the program.

3. Responsibility of Legal Division, OMGUS

In accordance with the general responsibility in the field of administration of justice, Legal Division, OMGUS, is responsible for the supervision of the organization of the Restitution Courts and of the flow of cases through said courts.

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II. ORGANIZATION AND FUNCTIONS OF THE INTERNAL RESTITUTION SUPERVISION SECTION

1. Organization

In addition to the Section Chief, the Table of Organization of the Internal Restitution Supervision Section provides for three Supervisors to be attached to the Staff of the Section Chief, and for three Land Supervisors assigned to Bavaria, Hesse and Württemberg-Baden. One of the Supervisors attached to the Office of the Section Chief, will be assigned the responsibility for the supervision of restitution activities in Land Bremen and in the US Sector of Berlin.

2. Functions

The supervision of the Restitution Program will be carried out through constant observation of restitution activities and through continuing inspections of Restitution Authorities to insure proper and efficient administration of the program and its completion with the least possible delay.

More specifically, the functions of the Internal Restitution Supervision Section will include the following:

- a) to advise and assist Restitution Authorities in the performance of their task;
- b) to detect and remove, wherever possible, obstacles detrimental to, or hindering, the program;
- c) to report to Property Group, Office of the Economics Adviser, ONGUS, conditions which are deemed to require action at higher level;
- d) to devise and maintain a system of recurring reports which will enable the Internal Restitution Supervision Section to observe the progress of all phases of the program, and to furnish information on the current status of the program to Property Group, Office of the Economics Adviser, ONGUS;
- e) to ascertain whether directives and instructions issued by the German authorities are consistent with Military Government Law No. 59 and legislation issued thereunder;
- f) to point out the need for and propose to Property Group, Office of the Economics Adviser, ONGUS, the promulgation of implementing legislation and regulations which will further the expeditious carrying out of the program;
- g) to devise procedures and instructions for the practical application of policies established or to be established by Property Group, Office of the Economics Adviser, ONGUS;
- h) to maintain liaison with Legal Division regarding problems in connection with the functioning of the Restitution Courts.

III. SUPERVISION TO BE EXERCISED AT LAND LEVEL

1. General

Land Supervisors are the representatives of the Property Group, Office of the Economics Adviser, ONGUS. They operate under the supervision and direction of, and are responsible to, the Internal Restitution Supervision Section for the immediate supervision of restitution activities in the Land to which they are assigned. They will receive all instructions

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and work assignments from or through the Internal Restitution Supervision Section, except in cases of great urgency when instructions will be received directly from the Property Group in which case the Land Supervisor in question will immediately notify the Internal Restitution Supervision Section of the assignment received.

2. Responsibility for the Handling of Correspondence

It is the policy of the Property Group, Office of the Economics Adviser, OCMUS, to reduce its correspondence to an absolute minimum. The Hauptbuero fuer Vermoegenskontrolle und Wiedergutmachung in the US Zone, 11 Thierschstrasse, Munich, Germany, which has been established to take over some of the functions previously discharged by the Property Control and Internal Assets Branch, has, therefore, been instructed to handle all correspondence concerning property control and restitution matters, with the exception of correspondence from other than routine sources, such as inquiries from Congressmen, etc., which will be handled by the Property Group.

In accordance with the above, Land Supervisors will forward correspondence received by them to either the Hauptbuero for a direct reply or to the Internal Restitution Supervision Section for transmittal to the Property Group. If correspondence is forwarded to the Hauptbuero, the correspondent will be informed of this action by a form letter, a sample of which is attached hereto (Annex A). In exceptional cases, such as serious complaints against Restitution Authorities, Land Supervisors are authorized to conduct an immediate investigation, the result of which will be transmitted to the Internal Restitution Supervision Section, together with the basic correspondence. The above does not apply to functional correspondence, e.g., correspondence between Land Central Offices for Restitution and Land Supervisors, which will either be handled by Land Supervisors or, if necessary, forwarded to the Internal Restitution Supervision Section. Land Supervisors will exercise special care to accept for handling only correspondence actually within the scope of activities outlined in this circular.

3. Responsibility for Property Control Matters Connected with Restitution Proceedings

Land Supervisors will have no responsibility for property control matters except that they will ascertain whether restitution activities are being properly coordinated with property control activities in accordance with established procedures regarding the handling of duress properties (PC Circular No. 1 dated 3 January 1949).

Land Supervisors will report deficiencies occurring in performance of the aforementioned functions,

- a) to the Land Central Office for Restitution, whenever Restitution Authorities have failed to notify Property Control Agencies of the receipt of claim or final adjudication or settlement thereof;
- b) to the Office of the Land Civilian Agency Head whenever Property Control Agencies have not taken proper action upon receipt of notification from Restitution Authorities;
- c) to the Internal Restitution Supervision Section if the action taken in accordance with a) or b) above has failed to produce the desired results.

4. Inspections and Investigations

- a) Routine inspections of Restitution Authorities will be conducted once a month and the results thereof will be reported on the "Routine Inspection Report Sheet" (see Part III, par.5-a(1)).

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b) Special inspections of Restitution Authorities will be conducted whenever their activity reports show slow progress. Such determination will be made through evaluation of monthly activity reports submitted by Restitution Authorities (Form RG/PD/11b/F) and the recapitulation thereof as compiled by the Internal Restitution Supervision Section (Form OIGUS 504, 7 May 49).

c) Investigation will be made whenever warranted, e.g., upon receipt of information regarding irregularities on the part of officials connected with the program, preferential or prejudicial treatment of parties to restitution proceedings, reports on cases showing undue influence or abuse of power by restitution officials, and whenever directed by the Internal Restitution Supervision Section.

5. Reports

a) Routine Reports

Land Supervisors will submit to the Internal Restitution Supervision Section the following reports:

- (1) A "routine inspection report" to be submitted in duplicate on the "Routine Inspection Report Sheet", a sample of which is attached hereto (Annex B), upon completion of the regular monthly inspection of each Restitution Authority.

The purpose of the "Routine Inspection Report Sheet" is that of achieving uniformity of reporting by listing those items for which current reports are deemed indispensable. It is, however, not intended to limit routine inspections to merely those items listed. On the contrary, Land Supervisors are encouraged to report any additional points of interest under "Remarks".

- (2) A "weekly report" containing a brief description of the activities and accomplishments during the reporting period. This report will be submitted in triplicate every Friday.
- (3) A "monthly report" covering in detail items reported in weekly and special reports (for special reports see 5 b), with emphasis on the progress made by Restitution Authorities and conditions impeding such progress. This report will be submitted in quadruplicate as of the end of each month and should be prepared in a style and manner which will permit its forwarding to higher authorities.

b) Special Reports

- (1) Deficiencies detected during inspections and investigations will be reported in writing to the Land Central Office for Restitution with a request for remedial action and for a report on the action taken. A copy of the request to the LCO will be forwarded to the Internal Restitution Supervision Section.
- (2) If, after serious efforts on the part of Land Supervisors, remedial action is not taken by the Land Central Office for Restitution, a report will be made to the Internal Restitution Supervision Section.
- (3) Additional reports will be made to the Internal Restitution Section on any matter deemed to warrant the attention of that office.

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- (A) Whenever possible, reports outlined in 5 b, (1), (2) and (3), should be accompanied by proper documentation, or proof of the statement contained therein. If a report is based on verbal information, the exact source of such information will be included.

6. Records

a. Progress Charts

Land Supervisors will maintain uniform progress charts as devised by the Internal Restitution Supervision Section, listing Restitution Authorities within their area of jurisdiction as well as the completion of the various procedural steps which may be taken by said Authorities in the disposition of restitution cases before them. On or about the tenth of each month, the Internal Restitution Supervision Section will submit to Land Supervisors copies of OMGUS form 584 which will contain the figures necessary to complete the aforementioned charts.

b. Personnel Roster

Land Supervisors will maintain an up-to-date roster of German key personnel employed with Restitution Authorities.

c. Files

Land Supervisors will establish and maintain an active and an inactive file for the Land Central Office for Restitution and for each Restitution Agency, Chamber and Oberlandesgericht in their area of jurisdiction. Matters necessitating action, e.g., requests for investigations or specific complaints, will be kept in the active files until completion of the action, at which time they will be transferred to the inactive files pertaining to the respective Agencies or Courts. Additional files may be set up as deemed appropriate. Files will be maintained in such a manner that information contained therein will be readily available.

F J Miller

FRANK J. MILLER
 Chief, Property Group

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MAR 19 1949 NND 968095	Entry <u>160A</u>
81-B BOMA DEC 87	File <u>267.1</u>
	Box <u>8</u>

ANNEX A

OFFICE OF MILITARY GOVERNMENT FOR GERMANY (US)

Office of the Economics Adviser

Property Group

APO 742

Berlin, Germany

Dear :

Your letter dated addressed to
 has been forwarded to this office
 for attention.

The Property Control and External Assets Branch, Property Division, Office of Military Government for Germany (US), terminated operations as of 30 June 1949, and a German agency has been established to take over some of the functions which were previously discharged by the Property Control and External Assets Branch. The name and the address of the German agency are as follows:

Hauptbuero fuer Vermoegenskontrolle und
 Wiedergutmachung in der US Zone,
 11 Thierschstrasse,
 Munich, Germany

Your letter has been sent to the Hauptbuero for appropriate action and, where required, a reply will be forwarded directly to you.

All future communications should be addressed directly to the Hauptbuero.

Sincerely,

FRANK J. MILLER
 Chief

(NOTE: Land Supervisor will sign his name, inserting the word "for" in front of "FRANK J. MILLER".)

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ANNEX B

ROUTINE INSPECTION REPORT SHEET

(to be used as outlined in PG Circular No. 1, Part III, par. 5, a) (1))

Office inspected

Date of inspection

Date of last inspection

1. Office Space

(Is office space and condition of rooms adequate, are amicable settlement meetings taking place in a separate room ? Etc. *)

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.....
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.....
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.....2. Furniture, Equipment and Supplies

(Is office furniture and office equipment adequate? Are sufficient supplies available ? *)

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.....3. Transportation

(Is transportation required and is it available ? *)

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.....

* Report any deficiency or inadequacy found and remedial action planned or taken.

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4. Personnel

(By comparison with other Restitution Authorities is personnel adequate to handle the workload ? *)

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5. Records

(Are records set up in such a manner as to facilitate immediate locating of cases, documents, figures etc. ?

Are they properly maintained ? *)

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6. Spot-Checking of Cases

(Report briefly on three cases picked at random indicating in each case the chronological development *)

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* Report any deficiency or inadequacy found and remedial action planned or taken.

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7. Spot-Checking of Monthly Reports

(Select three items from last Progress Report (Schedule A-B) e.g., "Amicable Settlements", "Dismissed and not Appealed", "Withdrawals", and check against Agency's records for accuracy *)

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8. Handling of Complaints

(Are complaints recorded and has proper action been taken ? *)

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9. Remarks

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(Date)

(Signature)

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Authority NWD 968095
by SOD IAPFA Date 8/7/00RG 466
Entry 160 A
File 263.11 monthly Activity
Reports Prop. Div. TO DIA
Box 7

263.11 MONTHLY ACTIVITY REPORTS PAPER DIV 7001-4

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Authority NND 968095
by SDM NARA Date 8/7/00

RG 466

Entry 160 A

File 763-11 monthly Activity
Reports Prop Div. TOOEI

Box 7

1657

Office of Economic Affairs

480 757
Frankfurt, GermanyReport for the Month Ending December 31, 1949PROPERTY CONTROLGeneral:

During December, 2463 units of property with an estimated value of RM 463,565,564 were released from control. Bureau properties and a small residue of properties in other categories constitute the balance under control on January 1, 1950. The composition of this balance is shown in the following table:

Property Under Control
In U.S.-Occupied Area of Germany
as of 31 December 1949

Class of Property	Number of Units under Control	Number of Properties Completed as to Number	Value of Properties under Control in Million DM	% of Total Value	
				Properties under Control	% of Total Value
TOTAL	29,948	76	1,725		86
TOTAL OTHER THAN DILIN.	1,614	99	825		93
Current Property	23,303	14	902		25
Abandoned Property	797	99	85		99
Inventory Loss	185	77	9		96
Property of NSDAP & Organizations	960	95	45		96
Miscellaneous Property	924	70	761		43

a/ These values are only estimates taken from balance sheets and thus approximate. Since the exact value is not a necessary factor for property control purposes, no attempt has been or will be made to convert these figures to Decimale Wert Values.

b/ Nationalsozialistische Deutsche Arbeiter Partei (National Socialist German Worker's Party).

c/ 151 units are located in the U.S. Sector of Berlin. Disposition of this category of property is delayed pending finalization of reparation in February 1950.

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Autosys NND 968095
by. SOM NARA Date 8/7/00RG 466
Entry 160 A
File 763.11 monthly Activity
Reports Prop.Div. TO DIA
Box 7Reich owned Film Properties

Military Government Law # 24 transfers all Reich owned film properties in trust to a Liquidation Committee and charges it with the administration and decertification of the properties in accordance with Military Government laws and subject to the appropriate occupation authorities. Decertification is now a function of the Office of General Counsel which is the appropriate authority for directing the Liquidation Committee in the administration, reorganization and liquidation of motion picture properties. The Property Division of the Office of Economic Affairs and its predecessors have supervised the administration of motion picture properties as to the appointment of custodians and the direction of their activities.

On December 20, 1949, the Property Division formally relinquished control over all Reich owned film properties to the Decontrolization and Decommission Division of the Office of General Counsel, OCCG.

The properties involved consisted of 75 units of Reich owned film properties with an approximate value of 35 million marks.

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Authority VND 968095
By SOM IAAFA Date 8/7/00RG 466Entry 160 AFile 763.11 monthly Activity
Reports Prop.DIV.TODERBox 7**INVESTIGATIVE ACTIVITIES**

During December 1949, 14 investigations involving allegedly German owned foreign assets were completed. Seven of these involved cases in which the evidence obtained proved the German ownership of assets valued at \$1,544,000. The seven cases involved assets located in Japan, South Africa, Czechoslovakia, Netherlands, Denmark, Canada and Australia.

During the month, 16 requests for investigation or additional information were received; the backlog of pending cases on January 1, 1950 was 57.

AUGUST 1949
By SODM NARA Date 8/2/00RG 466
Entry 160 A
File 763.11 monthly Activity Reports Prop. Div. TOOE
Box 7Internal Restitution

Meetings held in the preceding months with officials of Ministries of Justice for the purpose of effecting increases in the capacity of restitution chambers have shown certain positive results. In November the Ministry of Justice issued instructions to the courts requesting that internal restitution be given priority treatment, that judges of the chambers be assigned exclusively to restitution cases, and that adequate administrative support be provided for restitution agencies. In these preparations are under way to increase the number of restitution chambers from the original three to nine. There are at present six chambers in operation.

On December 1, 1949, a meeting was held at Bad Reichenhall with Heads of Land Central Offices for Restitution of the four Länder in the US zone. The purpose of the meeting was to discuss ways and means to bring about the expeditious completion of the restitution program. Special emphasis was given to the planning of the work of restitution agencies. It was determined at the meeting that considerable increases in budget allocations for internal restitution would have to be granted by Land governments in order to achieve the desired results. A letter from the High Commissioner to the Minister Presidents of the Länder setting a time limit for the completion of the restitution program and requesting that adequate funds and facilities be made available to restitution authorities was deemed the most effective means of supporting the efforts of the German restitution authorities.

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Authority NVO 968095
By. SOM NAFA Date 8/3/60RG 466
Entry 160 A
File 763.11 monthly Activity
Reports Prop.Div.TODER
Box 7

As a result of a report made on conditions regarding internal
 restitution progress, in particular articles in the German press to the
 effect that a uniform law to be enacted by the Bonn Government, more
 favorable to restitution, would replace MG Law No. 59, the Office of the
 US High Commissioner issued a press release stating the firm intention
 of the US Government to insure, to the fullest extent possible, the
 speedy restitution of identifiable property to persons who were wrong-
 fully deprived of such property between 1933 and 1945 for reasons of race,
 religion, nationality, ideology or political opposition to National
 socialism.

An announcement was made by the Central Filing Agency that it had
 completed the forwarding to restitution agencies of all individual re-
 stitution petitions, totaling 53,611. Filed pursuant to Article 56 of Military Govern-
 ment Law No. 59 and Regulation No. 5 thereto. DH

A revised Statistical Internal Restitution Progress Report
 (NA/PR/11b/7), reducing the volume of the reports and providing for the
 reporting on the processing of petitions of the Jewish Restitution
 Successor Organization, was distributed to the Restitution Authorities
 to be used by them beginning January 1956.

Seven investigations based on complaints from claimants were
 conducted during the month of December and appropriate replies were
 given to the parties concerned.

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Autonomy NND 968095
By SODI NARA Date 8/7/00RG 466
Entry 160 A
File 763.11 monthly activity
Reports Prop.D.V. to OEA
Box 7Status of Internal Security Progress in the U. S. Zone
as of December 31, 1949.

Individual Cases Received:

56,260

Final Dispositions:

Arbitrable Settlements	9,575
Decisions in favor of claimants	685
Decisions against claimants	980
Withdrawals	24,591
	7,327

Balance to be handled:

10,227

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Authority NND 968095
by SOM IARPA Date 8/3/00

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File 263-11 monthly Activity
Reports Prop Div. to OEA

Box 7

Western Central Collecting Point

During the month, the Western Central Collecting Point released 37 paintings, 21 books and 611 other cultural objects to restitutees under Military Government Law No. 59.

It received 4 paintings which are subject to external restitution.

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Authority VNO 968095
By SOM IARFA Date 8/3/00RG 466
Entry 160 A
File 763.11 monthly Activity Reports Prop.Div. to OEA
Box 7Commodities

There were no reparation shipments during the month of December, as all allocated equipment available for delivery had already been delivered.

External Restitution

No external restitution business was completed during the month of December. However, investigations and negotiations continued toward the settlement of outstanding external restitution problems.

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Authority NND 968095
By SOM NARA Date 8/7/00RG 466
Entry 160 A
File 263.11 monthly Activity
Reports Prop D.V. TO OEA
Box 7

066

OFFICE OF THE UNITED STATES HIGH COMMISSIONER FOR GERMANY
 Office of Economic Affairs
 APO 757-A

Report for the Month Ending December 31, 1950.

Property Control

During December 1950 696 units of property were released from control. Properties subject to Internal Restitution, to disposal under Control Council Directive No. 50 in Berlin, and a small residue of 144 properties in other categories constitute the balance under control on January 1, 1951. The composition of this balance is shown in the following table:

Property under Control
 In U.S. Occupied Area of Germany
 as of December 31, 1950

Class of Property	Number of Units Under Control	% of Program as to Number	Value of Properties Under Control in Million Reichs Mark a/	% of Program as to Value
TOTAL	21 059	87.5	662	95.7
TOTAL OTHER THAN DURESS	454	99	38	99
Duress Properties	20 605	55.2	624	66.7
Abs-Owned Properties	71	99	0.8	99
External Loot	63	99	0.3	99
Property of NSDAP b/ Organizations	310 c/	96	32	97.8
Miscellaneous	10	99	5	99

- a/ These values are only estimates taken from balance sheets and tax assessments. Since the exact value is not a necessary factor for property control purposes, no attempt has been or will be made to convert these figures to Deutsche Mark values.
- b/ Nationalsozialistische Deutsche Arbeiter Partei (National Socialist German Workers' Party).
- c/ 310 units are located in the U.S. Sector of Berlin. Disposition of this category of property was delayed pending Kommandatura implementation in February 1949.

External Assets

During December 1950 five reports involving allegedly German owned foreign assets were completed. Evidence obtained in one of these cases proved the German ownership of assets valued at \$ 385,000 located in The Netherlands.

No new ~~reports~~ requests were received during December 1950. The backlog of pending cases on January 1, 1951 was 2.

Wiesbaden Central Collecting Point

15,426 items of cultural properties consisting mainly of paintings and books were released for delivery to successful claimants during the month of December 1950. This includes 14,828 Jewish books released to JCR on the basis of a special agreement.

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by SODM NARA Date 8/2/00

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Entry 160 A

File 763.11 monthly Activity Reports Prop D.V. TOOEI

Box 7

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As of December 31, 1950 there remain at the Wiesbaden Central Collecting Point approximately 97,000 individual objects of which approximately 62,000 are books and manuscripts.

Reparations

There have been no new developments since the last report.

External Restitution (Non-Cultural)

Restitution was made to France of 41 motor vehicles in satisfaction of 41 claims together with certain silverware (1 claim) and an amount of precious metals (4 claims).

Releases were also issued for the restitution of precious metals to Italy, Yugoslavia, Belgium and The Netherlands. Delivery of this material has been completed except for the Italian claim as to which delivery is to be made shortly.

The issuance of releases on 8 Netherlands IWT craft completed action on all outstanding Netherlands IWT craft claims.

Internal Restitution

Dispositions of restitution cases in December totalled 2,705 or approximately 300 less than in the previous month. This decrease was probably largely due to the year-end holidays and other factors not deemed of any particular significance.

* * * * *

Inasmuch as several programs in the property field are now virtually completed, and Property Division itself is approaching an advanced stage of liquidation, it has been decided to discontinue the preparation of these regular Monthly Reports. Many of the Division's activities it may be noted, have concerned classified items and thus for this reason were not included therein. It is felt that residual activities of an unclassified nature are not of enough general interest or importance to submit in report form.

Property Division will continue, however, to report from time to time, by despatch or other channels, any items or developments of particular interest or importance. The statistical data concerning properties under control and restitution progress, which have been included as a part of this Report, will be available from the comprehensive statistical Reports which will be submitted as heretofore.

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Authority VNA 968095
By SOM NAFI Date 8/3/00RG 466
Entry 160 A
File 763.11 monthly Activity Reports Prop. Div. to OEA
Box 7

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Internal Restitution Progress in the US Zone

as of December 31, 1950

I. Total (Individual plus JRSC Cases)

Total cases which have come before the Restitution Authorities ... 111.643
 Final Dispositions:
 amicable settlements 14.423
 decisions in favor of claimants 2.009
 dismissals 2.550
 withdrawals 14.201 33.183
 Cases still pending before Restitution Authorities 78.460

II. Individual Cases

Total cases filed 65.082
 Final dispositions:
 amicable settlements 12.079
 decisions in favor of claimants 1.956
 dismissals 2.548
 withdrawals 8.657 25.240
 Cases still pending before Restitution Authorities 39.842

III. J R S O - Cases

Total cases which have come before the Restitution Authorities ... 46.561
 Final dispositions:
 amicable settlements 2.344
 decisions in favor of claimants 53
 dismissals 2
 withdrawals 5.544 7.943
 Cases still pending before Restitution Authorities 38.618

IV. Estimated Value of Property Restituted to:

Individual Claimants	DM 511.968.533
J R S O	DM 8.725.361
Total	DM 520.693.894

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Authority NND 968095
By S0M NARA Date 8/3/00RG 466
Entry 160A
File 265 minutes conF with
Land Supervisors
Box 7

265 MINUTES CONFERENCE WITH LAND SUPERVISORS

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Authority NWD 968095
By SPM NARA Date 8/7/00RG 466
Entry 160A
File 265 minutes conFWith
Land Supervisors
Box 7Form HICOG-8
GSA Sept 49

OFFICE OF THE U.S. HIGH COMMISSIONER FOR GERMANY

OFFICE MEMORANDUM

To: Land Supervisors

Date: February 21, 1950.

From: IESE ML

Subject: Minutes of Meeting with Land Supervisors on February 8, 1950.

Discussion of Final Report and Reports on Types and Value of Restituted Property and Nationality of Restitutees

Mr. Loewenthal explained the use of these reports and gave a detailed explanation of their individual features. He pointed out that Land Supervisors will have to make special efforts to impress restitution authorities with the importance of these reports and closely check on their timely and proper submission. In discussing the reports with restitution authorities special emphasis should be given to the fact that the Final Reports are not new reports, but that they are merely replacing reports at present made by all restitution authorities in accordance with item 6 "Special Reports" of the Key Card. The latter report has been abolished because it is not adoptable to statistical analysis and use by the Central Filing Agency.

Action Record Card System

Mr. Loewenthal described the Action Record Card System as it is now being set up at the Central Filing Agency. He stated that Action Record Cards will be up to date at the end of this month with the exception of final entries which will be completed as the new "Final Reports" reach the Central Filing Agency. When up to date, the Action Record Card System will be used to answer all inquiries regarding the status of claims. Even more important will be its use as a means of controlling the status of cases pending before restitution authorities. In this connection Mr. Loewenthal explained that at the end of each month the Central Filing Agency would submit an analysis for each restitution authority, indicating those cases which had been reported as received by the agency for a considerable time but where no subsequent action with respect to the processing of said cases had been reported. A list of such cases will be submitted to Land Supervisors and is expected to provide a potential source for spot checks in order to determine the efficiency of individual restitution authorities.

JRSC Petitions

With respect to the processing of JRSC petitions Mr. Loewenthal pointed out that the Branch is extremely interested in information concerning the forwarding of said petitions by Land Central Offices to restitution agencies. He indicated that, although Land Central Offices should use their discretion in regulating the flow of petitions to restitution agencies so that restitution

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agencies could keep up with the recording thereof, it is deemed important that JRSO petitions reach restitution agencies as soon as possible. Actually, the Central Filing Agency will have fulfilled its mission only when JRSO petitions now held at Land Central Offices reach restitution agencies. Furthermore, the early receipt by restitution authorities of their total workload will facilitate determination of the extent to which increases in the capacity of agencies are necessary in order to complete their work by 1951. Land Supervisors were therefore advised to closely check the rate at which Land Central Offices were forwarding petitions to restitution agencies with the tentative target that restitution agencies are in receipt of all JRSO petitions stamped by JRSO "Submit to Restitution Agencies" by April 1950.

Investigations

Mr. Laks referred to recent investigations carried out by the Land Supervisors and called attention to the fact that it was necessary for Land Supervisors to furnish comprehensive information, correct in all details, in order to enable this office to formulate appropriate replies to inquiries received. He specifically reminded Land Supervisors that they will be held fully responsible for information submitted to this office, and that said information should be carefully checked by them in order to avoid possible errors. In view of the fact that the reports in question were utilized in replies to Congressmen and other high authorities mistakes could have serious repercussions.

Meeting of December 14, 1949

Referring to the meeting with Heads of Land Central Offices held at Bad Nauheim, Mr. Laks recalled that there were a number of points raised at the meeting in connection with which Land Central Offices were requested to issue certain instructions to restitution authorities. These instructions concern the following points:

1. Completion of registration of petitions received by the restitution agencies.
2. Advising the restitution agencies to review cases carefully where amicable settlements are to be recorded in order to determine whether Law 59 applies.
3. Calling attention of restitution authorities to the fact that the Central Filing Agency is having difficulties in entering action reports because some restitution authorities do not clearly indicate the petition number and because names of restitutees are not properly spelled.

Land Supervisors were requested to follow up the issuing by the Land Central Offices of the instructions in question and to report the result of their findings to this office.

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- 3 -

Monthly Reports

It was agreed that Land Supervisors will submit their monthly reports as of the 25th of each month in order to allow this office sufficient time to prepare its monthly report to the Property Division. In this connection attention was called to the instructions issued by this office asking Land Supervisors to include in their monthly reports information on the settlement of cases involving properties of particular interest. The reporting of items of general interest, of trends and reactions to the Restitution Program in the press, etc. was stressed.

Information Copies from Restitution Authorities

Mr. Laks pointed out that often information copies of instructions, circular letters, etc., issued by Land Central Offices and property control authorities are received by this office from the respective authorities as well as from the Land Supervisors. It was proposed that in order to avoid this duplication such information copies should be forwarded through the offices of the Land Supervisors only, and that Land Supervisors should, if possible, indicate which instructions or circular letters were issued at the request of this office and which were issued on the initiative of the restitution authorities themselves. Furthermore, copies of instructions or circulars pertaining to property control matters are only of interest to this office insofar as G-properties are concerned.

General Claims Law

Land Supervisors were reminded that particular attention should be given to following up the implementation of the General Claims Law and its effect on the disposition of cases filed under MG Law No. 59. Moreover, Land Supervisors were instructed to contact the authorities functioning under the General Claims Law and to inform them that the Property Division is taking an interest in all developments with respect to said Law. These authorities should be requested to submit copies of all implementing regulations, instructions, and circular letters issued in connection with the Law. Such instructions should be submitted in triplicate to the Office of the Land Supervisor which in turn should forward two copies to IRSB. In addition reports on the number and value of claims filed and the number and value of claims settled should be submitted on a current basis. A specific form for these reports is not required and, in order to avoid duplication of work, reports which the General Claims Authorities are presumably forwarding to supervising Land Government Authorities should be utilized whenever possible. Land Supervisors were requested to include this information in their monthly reports.

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Authority MND 968095
 By SOM NARA Date 8/7/00

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- 4 -

Letter of High Commissioner to Minister Presidents

Copies of Mr. McCloy's letter to the Minister Presidents requesting that restitution agencies complete their work by December 1951 and suggesting that the staffs and facilities of the agencies be increased in order to bring about completion of their work by that time were given to the Land Supervisors. Land Supervisors were asked to observe and report in detail on any action taken by the German authorities as a result of the aforementioned letter.

Familiarity of Restitution Authorities with the
Functions and the Personnel of the IRSB

Mr. Loewenthal stated that during his visit of the Wuerzburg Restitution Agency he found that although the officials there knew that the agency was inspected by someone, they did not know which unit was performing the inspections and under which authority such action took place. Land Supervisors were asked to advise restitution agencies of the functions of Property Division and of this office, and to furnish them with the names of the personnel engaged in supervisory activities.

Telephone BAD NAUHEIM 2041
 Ext. 159

IRSB: S. Laks:ew

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Authority MND 968095
By SOM NARA Date 8/7/00RG 466
Entry 160A
File ^{264. Reports, Prop.}
_{Control Statistical}
Box 7

264 REPORTS PROPERTY CONTROL STATISTICAL

OMGMS
RECORD
FILE

THIS FILE IS THE PROP
OF DEPT. OF THE ARMY
LOAN TO HQ ECOM

REVIEWED BY HQ ECOM
SCREENING TEAM

3 March 6

DATE

NATURE

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Authority NND 968095
by SOD MRA Date 8/7/00RG 466
Entry 160A
File 264. Reports, Prop.
Control Statistical
Box 7

E:OD - Mr. F. J. Miller
 ROUGH: E:CAD - Mr. Carl H. Boehringer
 E:CAD - Edmund H. Schwenk

January 23, 1953

**Listing and Evaluating of Properties Located in Western Germany and
 Owned by the Iron Curtain Countries or their Citizens**

Reference is made to our previous memorandum of December 18, 1952 (a copy of which is attached), and the telephone conversation between you, Miss Narimore, and Mr. Schwenk, regarding the above subject.

You may recall that in our memorandum of December 18 we proposed to write to Mr. von der Pfordten and to ask him for a list and evaluation of properties in Western Germany owned by the Iron Curtain countries or their citizens. You may further recall that for certain reasons you did not wish to write to Mr. von der Pfordten and that, instead, you suggested we should encourage the German authorities to obtain the desired information as a matter of their own interest.

When we informed Mr. Loewenthal recently that our efforts to obtain a list and evaluation of the properties in question had failed, he mentioned that he had found property control records containing a list and evaluation of properties held by the Iron Curtain countries or their citizens in 1947. In view of the fact that the 1947 figures would give an indication of the magnitude of the properties involved, we have asked Mr. Loewenthal to submit his information to you.

Enclosure:

Copy of Memorandum
 of December 18, 1952

CC to: E:EDR - Mr. J. C. Renner
 CC:OD - Mr. W. M. Loewenthal ✓

S:CAD:EMSchwenk/il
 Tel. 3996

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AUGUST 1970
by SOTM

NARA Date 8/7/00

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File 264. Reports, Prop.
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Extract from

OMGUS PROPERTY CONTROL STATISTICAL REPORT

SEPTEMBER 30, 1948

	No. of Units	Estimated Value
Czechoslovakia	572	RM 14,682,814
Bulgaria	30	" 944,157
Estonia	8	" 42,110
Hungary	1,652	" 38,136,057
Latvia	10	" 1,648,207
Lithuania	8	" 183,353
Poland	454	" 5,619,601
Roumania	76	" 2,153,305
USSR	111	" 1,026,025
China	11	" 122,589
TOTAL	2,932	RM 64,558,198

OCTOBER 31, 1948

	No. of Units	Estimated Value
Czechoslovakia	1,041	RM 17,916,159
Bulgaria	51	" 945,657
Estonia	8	" 42,110
Hungary	2,342	" 34,765,810
Latvia	10	" 1,648,207
Lithuania	8	" 183,353
Poland	490	" 5,568,798
Roumania	82	" 2,102,735
USSR	150	" 1,114,713
China	13	" 147,005
TOTAL	4,175	RM 64,434,547

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Authority MNO 968095
by SDAI Date 8/7/00Entry 160A
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Control Statistical

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THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

AIR POUCH

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P.C. Report

FOREIGN SERVICE DESPATCH

FROM: AMEMBASSY BONN No. 2149 MAY 29 1957
 TO: The Department of State, Washington May 27, 1957
 REF: Embassy Despatch No. 1957, May 3, 1957

SUBJECT: Monthly Statistical Reports on Restitution and Property Control

The Laender of the former U.S. Zone and Land Berlin (West) have informed us that as of the month of April the Property Control Statistical Report is being submitted by each Land individually. This Report has hitherto been compiled for the Laender of the former U.S. Zone and Berlin (West) by the Zonal German Property Control and Internal Restitution Coordinating Agency, Munich, and submitted to the Embassy in consolidated form. The Agency was abolished as of April 1, 1957. Its principal department, which was the Central Filing Agency (formerly Bad Nauheim), established under U.S. Military Government Law No. 59, has been taken over by the Verwaltungsaamt fuer innere Restitutionsen (Federal Agency for Internal Restitution), Munich Branch. This reorganization was considered justified in view of the revival of the functions of the Central Filing Agency, pursuant to the Federal Restitution Law. This Law would reopen the filing period under Military Government Law No. 59 with respect to monetary claims against the former German Reich and comparable legal entities. The Embassy raised no objection, therefore, to the reorganization and takes the view that it is consistent with the undertaking of the Federal Republic, contained in Chapter Three of the Settlement Convention, Article 2, to entrust a Federal Agency with ensuring the expeditious implementation of the Allied Restitution Laws.

Some of the Laender have also inquired whether it would be agreeable to the Embassy if the Property Control Report should in future be submitted only semi-annually, since the changes in any one month, as at present reported, are insignificant.

The Embassy is aware that the United States Government would be entitled to demand a Property Control Statistical Report in the same form and manner as it has heretofore been submitted, in accordance with Chapter Three of the Settlement Convention and the exchange of letters of October 23, 1954, notwithstanding the abolition of the Property Control

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Control Statistical

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By SOM DRA Date 8/3/60

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Page 2, Despatch 2149
AMEMBASSY BONN
May 27, 1957

Coordinating Agency, Munich, and regardless of our consent to the reorganization of the Central Filing Agency. However, since the property control program is 99.4% completed (percentage of properties) and in view of the minor importance of the property control reports to our residual functions in the field of property control and internal restitution, the Embassy believes that the maintenance of the Property Control Statistical Report no longer serves any useful purpose. We suggest, therefore, that the Property Control Report be discontinued. Specific reports can be prepared at any time as required.

The Department's views would be appreciated.

For the Ambassador:

Elwin O'Shaughnessy
Counselor of Embassy

Distribution:

Mr. O'Shaughnessy	= 1
Mr. Leber	= 3

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ZONAL GERMAN PROPERTY CONTROL AND INTERNAL RESTITUTION COORDINATING AGENCY

4, Dercystr., Munich

PROPERTY CONTROL STATISTICAL REPORT, 31 March 1957

Narrative	Total	Bavaria		Hesse		Wuerttembg.-Bad.		Bremen		US Mission		Berlin		Senate	
	No. of Units	Estimated Value(RM) ^a	No. of Units	Estimated Value(RM) ^a											
Recorded as under Cont'd. 1 March 1957	992	48 364 485	63	2 241 454	189	9 555 831	29	2 181 436	5	1 133 250	2	247 500	704	33 005 014	
Recorded during March 57 as taken into Control:															
Duress Property	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Total	992	48 364 485	63	2 241 454	189	9 555 831	29	2 181 436	5	1 133 250	2	247 500	704	33 005 014	
Releases recorded during March 1957:															
Duress Property (MG Law 59)	28	559 124	4	1 030	4	70 900	3	17 788	--	--	--	--	17	469 406	
Recorded as under Cont'd. 31 March 57:															
Duress Property	927	39 411 521	59	2 240 424	185	9 484 931	26	2 163 648	5	1 133 250	--	--	652	24 389 268	
NSDAP Organizations	3	601 000	--	--	--	--	--	--	--	--	--	--	3	601 000	
Miscellaneous NKVD(53)3 Reichs- naehrstand)	34	7 192 840	--	--	--	--	--	--	2	247 500	32	7 545 340			
Total	158 459	964 47 805 361	59	2 240 424	185	9 484 931	26	2 163 648	5	1 133 250	2	247 500	687 32 535 608		

^a/ These values shown in all schedules are only estimates taken from balance sheets and tax assessments. Since the exact value is not a necessary factor for property control purposes, no attempts has been or will be made to convert these figures into Deutsche Mark values.

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 Date 8/10/60
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PROPERTY CONTROL STATISTICAL REPORT, 31 March 1957

Cumulative Analysis of Properties Released According to Reason for Release from 1 July 1947 to 31 March 1957

(cont'd)

German State Properties used for essential governmental functions

Released to a commission appointed pursuant to an order of the Kommandatura
(Item 200 RCD) to collect loans and mortgages of closed Berlin banks.

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1964 Report of the
Statistical Office

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Aug 2008

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by SOM IARFA Date 8/3/00RG 466
Entry 1604
File 257.1(3250)
Box 6

257.1 JEWISH RESTITUTION SUCCESSOR ORGANISATION (JRSO)

(100)

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Authority MND 968095
by SOM DARA Date 8/7/00RG 466
Entry 1604
File 257.1 (JESO)
Box 6Filip**Gebühren im Equity-V erfahren**

Wert des Objekts oder Vergleichssumme bis DM	Categorie I frühere Eigentümer, Ehemalige Kinder Enkel, Eltern, n. Großeltern und Testamentserben des früheren Eigentümers	Categorie II Geschwister	Categorie III Onkel, Tanten, Neffen, Nichten	Categorie IV übrige gesetzl. Erben (z. B. Schwiegersöhne und Schwiegertöchter, Schwager und Schwagerinnen)
1 000.00	50.00	100.00	150.00	210.00
2 000.00	100.00	200.00	300.00	440.00
3 000.00	150.00	300.00	450.00	690.00
4 000.00	200.00	400.00	600.00	960.00
5 000.00	250.00	500.00	750.00	1 250.00
6 000.00	360.00	660.00	960.00	1 560.00
7 000.00	490.00	840.00	1 190.00	1 890.00
8 000.00	560.00	1 040.00	1 440.00	2 240.00
9 000.00	810.00	1 260.00	1 710.00	2 610.00
10 000.00	1 000.00	1 500.00	2 000.00	3 000.00
<hr/>				
11 000.00	1 155.00	1 705.00	2 255.00	3 355.00
12 000.00	1 320.00	1 920.00	2 520.00	3 720.00
13 000.00	1 495.00	2 145.00	2 795.00	4 095.00
14 000.00	1 680.00	2 380.00	3 080.00	4 480.00
15 000.00	1 875.00	2 625.00	3 375.00	4 874.00
16 000.00	2 080.00	2 880.00	3 680.00	5 280.00
17 000.00	2 295.00	3 145.00	3 995.00	5 695.00
18 000.00	2 520.00	3 420.00	4 320.00	6 120.00
19 000.00	2 755.00	3 705.00	4 655.00	6 555.00
20 000.00	3 000.00	4 000.00	5 000.00	7 000.00
<hr/>				
21 000.00	3 185.00	4 235.00	5 285.00	7 385.00
22 000.00	3 373.32	4 473.32	5 573.32	7 773.32
23 000.00	3 564.99	4 714.99	5 864.99	8 164.99
24 000.00	3 760.00	4 960.00	6 160.00	8 560.00
25 000.00	3 958.30	5 208.30	6 458.30	8 958.30
26 000.00	4 159.98	5 459.98	6 759.98	9 359.98
27 000.00	4 365.00	5 715.00	7 065.00	9 765.00
28 000.00	4 573.28	5 973.28	7 373.28	10 173.28
29 000.00	4 784.97	6 234.97	7 684.97	10 584.97
30 000.00	5 000.00	6 500.00	8 000.00	11 000.00
31 000.00	5 218.26	6 768.26	8 318.26	11 418.26
32 000.00	5 439.96	7 039.96	8 639.96	11 839.96
33 000.00	5 665.00	7 315.00	8 965.00	12 265.00
34 000.00	5 893.24	7 593.24	9 293.24	12 693.24
35 000.00	6 124.95	7 874.95	9 624.95	13 124.95
36 000.00	6 360.00	8 160.00	9 960.00	13 560.00
37 000.00	6 598.22	8 448.22	10 298.22	13 998.22
38 000.00	6 839.94	8 739.94	10 639.94	14 439.94
39 000.00	7 085.00	9 035.00	10 985.00	14 885.00
40 000.00	7 333.20	9 333.20	11 333.20	15 333.20
41 000.00	7 584.93	9 634.93	11 684.93	15 784.93
42 000.00	7 840.00	9 940.00	12 040.00	16 240.00
43 000.00	8 098.18	10 248.18	12 398.18	16 698.18
44 000.00	8 359.92	10 559.92	12 759.92	17 159.92
45 000.00	8 625.00	10 875.00	13 125.00	17 625.00
46 000.00	8 893.16	11 193.16	13 493.16	18 093.16
47 000.00	9 164.91	11 514.91	13 864.91	18 564.91
48 000.00	9 440.00	11 840.00	14 240.00	19 040.00
49 000.00	9 718.14	12 168.14	14 618.14	19 518.14
50 000.00	10 000.00	12 500.00	15 000.00	20 000.00

Über 50 000.00 20% 25% 30% 40%

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Authority
by SODMNND 968095
JARA Date 8/7/00

RG 466

Entry 1604

File 257.1(3850)

Box 6

VERPFLICHTUNGS-ERKLÄRUNG

Im Hinblick auf die von der Jewish Restitution Successor Organization (JRSO) ausgeübte Tätigkeit in der Rückerstattungssache betreffend

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00.005	00.005	00.005	00.005	00.000
00.006	00.006	00.006	00.006	00.000
00.007	00.007	00.007	00.007	00.000
00.008	00.008	00.008	00.008	00.000
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00.011	00.011	00.011	00.011	00.000
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00.015	00.015	00.015	00.015	00.000
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00.069	00.069	00.069	00.069	00.000
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00.074	00.074	00.074	00.074	00.000
00.075	00.075	00.075	00.075	00.000
00.076	00.076	00.076	00.076	00.000
00.077	00.077	00.077	00.077	00.000
00.078	00.078	00.078	00.078	00.000
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00.086	00.086	00.086	00.086	00.000
00.087	00.087	00.087	00.087	00.000
00.088	00.088	00.088	00.088	00.000
00.089	00.089	00.089	00.089	00.000
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00.091	00.091	00.091	00.091	00.000
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00.093	00.093	00.093	00.093	00.000
00.094	00.094	00.094	00.094	00.000
00.095	00.095	00.095	00.095	00.000
00.096	00.096	00.096	00.096	00.000
00.097	00.097	00.097	00.097	00.000
00.098	00.098	00.098	00.098	00.000
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00.159	00.159	00.159	00.159	00.000
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Authority MNI 968095
By. SOM NARA Date 8/7/00

CRITERIA FOR EQUITABLE DETERMINATION OF CLAIMS BY PERSONS WHO LOST THEIR LEGAL RIGHTS BY FAILING TO FILE THEIR PETITIONS FOR RESTITUTION WITHIN THE TIME LIMIT PRESCRIBED BY U.S. MILITARY GOVERNMENT LAW NO. 59

1. The JRSO will grant the claim, without any charge, in every case where the failure to file on time was caused by justifiable reliance upon official Military Government information that no claim was necessary in order to protect the claimant's rights.
2. The JRSO will grant the claim, without any charge, in every case where the name of the Jewish owner was never actually removed from the real estate registry despite the Nazi decree providing for the automatic transfer of title to the Reich and he or his heirs have recovered or can recover the property even though no restitution claim was filed.
3. The JRSO will grant the claim subject to the prescribed charges in the following cases:

Relationship of Claimant to Former Owner	SERVICE CHARGE BASED ON VALUE OF THE PROPERTY				Approx. percentage of claimants Covered
	** See Methods of Computation Against Each Table	TABLE A	TABLE B	TABLE C	
Value up to DM 10,000	DM 10,000 to 20,000	DM 10,000 to 20,000	DM 20,000 to 50,000	Over DM 50,000	
Former Owner, Spouses, Children, Grand-children, Parents or Grand-parents and Testamentary Heirs of the Former Owner	5% to 10%	10% to 15%	15% to 20%	20%	80%
Category (2) Brothers and Sisters	10% to 15%	15% to 20%	20% to 25%	25%	7%
Category (3) Nephews, Nieces, Cousins, Aunts and Uncles	15% to 20%	20% to 25%	25% to 30%	30%	7%
Category (4) Other Heirs (e.g. Sons and Daughters-in-Law, Brothers and Sisters-in-Law)	10% to 25% 25% to 30%	30% to 35%	35% to 40%	40%	6%

** TABLE A - The rate of increase on the charges computed against the total value is -- an additional 1% per thousand DM or part thereof on all amounts from 5000 DM up to 10,000 DM.

TABLE B - The rate of increase on the charges computed against the total value is -- an additional 1/2 of 1% per thousand or part thereof on all amounts from 10,000 DM to 20,000 DM.

TABLE C - The rate of increase on the charges computed against the total value is -- an additional 1/6 of 1% per thousand or part thereof on all amounts from 20,000 DM to 50,000 DM.

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AUGUST MND 968095
By: SOM NARA Date 8/3/00RG 466
Entry 1604
File 257.1(5250)
Box 6

-2-

- (a) Where the JRSO has actually recovered and gives up the property or the proceeds thereof there shall be a surcharge of 10% in addition to the charges indicated above.
- (b) Where the claimant presents persuasive evidence establishing to the satisfaction of the JRSO that he is indigent, all charges can be reduced to as little as 5% where a claim is assigned or 10% where the property itself or its proceeds are given to the claimant.
- (c) Where the amount actually recovered by the claimant is substantially less than the value appraised by the JRSO that shall constitute cause for considering a reasonable rebate on the charges assessed.
4. Where, in the opinion of the JRSO Headquarters Nuernberg, there are facts which indicate that the application of the criteria mentioned above may be inequitable, such cases may be referred to JRSO New York for special consideration.

8 + 10 %

38%

124421

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Authority MNI 968095
 By SOM NARA Date 8/3/00

RG 466
 Entry 1604
 File 257.1(0250)
 Box 6

Spare Copy

GC - Mr. Schwarz

December 31, 1953

GC:OD - Mr. Hulse

JRSO Residual Operations - excluding Claims against the Reich

Attached are five letters to Ben Ferencz which deal with the same general subject. I have been trying for two years to get him to clear up his zonal operation. What's happened is that he reduced his personnel too soon, what remained he sent to Berlin and what he has in the Zone has practically retired. The result is that JRSO has not done its part to liquidate the business. It is not so important that we are annoyed because we are not operational. It is important and unfortunate that the Laender officials are annoyed because it is through them that we have to work.

Last June we had a big to-do in Wuertemberg-Baden which grew out of some irresponsible talk of one of Ben's employees. After we had completed our investigation JRSO apologized to Wuertemberg-Baden and we thought things were taped out for completion. Apparently JRSO lay down beside the tape because six months later - December - there is still a good deal to do.

Hesse's complaints about JRSO are chronic.

It is understandable why Ben has his mind on other things - particularly the things which when settled will mean some money for JRSO. On the other hand, I don't see it is to our national interest to hold the bag.

GC:OD:FGHulse/uk
 Tel. 3247/48

124422

DECLASSIFIED

Authority MNO 968095
by SOD NARA Date 8/21/00RG 466
Entry 160A
File 257.1(5250)
Box 6Comeback copy to
CC: OD:WMLoewenthal
I - 307

AIR MAIL

UNCLASSIFIED

MAR. 19. 1954

WICCE BOSS

2534

March 19, 1954

Dept's A-846, January 21, 1954

Claim for Restitution of Property

The Jewish Restitution Successor Organization (JRSO) reports as follows:

On April 21, 1952, Mr. Charles E. Adler informed JRSO that he was claiming two pieces of property formerly belonging to his father, Mr. Max Adler. Mr. Adler had failed to file a claim within the time and in the manner required by U.S. RG Law 59. Accordingly, such legal rights as he may have had in respect of his father's property were forfeited and JRSO by virtue of its timely filing was entitled to and did prosecute its claim as one for unclaimed Jewish property.

JRSO decided to deal with Mr. Adler's petition under its equity procedure and had considerable correspondence with his representatives in Germany as to the presentation of certificates of inheritance which are a prerequisite for the assignment of JRSO claims or the proceeds thereof. As several letters from JRSO to the law firm representing Mr. Adler remained unanswered JRSO, on December 30, 1953, contacted him directly and gave him a summary of the status of the case. On February 12, 1954, Mr. Adler informed JRSO that his attorneys were no longer representing him and that JRSO should correspond with him directly. On February 19, 1954, JRSO advised Mr. Adler of its preparedness to transfer to him an amount of RS 5,496.15 representing the proceeds from its claim minus 40% for services which JRSO is entitled to deduct under its equity procedure applicable to petitions filed in 1952. By letter dated March 3, 1954, Mr. Adler replied that the fees which JRSO proposed to deduct were too high. As Mr. Adler is a disabled war veteran and has a family to support, JRSO suggested that he apply to the New York office for a reduction of the service charges. JRSO has not as yet heard from its New York office.

Max Loeb
Deputy General Counsel

WMLoewenthal/lw.

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124423

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Authority MNI 968095
By SOM KARA Date 8/7/00RG 466
Entry 1604
File 257.1(3550)
Box 6JEWISH RESTITUTION SUCCESSOR ORGANIZATION
FRANKFURT REGIONAL OFFICE
HeadquartersFRANKFURT/MAIN, July 19, 1954
Grüneburgweg 119
Tel. 22414

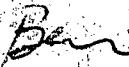
Dr. Werner Loewenthal
Office of the General Counsel
HICOG
Bad Godesberg
Mehlemer Aue I 417

Dear Werner:

The JRSO is now collaborating with a number of social agencies throughout the world in connection with our Board of Equity problems. The agencies are being called upon to certify the financial need of the claimant before his claim can be granted. This test applies only to claims received during 1953 and thereafter.

I am attaching for your information a memo which was recently distributed to the United Service for New Americans, outlining the JRSO equity policy.

Cordially yours,


BENJAMIN B. FERENCZ

BBF/rm

124424

DECLASSIFIED

Authority MNI 968095
By SOM NARA Date 8/7/00RG 466
Entry 1604
File 257.1(3250)
Box 6C
O
P
Y

June 23, 1954

To: United Service for New Americans
 From: Jewish Restitution Successor Organization (JRSO)
 Re: Policy of the Jewish Restitution Successor Organization with regard to "Equity" Claims Submitted by Individuals who failed to file timely Restitution Claims for Property in Germany.

About 2½ years after the end of World War II, U.S. Military Government in Germany enacted a law governing the restitution of identifiable property, which had been confiscated or otherwise spoliated from individuals during the Nazi regime. The law provided that individuals seeking restitution of their property must file their claims with the appropriate agency in Germany no later than December 31, 1948. Failing to do so, these individuals forfeited their legal right to the recovery of this property. In order to avoid that former Jewish property remain in the hands of the German confiscator because the former owner or his heir perished or neglected to file a claim, the restitution law further provided that a successor organization should be entitled to file claims for such heirless and unclaimed property.

Under Military Government Regulation No. 3, the Jewish Restitution Successor Organization was appointed to recover such property formerly belonging to Jewish owners, and to use the proceeds for the relief and rehabilitation, and resettlement of needy Jewish victims of Nazi persecution. It had not been the intention of the authorities, when designating the JRSO, that the JRSO should act as a trustee for the former owners who had failed to file their claims, but rather that the JRSO be a trustee of these funds on behalf of the needy Jewish victims who are the intended beneficiaries. It has been definitively established, by decision of the highest Restitution Court, that former owners who failed to file timely claims entirely lost their legal rights.

The JRSO, on its own accord, shortly after the expiration of the filing deadline, undertook a policy of turning over such claims to the former owners or their heirs, and toward that end obtained the necessary licenses to do so -- inasmuch as this was a utilization of funds not originally provided for in the designation of the JRSO. The JRSO followed this policy for four years after the expiration of the filing deadline in December 1948, thus de facto extending the expiration of the filing deadline for Jewish claimants under the law by four years, a privilege which was not shared by any other group of claimants under the law. Announcements concerning this policy were circulated in order to give claimants an opportunity to come forward. The JRSO has in fact turned over to some 3,000 claimants assets valued at \$3,452,000. All these individuals would not have been able to recover a penny if the JRSO had not filed claims for the properties involved.

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DECLASSIFIED	RG	466
Authority NVO 968095	Entry	1604
By SOM	File	257.1 (JRSO)
NARA Date 8/7/00	Box	6

- 2 -

The JRSO, however, had at all times to consider the fact that its primary responsibility lay with the intended beneficiaries of these funds, and that funds which were turned over to late claimants were in fact diverted from those beneficiaries. Furthermore, the JRSO as a temporary organization, must be in a position to wind up its affairs and distribute its funds within the near future. The Board of Directors of the JRSO, in 1952, therefore took the position that it could not consider requests received from late claimants after December 31, 1952, nearly six years after the promulgation of the law. A notice to this effect was circulated and published prior to that date.

The JRSO has nevertheless taken the position that it would be prepared to give consideration to late claims received after December 1952 in cases where real hardship was demonstrable, where as a matter of fact the claimant himself would well be regarded as a needy victim of Nazi persecution. It is for this purpose that the JRSO is enlisting the assistance of community organizations to obtain full information concerning the financial and social circumstances of post 1952 equity claimants.

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124427