

DECLASSIFIED

Entry NND 760050
JK EARA Date 7/25/46RG 59
Entry DF 1945-49
File 800.515/5-1946
Box 4207

6 parts

PREPARING OFFICE
WILL INDICATE WHETHERPREPARING OFFICE WILL
TYPE HERE CLEARLY THE
CLASSIFICATION OF THE
MESSAGE:

Collect

Charge Department:

SECRET

Charge to:

MAY 21 1946

CIRCULAR TELEGRAM

TELEGRAM SENT

Department of State 5984
Paraphrase before communicating to any Washington

SECRET

(10 am)

TO CERTAIN DIPLOMATIC MISSIONS

Paris Reparation Agreement Art 80 provides that

assets in neutral countries of victims of Nazi action who
 died without heirs shall be contributed to a fund for
 rehabilitation and resettlement of non-repatriable victims
 of Ger action.

Following info urgently needed Paris Emb for meeting
 Inter-governmental Committee on Refugees
 of ~~Committee~~ to be held there beginning May 23:

1. Legal status assets of victims of Nazi action who
 died without heirs;
2. Estimate of amounts involved;
3. Comment as to probable availability such assets for
 non-repatriables.

Lisbon, Madrid, Bern, Stockholm requested to cable reply
 to Paris Emb for Mason soonest possible.

CODE ROOM: Please repeat to:

AMEMBASSY, PARIS

AMEMBASSY, MADRID

AMEMBASSY, LONDON

AMLEGATION, BERN

AMEMBASSY, LISBON

AMLEGATION, STOCKHOLM

ES:GWBaker:bbw

5-20-46

GA Mr. Todd

345654

DIVISION OF
COMMUNICATIONS AND RECORDS
TELEGRAPH BRANCH

DEPARTMENT OF STATE
INCOMING TELEGRAM

ACTION COPY

EMB

Vienna

Action: DC/L

Dated July 27, 1946

Info:

EUR CONFIDENTIAL 0

Rec'd 6:23 p.m. 27th

ITP

ESP Control 8785

OFD

A-C Paraphrase before communicating except to Govt Agencies.

A-H

OCD

FC

SECSTATE

DC/R

1037, July 27, 9 a.m.

FOR TREASURY FROM MARKS

In course of defrosting discussions undertaken pursuant your 544, June 11 to AUSPOLAD, Vienna, Austrians have expressed desire to participate in looted security program outlined your 500, May 21 to AUSPOLAD Vienna. Although Austrian participation in looted security program would appear desirable following complication factors are anticipated.

One. Austria cannot complete lists requested your 500 before end of September.

Two. Austrians inquire whether they should include in looted security lists securities transferred to Reichsbank against payment in reichsmarks under German orders issued immediately after Anschluss. Austria point out that in 38 month interval which elapsed between Anschluss until blocking of Austria's accounts under the executive order many of these securities undoubtedly found their way to international security markets where they were sold to bona fide purchasers.

Your views re Austrian participation in above program and whether securities mentioned in Two should

CONFIDENTIAL 0

be included

JUL 29 1946

300.515/7-22646
CONFIDENTIAL 0

PERMANENT RECORD COPY: THIS COPY MUST BE RETURNED TO DC/R CENTRAL FILES WITH NOTATION OF ACTION TAKEN.

DECLASSIFIED
Authority NND 760050
By WDP NARA Date 7/14/00

RG 59
Entry CDF 1945-49
File 800.515/72646
Box 4212

34565

CONFIDENTIAL O

-2-#1037, July 27, 9 a.m. from Vienna.

be included in looted security lists would be
appreciated.

Inform War.

ERHARDT

DM:EOC

CONFIDENTIAL O

DECLASSIFIED
Authority NND 760050
By WDP NARA Date 7/14/00

RG 59
Entry CDF, 1945-49
File 800.515/72646
Box 4212

345656

6149

TELEGRAM SENT

PREPARED OFFICE WILL INDICATE WHETHER
TYPE HERE CLEARLY THE
CLASSIFICATION OF THE
MESSAGE:

RESTRICTED

Charge Department:

Charge to:

SAC WASHINGTON D.C.
T2-495 RESTRICTED

Washington

AUSPOLAD

VIENNA

Paraphrase before communicating with Government
Agencies
RESTRICTED

787

Ref your 1037 July 27)

AUG 23 1946

8/23

1. Expect all other lists by end Aug. (For Marks from Treas) Accordingly press Austrians for complete lists by that date if at all possible.
- above
2. Advise Austrians/lists should not include securities transferred to Reichsbank under German orders immediately after Anschluss.
3. This instruction refers to Treasury project only and should not be confused with proposal in WARX 90450.

*Clarke
Acting
BB*

CR SR
AUG 23 1946 P.M.

*mailed and acknowledged
with OK F. J.
ES/O. F. J.*

DCR - OFD Unit

Anal W

Rev

Cn

WFB

ES:OFFletcher

8/23/46



RG 59
Entry CDE 1945-49
File 800-515/7266
Box 4212

345657

DECLASSIFIED

Authority NND 760050

By WDP NARA Date 7/14/00

800-515/7-2746 CS/HH

DECLASSIFIED

NND 760050

JK 710700

RG

59

Entry DF 1945-49

File 800.515/9-29-46

Box 4215

PREPARING OFFICE
WILL INDICATE WHETHER

Collect

TELEGRAM SENT

PREPARING OFFICE WILL
TYPE HERE CLEARLY THE
CLASSIFICATION OF THE
MESSAGE

Charge Department: (X)

Charge to TZ-495

RECORDED OCT 1946
a/p~~AMLEGATION,~~
~~EXEMPT~~

VIENNA

878

Paraphrase before commun-
icating 878 to Government
agency

RICTED

Re our cable 500, your 1037, our cable 787 re looted securities program. (To AUSPOLAD from Treas)

Deadline for filing lists extended to Nov 1. Lists must be in Treas hands by that time. If no list received by then it will be assumed no list forthcoming.

In determining what securities to include in list, your attention is directed to our cable 500 which deals with securities looted by the enemy. Attention should also be called to declaration of Jan 5, 1943 by US, UK, Russia, etc. re forced transfers property in enemy controlled territory in which these countries warned all concerned of intention to do utmost to defeat methods of dispossession practiced by Govts with which they were at war. Lists of securities looted by enemies should be compiled only in accordance principle of this declaration.

This cable cleared with Marks.

This instruction refers to Treasury project only and should not be confused with proposal in WARP 90450.

CLAYTON (ACTING)

GA

ES:GWBaker:vc

9-26-46

345658

DECLASSIFIED

NND 760050
JK 7105700

RG	59
Entry	DF 1945-49
File	800.515/9-29-46
Box	4215

PREPARING OFFICE
WILL INDICATE WHETHER
CollectPREPARING OFFICE WILL
TYPE HERE CLEARLY THE
CLASSIFICATION OF THE
MESSAGE:

OUTGOING TELEGRAM

Charge Department:

Washington

SECRET

Charge to:

Paraphrase before commun-
ting to anyone.5332
OCT 18 1946

ALLEGATION,

SECRET

938

300.515/0-3046

Brit proposal which has now been transmitted to Dept is somewhat different from that originally discussed (Reurteil 1294, Sep 30). Brit propose to support third Restitution Law in AC and at the same time to suggest that each power put forward in AC a list of German assets in its zone. These lists would be studied and property agreed as German would be notified to the Austrian Govt as being outside the scope of the Restitution Law. All cases on which agreement could not be reached in AC in three months would be referred to CFM for decision after indicating no objection in principle to Brit proposal. Dept reply suggests tripartite conversations in Vienna to discuss (1) position of three powers on Restitution Law, (2) formulation of tripartite definition of German assets and implementation relative to Restitution Law, (3) consideration as to when and how Brit proposal should be used. War Dept has sent similar cable to USA.

Sent Vienna, repeated to Paris for ~~SEDEL~~ as Dept's 5621.

CS/V

DISTRIBUTION
DESIRED
(OFFICES ONLY)CODE ROOM: Pls repeat to AMEMBASSY, PARIS for ~~SEDEL~~

CER
CA: CER Rogers:est
10/14/46

CE

Bynes
Ackerson (JCW)

5621

CP

SEP 18 P.M.

Re

Dist

Confidential File

DECLASSIFIED

Entry NND 760050
 JK ESSA 0 7125700

RG 59
 Entry D F 1945-49
 File 800.515/146-47
 Box 4222

DIVISION OF
 COMMUNICATIONS AND RECORDS
 TELEGRAPH BRANCH

INFORMATION
 COPY

DEPARTMENT OF STATE

RECEIVED
INCOMING TELEGRAM

1947 JAN 17 PM 4 37

CONFIDENTIAL

15

Action: ESP

DC/R
RECORDS BRANCH

Control 4967

Info :

Rec'd January 17, 1947
12:04 p.m.

S

U

U-E

A-N

A-H/R

EUR

OCD

DC/L

ITP

OFD

SPD

FC

OIC

CIG

DC/R

FROM: Paris via War

TO: Secretary of State

NO: 220, January 17, 5 p.m.

800.515/11-1446

Perier of Foreign Office has informed Embassy that agreement has been reached among different French agencies regarding official reply to Embassy's note transmitting contents Department's 6003, November 14, Noon. He said that reply would contain following French position:

One. Disposition non-monetary gold found in Austria must be made as part of general settlement of Austrian problem rather than by extension of Paris reparation agreement which was concerned with Germany.

Two. Proposal to include valuables other than gold as being available to Inter-Governmental Committee on Refugees could not be implemented at the moment in view of fact that French Government is making proposal to Allied Control Council for a two-year period of grace during which owners may attempt to identify such valuables.

Three. Proposal for use of some non-monetary gold as token payments to families of French citizens killed in Germany.

Repeated to London as No. 38.

CAFFERY

RB:EG

POB OFD On

CONFIDENTIAL

Anal.

Rev.

Var.

Dist.

345660

DECLASSIFIED

Entry NND 760050

JK 7/25/40

RG

59

Entry D F 1945-49

File 800.515/1-16-47

Box 4222

DO NOT DETACH FROM WHITE COPY

FILE NO.

800.515/1-1747

MC.

R E C O R D C O P Y

THE ATTACHED WHITE COPY OF A TELEGRAM OR AIRGRAM HAS BEEN DESIGNATED THE RECORD COPY TO REPLACE THE YELLOW ACTION COPY WHICH WAS NOT RETURNED TO THE CENTRAL RECORDS BY THE ACTION OFFICE.

THE COPY MUST BE RETURNED TO DC/R FOR FILING.

- 0 -

MAY 1 - 1947

CENSUS

345661

DECLASSIFIED
Authority NND 760050
By EK NAPA Date 7/8

RG 59
Entry Dec-Files 1945-49
File 800.515/6-12418
Box 8-1948
4246

DEPARTMENT OF STATE

FOR THE PRESS

APRIL 4, 1947
NO. 284

AUSTRIAN RESTITUTION LAWS

During the period from September 14, 1946, to March 28, 1947, the Government of Austria has put into effect three laws dealing with the restitution of property which, in connection with the National Socialist assumption of power, was taken away from its owners after March 13, 1938 for so-called racial, national or other reasons, either arbitrarily or on the basis of laws or other regulations.

The First Restitution Law covers property presently subject to administration by the Federal or State governments of Austria (as trustee for the former German authorities). The Second Restitution Law covers property where title has passed to the Federal Government of Austria. The Third Restitution Law covers all other cases where property has been taken away, except:

1. claims of employees,
2. claims of lessees of apartments and business premises and small produce gardens,
3. claims based on the confiscation or the prevention of the exercise of patent rights, or other commercial protection rights, or other intangible property rights,
4. claims based on public law which fall within the competence of the administration authorities.

It is expected that special legislation will regulate these claims.

Under all three laws claims may be filed for restitution by the original owners of the property. If the original owner shall have died, the spouse, parents, children, brothers and sisters, and nephews and nieces may file claim if the estate has been probated. Failing these heirs, other heirs at law may make claim if they had been a part of the decedent's household. Where the estate is in probate the executor or administrator may file claim.

Claims under the First and Second Restitution Laws should be filed with the Finanzlandesdirektion for property located within the particular Finanzlandesdirektion District. Where property is located within more than one such District, or if the claimant is unable to determine in which Finanzlandesdirektion his property is located, the Austrian Federal Ministry for Safeguarding Property and Economic Planning (Fondsministerium für Vermögenssicherung und Wirtschaftsplanning) has agreed to receive claims for forwarding to the competent Finanzlandesdirektion. However, it is desirable that as far as possible claims be filed directly with the competent Finanzlandesdirektion in order to avoid extra handling and delay.

Claims under the Third Restitution Law should be filed with the appropriate Restitution Commission (Rückstellungs-komission). A Restitution Commission will be established at each Landesgericht (Provincial Court) having jurisdiction in civil law matters. Its competence will extend throughout the Federal Land in which the Landesgericht is located. For Vienna, Lower Austria and the Burgenland the Restitution Commission

345662

DECLASSIFIED

Authority NND 760050
by EK NARA Date 7/18

RG

Entry 59
Dec-Files
File 800-51576-248
Box 4246

-2-

will be established at the court for civil matters, Vienna. The jurisdiction of the Commission at the Landesgericht Linz-Nord will cover the district of that court.

Claims may be filed by an attorney in fact. The power-of-attorney must be executed subsequent to April 27, 1945. It should be notarized and sent with county clerk's certificate to the Legation of Austria, Washington, D. C., for authentication. Unauthenticated powers-of-attorney will not be recognized as valid by the authorities in Austria.

Because of the technical nature of these laws, and because it is the responsibility of the individual claimant to determine under which law his claim should be filed, it would appear desirable that a competent Austrian attorney be empowered to act as attorney in fact. There is on file with the Department of State a complete list of attorneys who have been approved by the Bar Associations of Vienna, Graz, Linz, Salzburg, Klagenfurt, Innsbruck, and Feldkirch.

Neither the Department of State nor, it is understood, the Legation of Austria in Washington is equipped to be of any assistance in the interpretation of these laws or in the filing of the claims. The American Legation at Vienna, likewise, is in no position to file claims or to interpret the restitution laws. However, the American Legation in Vienna will render every possible facility and assistance to the designated agents in Austria of American citizens. These representatives may call upon the Legation to obtain documents which have heretofore been filed by prospective claimants. In addition, the Legation will send to applicants copies of memoranda prepared by the Austrian Ministry for Safeguarding Property and Economic Planning concerning the method of filing restitution claims under these laws.

It should be clearly understood by persons having claims, that any previous filing of papers with the Department of State or the American Legation in Vienna does not constitute a proper filing for the purposes of obtaining restitution under the Austrian laws. Nor does the filing of forms TFR 500 with the U. S. Treasury Department constitute filing of claim. Furthermore, persons who have merely reported to the Austrian Government, under the Austrian Government, under the Austrian law of May 10, 1945, as amended, the fact that property has been taken away from them, should not regard these statements as proper claims. Claims can be filed only in the form provided for by each particular restitution law.

It should also be noted that the claims together with all their supporting documents must be in the German language.

Claims under the First Restitution Law should be filed before September 14, 1947. Claims filed under the other two laws should be filed within one year after the date of their enactment, or March 28, 1947.

* * *

345663

DECLASSIFIED
Authority NWD 760050
By EK NARA Date 7/8

RG 59
Entry Dec-Files 1945-49
File 800.515/4-2447
Box 4226

Form DS

DIVISION OF
COMMUNICATIONS AND RECORDS
TELEGRAPH BRANCH

DEPARTMENT OF STATE

INCOMING TELEGRAM

File 100
ON ACTION COPYAction on this was
Apr 22 2023 London
n/a 18

File 100

Tel

13

Out

CONFIDENTIAL

7-N

Action: ESR

Info:

S/S

UE

A-H

EUR

LE

FROM: Moscow

OCCD

CIG

DC/L

ITP

OMD

PC

DC/R

TO: Secretary of State

NO: 1547, April 24, 1 a.m.

Control 7673

Rec'd April 25, 1949
6:10 a.m.

DEPT OF STATE

DEPARTMENT OF STATE

APR 25 1949

APR 2 1949

DELSEC 1471

Regret conclusion conference and departure Playfair,
British Treasury, Schweitzer French Treasury make ~~drable~~
form commitments requested by your telegram 1040
(repeated London 1776, Berlin 871, Paris 1479, Vienna
263) Impossible.

Your explanation relation of valuables to non-monetary
gold should be helpful to Paris and London in pressing
for definitive answer to November 20 notes and parallel
instructions by French and British to Berlin where action
can be taken.

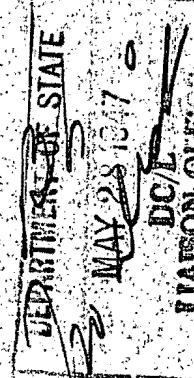
FOR your information, following formula of non-monetary
gold in Austria has been agreed among British, French and
US, subject to interpretation appended:

"Non-monetary gold and other valuables looted from per-
sons in concentration camps whose owners cannot be traced
in Austria.

"Proposed formula:

"Whether or not we get a treaty at this session, such
valuables which are in the hands of the Austrian Govern-
ment should be treated in accordance with the provisions
of Article 44 (2), whose text has now been agreed.

"If we



MAY 26 1949
FILED
H

CONFIDENTIAL

PERMANENT RECORD COPY: THIS COPY MUST BE RETURNED TO DC/R CENTRAL FILES WITH
NOTATION OF ACTION TAKEN.

345664

DECLASSIFIED

Authority NND 760050

RG 59

By EK NARA Date 7/8

Entry Dec-Feb 1945-49

File 800.515/4-2407

Box 4226

CONFIDENTIAL

-2-#1547, April 24, 1 a.m., from Moscow.

"If we do get a treaty, our three governments should attempt to get the agreement of the Russian and Austrian Governments, under Article 44 (2) to the disposition of these articles in the same way as such articles found in Germany are being disposed of."

"If we do not get a treaty, we should consider after our departure whether the ACA can bring about similar action in advance of the conclusion of a treaty."

"As regards such assets which are in the hands of the Allied authorities, we need not regard Article 44 (2)."

"We should therefore decide among ourselves, without any formal agreement or announcement, to dispose of them as soon as we can in the same way that we propose to dispose of similar assets in Germany."

Interpretation of "in hands of occupation authorities" should not be taken literally and non-monetary gold in hands of such authorities may be disposed of through Article 44 (2), which is agreed in draft treaty with Austria, in cases where gold was purely Austrian in origin or where some understanding existed over such gold between Austrian Government and occupation authorities.

SECRET fails to see force of Department's contention that Article 44(2) of Austrian draft treaty should not be applied to non-monetary gold in Austrian Government hands. Cooperation of Austrian Government in disposition other property and assets under Article 44 (2) might be jeopardized by arbitrary action.

Sent Department 1547; London 188; Berlin 333.

Department please pass to Paris as 177; Vienna as 58.

SMITH

Note: Repeated to Paris and Vienna 8 a.m. 4/25/47 (CWO-NPL)

WMB:GEN

CONFIDENTIAL

345665

DECLASSIFIED
Authority NND 760050
By EK NARA Date 7/8

RG 59
Entry Dec-Files 1945-49
File 800.515k 447
Box 4230

Pet. to file of A-H

INCOMING TELEGRAM

DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

TELEGRAPH BRANCH

CONFIDENTIAL

Action: ESP

Info:

UE

A-H —

A-H/R

EUR

LE

SPA

GOD

CIG

DC/L

OPD

FC

DC/R

FROM: London

TO: Secretary of State

NO: 3081, June 5, 6 p.m.

Reference DEPTEL 2023 of May 8; Paris 1695; Brussels for Dorr 648; Berlin 1012 and Vienna as 304 on the question of disposition of non-monetary gold and other assets in Germany and Austria.

Following is text of letter from refugee department Foreign Office dated May 31, but received only today, giving Foreign Office views on subject.

"One. Thank you for your letter of 14 May about the disposal of non-monetary gold in Austria.

"Two. While we are in general agreement with the proposals contained therein we think that it would be better if these funds could be made available to ITO unconditionally at this critical juncture in refugee affairs, such a windfall would, we think, prove far more valuable than if it were disposed of in the same manner as non-monetary gold found in Germany.

"Three. We believe that the French Government may also be inclined to adopt this view and are asking our Embassy at Paris to ascertain whether this is the case."

In connection with above letter an official in refugee department explained to us orally today that Foreign Office felt it would be preferable if these funds can be made available to IRO without there being applied to them the conditions and restrictions set out in the Five-Power agreement for the implementation of Article 8 of the Paris reparations agreement.

Sent Department as 3081; repeated Paris as 309; repeated Brussels 52; Berlin 298; Vienna 83.

DOUGLAS

DM:RB

CONFIDENTIAL

INFORMATION COPY

345666

DECLASSIFIED

RG

59

Authority NND 760050

Entry

Dec-Files
1945-49

by EK-NARA Date 7/8

File

800.515/b-447

Box

9230

FORM DS-322
7-18-46

OUTGOING TELEGRAM

CLASSIFICATION

NOT COLLECT

Collect

Charge Department:

Charge to:

US URGENT

Department of State

CONFIDENTIAL

CONFIDENTIAL

3080

AMEMBASSY

JUN 12 1947

LONDON

2538

800.515/b-5-47

6 pm

Pls communicate substance following to FonOff (reurltel 3081 June 5, rptd to Paris 309, Brussels 52, Berlin 298, Vienna 83).

Govt has noted FonOff suggestion that non-mon gold and other valuables found in Austria, as distinguished fr Germany, be made available unconditionally to IRO. While entirely sympathetic to making the largest possible amounts available IRO, this Govt considers that proposal not (rpt not) acceptable. The considerations which governed Five Power Agreement June 14, 1946, are believed fully applicable Austria as well as Germany.

Designation Jewish organizations to receive 90% proceeds was based on conclusion that great majority eligible persons under Art 8 were Jewish and also fact that most of property in question, that is, valuable's looted fr Nazi victims not restitutable, formerly belonged to Jews. This true not only of concentration camp caches

in Germany, but is particularly true with respect property found by US Forces in Austria. Disposition this property first brought to the attention US Govt by Jewish organizations and ~~in view~~ known Jewish origin, this Govt cld not without bad faith dispose of other than substantially to them. Available ~~info~~ info

DISTRIBUTION DESIRED
(OFFICES ONLY)

CR/CLEARANCE

OCH-OFD UNIT

Anal.

indicates

800.515/b-5-47

800.515/b-5-47

DECLASSIFIED

Anthony NND 760050
by EK NARA Date 7/8

RG

59

Entry

Dec-Files
1945-49

File 800515/6-447

Box 9230

FORM DS-322
7-16-46

CLASSIFICATION

INDICATE

Collect

Charge Department:

Charge to

OUTGOING TELEGRAM

Department of State

CONFIDENTIAL

Washington

-2-

indicates same origin for property held by Fr forces Austria.

Origin property seized by Brit is unknown.

Assumed fr tels of FonOff letter May 31 that it is not proposed make distinction between gold and other valuables. In view similarity origin and considerations administrative convenience, this Govt wld consider such distinction most unfortunate.

In view foregoing considerations this Govt earnestly hopes that FonOff will see fit concur view this Govt that policies and procedures determined for disposition non-mon gold found in Germany shld apply as well as to non-mon gold and other valuables found in Germany and Austria.

Failure Brit and Fr agree will mean different policies inasmuch as US is already committed and deliveries already being made IGC Reps for non-repatriable fund.

Dept again requests advice re concrete steps being taken

by Brit and Fr govts to implement agreement reached at Moscow.

CODE ROOM: Repeat to Paris as 2144, Brussels ⁴⁸³⁷ Marshall
Berlin as 1247, Vienna as 418. (CPIC)

SA: JATodd:mlg
AH: NHemmendinger

ES

WE BC

WU

H-H

CR CLEARANCE

OR

JUN 12 347 P.M.

* U. S. GOVERNMENT PRINTING OFFICE - 1946 - 714456

345668

DECLASSIFIED

Anthony NND 760050
by EK NARA Date 7/8

RG

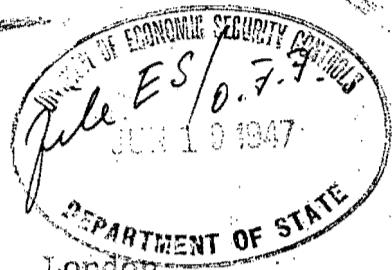
59
Entry Dec-Files
1945-49File 800.515/6-1447
Box 9230DIVISION OF
COMMUNICATIONS AND RECORDS
TELEGRAPH BRANCHDEPARTMENT OF STATE
INCOMING TELEGRAM

ACTION COPY

8

SECRET

Action: ESP
 Info:
 U-E
 A-H
 A-H/R
 EUR
 LE
 OCD
 CIG
 DC/L
 ITP
 OFD
 FC
 CIC
 DC/R



FROM: London
 TO: Secretary of State
 NO: 3331, June 18, 5 p.m.

Control 6094

Rec'd June 18, 1947
10:35 a.m.

file
Albert
7/1/47
J. A. S.
800.515/6-547

Following is text of letter from Foreign Office dated June 13 with further reference to the subject of non-monetary gold in Austria. (REFEMBTEL 308) of June 5; repeated Paris as 309, Brussels as 52, Berlin as 298 and Vienna as 83.)

"Please refer to my letter (WR 1866/115/48) of 31st May about non-monetary gold in Austria.

You may be aware that one of the problems with which we have had to deal in connection with this matter is that of finding a suitable definition of what constitutes 'non-monetary gold'. This matter was mentioned in the enclosure to Coville's letter to Stevens of the 21st November last and was raised again during the discussions which took place in Moscow in April between Messrs Playfair, Kindelberger and Schweitzer.

We are proposing in our zone to use the following definition: 'Non-monetary gold means all unidentifiable articles of intrinsic value looted from persons confined by the Nazis in concentration camps'.

We are asking our Embassy in Paris to let the French Govt know our decision."

Sent Dept 3331, Paris 339, Brussels 56, Berlin 318 and Vienna 86.

GAILMAN

DEPARTMENT OF STATE

JUN 19 1947

JUL 8 1947

EJH:PAE

SECRET

PERMANENT RECORD COPY: THIS COPY MUST BE RETURNED TO DC/R CENTRAL FILES WITH NOTATION OF ACTION TAKEN.

800.515/6-1847

SECRET FILE
FILED

345669

RG 59
Entry Central Decimal File
File 1945-1949
Box 4246 800.515/6-1208-
800.515/6-188

DEPARTMENT OF STATE

FOR THE PRESS

MARCH 5, 1948
NO. 168

EXTEND TIME LIMIT ON CLAIMS IN AUSTRIA

The Department of State has been informed that the time limit for filing claims under the First, Second and Third Restitution Laws in Austria is being extended to December 31, 1948. Until this extension the time limit for such filing under the three restitution laws was set for the end of March 1948. Claimants will now have an additional nine months in which to file their claims.

On April 4, 1947, the Department of State announced the restitution program which the Austrian Government put into effect. At that time it was stated that claimants should deal directly with the appropriate Austrian authorities. If the claimant is unable to determine with which authorities to file, claims, together with supporting documents in the German language, may be sent to the Austrian Federal Ministry for Safeguarding Property and Economic Planning (Bundesministerium fuer Vermoegenssicherung und Wirtschaftsplanung) in Vienna.

According to recent information from Vienna, the implementation of the restitution program has been progressing in a satisfactory manner. Statistics submitted by the Austrian Government indicate, however, that all claims may not have been presented. The Department of State urges, therefore, that all persons who have claims falling within the purview of the first, second and third restitution laws file them before December 31, 1948.

* * *

345670

DECLASSIFIED

Anthony NND 760050
by EK NARA Date 7/8RG 59
Entry DEC-FILES
File 800-515/6-12-48
Box 4246DEPARTMENT OF STATE
FOR THE PRESSMARCH 5, 1948
NO. 168

EXTEND TIME LIMIT ON CLAIMS IN AUSTRIA

The Department of State has been informed that the time limit for filing claims under the First, Second and Third Restitution Laws in Austria is being extended to December 31, 1948. Until this extension the time limit for such filing under the three restitution laws was set for the end of March 1948. Claimants will now have an additional nine months in which to file their claims.

On April 4, 1947, the Department of State announced the restitution program which the Austrian Government put into effect. At that time it was stated that claimants should deal directly with the appropriate Austrian authorities. If the claimant is unable to determine with which authorities to file claims, together with supporting documents in the German language, may be sent to the Austrian Federal Ministry for Safeguarding Property and Economic Planning (Bundesministerium fuer Vermoegenssicherung und Wirtschaftsplanung) in Vienna.

According to recent information from Vienna, the implementation of the restitution program has been progressing in a satisfactory manner. Statistics submitted by the Austrian Government indicate, however, that all claims may not have been presented. The Department of State urges, therefore, that all persons who have claims falling within the purview of the first, second and third restitution laws file them before December 31, 1948.

345671

DECLASSIFIED

Authority NND 760050
21 EK NARA Date 7/8

RG 59

Entry DEC FILES
1945-49File 800.515/4-148
4-698

Box 4244

345672

Alphonse Weiss
Reply accepted

4/27/48

CJC

Taylor

DOF

SAC

THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

DIVISION OF OCCUPIED AREAS

AMERICAN LEGATION

NO. 292

CONFIDENTIAL

APR 29 1948 Budapest, Hungary, April 14, 1948

12 APR 1948 DEPARTMENT OF STATE

SUBJECT: Transmission of Documents Proving Ownership
of Certain Assets in Austria by the Manfred Weiss Family

The American Minister at Budapest has the honor to forward herewith for transmission to Mr. A. Weiss, Room 2213, 61 Broadway, New York 6, N.Y., a letter, together with its four enclosures, concerning certain machines and assets of the Manfred Weiss concern, which were transported by the Nazis to Austria during the war.

These documents are required in order to prove that the shares issued by this company are owned by members of the Manfred Weiss family. This proof is called for in connection with an agreement, which the representatives of the Manfred Weiss family plan to make with the Hungarian Government, on behalf of the members of the Manfred Weiss family, whereby the Manfred Weiss family agrees, that the assets of the Manfred Weiss concern in Austria may be repatriated, subject to the approval of the competent American authorities. In return, the Hungarian Government is to promise that protection will be given to certain property of the Manfred Weiss family in Hungary and that they will be given title to various assets held abroad by the Manfred Weiss concern.

It is claimed by the attorneys of the Manfred Weiss family, that it is not actually their intention to facilitate the restitution of their assets from Austria, but rather that they hope, merely by signing the agreement, to obtain the advantages which the Hungarian Government would promise.

The Legation informed a representative of the lawyers, that, in as much as the restitution of Hungarian assets from Austria has now been suspended, and as this will soon become known to the Hungarian Government, they should reconsider whether it would be advantageous for the family to make this agreement, especially as it may be prejudicial to their position in respect to the treatment of their assets by the American authorities in Austria.

Enclosure:

with orig

A letter, dated March 26, 1948, to Mr. A. Weiss,
New York, with its four enclosures - in original.

File: 711.9

H. Lewis:ve

In regard to the Department

CONFIDENTIAL

MAY 1 1948 FILED

FD-36 (Rev. 1-25-48)

MAY 1 1948 FILED

MAY 1 1948 FILED

300.515/4-148

CS/V

300.515/4-148

DECLASSIFIED

Authority NND 760050
by EK NARA Date 7/8RG 59
Entry Dec - Files
File 800.85/4-678
Box 4344S-6
S-NRMEMORANDUM

Certain machines and assets of the Manfred Weiss concern have been transported by the Nazis during the war to Austria. They are registered as Hungarian assets in the U.S. zone.

Agreement has been concluded between the Hungarian Government and the members of the Manfred Weiss family as sole beneficial owners of the entire share capital of all companies forming the Manfred Weiss concern, concerning the repatriation of a certain part of these assets subject to the approval of the competent U.S. authorities.

The members of the Manfred Weiss family being obliged to prove their ownership of the shares issued by the above mentioned companies, their authorized representatives send the enclosed documents for this purpose to Mr. Alfons Weiss to New York.

Budapest, 26 March, 1948.

345673

RG 59

Entry Central Decimal File
 File 1945-1949
 Box 4246 800.515/6-1248-
 800.515/6-1248

ACTION
 is assigned to

EP

6A-156

~~AMM~~

EP

Kauf

Hermine Loewy
 130 So. 9th str/
 Brooklyn 11, NY.

June 15, 1946

To the State Department
 Washington, DC.

Gentlemen:

I have read in the papers of the sale of looted Jewish property in Germany and Austria and of the desire of this Government to render the proceeds to victims of the Nazi rule in the both countries.

I am 75 years old and have entered this country in March 1946 as an refugee and have applied for citizenship. I have already the first papers and I hope I will take out my citizenship papers in proper time. Naturally I have no means to live any more and I am supported by my childrens. I have lost my real estate and all my belongings in Austria from the hands of the Nazis and have on hand enough proof that everything was taken from my house what had any value.

I have original papers in my possession showing that valuable jewelry and genuine carpets were sold by the Nazis against my will and without giving me even a penny from the proceedings.

The papers I am willing to show contain a long list of valuable items and were appraised by a official appraiser. Despite this appraisal was made very low. I estimate the value of my looted goods with \$7.500.00.

I am always ready to show legal proof for my cause.

I shall appreciate it, if you would consider my request as founded and would transfer it to the proper office for consideration.

In this hope, I remain

Very truly yours:

Hermine Loewy

Hermine Loewy.

DIVISION OF OCCUPIED AREAS
 ECONOMIC AFFAIRS

JUN 21 1948

DEPARTMENT OF STATE

To EP - Mr Kauf
 for action

6-22-48

M. Kaufman

DCR - CLAIMS UNIT

JUN 14 1948

FILED

CS/A

345674

RG 59
 Entry Central Decimal File
 File 1945-1949
 Box 4246 800.515/6-1548-
 800.515/6-1548

JUL 9 1948

In reply refer to
 800.515/6-1548

My dear Mrs. Loewy:

The Department acknowledges receipt of your letter of June 15 with reference to the sale of Nazi loot in this country. The property in question was turned over to the Preparatory Commission of the International Refugee Organization, a United Nations agency of which this country is a member, and the proceeds from the sale thereof are to be used for the resettlement and rehabilitation of the nonrepatriable victims of Nazi persecution. Prior to the transfer of this loot to the Preparatory Commission of the International Refugee Organization it had been determined on the basis of extensive investigation that no item in this collection could be identified as to owner. Under the circumstances the Department regrets to advise you that there was no possibility that any part of this property could have been identified as being yours.

With the thought that you may not be familiar with the procedure for the restitution of such of your property as remains in Austria, there are enclosed herewith for your information the Department's Press Release No. 284 of April 4, 1947, and No. 169 of March 5, 1948.

Sincerely yours,

Covey T. Oliver

Acting Chief

Division of Economic Property Policy

Mrs. Hermine Loewy,
 130 South 9th Street,
 Brooklyn 11, New York

JUL 9 1948

OKW
EP:AFK:efef:omb

7/1/48

PW
SA-M

MC
PL

800.515/6-1548

CS/V

800.515/6-1548

345675

RG 59

Entry Central Decimal File
 File 1945-1949
 Box 4246 800.515/6-1298-
 800.515/6-1848

DEPARTMENT OF STATE

FOR THE PRESS

APRIL 4, 1947
NO. 284

AUSTRIAN RESTITUTION LAWS

During the period from September 14, 1946, to March 28, 1947, the Government of Austria has put into effect three laws dealing with the restitution of property which, in connection with the National Socialist assumption of power, was taken away from its owners after March 13, 1938 for so-called racial, national or other reasons, either arbitrarily or on the basis of laws or other regulations.

The First Restitution Law covers property presently subject to administration by the Federal or State governments of Austria (as trustee for the former German authorities). The Second Restitution Law covers property where title has passed to the Federal Government of Austria. The Third Restitution Law covers all other cases where property has been taken away, except:

1. claims of employees,
2. claims of lessees of apartments and business premises and small produce gardens,
3. claims based on the confiscation or the prevention of the exercise of patent rights, or other commercial protection rights, or other intangible property rights,
4. claims based on public law which fall within the competence of the administration authorities.

It is expected that special legislation will regulate these claims.

Under all three laws claims may be filed for restitution by the original owners of the property. If the original owner shall have died, the spouse, parents, children, brothers and sisters, and nephews and nieces may file claim if the estate has been probated. Failing these heirs, other heirs at law may make claim if they had been a part of the decedent's household. Where the estate is in probate the executor or administrator may file claim.

Claims under the First and Second Restitution Laws should be filed with the Finanzlandesdirektion for property located within the particular Finanzlandesdirektion District. Where property is located within more than one such District, or if the claimant is unable to determine in which Finanzlandesdirektion his property is located, the Austrian Federal Ministry for Safeguarding Property and Economic Planning (Fondsministerium fuer Vermoegenssicherung und Wirtschaftsplanung) has agreed to receive claims for forwarding to the competent Finanzlandesdirektion. However, it is desirable that as far as possible claims be filed directly with the competent Finanzlandesdirektion in order to avoid extra handling and delay.

Claims under the Third Restitution Law should be filed with the appropriate Restitution Commission (Ruckstellungs-komission). A Restitution Commission will be established at each Landesgericht (Provincial Court) having jurisdiction in civil law matters. Its competence will extend throughout the Federal Land in which the Landesgericht is located. For Vienna, Lower Austria and the Burgenland the Restitution Commission

345676

DECLASSIFIED

Authority NND 760050
By EK NAPA Date 7/8

RG

59
Entry Dec-Files 1945-49
File 800.515/6-0418
Box 4246ACTION
is assigned to

P.L.

GA-150

M

EP

Kauf

Hermine Loewy
130 So. 9th str/
Brooklyn 11, NY.

June 15., 1948

To the State Department
Washington, DC.

Gentlemen:

I have read in the papers of the sale of looted Jewish property in Germany and Austria and of the desire of this Government to render the proceeds to victims of the Nazi rule in the both countries.

I am 75 years old and have entered this country in March 1946 as an refugee and have applied for citizenship. I have already the first papers and I hope I will take out my citizenship papers in proper time. Naturally I have no means to live any more and I am supported by my childrens. I have lost my real estate and all my belongings in Austria from the hands of the Nazis and have on hand enough proof that everything was taken from my house what had any value.

I have original papers in my possession showing that valuable jewelry and genuine carpets were sold by the Nazis against my will and without giving me even a penny from the proceedings.

The papers I am willing to show contain a long list of valuable items and were appraised by a official appraiser. Despite this appraisal was made very low I estimate the value of my looted goods with \$17.500.00.

I am always ready to show legal proof for my cause.

I shall appreciate it, if you would consider my request as founded and would transfer it to the proper office for consideration.

In this hope ,I remain

Very truly yours:

Hermine Loewy
n.c.f.

Hermine Loewy.

DIVISION OF OCCUPIED AREAS
ECONOMIC AFFAIRS
JUN 21 1948

DEPARTMENT OF STATE

To EP - Mr Kipf
1st action

6-22-48

m. Karush

DCR - CLAIMS UNIT

J.P.

U/I 1 1 1948

FILED

C/S/A

345677

DECLASSIFIED

Authority NND 760050
by EK NARA Date 7/8

RG 59

Entry Dec-Files 1945-49

File 800.515/6-1548
8-10 48

Box 4246

JUL 9 1948

In reply refer to
800.515/6-1548

800.515/6-1548

My dear Mrs. Loesky:

The Department acknowledges receipt of your letter of June 15 with reference to the sale of Nazi loot in this country. The property in question was turned over to the Preparatory Commission of the International Refugee Organization, a United Nations agency of which this country is a member, and the proceeds from the sale thereof are to be used for the resettlement and rehabilitation of the nonrepatriable victims of Nazi persecution. Prior to the transfer of this loot to the Preparatory Commission of the International Refugee Organization it had been determined on the basis of extensive investigation that no item in this collection could be identified as to owner. Under the circumstances the Department regrets to advise you that there was no possibility that any part of this property could have been identified as being yours.

With the thought that you may not be familiar with the procedure for the restitution of such of your property as remains in Austria, there are enclosed herewith for your information the Department's Press Release No. 284 of April 4, 1947, and No. 169 of March 5, 1948.

DEPT OF COMMERCE UNIT

Sincerely yours,

C10

Covey T. Oliver
Acting Chief
Division of Economic Property Policy

CS/V

800.515

Mrs. Hermine Loesky,
130 South 9th Street,
Brooklyn 11, New York

JUL 9 1948

EP:APK:leiferen:cmb

7/1/48

LW
SA MMC
PL

345678

DECLASSIFIED

Authority NND 760050
by EK NARA Date 7/8

RG

Entry

File

Box

59

Dec-Files

1945-48

800.51S/7-1948

7-2048

4247

JUL 19 1948

000.515/7-10400

CS/V

In reply refer to
EP

My dear Mr. Weigert:

Your letter of June 17, 1948, to the Attorney General, has been referred to this Department for reply. The Department appreciates your concern in the matter discussed in your letter and is only too glad to attempt to clarify the points at issue by reference to a number of circumstances of which you may not have been aware.

For several years it has been the policy of this government, and of other occupying powers in Germany and Austria, that the property which the Nazis acquired from their victims at home and abroad should be returned to the owners or their heirs to the greatest extent possible. In line with this there has been extensive restitution of loot from Germany and Austria to the countries occupied by the Germans. More recently, as you are aware, there has been initiated in the American Zone a program for restitution of looted property within Germany, and there are understood to be internal restitution procedures in other zones of Germany; laws for internal restitution have also been enacted by the Austrian Government. The programs to which reference has been made deal, however, only with identifiable looted property; despite the efforts of the occupation authorities to identify Nazi loot and return it to the rightful owners, quantities of looted property have been uncovered which offered no practical hope of identification.

Acting under the Paris Reparation Agreement of January 1946 and the subsequent Five-Power Agreement and Instructions of June 1946 dealing with so-called non-monetary gold unclaimed in Germany, this government instructed its military

authorities

Mr. Julius B. Weigert,
American Association of Former
European Jurists,
32 Liberty Street,
New York 5, New York.

345679

DECLASSIFIED

Authority NND 760050
by EK NARA Date 7/8RG 59
Entry DEC-FILES 1945-49
File 800-5157-1448
Box 4247

562-A

- 2 -

authorities in Germany and Austria that all looted property which was presumed to have been taken from victims of Nazi persecution and which, because it was not identifiable as to national origin or ownership, could not be disposed of under the programs for external or internal restitution, should be turned over to the Preparatory Commission of the International Refugee Organization for the resettlement and rehabilitation of the non-repatriable victims of Nazi action. The property now being liquidated by the PCIRO in the United States was transferred to this agency under the terms of these instructions. A considerable portion of the property consists of loot taken from concentration camp victims. None of the property offered any practical clue for its identification.

The items which were offered for sale were exhibited at the Parke-Bernet Galleries prior to the auction, and they were listed as well in catalogues published by the Galleries. Since the unidentifiability of the property had been previously determined as a result of field investigation a general distribution of the inventories, with detailed description of each item, would have served no useful purpose and would only have invited countless claims which could not possibly be substantiated in any positive way, thus rendering the present program for this property exceedingly difficult if not impossible.

SD/MH

The Department is of the opinion that the disposition of the Nazi loot by the PCIRO is not contrary to law, and that, apart from legal considerations, it is the most practical and equitable procedure under the circumstances. Since the decisions in this matter were taken as a result of extensive consideration of all factors, the further investigation requested in your letter is considered unnecessary. For the reasons indicated the Department also cannot comply with your request that the sale of the property in question be held up.

Sincerely yours,

CTD

Covey T. Oliver
Acting Chief

Division of Economic Property Policy

CW HX
JUL 14 1948 P.M.

JUL 14 1948 P.M.

EP:AFKiefer:ddec
7-7-48

SE

LIE

Oliver

345680