

**Presidential Advisory Commission on
Holocaust Assets in the United States**

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**PRESIDENTIAL
ADVISORY COMMISSION
ON HOLOCAUST ASSETS
IN THE UNITED STATES**

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PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

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Authority NND 760050
By EK NARA Date 7/8

RG 59
Entry Dec-Files
1945-48
File 800.515/8-248
8-428
Box 4246

Form DS-302
(7-2-40)

DIVISION OF
COMMUNICATIONS AND RECORDS
TELEGRAPH BRANCH

DEPARTMENT OF STATE

INCOMING TELEGRAM

CONFIDENTIAL

LEGAL ADVISER

JUN 7 - 1948

Control 1616

DEPARTMENT OF STATE

Rec'd June 4, 1948
4:46 p.m.

ACTION COPY

Manner

file Reply drafted 5/17/48

EP/E OK

DIVISION OF ECONOMIC PROPERTY
POLICY
JUN 21 1948
DEPARTMENT OF STATE

1

Action: L

Info:

- E
- O
- EUR
- OCD
- CIA
- DCL
- ITP
- OPD
- FC
- DCR

FROM: Brussels
 TO: Secretary of State
 NO: 1145, June 4, 4 p.m.

URGENT

LE AND OE FROM DORR.

Re Department's despatch 1 May 14 referring to OMOUS
CC 3852 April 13 paragraph eight.

TRINSON OFFICE
6/14
1948

1. Do not understand basis for "internal restitution" of looted securities. Custodial legislation majority IARA countries treats property IARA countries of persons resident in Germany as enemy property subject to confiscation. Had understood that USA policy firmly established, that test of issue is test of situs of securities. If so, how could "internal restitution" of securities issued by IARA countries occur except in cases where examination of custodial legislation of the issuing country indicated that German citizenship rather than residence was test and owner to whom restitution was to be made was proved non-German?

2. Presume "external restitution" applies to restitution to non-enemies only, since otherwise entire test of issue concept would be violated.

3. Don't understand third phase screening referred to Department's despatch. If securities not owned by non-residents and hence subject external restitution, on what basis could they be delivered to any claimant other than government of country in which issued

4. View importance prompt settlement reparation problems, strongly urge present date is none too soon to begin

working

CONFIDENTIAL

JUN 23 1948

HH

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345681

800.515/6-448

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Authority NND 760050By EK NARA Date 7/8

RG

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Entry

Dec-Files
1945-49

File

800.515/6-248
8-448

Box

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CONFIDENTIAL

-2- #1145, June 4, 4 p.m., from Brussels.

working agreed procedures for handling securities left over after external restitution completed, particularly since USA answer in IARA to question raised will be watched with interest by countries which have not yet taken position re intercustodial agreement. Believe procedure should be established on reciprocal basis. Only those IARA countries agreeing recognize test of issue should receive securities found in Germany. Securities issued by other countries, if any, should be held pending satisfactory settlement.

5. Believe any departure from test of issue principle by OMCUS, except on basis lack reciprocity, will cause confusion, ill will re intercustodial conflict settlement since IARA countries will find it difficult understand why OMCUS does not follow declared policy USA Government.

6. Since dictating above have received letter from Secretary General recalling Assembly action 25 January requesting return to IARA members securities, currency, negotiable instruments issued within their territories. French are replying to similar letter agreeing to such return, providing USA, UK take parallel action. Am informing Secretary General USA still considering difficult administrative problems raised. However, Department will note this matter being actively pressed and USA failure to give prompt satisfactory answer will have unfortunate consequences outlined above.

KIRK

DES:RMC

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345682

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Authority **NND 760050**
By **EK** NARA Date **7/8**

RG **59**
Entry **Dec-Files 1945-49**
File **800.515/4-18-47**
Box **4-2347**
4226

OUTGOING TELEGRAM

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INDICATE

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Charge Department:

Department of State

SECRET

Charge to

Washington

Classification approved **KV**

AMLEGATION

SECRET

JUN 13 1947
5 P m

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No overriding considerations known which would make desirable Rhenus deal proposed by Fr member JC (REURDESP 15068 April 23, copies to Berlin, London, Paris and Brussels). Such deals as proposed would be at odds American program favoring maximum degree competition in public bidding such properties.

Brussels may wish call attention Dutch and Belgian IARA Delegates for possible purchase interest. Sent Brussels, Berlin, London and Paris by airgram.

800.515/4-2347

Marshall
(KV)

TELEGRAPH
RELEASE DESK

JUN 13 PM 4 44

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DECLASSIFIED	RG 59
Authority <u>NND 700050</u>	Entry <u>Dec-Files</u>
By <u>EK</u> NARA Date <u>7/8</u>	<u>1945-49</u>
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FILE NO.

800.515/9-2347

BRUSSELS - 1465

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JAN 8 - 1948

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DECLASSIFIED
Authority NND 760050
By EK NARA Date 7/8

RG 59
Entry Dec-Files
1945-49
File 800.515/9-R-47
Box 4235

INCOMING TELEGRAM

DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

TELEGRAPH BRANCH

1947 SEP 24 AM 10:38

CONFIDENTIAL

7

Action: OFD

Info:

UE
A-S
A-S/R
EUR
OCD
CIG
DC/L
FC
DC/R

Control 7417

Rec'd September 23, 1947
7:39 p.m.

REG. BRANCH

FROM: Brussels
TO : Secretary of State
NO : 1465, September 23, 8 p.m.
OE FROM TODD

Further Paris EMBTEL 4053, September 19.

Believe movement non-monetary gold from Frankfurt and Salzburg to New York likely be followed by official French protest alleging identifiable as to former ownership. This connection Schwartz informed me bulk of Hungarian gold train examined at Salzburg clearly identifiable as to former ownership. Recommend that Surrby and Hemmindinger urgently reexamine possibility of obtaining and usefulness guarantee by JDC and JA regarding valid claims subsequently established. Have discussed with Rubin who agrees.

Schwartz was disturbed also concerning problem using foreign currencies when delivered PCIRO especially in event country of issue opposes use. Suggest Department review this matter in light of specific currencies believe eligible under definition.

KIRK

WMB:ABC

800.515/9-R-47

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By: **EK** WAPA Date: **7/8**

RG **59**

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File **800.515/10-147**

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Form DS-305 (7-2-49)

DIVISION OF COMMUNICATIONS AND RECORDS TELEGRAPH BRANCH

DEPARTMENT OF STATE

of 5/4
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INCOMING TELEGRAM

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B

Action: **OPD**

Info:

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DC/R

Control 1475

DIVISION OF FINANCIAL AFFAIRS

Rec'd October 5, 1947
7:48 p.m.

OCT 6 1947

DEPARTMENT OF STATE

FROM: Brussels

TO: Secretary of State

NO: 1540; October 5, 1947 a.m.

RE: FW FROM DORR

OFFICE OF FINANCIAL AND DEVELOPMENT POLICY
DEPARTMENT OF STATE
OCT 6
file 8-27
6-30-47

Following is summary of decision taken at meeting of Gold Commission October 3.

One. Netherlands. Approved for inclusion preliminary distribution, claim for 9,571 kgs seized by Germans from sunken ship as war prize, and 68,994 kgs collected as war levy. Remaining claims classified as possibly valid for various reasons indicated by telegram.

Two. Austria. Agreed after lengthy argument that 4 million Salzburg gold should not be considered part of gold pot as French had insisted. Decision whether Salzburg gold should be deducted from total Austrian claim still open. This amount therefore listed possibly valid. Austrian claim filed with commission does not demonstrate Salzburg gold always owned Austria. UK French take position which seems to me very strong that if gold of German ownership it should be treated as a recovery and deducted from gross amount Austrian claim. If continuous Austrian ownership established French UK appear willing concede this amount need not be deducted. Further information being requested from Austria which has so far indicated ignorance re original ownership of gold. Assume Department has full documentation this case and would appreciate comments.

Three. Note from paragraph six London EMBTEL 5314 to Department, repeated Paris 548, Brussels for Dorr 96 that tripartite memorandum on Salzburg gold contemplated. Please advise promptly as to nature and current status this memorandum. Such information clearly necessary

for proper

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SEP 6 1950

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800.515/10-547

800.515/10-547
GC

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 Authority NND 760050
 By EK NARA Date 7/8

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1945-49
 File 800.55/10-147
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-3- #1540, October 5, 10 a.m., from Brussels

to cover entire charge imposed by this provision will be paid.

(C) Department has no doubt considered probably Yugoslav criticism of commission's action in paying gold to Italy on Yugoslav account, as contemplated in draft protocol and under principle payment to intermediate countries adopted by commission. Has Yugoslavia formally filed claim on Italy for restitution this gold under treaty provisions? Such action would provide argument for intended action on ground Yugoslavia could not claim twice for sale gold.

Nine. Until French commissioner produced draft and I subsequently received copy of London's telegram 5314 to Department I had no information that protocols concerning Italian Austrian Polish participation in pool had been drafted and were currently under discussion. Have received no information concerning contemplated tripartite memorandum on Salzburg gold. Feel bound to draw Department's attention to fact that I cannot operate with full effectiveness unless provided with such data and to point out further that developments in commission may have bearing on matters of which these protocols treat.

KIRK

SMD:LV

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