

DECLASSIFIED
Authority E.O.10501
By 15 NARA Date 3/11/04

RG 59
Entry Subject Files
Austria Occupation
File 586 Internal
Restitution
Box 8

Entry 1284
Lot File 580 223

Annex K

Survey

of unclaimed real estate in Burgenland

	Number of Jews in 1934	Number of Objects	Houses	Plots of Land
Eisenstadt	539	75	37	38
Neusiedl	691	98	45	53
Mattersburg	623	125	104	21
Pullendorf	1,150	181	129	52
Total:	a) 3,003	479	315	164

- a) Total number of Jews resident in Burgenland in 1934 was: 3, 632

347271

DECLASSIFIED

Authority E010501

By 15 KARA Date 3/11/01

RG 59

Entry Subject Files

Austria Occupation

File 586 Internal

Restitution

Box 8

Entry 1284
Lat File 580223Annex LVoelkischer Beobachter 4. I. 1939 No. 4 Seite 2Aus der Arbeit der Vermoegensverkehrsstelle

Auf Grund des Gesetzes vom 18. 5. 1938 (Ges. Bl. fuer das Land Oesterreich) wurde in Wien die Vermoegensverkehrsstelle errichtet. Mit dem gleichen Gesetz wurden dieser Behoerde als Aufgaben zugewiesen: Die Entgegennahme der Anmeldungen des Judenvermoegens, die Genehmigung der Veraeusserung gewerblicher, land- und forstwirtschaftlicher Betriebe der Juden und die Genehmigung der Erwerbung oder Neuerrichtung von Erwerbsunternehmen durch Altreichsdeutsche oder Auslaender.

Mit diesen Bestimmungen wurde der neugeschaffenen Behoerde ein ungeheuerer Aufgabenkreis uebertragen.

Die Ueberwachung der Anmeldungen des Judenvermoegens und die Genehmigung nach dem Gesetz zum Schutz der oesterreichischen Wirtschaft (Punkt 1 und 3) boten keine ausserordentlichen Schwierigkeiten. Die Anmeldung des Judenvermoegens hatte bis 30.6.1938 zu erfolgen und die Geltung des Schutzgesetzes war mit 1.10.1938 befristet. Es haben 47.768 Juden ein Vermoegen von mehr als 5.000 RM angemeldet.

Diese 47.768 Anmeldungen wurden bearbeitet und statistisch erfasst. Demnach bekannten die Juden folgende Vermoegen ein: In Unternehmungen 321.329.000 RM, an Wertpapiervermoegen 265.958.000 RM, in staedtischem Haus- und Grundbesitz 521.126.000 RM, an land- und forstwirtschaftlichem Besitz 36.673.000 RM. Insgesamt haben die Juden ein Vermoegen von 2.041.828.000 RM angemeldet. Die unter Punkt 3 angefuehrte Taetigkeit der Vermoegensverkehrsstelle, Ausnahmsgenehmigungen nach dem Schutzgesetz zu erteilen, war auch nicht gering zu veranschlagen. Hier waren etwa 2.000 Faelle zu bearbeiten. Zur Arisierung waren 26.263 Betriebe zu untersuchen. Gebietsmaessig fallen diese Betriebe mit Ausnahme der Landwirtschaften zu 90% auf Wien, da gerade in dieser Stadt die starke Zusammenballung des juedischen Kapitals stattfand.

Vor allem war die Frage des Uebernahmepreises der Geschäfte durch die Arier zu regeln. Die Arisierung sollte nicht zu einer ungebuehrlichen Bereicherung fuhren. Man wollte keine Arisierungsgewinne schaffen. Nach reichlicher Ueberlegung kam man zu folgendem Vorgang: Im Zuge des Arisierungsverfahrens wird jedes Unternehmen von Wirtschaftspruefern eingehend untersucht und der Sachwert sowie der Verkehrswert festgesetzt.

Der Kaufpreis kommt grundsätzlich durch freie Vereinbarung zustande mit der Einschraenkung, dass der Kaufpreis den Sachwert nicht uebersteigen darf.

DECLASSIFIED	E 010501	RG 59
Authority	Entry Subject Files	Austria Occupation
By 15 NAPA Date 3/1/01	File 586 Internal R estitution	
	Box 8	

E-t-1284
Lot File 580223

Ueber den Kaufpreis hinaus, der dem Juden entrichtet wird, hat der Unternehmer die Differenz zwischen dem Kaufpreis und dem Verkehrswert an die Vermoegensverkehrsstelle abzugeben und wird dieser Betrag dann der Allgemeinheit gewidmet.

Die entsprechende Auswahl unter den Kaufwerbern bildet auch einen sehr wichtigen Punkt im Entjudungsverfahren. Vor allem musste sich die Vermoegensverkehrsstelle ueber die fachliche Eignung der Bewerber Klarheit schaffen. Dann war eine Beurteilung der Kaufwerber durch die Partei notwendig, um nicht Personen zu den verantwortungsvollen Posten eines Betriebsfuehrers gelangen zu lassen, die ihrer Einstellung nach hierzu ungeeignet sind. Die Vermoegensverkehrsstelle unterzieht sich also durch eine sorgfaeltige Sichtung der Bewerber einer sehr wichtigen Aufgabe, naemlich durch entsprechende Auswahl neue, ihrer Verantwortung gegenüber der Volksgemeinschaft bewusste Unternehmen zu erziehen.

DECLASSIFIED

E.O.10501

Authority

By 15

NAPA Date

3/11/01

RG

Entry

File

Box

59

Subject Files

Austria Occupation

586 Internal Restitution

8

E-7 1284
Lot File 58D223Annex M

Der Staatskommissar in der Privatwirtschaft
Vermögensverkehrsstelle

Statistischer Berichtüber

- I.) Juedische Betriebe und ihre Planung
- II.) Betriebe lt. Vermögensanmeldung
- III.) Bisher arisierte und liquidierte Betriebe
- IV.) Bisher arisierte Werte

Der Staatskommissar in der
Privatwirtschaft und Leiter
der Vermögensverkehrsstelle:

Stichtag: 10. XI.38
Wien, den 19. November 1938.

347274

DECLASSIFIED

Authority E.O.10501
By 15 NAPA Date 3/11/64

RG 59

Entry Subject Files

Austria Occupation

File 5-86 Fntema/ Restitution

Box 8

Entry 1284
Lot File 58D223

-2-

I. Juedische Betriebe und ihre Planung:

Das durch die Fachabteilungen der Vermoegensverkehrs-
stelle ermittelte Planungsergebnis gibt ueber die An-
sierung und Liquidierung der juedischen Betriebe in der
Ostmark folgendes Bild:

- 1.) Gewerbe (Handwerk, Beherbergungs- und
Gaststaettengewerbe, Vermittlungs-
gewerbe, Apotheken und Kinos):

Hier wurden

gezaehlt, von welchen 13.411 Betriebe
das sind 76.9%
liquidiert

und

werden.

10.307 Betriebe
das sind 23.1%
arisiert

- 2.) Handel, Presse- und Verlagswesen:

Hier wurden

gezaehlt, von welchen 10.876 Betriebe
7.870 Betriebe
das sind 72.4%
liquidiert

und

werden.

3.006 Betriebe
das sind 27.6%
arisiert

- 3.) Industrie:

Hier wurden

gezaehlt, von welchen 1.048 Betriebe
319 Betriebe
das sind 30.4%
liquidiert

und

werden.

729 Betriebe
das sind 69.6%
arisiert

347275

DECLASSIFIED
Authority E.O.1050
By 1B NARA Date 8/11/01

RG 59
Entry Subj. Files
Austria Occupation
File 586 Fata
Restitution
Box 8

Ex. 1284
L+ File 58D223

-3-

4.) B a n k e n , V e r s i c h e r u n g s a n s t a l t e n u.s.w.:

Hier wurden

gezaehlt, von welchen

und

werden.

84 Betriebe

77 Betriebe

das sind 91.7 %

Liquidiert

7 Betriebe

das sind 8.3 %

arisiert

5.) V e r k e h r:

Hier wurden

gezaehlt, von welchen

und

werden.

443 Betriebe

334 Betriebe

das sind 75.4 %

Liquidiert

109 Betriebe

das sind 24.6 %

arisiert

6.) L a n d - u n d F o r s t w i r t s c h a f t:

Hier wurden

gezaehlt, von welchen

und

werden.

401 Betriebe

7 Betriebe

das sind 1.7 %

Liquidiert

394 Betriebe

das sind 98.3 %

arisiert

7.) Z u s a m m e n s t e l l u n g:

Zusammengenommen zaehlen die vorgenannten Gruppen

von welchen

und

werden.

26.263 Betriebe

18.914 Betriebe

das sind 72.1 %

Liquidiert

7.349 Betriebe

das sind 27.9 %

arisiert

(Siehe Bildstatistik 1/)

347276

DECLASSIFIED

Authority E 01050
By 15 KARA Date 3/11/01RG 59
Entry Subject Files
Austria Occupation
File 586 Fatafel Restitution
Box 8Entry 1284
Lot File 580223

-4-

III. Betriebe lt. Vermoegensanmeldung (Stichtag: 27. pr 1938)

Es wurden von den Juden und versippten Ariern auf Grund der gesetzlichen Vorschrift Betriebe mit einem Werte ueber RM 5.000.-- angemeldet:

Zusammen: 8.863 Betriebe, Wert RM 201.099.000.--

Es entfallen auf:

	Betriebe:	Wert:
a) Gewerbe (Handwerk).....	1.739	35.893.000.--
b) Handel	6.169	139.616.000.--
c) Industrie.....	795	20.216.000.--
d) Banken, Versicherungen	37	2.995.000.--
e) Verkehr	78	1.176.000.--
f) Land- und Forst- wirtschaft.....	45	1.203.000.--

Von diesen auf Grund der Vermoegensanmeldung erfassten Betrieben werden:

und

1.347 Betriebe
das sind 15.2%
liquidiert

7.516 Betriebe
das sind 84.8%
arisiert.

Es haben:

Die zur Arisierung kommenden 7.516 Betriebe einen Anmeldewert von RM 179.380.000.-- das sind 89.2%

Die zur Liquidierung kommenden
einen Anmeldewert von RM 21.719.000.
das sind

1.347 Betriebe
RM 21.719.000
10.8 %

(Siehe Bildstatistik 2.1)

347277

DECLASSIFIED

Authority E.O.1050
By 115 NARA Date 8/11/01RG 59
Entry Subject Files
Austria Occupation
File 586 Internal
R estitution
Box 8Entry 1284
Lot File 580223

-5-

III. Bisher arisierte und liquidierte Betriebe:

Von den unter I. (Site 2) angeführten Betrieben waren bis 10. November 1938:

1.) im Gewerbe:
(Handwerk)

liquidiert: arisiert:

2.902 Betriebe 767 Betriebe
das sind 28.2% das sind 24.7%

Von der Gesamtzahl der 13.411 Betriebe wurden daher 26.6% entjudet.

2.) im Handel:

liquidiert: arisiert:

1.471 Betriebe 729 Betriebe
das sind 18.7% das sind 24.3%

Von der Gesamtzahl der 10.876 Betriebe wurden daher 20.2% entjudet.

3.) in der Industrie:

liquidiert: arisiert:

6 Betriebe 191 Betriebe
das sind 1.9% das sind 26.2%

Von der Gesamtzahl der 1.048 Betriebe wurden daher 18.9% entjudet.

4.) im Bankwesen:

liquidiert: arisiert:

31 Betriebe 7 Betriebe
das sind 40.2% das sind 100%

Von der Gesamtzahl der 84 Betriebe wurden daher 45.2% entjudet.

347278

DECLASSIFIED

Authority E.O.10501

By 15 NAPA Date 3/11/01

RG 59

Entry Subject Files

Austria Occupation

File 586 FATEMA/

Restitution

Box 8

Entry 1284
Lot F.L. 58D 223

-6-

5.) Im Verkehrswesen:Liquidiert: arisiert:203 Betriebe 83 Betriebe
das sind 60.8 % das sind 76.1%Von der Gesamtzahl der 443 Betriebe
wurden daher 62.5 % entjudet.6.) in der Land- und Forstwirtschaft:Liquidiert: arisiert:1 Betrieb 54 Betriebe
das sind 14.2 % das sind 13.7%Von der Gesamtzahl der 401 Betriebe
wurden daher 13.7 % entjudet.7.) im Gesamten:Liquidiert: arisiert:4.614 Betrieb 1.831 Betriebe
das sind 24.4 % das sind 24.9%Von der Gesamtzahl der 26.263
Betriebe wurden daher 24.5 %
entjudet.

347279

DECLASSIFIED

Authority E.O.10501
By 15 NAPA Date 8/11/01

RG

59

Entry Subject Files
File 586 Internal
Box 8Entry 1284
Lot File 580223

-7-

IV. Bisher arisierte Werte:

Bis 10. November 1938 wurden folgende Kaufpreise laut Spezialkonti-Nachweis erzielt:

im Monat:

Juli.....	RM	9.397.148.67
August.....	RM	8.266.427.32
September.....	RM	5.244.774.43
Oktober.....	RM	4.186.788.59
<u>1. November bis 10. November</u>	RM	<u>1.002.207.79</u>
Gesamtsumme.....	RM	28.097.346.80
Summe der erzielten Auflage	RM	4.154.026.79

Summe RM 32.251.373.59

In den Monaten Mai und Juni in der Reichsstalthererei durch den Reichsbeauftragten Staatsrat Dr. Eberhardt und innerhalb dieser Zeit von der Vermögensverkehrsstelle ohne Spezialkonti durchgeführt Arisierungen RM 20.500.000. =

Gesamtbetrag RM 52.751.373.59

Die Auflage stellt die Differenz zwischen dem Sachwert, bzw. Verkehrswert und der abgeschlossenen Kaufsumme dar; sie beträgt 14,8 % der Kaufsumme von RM 32.251.373.59.

Kapitalsmaessig entjudget 29.4%

(Aufnahme des Dienstbetriebes in der Vermögensverkehrsstelle am 24. Mai 1938)

KontrollbankErledigung der Fälle:

Aktenmaessig uebergeben.....	128 Fälle
Bisher erledigt:.....	5 Fälle
Das sind:	3.9 %
(Aufnahme des Dienstbetriebes am 30.9.1938)	

347280

DECLASSIFIED	E.O.10501	RG 59
Authority	Entry 586	Subject Files Austria Occupation
By 115 NARA Date 8/11/01	File 586 Internal Restitution	Box 8

Entry 1284
Lot File 58D223Annex N

a)

Memorandum

From a report on the activities of the Vermoegensverkehrs-stelle Vienna at the Ministry of Economics and Labor (Situation as per 14-11-1939) the following figures might be of interest:

I General

1. Number of Jews in Vienna (Sheet 1):

- a) religious Jews % of the population
- b) Jews

2. Registered Jewish Property (only Jews owing property of more than 5,000 RM were subject to registration (sheet 2/20):

Austria

included therein
Vienna district

- a) Registrations filed
- b) property reported for registration gross property
- c) debts and encumbrances, net property specification of gross property agricultural and forest real estate urban real estate property invested in enterprises other property, mainly in securities total
- d) specification of the net property by occupation of owners reported by Jews net property

- businessmen
- housewives
- without occupation
- managers
- other employees
- pensioners, lawyers, public health service
- other professions

total

- a.) This is a translation (made by US Mil. Govt. before 1948) of a draft memo. Up to now the memo could not be found neither in Vienna nor in Berlin. Attempts are made to find it, or at least the German original of the draft among the papers of U.S. Mil. Govt.

DECLASSIFIED

Authority E01050
By 15 NARA Date 3/11/01

RG

59

Entry Subject Files
Austria Occupation
File 586 Internal
Restitution
Box 8Entry 1284
Lot File S8D223

-2-

II. De-judaization of the Austrian Economy

1. De-judaization plan of the VVSt (Vermögensverkehrsstelle)
 sheet 5:
 Group of profession exist. Jew. designated for closing down
 enterpr. de-jud.

Commerce
 trade
 industry
 transportation
 banking
 agriculture
 and forestry

total

In addition to these enterprises there are about 7,000 business closed down because of flight of their owners immediately after the 13th March 1938.

2. Measures of de-judaization of the Economy up to 14-11-1939
 (sheet 10/42)

	commerce	trade	industry	transport	banking	total
--	----------	-------	----------	-----------	---------	-------

total numb.
 cl. down
 balance
 including
 de-judaized
 assigned to
 other distr.
 open for de-
 judaization
 in liquidation

total

Note: Under enterprises "in liquidation" enterprises are meant where there are still goods in stock for sale. Enterprises the stocks of which have been disposed of, but where the accounts have not yet been settled, are included figure of enterprises closed down (17,877). The total number of unsettled cases in liquidation (sales of goods in stock, settlement of accounts) is 8,151 in the Vienna district; 154 of such cases have been assigned to other districts.

- III. De-judaization of the real estate
 Jewish real estate (excluding real estate used for business purposes and agricultural (forest) property) appears in the report as follows (sheet 62).

347282

DECLASSIFIED	E.O.10501
Authority	By 115 NARA Date 8/11/01

RG 59
 Entry Subject Files 580223
 Austria Occupation
 File 586 Fata
 Restitution
 Box 8

Entry 1284
 Lot File 580223

-3-

plots of land value

Reich District of Vienna
 Remainder of Austria
 total 521.200.000

Up to now the following transactions have been approved by
 the VVSt:

Auctions entries of mortgages cases
 Contract of sale total

Contracts of sale not yet approved in
 the Reich District of Vienna

Contracts of sale not yet approved
 assigned to other districts total
 Not yet 50% of the de-judaization have been carried through.

IV Charges

Up to now charges have been imposed in the de-judaization of
 trade enterprises in cases
 sales of real estate in about cases

total about

for sales of trade-enterprises, in cases

charges are still to be fixed.

Up to now the following charges have been imposed, by the VVSt,
 by the Control Bank total

Additional charges will be imposed. For these an amount of....
 is given on sheet 52.

For the charges imposed by the VVSt proof has been given on
 sheet 52/53:

charges imposed
 paid up to now

balance unpaid

which is subdivided as follows:

disputed charge of the Brewery Kufner
 (Ottakringerbraeu)

Moratoria and Instalments granted
 requested for payment about

Out of the amounts received totalling
 the following have already been disposed of:

347283

DECLASSIFIED

Authority E.O.10501
By 15 NAPA Date 3/11/49RG 59
Entry Subject Files
File Austria Occupation
Box 8Ent. 1284
Lot File 580223

-4-

- a) Credit with the Pharmacredit Control Bank Total
 b) Remitted to the National Treasury
 paid on 11-3-39
 c) Debited to the account at the Control Bank

V. Proceeds from Sale

The following balance has been made by the VVSt (sheet 52):

purchasing prices WVSt Control Bank

total

total charges
purchase prices plus charges

The VVSt compares with this amount property invested in enterprises ("own enterprises") of
 and for the purchasing prices plus charges it calculates a percentage of

This statement doubtless paints too favorable a picture of the results of de-judaization. In the charges the amounts for de-judaized real estate (3,000 cases) are included. It may also be assumed that in the purchase-prices the proceeds from real estate are also included.

VI. Custodians and Employees

For carrying through the de-judaization, custodians had been appointed. When trustees were appointed, and the activities of the custodians (1938) had been controlled, 1,128 out of about 2,800 custodians had to be dismissed for incapability. 382 custodians were prosecuted for irregularities.

The maximum number of persons employed with the VVSt is stated with 501. Out of these, 16 persons having committed irregularities had to be dismissed and punished.

347284

DECLASSIFIED

E.O.10501

Authority
By 15 NAPA Date 8/11/52

RG

59

Entry Subject Files

Austria Occupation

File 5-36 Fatawa

Restitution

Box 8

Entry 1284
Lot File 580228Annex OSTATUS OF RESTITUTION OF ALIENATED PROPERTY as on August 31st, 1952.

- I. APPLICATIONS PURSUANT TO THE FIRST RESTITUTION LAW WHICH DEALS WITH THE RESTITUTION OF ALIENATED PROPERTY NO. BEING ADMINISTERED BY THE AUSTRIAN STATE OR LAND GOVERNMENT:

Authority	Filed in Total	Withdrawn	Granted	Denied	Pending	Not yet cons.
Aug 1952	filed or transferred					

Vienna	12	9,380	446	7,258	615	1,029	32
Linz	--	607	62	420	111	14	--
Graz	1	862	65	518	245	34	--
Salzburg	--	351	36	252	59	4	--
Klagenfurt	--	251	35	105	102	9	--
Innsbruck	--	219	33	150	34	2	--
Feldkirch	--	45	4	40	1	-	--
	<u>13</u>	<u>11,715</u>	<u>681</u>	<u>8,743</u>	<u>1,167</u>	<u>1,092</u>	<u>32</u>

- II. APPLICATIONS PURSUANT TO THE SECOND RESTITUTION LAW WHICH CONCERNS RESTITUTION OF ALIENATED PROPERTY, THE TITLE TO WHICH HAD PASSED TO THE AUSTRIAN STATE:

Vienna	3	682	52	381	84	162	3
Linz	-	143	11	60	63	9	--
Graz	1	183	20	76	73	14	--
Salzburg	-	85	7	31	42	5	--
Klagenfurt	2	88	5	44	36	3	--
Innsbruck	-	87	20	41	22	4	--
Feldkirch	-	53	13	30	9	1	--
	<u>6</u>	<u>1,321</u>	<u>128</u>	<u>663</u>	<u>329</u>	<u>197</u>	<u>4</u>

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 8/11/01

RG

Subject Files 59

Entry Austria Occupation

File 586 Internal Restitution

Box 8

Entry 1284
Lot File 58D223

-2-

III. DISPOSITION OF APPEALS BY THE FEDERAL MINISTRY OF PROPERTY CONTROL AND RESTITUTION BRANCH:

Total of appeals until August 1952

		First Restitution	Second Law
		691	344
therefrom:	1. Withdrawn	77	31
	2. Granted	187	167
	3. Denied	421	133
	4. Pending	6	13
	5. Not yet considered	-	-
		691	344

IV. APPLICATIONS PURSUANT TO THE THIRD RESTITUTION LAW WHICH PROVIDES FOR THE RESTITUTION OF REAL AND PERSONAL PROPERTY NOW IN THE HANDS OF PERSONS, CORPORATIONS, ETC.

Authority	Filed in Aug 1952	Total filed	Withdrewn	Transferred	Settled	Granted	Denied	Pending
Vienna	43	21500	2943	885	7513	4704	899	4556
Linz	3	2069	349	121	391	417	190	601
Linz-Nord	-	318	53	19	76	50	67	53
Graz	6	2557	670	64	534	550	606	133
Salzburg	6	715	142	48	156	161	118	90
Klagenfurt	1	1580	280	33	559	289	339	80
Innsbruck	2	1243	132	29	217	489	342	34
Feldkirch	1	239	75	4	68	27	57	8
	62	30.221	4644	1203	9514	6687	2618	5555

Authority	Filed in Aug 1952	Total filed	Granted	Transferred	Denied	Pending
ROK VIENNA	53	5968	3687	1094	1099	88
ROK GRAZ	4	1362	851	276	228	17
ROK LINZ	13	716	393	128	146	49
ROK INNSBRUCK	3	388	195	111	80	2
	73	8434	5126	1609	1553	146
ORK	16	1844	1352	243	224	25

V. NUMBER OF COMPROMISES, RENOUNCEMENTS AND ACKNOWLEDGMENTS FILED WITH THE DISTRICT ADMINISTRATIONS, PURSUANT TO SEC 13(2) OF THE THIRD RESTITUTION LAW:

Vienna	5998	Carinthia	516
Lower Austria	1046	Salzburg	183
Upper Austria	527	Tyrol	246
Muehlviertel	133	Vorarlberg	251
Styria	1512	Burgenland	290
			10.692

347286

DECLASSIFIED
Authority E.O.10501
By 1B NARA Date 3/11/04

RG 59
Entry Subject Files
Austria Occupation
File 586 Internal
Rstitution
Box 8

Entry 1284
Lot File 580 223

Annex P

Oberfinanzpraesident Wien-Niederdonau Wien 1, 22. April 1942

O 52 A 10 - P 6 c

A 2070 1805 Gen. B.

Betrifft: Einbeziehung juedischen Vermoegens
Vorgang: Ihr Schreiben vom 27. Maerz 1942

An die
Reichshauptkasse, Wertpapierstelle

B e r l i n W 8
Jaegerstrasse 49/51

Bei den Ihnen durch die Laenderbank Wien ueber meinen Auftrag eingesendeten Wertpapieren handelt es sich nach den Angaben der genannten Bank durchwegs um derzeit unverkaufliche Papiere. Diese Wertpapiere ruehren von Vermoegenseinziehungen her, an denen die Reichsfinanzverwaltung nicht beteiligt war.

Die bei diesen Vermoegenseinziehungen angefallenen Wertpapiere hat die Zentralstelle fuer juedische Auswanderung in Wien der Laenderbank in Wien zur Verwertung uebergeben, diese hat nach den uebereinstimmenden Angaben der Bank und Zentralstelle fuer juedische Auswanderung alle verwertbaren Papiere veraeußert, so dass nur die nichtverwertbaren Papiere uebrig blieben. Der Reinerloes aus diesen Vermoegenseinziehungen wurde mir zur Verfuegung gestellt. Ich habe keine Anlassung, an der Richtigkeit der von den beiden genannten Stellen gemachten Angaben zu zweifeln und kann wenigstens vorlaeufig die abgeschlossenen Vermoegensabwicklungen nur stichprobenweise ueberpruefen. Die verbliebenen, derzeit nicht verwertbaren Papiere konnte ich nicht selbst in Verwahrung uebernehmen, sondern musste sie Ihnen gemaess Erlass des Herrn Reichsministers der Finanzen vom 4. November 1941, O 5205 - 740 VI, uebersenden. Es waere jedoch, solange Sie mir nicht bekanntgeben, dass die Papiere verwertbar sind, eine nutzlose Arbeit, wenn ich Ihnen hinsichtlich dieser Papiere, getrennt nach den einzelnen Vermoegenseinziehungsfaellen, Verzeichnisse uebersenden wuerde. Ich sehe daher hiervon ab.

Im Auftrag:

Unterschrift.

347287

DECLASSIFIED
Authority E.O.10501
By 15 NARA Date 8/11/01

RG SG
Entry Subj. Files Rel. Entry 1284
Austria Occupation 4074K 580223
File 585 External
Box Restitution

SECRET SECURITY INFORMATIONRESTITUTION

U.S. interest in Austrian legislation for restitution of property arises from our interest, along with other allied powers, in implementing the London Declaration of 1943 in which the Allied Powers reserved the right not to recognize any transfer of property made through fraud or duress by the Nazi Government. Article 44 of the Draft State Treaty for Austria made explicit Allied requirements that the Austrian Government make restitution to persecutees whose property was taken during the Nazi regime. In many cases individuals persecuted during the Nazi regime in Austria are now U.S. citizens so that in these cases there is the additional interest of the U.S. in protecting the rights of its nationals.

By 1950, the Austrian Government had enacted seven restitution laws providing for restoration of property confiscated by the German Reich, re-registration of firm names, re-establishment of corporations dissolved by the Nazi regime, restoration of patent and trademark rights, and making some provisions for restoration of pension rights. While these laws and their administration have been satisfactory, the seven restitution laws do not cover all the problems of interest to the U.S. in this field. Major problems which, in spite of frequent representations by the Embassy and the Department, have not been resolved thus far include the establishment of an heirless property fund, and the granting of the following benefits to former Austrians who are now citizens and/or residents of the U.S.: pensions to persecutees who were former Austrian civil servants, cost-of-living bonuses to persons entitled to social security benefits, and compensation

SECRET SECURITY INFORMATION

347288

DECLASSIFIED

E.O.10501

Authority
By 15 NARA Date 3/11/01

RG

59

Entry Subj. Files Rel.
Austria OccupationEntry 1284
Lat File 580223File 585 External
Restitution

Box 8

SECRET SECURITY INFORMATION

-2-

compensation for losses to victims of Nazi oppression. Even though these problems remain unsolved the Austrian Parliament has, during July, 1952, passed a number of laws which would rehabilitate former Nazis, amend the Third Restitution Law to the detriment of victims of Nazism and grant certain small benefits to such victims only if they are residents of Austria. The Department's position on the status of Austrian restitution and compensation legislation is contained in a memorandum of the Department of State to the Austrian Embassy, dated July 17, 1952, and in the Department of State Press Release No. 583 of July 28, 1952.

1/21/53

SECRET SECURITY INFORMATION

347289

DECLASSIFIED

E010501

By 15 NARA Date 3/11/01

RG

Entry

File

Box

59

Subj. Files Rel.

Austria Occupation

Entry 1284
Loc File 580223

S85 External

Restitution

8



THE FOREIGN SERVICE
OF THE
UNITED STATES OF AMERICA

*Mr. Nixon
WE*

AMERICAN EMBASSY

*EEA
HSA
file
SSS*

Vienna, April 10, 1953

PERSONAL AND CONFIDENTIAL

Dear Jamie:

I am enclosing the original and a copy of an exchange of correspondence with Sy Rubin, and I leave it to your judgment as to whether or not you think you should deliver the letter to Sy.

Best regards.

Sincerely yours,

Llewellyn E. Thompson Jr.
Llewellyn E. Thompson, Jr.
American Ambassador

Enclosures:

1. Original and copy of letter of April 10 to Seymour J. Rubin
2. Copy of letter of March 27 from Seymour J. Rubin

James C. Bonbright, Esquire,
Deputy Assistant Secretary of State,
Department of State,
Washington, D.C.

347290

DECLASSIFIED

E.O.10501

By 152 NPA Date 3/11/00

RG

Entry

File

Box

59

Subj. Files Rel.
Austria OccupationS 85 External
RestitutionEntry 1284
Cat. # 580 223

DEPARTMENT OF STATE

ASSISTANT SECRETARY

Mr. [unclear]
Mr. Collins

I see no objection
if you do.

list
page

J. R. S.

347291

DECLASSIFIED

E.O.10501

By 1B NAPA D-5 3/11/01

RG
Entry
File
BoxSG
Subj. File Rel.
Austria Occupation
S 85 External
Restitution
8Entry 1284
Ref. E16 580223

AMERICAN EMBASSY

Vienna, April 10, 1953

Dear Sy:

With reference to your letter of March 27, I have spoken to Gruber several times in the last week and he assures me that the Austrian Government will proceed to arrange for discussions with representatives of the Jewish organizations. I have already told the Chancellor that I wished to discuss this matter with him and I intend to seek an occasion to talk to Vice-Chancellor Schaerf about it.

Recalling our conversations in Washington, and intimations in your letter and a recent conversation which I had with representatives of the Joint Distribution Committee prompt me to give you a personal opinion on the proposed negotiations. You have indicated a belief that the nature of the negotiations should be carefully spelled out in advance. I personally question whether this is wise for the following reasons.

In view of the situation here I believe it is important that the negotiations be started at the earliest possible date. The reason for this is that there are many indications that the People's Party have given some assurances to the VdU to do something about rehabilitating former Nazis. Our position, as you know, is that the victims must be taken care of first. If you lose too much time trying to spell out the nature of the negotiations the Austrian Government may take some action which, even if vetoed by the Allied Council, would remove the pressure which now exists on them.

The second reason is that I have the strong impression that the Austrian officials believe the Jewish demands are going to be greater than will actually be the case. This belief has probably in part been created by those who oppose Austria's doing anything about the matter. The quicker the real scope of the problem is realized the more possibilities there are, in my opinion, for a successful outcome. It is

Seymour J. Rubin, Esquire,
Landis, Cohen, Rubin, Schwartz and Gewirtz,
1532 Jefferson Place, N.W.,
Washington 6, D.C.

347292

DECLASSIFIED

E.O.10501

Authority
By 115 NAPA Date 3/11/01

RG

59

Entry

Subj. Files Rel.

Austria Occupation

File

S 85 External

Rstitution

Box

8

Entry 1284
Loc File 580223

- 2 -

my guess that negotiations will be handled on the first instance by the new State Secretary in the Foreign Ministry and by the Ministry of Finance. These are, of course, personal views with which you may or may not agree, but I thought it might be helpful to you to see how I see the situation here.

Best regards.

Sincerely yours,

Llewellyn E. Thompson, Jr.
American Ambassador

347293

DECLASSIFIED

Authority E.O.10501

By 15 NAPA Date 3/11/01

RG

59

Entry Subj. Files Rel.

Entry 1954
Lot # 580223File 585 External
Restitution

Box 8

C

O

P

Y

March 27, 1953

The Honorable Llewellyn E. Thompson, Jr.
American Embassy
Vienna, Austria

Dear Tommy:

I write in connection with the proposed discussions between the Jewish organizations and the government of Austria on the subject of Jewish claims against Austria.

You will recall that during my visit to Vienna in January of this year I talked briefly about this matter with you and had somewhat lengthier discussions with Walter Dowling. At that time I indicated the importance which was attached by the Jewish organizations to the issuance by the Austrian government of a formal invitation to participate in the proposed negotiations. It has, I believe, been suggested at various times that a declaration along the lines of that issued by Chancellor Adenauer would set a desirable tone for the proposed negotiations and would reassure the Jewish organizations about the seriousness of the intentions of the Austrian government in connection with these matters which have been so long discussed. Such a declaration and invitation, issued as a public statement, might also clarify, both to the Austrian government officials who would participate in the negotiations and to the invitees, the nature, extent and type of negotiations which were expected. This, in my opinion, would have a salutary effect, particularly in avoiding any misapprehensions or misunderstandings which might conceivably result in future difficulties.

It is clear, of course, that the present political situation in Austria makes the immediate issuance of such an invitation improbable. It is hoped, nevertheless, that the Embassy will continue to bring the attention of the Austrian authorities the immediacy and importance of the discussions which have for what is now a considerable time been tentatively scheduled. Time is, in this connection, of great importance both from the point of view of the Austrian government, and the political and psychological effects of the proposed negotiations, and from the point of view of the Jewish organizations. It is our hope that such new government as may be formed will be able promptly to redeem the assurances previously extended both by Chancellor Figl and by Mr. Schaerf.

347294

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 8/11/01

RG

59

Entry

Subj. Files Rel.
Austria OccupationEntry 1284
Lot E.R. 585223File 585 External
Rstitution

Box

6

- 2 -

C

O

P

Y

I need hardly add that I hope that the proposed discussions will give me the further opportunity to see you, Walt Dowling, Jerry O'Connor and the others of the Embassy staff in Vienna.

With best personal regards to you and to Mrs. Thompson, I am

Sincerely yours,

/S/

Seymour J. Rubin

With respect to other matters, I am continuing as a part-time consultant to Mr. Stassen on East-West trade matters. I shall probably be in that status for a period of a few months, at least.

347295

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 8/11/04

RG

59

Entry

Subj. Files Rel.

Austria Occupation

Entry 1284
Lot File 580223

File

585 External
Restitution

Box

8

AIDE MEMOIRE

The Committee for Jewish Claims on Austria, which consists of the organizations listed below, desires to bring the following points to the attention of the Department of State. It is hoped that the program outlined in paragraph (2) below can form the basis of action by the Department and the Embassy of the United States in Austria.

It is desired, preliminarily, to acknowledge with appreciation the efforts made by the Government of the United States to achieve justice for the persecutees of the former Nazi regime in Austria. The help of the United States, so generously and effectively extended in the past, will be even more essential in achieving the program described below:

(1) Nature of the Jewish Claims against Austria

These claims are of two general kinds.

First. It is essential that a modicum of relief and of restoration of their rights be given to individuals or their survivors who suffered at the hands of the Nazis. No presentation of claims could omit reference to the privations and damages of surviving victims of Nazi persecution or their heirs.

Thousands of persecutees were deprived of their liberty. Many perished, leaving widows and orphans without means of support. Many of those who survived the ordeal are incapacitated and require medical care. The Anschluss meant extremely grave economic losses to persecutees. These losses include both loss of an opportunity to earn a livelihood and loss of all personal possessions and life savings.

It is expected that consultation with the Department of State will

accompany formulation of these claims. Particular efforts will be made to

obtain the views of the Department in those situations in which a general formula-

tion of a claim would include other than Jewish claimants or beneficiaries.
 How much greater language would include all nationalities. Obtained more than one international
 Most important in international claims
 No conflict of jurisdiction with Germany

347296

DECLASSIFIED

Category E.O.10501

By 15 NARA Date 8/11/01

RG

Entry

File

Box

59

Subj. Files Rel.

Austria Occupation

S 85 External

Restitution

Entry 1284
Lot File 580223

- 2 -

Second. The claim for heirless property is essentially a claim for a bulk settlement of heirless and unclaimed Jewish assets which are either subject to restitution under existing legislation or subject to compensation under future laws. Unlike Western Germany, Austria thus far has not implemented the principle that heirless and unclaimed Jewish property should be used for the relief, rehabilitation and resettlement of surviving Jewish victims of Nazi persecution.

(2) Proposed program for initiation and conduct of negotiations

(a) It is suggested that the talks with the Austrian Government can best (from all points of view) be started by an invitation, issued by Chancellor Raab. This invitation would, it is hoped, include:

(i) A proposal for a meeting with a few representative Jewish leaders, to review the basic problems for negotiations. It is considered important for the future of the negotiations that such a meeting take place under the chairmanship of the Chancellor.

(ii) A proposal for a conference, to begin immediately after the meeting mentioned above, between an Austrian and a Jewish delegation. At this conference the Jewish delegation would expect to explain their claims, the basis and amount thereof, and to engage in a frank discussion looking toward a mutually satisfactory agreement.

(b) It is suggested that the meeting mentioned in (a)(i) might be set for a date, convenient to Chancellor Raab, around the end of May. This should provide time necessary to complete documentation, make travel and similar arrangements, etc.

(c) It is hoped that the above suggestions could be informally put to the Austrian Government through the good offices of Ambassador Thompson, and that the Government of the United States will extend its good

DECLASSIFIED

Authority E.O.10501

By 115 NARA Date 3/11/01

RG 59

Entry

File

Box

Subj. Files Rel.

Entry 1284
Austria Occupation, Lot File 580223S 85 External
R estitution

8

- 3 -

offices in the transmission of the Austrian reply.

(3) For the information of the Department and the Embassy, it may be stated that the Austrian Jewish community and the principal Jewish organizations representing Austrian Jewish claimants, or their heirs, outside of Austria, see eye-to-eye on the conduct of the proposed Austrian-Jewish talks.

**For the Committee for Jewish Claims
on Austria**

1. Reps'ents same line as I - but is uninform'd on us
Govt. Govt will pay to the best
Rep. will keep other Govts informed

Secretary

SR in Geneva US reclaims 1/1/45 - Th - my letter

April 28, 1953 K. Israel will not enter - as a party
has no place to approach Broyde, but may be interested.

Washington, D. C.

The following organizations are members of the Committee:

Agudas Israel World Organization
 Alliance Israélite Universelle
 American Jewish Committee
 American Jewish Congress
 American Jewish Joint Distribution Committee
 American Zionist Council
 Anglo-Jewish Association
 B'nai B'rith
 Board of Deputies of British Jews
 British Section, World Jewish Congress
 Canadian Jewish Congress
 Central British Fund
 Confederacao das Entidades Representativas da
 Coletividade Israelita do Brasil
 Conseil Représentatif des Juifs de France
 Delegacion de Asociaciones Israelitas Argentinas
 Executive Council of Australian Jewry
 Jewish Agency for Palestine
 Jewish Labor Committee
 South African Jewish Board of Deputies
 Synagogue Council of America
 World Jewish Congress

347298

DECLASSIFIED	RG 59
Authority E.O.10501	Entry Subject Files
By 15 NARA Date 3/11/01	Entry Austria Occupation
	File 586 Internal Restitution
	Box 8

E. 1284
LOTE 10 58.D223

SUBJECT FILE

586

AIDE-MÉMOIRE

There is quoted below for the information of the Ambassador of Austria a note which the American Ambassador at Vienna has been instructed to present to the Austrian Foreign Office:

"The Government of the United States refers to the memoranda of December 20, 1951 and July 17, 1952, which contained the views of the Department of State concerning problems affecting United States citizens in the fields of restitution and compensation for losses suffered by them during the Anschluss. The memoranda pointed out that alleviative measures theretofore taken by the Austrian Government in these fields were not adequate and that, in some instances, they discriminated against United States citizens. No reply has been received to these memoranda, nor has the Government of Austria taken remedial action to improve substantially those conditions the continued existence of which caused the concern of the Department of State as expressed in its above memoranda.

"The Government of the United States remains concerned about the fact that no legislation has yet been enacted in Austria for the purpose of establishing a fund of heirless and unclaimed property of victims of Nazi oppression for the general relief of surviving victims of such oppression. It is the opinion of the Government of the United States that this matter should not await the termination of the period for filing of claims under Austrian restitution laws but that steps should be taken now to organize this fund and prepare for its disbursement at the appropriate time.

"The Government of the United States is equally concerned about the failure of the Austrian Government to lift the existing suspension of action on claims of citizens of the United States for pensions due them as former Austrian civil servants, its failure to grant cost-of-living bonuses to United States residents entitled to social security benefit payments, and its failure to make social security payments retroactive to May 10, 1945. The problem is basically one of securing just and equitable treatment for United States citizens who were former Austrian nationals, most of whom did not leave Austria of their own free will but were compelled to flee because of racial and political persecution under the Nazi regime. Furthermore, since both retirement benefits of employees of the

Government

347299

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 8/11/04

RG

Entry 59
Subject Files

Austria Occupation

File 586 Internal
Rstitution

Box 8

E.1284
COT FILE 58D223

- 2 -

Government of the United States and United States social security benefits, including all increases, are paid by the United States Government to persons irrespective of their residence or nationality, the problem is also one of reciprocity. The Government of the United States believes that, in view of the well-known past and present attitude and practice of the United States in these fields, the Austrian Government should extend similar treatment to former Austrian nationals who are now citizens of the United States, and there is no necessity for a special agreement to regulate this problem. The failure of the Austrian Government to make social security payments retroactive to May 10, 1945 and to include in such payments cost-of-living bonuses, when such benefits are granted to Austrian nationals presently residing in Austria and also to nationals and residents of certain other countries, such as Switzerland, represents discrimination against United States citizens. The element of discrimination vis-a-vis United States citizens is equally existent in the pension field in view of the recent agreement between Austria and the Federal Republic of Germany according to which Austria undertakes to pay a substantial percentage of the pension sums to persons who were never in the Austrian civil service, who never made any contributions to the Austrian pension funds, and who are not required to possess Austrian nationality. The total number of claimants in the United States is believed to be small and most of them are elderly, many of them having spent the greatest part of their lives in Austria. In most cases, therefore, their need is great, their claim appears just, and the corresponding burden on the Austrian Government is small.

"Concerning the matter of postal savings deposits which were not individually confiscated during the Nazi regime, it is the view of the Government of the United States that American citizens who had such deposits are entitled to receive the same treatment given to nationals or residents of Austria since March of 1945. In this connection, it is pointed out that no provision exists to indemnify those other persons whose individual postal savings and bank accounts were confiscated under the Nazi regime.

"These issues raise the larger problem of indemnification generally to persons who suffered losses because of discriminatory action by agencies of the German Reich or who were forced to pay discriminatory taxes. The Government of the United States is aware of the existence of Austrian laws designed to compensate certain victims of Nazi oppression. However, such legislation covers only

limited

347300

DECLASSIFIED

E.O.10501

Authority
S, 15 NARA Date 3/11/01

RG

59

Entry Subject Files

Austria Occupation

File 586 Internal

Rstitution

Box 8

E.1284
Lot File 580223

- 3 -

limited categories of victims. Moreover, such legislation does not grant benefits to persons other than Austrian citizens. It was for that reason that the Executive Committee, on behalf of the Allied Council, invited the Austrian Government in its letter of August 22, 1952 to submit to the Austrian Parliament within six months a draft law granting adequate compensation to all persons listed in the above-mentioned legislation irrespective of their nationality. No such draft law has yet been presented to the Parliament and in this instance too United States citizens thus continue to remain subject to discrimination."

Department of State,

Washington, May 13, 1953.

L/CER:Hland:sah:cmh:law
5/12/53

347301

DECLASSIFIED

Authority E.O.10501

By 15 NAPA Date 3/11/61

RG 59

Entry 595 Subs. Files

File Austria Occupation

File 586-Austrian Reparations Israel

Box 8

E. 1284
Lot Fr 10 580 223BASIS OF CLAIM

The claim of the Joint Executive Board is founded on a most elemental concept of justice and morality which commands itself as the pattern to which civilized states adhere: that states which are unable to protect their people from injustice and illegal acts - particularly such inhumanities as annihilation and wanton spoliation - must, when their sovereignty is regained, assume the responsibility to remedy; so far as such remedy is possible, the wrongs which were committed.

In the period 1938 - 1945 following the overthrow of the Austrian government, much damage and loss were inflicted upon the Austrian people. We are not here seeking redress for such war damage. Hence, our claim is not based upon war loss compensation nor are we seeking to establish any claim for reparation.

Over and above the damages of war the Jews of Austria were singled out for spoliation and annihilation. In this reign of terror fully one third of the entire Austrian Jewish population perished. Jewish property was confiscated or otherwise spoliated and those Jews who managed to survive were deprived of all rights. A regrettably important part of the Austrian populace participated with the Nazi terrorists in these acts, the illegality of which was proclaimed by the Austrian government after the war. Moreover, a substantial part of the property spoliated from the Jews in Austria found its way into Austrian hands or benefited the Austrian economy. It is in respect of these damages, harms and losses which are unique and separate from the ravages of war and which were more cruel and devastating, that we base our claim. We submit that the concept of the Rechtsstaat - which Austria clearly is - carries with it the elemental duty to provide a measure of commensurate redress for illegal acts. This concept is neither alien nor novel to Austria. The several restitution laws as well as the indemnification measures which Austria has adopted since regaining her sovereignty obviously derive from a recognition of this foundation. Our position serves only to establish that Austria has not gone far enough nor given sufficient implementation to the appropriate fulfilment of the principle. Certain Austrian post-war measures unfortunately have even added discriminatory features to the shortcomings noted.

347302

DECLASSIFIED

E.O.10501

Authority
By 15 NARA Date 8/11/01

RG 59

Entry 5053 Files
Austria OccupationFile 586-Austrian
Reparations Israel

Box 8

E.1284
LOT#580223

In conclusion I should simply like to restate the basis on which we have proceeded and which was confirmed in conversation between the Chairmen of the two delegations after the close of the meeting on Friday, June 26. We have now submitted as complete and detailed a statement of our position as it seems useful to present at this stage of our negotiations. We assume that the Austrian government delegation will now transmit this statement to its appropriate authorities. Having in mind the expressed desire fully shared by both parties to these negotiations that they shall proceed to a speedy conclusion, the Joint Executive Board trusts that the Austrian government will very shortly advise the Joint Executive Board delegation of the extent to which it is prepared to meet the claims put before it. On the basis of that reply it will be appropriate and possible to consider the next steps to be taken in these negotiations.

347303

DECLASSIFIED

E.010501

RG

59

Authority E.010501
By 15 NARA Date 3/11/01Entry Subs. Files
Austria Occupation
File 586-Austria
Reparations Israel
Box 8E.1284
LOT F.16 58D223

**VEREINIGTER EXEKUTIVAUSSCHUSS FUER JUEDISCHE FORDERUNGEN
AN OESTERREICH.**

M E M O R A N D U M

ueber Ansprueche aus dem Titel der zerstoerten Tempel, Gotteshaeuser sowie der vernichteten oder geraubten Kultgegenstaende und Devotionalien (insbesondere Thorarollen).

/Siehe VIII. des Memorandums ueber Massnahmen zur Linderung des an Juden in Oesterreich veruebten Uhrechtes./

Bei den bekannten Ereignissen vom 9. und 10. November 1938, bei welchen einheimische Elemente aktiv beteiligt waren, wurden durch Feuer oder durch Sprengwirkungen saemtliche juedischen Gotteshaeuser, Tempel und Staetten der Andacht zur Gaenze zerstoert und vernichtet. Nur in einzelnen Faellen blieben die aeusseren Umfassungsmauern erhalten, waehrend das Tempelinnere vollkommen zerstoert wurde. Die meisten dieser Tempel und der Andacht gewidmeten Staetten blickten auf eine Jahrzehntelange Tradition zurueck. Nicht nur die in allen Tempeln enthaltenen Kultgegenstaende, sondern auch die Einrichtungen selbst stellten kulturhistorische Werte dar. Die Thorarollen, die fuer uns Juden die Heilige Schrift bedeuten, wurden mit wenigen Ausnahmen alle verbrannt und geschaendet, auf der Strasse zerrissen und mit Fuessen niedergetreten.

Alle Tempel und Bethaeuser waren sowohl kuenstlerisch, als auch in wertvollen Edelmetallien reichhaltig ausgestattet. Die Sitzbaenke waren groesstenteils aus Edelholz, reich verziert, die Bundeslade, der Aufgang zum Empore, die Galerien mit wertvollen echten Teppichen belegt, fuer die Beleuchtung waren meistens wunderschoene Kristalluster und schwere silberne Leuchter vorhanden.

Im Folgenden werden die zerstoerten Tempelobjekte nach ihrer Adresse und dem Schadenswert auf Basis 1938 angegeben:

.....

347304

DECLASSIFIED

Authority E.O.1050

By 15 NAPA Date 3/11/01

59

RG 59
 Entry Subs. Files
 File Austria Occupation
 Box 8

E.1284 i cat file
580 223

- 2 -

I. Tempel(a) in Wien

		<u>Wert:</u>
1.)	1., Schoenlatertengasse 6	S 23.000.--
2.)	2., Leopoldsgasse 29	" 248.000.--
3.)	2., Pazmanitengasse 6	" 240.000.--
4.)	2., Grosse Schiffgasse 8	" 175.000.--
5.)	2., Tempelgasse 5	" 595.000.--
6.)	2., Zirkusgasse 22	" 293.000.--
7.)	3., Steingasse 18	" 33.000.--
8.)	3., Untere Weissgaerberstrasse 36	" 28.000.--
9.)	5., Siebenbrunnengasse 1	" 138.000.--
10.)	6., Schmalzhofgasse 3	" 275.000.--
11.)	8., Neudeggergasse 12	" 287.000.--
12.)	9., Muellnergasse 21	" 318.000.--
13.)	10., Humboldtgasse 27	" 109.000.--
14.)	11., Braunhubergasse 7	" 89.000.--
15.)	13., Eitelbergergasse 22	" 210.000.--
16.)	14., Storchengasse 21	" 83.000.--
17.)	15., Thurnergasse 22	" 148.000.--
18.)	16., Hubergasse 8	" 205.000.--
19.)	18., Schopenhauerstrasse 39	" 153.000.--
20.)	19., Dollinnergasse 3	" 120.000.--
21.)	20., Kaschlgasse 20	" 75.000.--
22.)	21., Holzmeisterg.12-Schindlergasse 4	" 190.000.--
23.)	20., Kluckygasse 11	" 238.000.--
		S 4,273.000.--

(b) Niederösterreich

1.)	Atzgersdorf bei Wien	" 110.000.--
2.)	Baden bei Wien, Grabengasse 12-14	" 185.000.--
3.)	Gaenserndorf, Bahnhofstrasse	" 78.000.--
4.)	Gross Enzersdorf	" 45.000.--
5.)	Hollabrunn, Winiwarterstrasse 9	" 25.000.--
6.)	Hohenau	" 40.000.--
7.)	Horn, Stadtgrabengasse 47	" 47.000.--
8.)	Krems, Dienstlstrasse 2	" 95.000.--
9.)	Lassee 172	" 45.000.--
10.)	Mistelbach, Cartengasse	" 113.000.--
11.)	Moedling	" 49.000.--
12.)	Klosterneuburg, Medekstrasse	" 83.000.--
13.)	Neunkirchen, Tempelgasse 2	" 68.000.--
14.)	St. Poelten, Lederergasse	" 128.000.--
15.)	Stockerau	" 127.000.--
16.)	Wiener Neustadt, Neunkirchnerring	" 133.000.--

Uebertrag....S 5,644.000.--

...../

347305

DECLASSIFIED

E010501

Authority
by 15 MARA Date 3/11/01

RG

59

Entry Subs Files

Austria Occupation

File 586-Austrian Reparations Israel

Box 8

E.1284
Cor F1c 580223

- 3 -

Uebertrag..... S 5,644.000.-(c) Burgenland

1.) Deutschkreuz	"	73.000.-
2.) Eisenstadt	"	95.000.-
3.) Frauenkirchen	"	103.000.-
4.) Gattendorf	"	53.000.-
5.) Guessing (Grazer K.G.)	"	19.000.-
6.) Kittsee	"	118.000.-
7.) Kobersdorf	"	81.000.-
8.) Lackenbach	"	95.000.-
9.) Mattersburg	"	108.000.-
10.) Oberwarth (Grazer K.G.)	"	42.000.-
11.) Rechnitz (Grazer K.G.)	"	27.000.-

S. 6,458.000.-

(d) Oberoesterreich

1.) Linz	"	590.000.-
2.) Steyr	"	28.000.-

(e) Salzburg

1.) Salzburg	"	280.000.-
--------------	---	-----------

(f) Steiermark

1.) Graz	"	450.000.-
----------	---	-----------

(g) Tirol und Vorarlberg

1.) Hohenems	"	310.000.-
2.) Innsbruck	"	273.000.-

Schadensumme der zerstoerten
Tempel, Wert 1938

S 8,389.000.-

Gemeass Schreiben der Finanzlandesdirektion fuer Wien, Niederoesterreich und Burgenland, Dienststelle fuer Vermoegenssicherungs- und Rueckstellungsangelegenheiten vom 15.I.1953, Aktenzeichen VR-V 10042-6/53, gelangt ein zehnfacher Aufwertungsfaktor zur Anrechnung und ergibt demnach..... S 83,890.000.-

...../

347306

DECLASSIFIED	RG 59
E.O.10501	Entry Subs. Files
Authority	Austria Occupation
By 15 NAPA Date 8/11/60	File 586-Austrian Reparations Israel
	Box 8

E.1284
LOT E10580223

- 4 -

II. Thorarollen.

Wie eingangs erwähnt, fielen dieser Zerstörungswut auch die Thorarollen zum Opfer.

Wenn in den Stadttempeln von Wien sowie den grösseren Provinztempeln..... 15 Thorarollen fuer jeden Tempel angenommen werden,

in den restlichen kleineren Tempeln je 10 Thorarollen, so ergibt dies:

$$\begin{aligned} 31 \times 15 &= 465 \text{ Thorarollen} \\ 28 \times 10 &= \underline{280 \text{ Thorarollen}} \end{aligned}$$

zusammen.... 745 vernichtete Thorarollen

im Werte von S 25.000.-- pro Stueck = S 18,625.000.--

III. Devotionalien.

Die Tempel und Bethaeuser waren mit rituellen Kultgegenstaenden besonders reich ausgestattet und wurden diese ebenfalls zertrümmert und geraubt. Auch viele Einrichtungsgegenstaende religioesen Charakters aller dieser Gotteshaeuser, wie Bundeslade, Vorhaenge fuer die Bundeslade, Altardecken, Baldachine, Predigerkanzel, waren mit in Gold gestickten kostbaren Brokatteppichen geschmückt. Dazu gehoerten auch silberne und vergoldete Kronen und Glockengehaenge, Kandelaber, Wandleuchter, Haengelampen aus Edelmetall und verschiedene andere kulturhistorische und wertvolle Ritualgegenstaende.

Diese Ausstattung war in den Wiener Tempeln und in den Hauptstaedten der Provinz ganz besonders reichhaltig und kann hier der ungefaehre Wert derselben mit S 700.000 angenommen werden

fuer 31 solcher Grossstempel als Gesamtwert von S 21,700.000.--

der Wert der vernichteten Kultgegenstaende in den 28 Kleinstaedten kann mit S 300.000 eingeschaetzt werden, also mithin..... S 8,400.000.-- Der heutige Wert all dieser vernichteten Devotionalien in allen Bethaeusern und Tempeln ist zumindest mithin mit..... S 30,100.000.-- anzunehmen.

DECLASSIFIED

E.O.10501

Authority 115 NAPA Date 3/11/61

RG 59

Entry

S605 Files
Austria OccupationFile 586-Austrian
Reparations Israel

Box 8

E.1284
Lot File 580223

- 5 -

In dieser gesamten Aufstellung blieben die Bethaeuser, die sich in Wien und in kleineren Orten befunden haben, die jedoch in keine eigenen Gebaeude untergebracht waren, unberuecksichtigt. Auch diese waren mit rituellen Kultgegenstaenden ausgestattet, die gleichfalls der Vernichtungswut zum Opfer fielen.

Rekapitulation:

Schadensumme aus I.	S 83,890.000.--
---------------------	-----------------

Schadensumme aus II.	" 18,625.000.--
----------------------	-----------------

Schadensumme aus III.	" 30,100.000.--
-----------------------	-----------------

zusammen..... S 132,615.000.--	
--------------------------------	--

Wenn fuer alle umseitig angefuehrten Schaeden ein heutiger Schaetzwert von zusammen

S 132,615.000.--

auf scheint, so ist diese Summe kein materieller Gegenwert fuer das Verlorengegangene, da der historische und kulturelle Wert bei vielen verlorengegangenen Objekten unschaetzbar ist.

Wien, am 25. Juni 1953.

347308

DECLASSIFIED

E.O.10501

Category 1b NARA Date 8/11/01

RG

59

Entry

5685 Files

Austria Occupation

File 586-Austrian Reparations Israel

Box 8

E.1284
LotFile 58D223

Beilage A

I. Entschaedigung fuer Verlust der Freiheit, des Lebens und fuer Koerper- und Gesundheitsschaeden

	Betrag in Millionen S	Gesamtbetrag in Millionen S
(a) Haftentschaedigung 12.000 Personen	60	
(b) Entschaedigung fuer Witwen und Waisen, 600 Anspruchsberechtigte	25	
(c) Entschaedigung fuer Gesundheitsschaeden 2000 Anspruchsberechtigte	100	185

II. Entschaedigung fuer Mitglieder der freien Berufe, selbstaendige Unternehmer und Angestellte hoherer Kategorien

(a) Entschaedigung fuer die vergangene Zeit, Gesamtzahl 5000 Personen	150	
(b) Renten Gesamtzahl 3000 Personen	150	300

III. Ersatz fuer verlorene Wohnungseinrichtungen, Wertgegenstaende und Ersparnisse aller Art

(a) Wohnungseinrichtungen 30.000 potentielle Anspruchsberechtigte, Durchschnittsanspruch S 12.000	360	
(b) Wertgegenstaende und Ersparnisse aller Art 20.000 Anspruchsberechtigte, Durchschnittsanspruch S 15.000	300	660

IV. Beamtenentschaedigung und Beamtenpensionen

(a) Beamtenentschaedigung	12.25	
(b) Pensionen	60	72.25

V. Ansprueche aus der Angestellten- und Arbeiterversicherung

4000 Anspruchsberechtigte	150	
---------------------------	-----	--

VI. Zerstoerte Tempel und geraubte Kultgegenstaende

Insgesamt 1.482.25

347309

DECLASSIFIED

E.01050

Authority
By 15 NARA Date 3/11/01

RG

59

Entry Subs. Files

Austria Occupation

File 586-Austrian

Reparations Israel

Box

E.1284
LORE/10 580223Beilage A.I.

Entschaedigung fuer Verlust der Freiheit, des Lebens und fuer Koerper- und Gesundheitsschaeden.

A. Haftentschaedigung

Es sind zwei Gruppen zu unterscheiden: diejenigen Opfer rassistischer oder religioeser Verfolgung, die in Oesterreich anlaesslich der Massenarreste im Mai und November 1938 ihrer Freiheit beraubt und zweitens diejenigen, die nach dem Ausbruch des Krieges deportiert wurden.

ad 1.) In die erste Gruppe fallen ungefaehr 15.000 Personen, von denen 5.000 im Mai und 10.000 im November verhaftet wurden. Ein Drittel von ihnen duerfte nicht mehr am Leben sein. Die im Mai verhafteten Personen befanden sich durchschnittlich 10 Monate lang in Gefaengnissen oder Konzentrationslagern, die im November Verhafteten im Durchschnitt 4 Monate lang. Das Erfordernis fuer die Entschaeidigung dieser Gruppe wuerde daher \$ 20,000.000 betragen.

Von den nach Ausbruch des Krieges Deportierten duerften ungefaehr 2.000 ueberlebt haben, die gegenwaertig als Auslaender keine Haftentschaedigung erhalten. Sie waren im Durchschnitt 4 Jahre ihrer Freiheit beraubt und sollten daher zu je \$ 20.000 Entschaeidigung berechtigt sein, zusammen also \$ 40,000.000

\$ 60,000.000

Diese Summe stellt den Mehraufwand fuer Haftentschaedigung fuer die Opfer religioeser und rassistischer Verfolgung dar. Der Mehraufwand fuer die Opfer politischer Verfolgung wuerde sehr gering sein, da diese Opfer in der Regel zu ihrer Familie nach Oesterreich zurueckkehrten, waehrend die Opfer rassistischer Verfolgung haeufig nicht zurueckkehrten, weil sie keine Angehoerigen mehr in Oesterreich besassen.

B. Entschaeidigung fuer Witwen und Waisen

Wir schlagen vor, dass ueberlebende Witwen von Verfolgungsopfern eine Monatspension von je \$ 600 erhalten. Die Zahl der nicht wieder-verheirateten anspruchsberechtigten Witwen betraegt nach unseren Informationen ungefaehr 600. Unter Beruecksichtigung des Umstandes, dass der Anspruch nicht nur durch Tod, sondern auch bei Wiederverheiratung wegfaellt, ist mit einem Durchschnittsbezug von 6 Jahren fuer die Zukunft zu rechnen, demgemaess mit einer Totalsumme von

\$ 25,000.000

/.....

347310

DECLASSIFIED

E.O.10501

Authority
By 115 NAPA Date 3/1/01

RG

59

Entry

Subs. Files

Austria Occupation

File

586-Austrian

Reparations Israel

Box

8

E.1284
CORR10580223

- 2 -

In Frage kaemten ferner Nachzahlungen fuer die Vergangenheit, sowie Versorgung einer verhaeltnismaessig geringen Anzahl minderjaehriger oder erwerbsunfaehiger Waisen.

C. Entschaedigung fuer Gesundheitsschaeden

Wir schlagen ferner die Gewaehrung von Renten fuer dauernde Gesundheitsschaedigung durch Verfolgung vor. Ca. 2,000 Personen duerften voraussichtlich dauernde Gesundheitsschaedigungen erlitten haben, die sie in ihrer Erwerbstaeigkeit stark beeintreachtigen. Renten bis zum Maximalbetrag von S 600 per Monat, je nach dem Grade der Erwerbsunfaehigkeit, wuerden eine Auslage von 10 Millionen Schilling p.a. und eine Gesamtauslage von S 100,000.000 verursachen.

347311

DECLASSIFIED

E.O.10501

Authority
by 15 MARA Date 3/11/01

RG

59

Entry 505 Files

Austria Occupation

File 586-Austrian

Reparations Israel

Box

8

E.1284
CORR FIC 580223Beilage A.II.

Entschaedigung fuer Mitglieder der freien Berufe, selbststaendige Unternehmer und Angestellte hoherer Kategorien.

Es wird vorgeschlagen, dass Mitglieder der freien Berufe (Rechtsanwaelte, Notare, Aerzte, Architekten etc.) selbststaendige Unternehmer und Angestellte hoherer Kategorien, die ihre fruehere Taetigkeit nicht aufnehmen oder nur zum Teil aufnehmen konnten oder die sich nicht eine sozial oder wirtschaftlich equivalente Stellung schaffen konnten, folgende Entschaeidigung erhalten sollen:

Fuer jedes Jahr, in dem sie solcherart waehrend der Jahre 1938 - 1952 benachteiligt waren, S 7500 - 10.000 p.a. (je nach den notwendigen Lebenshaltungskosten). Diese Entschaeidigung waere jedoch nur fuer eine Maximaldauer von 4 Jahren zu gewaehren. Wir nehmen an, dass hoechstens 5000 Personen Ansprueche dieser Art zu stellen berechtigt sein werden. Geschaetzte Gesamtkosten hoechstens S 150,000.000

Wir beantragen ferner die Zahlung einer jaehrlichen Rente an Personen der obigen Kategorien, die sich ohne ihr Verschulden bis zum 1. Jaenner 1953 noch keine ihrer frueheren Erwerbstaeigkeit sozial und oekonomisch gleichwertige Stellung schaffen konnten. Wir sind der Ansicht, dass die Gesamtzahl der fuer solche Renten in Betracht kommenden Personen nicht mehr als 3000 ist und schlagen fuer diese Personen eine Rente von S 7500 - S 10.000 p.a. vor.

Die Gesamtkosten duerften schaetzungsweise S 25,000.000 jaehrlich betragen. Mit Ruecksicht auf das vorgerueckte Alter dieser Personen und daher eine durchschnittliche Lebenshoffnung von 6 Jahren wuerden die Gesamtauslagen S 150,000.000 betragen.

Die Lage dieser Gruppe ist besonders beruecksichtigenswert, da es sich um Personen handelt, die sich wegen ihres Alters oder wegen anderer Umstaende dem Erwerbsleben ihres Aufenthaltslandes nicht akklimatisieren konnten, die aber wegen ihres vorgerueckten Alters, ihrer Mittellosigkeit und Familienbindungen nicht nach Oesterreich zurueckkehren konnten, zumal ihrer Rueckkehr die Unmoeglichkeit entgegenstand, eine Wohnung zu erlangen.

DECLASSIFIED

E.O.10501

Authority 115 KARA Date 3/11/61

RG

59

Entry 568 Files

Austria Occupation

File 586-Austrian Reparations Israel

Box 8

E.1284
Lot File 580223Beilage A. III

Ersatz fuer verlorene Wohnungseinrichtungen,
Wertgegenstaende und Ersparnisse aller Art.

Die Gruppe der rassisch und religioes Verfolgten hat im allgemeinen alle ihre Wohnungseinrichtungen, ihre Wertgegenstaende und Ersparnisse aller Art mit geringen Ausnahmen zur Gaenze verloren, waehrend nur wenige Oesterreicher anderer Gruppen solche Verluste durch Beschlagnahmen oder andere widerrechtliche Handlungen erlitten haben.

(a) Wohnungseinrichtungen:

Es gab in Oesterreich ungefaehr 60.000 juedische Familien. 60.000 Juden wurden deportiert und getoetet, was im allgemeinen durchschnittlich 20.000 Familien entspricht. Von den verbleibenden 40.000 Familien konnten am Beginn der Naziherrschaft in Oesterreich ungefaehr 3000 ihre Wohnungseinrichtungen und Haushaltgueter mit sich nehmen. 7000 duerften aus verschiedenen Gruenden wegfallen, so dass 30.000 potentielle Anspruchsberechtigte aus diesem Titel verbleiben.

Im Hinblick auf die oekonomische Lage Oesterreichs schlagen wir vor, die Hoehe der einzelnen Ansprueche auf S 30.000 zu beschraenken. Der Wert einer Wohnungseinrichtung im Jahre 1938 war durchschnittlich RM 6000. Die Wiederbeschaffungskosten wuerden mindestens das sechsfache betragen.

Bezueglich der notwendigen Auslagen aus diesem Titel fuehren wir ferner an, dass nur ein Teil der Anspruchswirber den Hoechstbetrag wird geltend machen koennen, da sich unter den 30.000 Familien viele Minderbemittelte befanden. Wir schaeten daher den Durchschnitt des im einzelnen Falle geltend gemachten Anspruches auf S 12.000, was einer Auslage von S 360,000.000 entsprechen wuerde.

(b) Wertgegenstaende und Ersparnisse aller Art
(Wertpapiere, Spar- und Bankguthaben, Versicherungspolizzen, Juwelen etc.)

Auch diese Werte wurden der Gruppe der religioes und rassisch Verfolgten nahezu zur Gaenze entzogen. Gemaess amtlichen Ziffern betrug der Wert dieser Vermoegensobjekte RM 896,000.000.

Diese Ziffer bezieht sich auf die Vermoegenswerte derer, die am 30. Juni 1938 noch in Oesterreich waren und ihrer Verpflichtung zur Anmeldung des Vermoegens, insofern es RM 5000 ueberschritt, nachgekommen sind.

Hiezu kommen noch weitere in dieser amtlichen Ziffer nicht enthaltene Verluste, die ca. RM 200,000.000 betragen duerften (siehe unser Memorandum ueber die gesamten juedischen Verluste).

Gegenwaertig waeren die Werte weit hoher zu schaeten, mit Ruecksicht darauf, dass ein Teil der Aktiven (Juwelen, Aktien) wert-

/.....

347313

DECLASSIFIED

E.O.10501

Authority
By: 15 NARA Date: 3/11/01

RG

59

Entry

Subs. Files

Austria Occupation

File

S86-Austrian Reparations Israel

Box

8

E.1284
LOR File 580223

- 2 -

bestaendig war.

Mit Ruecksicht auf die oekonomische Lage Oesterreichs wuerde eine Begrenzung des Anspruches im einzelnen Falle auf S 30.000 einzutreten haben.

Wir nehmen an, dass es ca. 20.000 Anspruchsberechtigte geben wird, von denen ein Teil Minderbemittelte waren.

Unter Beruecksichtigung dieses Umstandes und des Ausschlusses von Anspruechen ueber S 30.000 wird der einzelne Anspruch im Durchschnitt nicht mehr als S 15.000 betragen, so dass der Gesamtanspruch sich auf S 300,000.000 belaufen duerfte.

Im Verlaufe der Debatte zwischen den Delegationen erhab die oesterreichische Delegation die Einwendung, dass auch viele Oesterreicher, die in Oesterreich verblieben, gleiche Verluste an Haushaltsgutern und anderen Werten durch Bombenschaeden, Besatzung und andere Kriegsfolgen erlitten. Die juedische Delegation erwiderete, dass der Krieg gleichmaessig alle Schichten der Bevoelkerung traf, waehrend die Verfolgungsmassnahmen und Konfiskationen fast ausschliesslich gegen die Juden gerichtet waren.

347314

DECLASSIFIED

E.O.10501

Authority 11/10U
By 115 NARA Date 3/11/02

RG

59

Entry 595 Subs. Files
Austria Occupation
File 286-Austrian
Reparations Israel
Box 8E.1284
LOT F10-582223Beilage A. IV.Beamten-Entschaedigung und
Beamtenpensionen

Wir schaetzen die Zahl der juedischen oeffentlichen Beamten zu Beginn des Jahres 1938 auf 400. Diese Personengruppe erhielt bis jetzt weder Entschadigung nach dem Beamten-Entschadigungsgesetz noch Pensionen.

(a) Bei Annahme der Regierungsvorlage ueber die Aenderung des Beamten-Entschadigungsgesetzes erhalten diese Beamten oder ihre Hinterbliebenen die im Beamtenentschadigungsgesetz vorgesehene Entschadigung.

Es kann angenommen werden, dass die Zahl der juedischen Beamten zwischen dem 13. Maerz 1938 und dem 30. April 1945, mit welchem Tage die Entschadigung endet, im Durchschnitt ungefaehr 350 betragen haben duerfte, da ein Teil der Mitglieder dieser im Alter vorgerueckten Gruppe bis zum April 1945 verstarb. Die hoechste Entschadigung nach dem Beamten-Entschadigungsgesetz betraegt S 6000.- jaehrlich. Unter der Annahme, dass eine Durchschnittentschadigung von S 5000 jaehrlich in Frage kommt, und daher fuer ca. 7 Jahre im Einzelfall S 35.000, so ergibt sich eine Gesamterforderung fuer 350 Beamte von S 12,250.000.

(b) Die Novelle zum Beamtenentschadigungsgesetz sieht jedoch noch immer nicht die Zahlung der gebuehrenden Pensionen an den juedischen grundlos entlassenen Beamten vor.

Von den 400 Beamten duerften seit 13. Maerz 1938 200 verstorben sein. Im Durchschnitt hatten daher wahrend der letzten 15 Jahre ungefaehr 300 Beamte Anspruch auf Pensionen. Unter der weiteren Annahme, dass die durchschnittliche Jahrespension S 10.000 wahrend dieser 15 Jahre war, wurde dies einem Aufwand von ungefaehr entsprechen.

S 45,000.000

Zukuenftige Pensionen, von 1953 angefangen, wurden nur fuer ungefaehr 200 Berechtigte in Betracht kommen, mit einer mutmasslichen durchschnittlichen Lebenshoffnung von 5 Jahren und einem entsprechenden Aufwand von insgesamt S 10,000.000

Hiezu kommen noch die Witwenpensionen, die unter der Annahme von im Durchschnitt 100 berechtigten Witwen mit einem Anspruch von S 5000 pro Jahr fuer 10 Jahre ausmachen wuerden.

S 5,000.000

Das Gesamterfordernis fuer Beamtenentschadigung und Pensionen waere demnach S 72,250.000

DECLASSIFIED

E.O.10501

Authority 15 NARA Date 3/11/04

RG

59

Entry

Subs Files

Austria Occupation

File 586-Austrian

Reparations Israel

Box

8

E.1284

Conf File 580223

Beilage A.V.Ansprueche aus der Angestellten- und Arbeiterversicherung

Nach oesterreichischen Nachkriegsgesetzen erhalten versicherte Angestellte und Arbeiter, die sich im Auslande aufhalten oder eine andere Staatsbuergerschaft angenommen haben, die ihnen gebuehrenden Alters-, Witwen-, Waisen- und Invalidenpensionen nicht und verlieren auch ihren Anspruch auf Anwartschaften.

Wir betrachten es als ein selbverstaendliches Gebot der Gerechtigkeit, dass weder Aufenthalt noch Staatsbuergerschaft zur Voraussetzung des Genusses wohlerworbener Ansprueche gemacht werden.

Die Zahl der Personen, die aus den angefuehrten Gründen ihre Pensionen nicht erhalten oder deren Recht auf Anwartschaften nicht anerkannt wird, betraegt nach gesammelten Informationen ungefaehr 4000. Die Faelligkeit der Alters-, Witwen- und Invalidenpensionen duerfte in etwa 1200 Faellen gegeben sein, waehrend der Rest Anwartschaften besitzt.

Der Hoechstanspruch auf Alterspensionen betraegt derzeit S 10.000 jaehrlich, so dass als Durchschnitt S 8000 angenommen werden kann.

Der Wert der Anwartschaften fuer die verbleibenden 2800 Personen kann in jedem einzelnen Falle annaehernd mit der Haelfte der vollen Pension angenommen werden.

Dazu kommen noch Witwen-, Waisen- und Invalidenpensionen.

Wir schaetzen den Gesamtaufwand auf

S 150,000.000

Die Erfuellung der berechtigten Forderung auf diese Pensionen kann nur durch eine Gesetzesaenderung und nicht im Wege von Reziprozitaetsvertraegen erreicht werden, da es vollkommen unmöglich ist, mit 30 - 40 Staaten, in denen sich anspruchsberechtigte Opfer religioeser, rassischer und politischer Verfolgung befinden, Reziprozitaetsvertraege zu schliessen. Ausserdem sind auch Aenderungen des Pensions-Neuregelungsgesetzes erforderlich, soweit dort Bedingungen fuer Aufrechterhaltung der Anwartschaften enthalten sind, die von den Anspruchsberechtigten ausserhalb Oesterreichs wohnhaften Opfern nazistischer Verfolgung nicht erfüllt werden koennen.

DECLASSIFIED

E.O.10501

Authority 15 NARA Date 3/11/01

RG

59

Entry 545 Subs. Files

Austria Occupation

File 286-Austria Reparations Israel

Box 8

E.1284
207510 580223

30. Juni 1953

Erblosen und nicht Rueckvorlangtes Vermoegen

Hinsichtlich des Fragenkomplexes der erblosen und nicht rückverlangten Vermögen, erscheint es vorteilhaft, den Unterschied zwischen den Standpunkten der österreichischen und unserer Delegation klarzumachen. Nach der Auffassung der österreichischen Delegation sollen unter diesem Titel nur spezifisch feststellbare Vermögen in Betracht gezogen werden, wodurch das erblose Vermögen praktisch auf Grundbesitz beschränkt würde. Wir dagegen ziehen in Betracht - und jede Schätzung des erblosen Vermögens muss dieser Meinung nach tun -, dass 60.000 Juden aus Österreich, vorwiegend ganze Familien, von den Nationalsozialisten vernichtet wurden. Wir betonen, dass wir nicht Schadenersatz für Massenmord verlangen, aber wir wissen, dass diese 60.000 Juden bewegliches und unbewegliches Eigentum, Heimstätten, Ersparnisse aller Art, Wohnungseinrichtungen, Wertgegenstände, Geschäfte und andere Aktiven besessen.

In Anbetracht des oben angeführten Gesamtverlustes der österreichischen Judenheit und der durchschnittlichen sozialen und finanziellen Lage der deportierten und ermordeten Opfer, muss der heutige Wert der Besitztümer dieser Opfer nach einer vorsichtigen Schätzung zwei Milliarden S. betragen. Hierbei sind weder Entschädigung für jüdische Zwangsarbeit in Österreich, noch die Werte, die hierdurch geschaffen wurden, in Betracht gezogen.

Die Vertreter der Bundesregierung haben ihren Standpunkt bezüglich erbloser und nicht zurückverlangter Vermögen durch das Argument verteidigt, dass die Bankinlagen, Wertpapiere, Wertgegenstände und andere heute nicht feststellbare konfizierte Besitztümer von Juden nach Deutschland verbracht wurden und daher in Österreich nicht mehr auffindbar sind. Wir sind uns bewusst, dass ein beträchtlicher Teil des entzogenen jüdischen Besitzes von den Nationalsozialisten nach Deutschland transportiert wurde. Aber andererseits steht es unzweiflhaft fest, dass ein beträchtlicher Teil des den Juden geraubten Vermögens in österreichischen Besitz kam. Ebenso wissen wir, dass die Nationalsozialisten nicht alle Werte dieser Art nach Deutschland sandten, sondern ein Teil in Österreich blieb, entweder in seiner ursprünglichen Form, oder mindestens sein Gegenwert.

Wir sind daher der Auffassung, dass die Beschränkung des erblosen und nicht rückverlangten Vermögens auf feststellbares Eigentum ein rein formalistischer Gedankengang ist, der einer wirklichen Lösung des Problems ausweicht. Wir betrachten daher auf Grund aller dieser Erwägungen den Betrag von einer Milliarde Schilling als einen angemessenen und billigen Ausgangspunkt für eine Regelung.

347317

DECLASSIFIED

E010501

Category 15 NARA Date 3/11/01

RG

59

Entry Subs. Files

Austria Occupation

File 86-Austria

Reparations Israel

Box 8

E.1284
Cat F.16 580 223

- 2 -

Die Vertreter der Bundesregierung haben auch das Argument gebraucht, dass Artikel 44 des Entwurfes des österreichischen Staatsvertrages der Lösung dieser Frage im gegenwärtigen Momente entgegensticht. Dieser Einwand trifft nicht zu, da ein nicht abgeschlossener Vertrag, der noch dazu wenig Aussicht hat, in seiner gegenwärtigen Fassung abgeschlossen zu werden, kein solches Hindernis bilden kann. Tatsächlich hat die österreichische Bundesregierung selbst anerkannt, dass Artikel 44 nicht bindet, da sie ja selbst vor kurzem Gesetzentwürfe vorgelegt hat, die im Widerspruch zu gewissen Vorfügungen des Artikel 44 stehen.

In Übereinstimmung mit Punkt 3 des dem Herrn Bundeskanzler am 17. Juni 1953 von uns überreichten Memorandums schlagen wir vor, dass eine einvernehmlich festzustellende Globalsumme von der österreichischen Bundesregierung gezahlt werde, und zwar zum Zwecke der Hilfeleistung und Wiederherstellung der sozialen Existenz überlebender Opfer der nationalsozialistischen Verfolgung. Der gezahlte Betrag würde vom Joint Executive Board und seinen Mitglied-Organisationen verwaltet werden.

347318

DECLASSIFIED

E040501

Authority
S, 15 NAPA Date 3/11/53

RG

59

Entry 5405 Files

Austria Occupation

File 886-Austrian

Reparations Israel

Box 8

E.1284
LOT FILE 580223TRANSLATION

June 30, 1953

Heirless and Unclaimed Property

With regard to the questions concerning heirless and unclaimed property, it would seem advantageous to make clear the difference between the points of view of the Austrian and our Delegation. According to the conception of the Austrian Delegation, only specifically identifiable property should be included in this category, which would limit the heirless property in effect to real estate. We on the other hand consider - and in our opinion every estimate of heirless property must do this - that 60,000 Jews from Austria, mostly entire families, were exterminated by the National Socialists. We emphasize that we do not demand compensation for mass murder, but we know that those 60,000 Jews owned movable and immovable property, homes, savings of all kinds, furnishings, valuables, businesses and other assets.

In consideration of the above cited total losses of Austrian Jewry and the average social and financial position of the deported and murdered victims, the current value of the assets of these victims, on the basis of a conservative estimate, must amount to two billion Schilling. This does not consider either compensation for Jewish forced labor in Austria, nor the values which were thereby created.

The representatives of the Federal Government have defended their viewpoint regarding heirless and unclaimed property with the argument that the bank deposits, securities, valuables and other not today identifiable assets of Jews had been brought to Germany and therefore cannot be traced in Austria any longer. We are aware of the fact that a considerable portion of confiscated Jewish property was transported to Germany by the National Socialists. On the other hand, however, it is established beyond doubt that a considerable portion of the property spoliated from Jews came into Austrian possession. Also we know that the National Socialists did not send all assets of this kind to Germany but that a part remained in Austria, either in its original form or at least its countervalue.

We are therefore of the view that to limit heirless and unclaimed property to identifiable property is a purely formalistic approach, which evades a true solution of the problem. We therefore regard, on the basis of all these considerations, the sum of one billion Schilling as a proper and equitable point of departure for a settlement.

The representatives of the Federal Government have also used the argument that Article 44 of the draft Austrian Peace Treaty stands in the way of the solution of this question at the present time. This objection is not valid, since a not concluded treaty, which moreover has little chance of being concluded in its present form, cannot constitute such an obstacle. In fact the Austrian Government has recognized itself that Article 44 is not binding, since it has itself a short time ago submitted draft legislation which is in contradiction to certain provisions of Article 44.

347319

DECLASSIFIED

E010501

Authority
By 15 NARA Date 3/11/01

RG

59

Entry Subs. Files

Austrian Occupation

File 586-Austrian Reparations Israel

Box 8

E.1284
Lot E10 580223

- 2 -

In accordance with Point 3 of our memorandum submitted to the Chancellor on June 17, 1953, we suggest that the Federal Government shall pay a global sum, to be determined by joint agreement, which is to be used for the purpose of relief and reconstruction of the existence of surviving victims of National Socialist persecution. The sum paid shall be administered by the Joint Executive Board and its member organizations.

347320

DECLASSIFIED	RG 59
Authority E.O.1050	Entry 588 Subs. Files
By 15 NARA Date 8/11/01	Austria Occupation for File 58D223
	File 586-Austrian Reparations Israel
	Box 8

FINAL DOCUMENT SUBMITTED BY THE JEWISH NEGOTIATING TEAM TO THE AUSTRIAN NEGOTIATING TEAM - JULY 1, 1953.

As was proposed at the meeting of June 22 between the Ministers of Foreign Affairs and Finance of the Austrian Federal Republic and the representatives of the Joint Executive Board for Jewish Claims on Austria, there have now been held a series of meetings between delegations of the Austrian Government and of the Joint Executive Board.

As agreed at the first of these meetings held on June 24 their purpose has been to have a brief but informal and frank exchange of views between the two delegations on the subject matter of these negotiations as defined in the memorandum submitted by the Joint Executive Board to his Excellency the Federal Chancellor on June 17, 1953. In the course of these meetings the delegation of the Joint Executive Board has submitted two further explanatory papers to the Austrian government delegation.

In the light of the general discussions during the three meetings of June 24, 25 and 26 and a number of smaller meetings between technical representatives of the two delegations, the delegation of the Joint Executive Board now submits a statement of its claims and proposals with estimates of the numbers of persons and financial amounts involved.

This statement comprises:

- (a) A general explanation of the foundation on which the claims of the Joint Executive Board are based;
- (b) A memorandum embodying the views of the Joint Executive Board in the matter of heirless and unclaimed property;
- (c) A summary sheet entitled "Beilage A" tabulating the claims and proposals in respect of individual Jewish victims of Nazi persecution;
- (d) A series of supplementary documents attached to and supporting Beilage A, numbered I to VI inclusive, in which a detailed statement and estimate with respect to each claim is set forth;
- (e) In connection with Beilage A VI dealing with damage to synagogues and the destruction and pillage of religious objects, a further detailed memorandum listing the specific synagogues and the nature of the religious objects damaged destroyed or pillaged is attached. Attention is directed to the fact that whereas present estimated value of this damage is stated at 115 million schillings in Beilage A, the detailed memorandum, prepared subsequent to original estimates, corrects this figure to 132,615,000 schillings.

Attention is further directed to the reference in Beilage A VI to the problem of housing for returned Jewish refugees. Since the special meetings on this subject between representatives of the two delegations have only just taken place, I shall ask the representative of the Israelitische Kultusgemeinde to make a statement on this question.

D.S.-9

347321

DECLASSIFIED

E.O.10501

Authority
by 15 NARA Date 8/11/01

RG 59

Entry 5085-FILES

Australia Occupation

File S86-Austria

Reparations Israel

Box 8

E.1284
COFF/1c 58D223

TRANSLATION

DRAFT

PRESS COMMUNIQUE

July 14, 1953

The negotiations which were conducted on the part of the Government of the Federal Republic of Austria during the last few weeks with the representatives of the Jewish organizations, have in their first stages already led to certain positive results.

Above all, the Austrian Government affirmed the principle that in legislation regarding restitution and compensation for victims of National Socialist persecution no distinction shall be made between Austrian citizens and non-citizens, both within Austria and abroad. This principle of non-discrimination is already expressed in the laws which were passed last week by the Austrian Parliament (regarding compensation to officials and compensation for deprivation of liberty). The questions of compensation for heirless and unclaimed Jewish assets, as well as for furnishings and similar assets confiscated by the National Socialist regime, still remain to be clarified and settled.

Due to the beginning of summer vacations, it was agreed in a discussion in which participated, on behalf of the Austrian Government the Federal Chancellor, the Minister of Foreign Affairs, and the Finance Minister, and on behalf of the Jewish organizations the Chairman of the Joint Executive Board for Jewish Claims on Austria, Dr. Nahum Goldmann, and the leader of the Jewish negotiating delegation, Mr. Moses Beckelman, that experts of both sides should continue the discussions which should lead to a clarification of the evaluation of heirless and unclaimed Jewish assets, as well as of the confiscated furnishings and similar values. In the first half of September the negotiations shall be resumed in the expectation that these discussions will deal with all questions which were raised but not yet settled and will lead to a satisfactory settlement.

* * * * *

347322

DECLASSIFIED	RG 59
Authority E.O.10501	586 Files
By 11 NAPA Date 3/11/60	Austria Occupation
	586-Austrian Reparations Israel
	Box 8

AIDE MEMOIRE

Reference is made on behalf of the Joint Executive Board to the negotiations which have thus far taken place with respect to Jewish Claims on Austria.

These negotiations, undertaken at the invitation of the Austrian government, grow out of a background of discussion of these claims over a period of years between representatives of Jewish organizations and of the Austrian government. It was therefore with satisfaction and endorsement that the Joint Executive Board heard the Federal Chancellor's declaration on June 17, 1953 that he desired a mutually satisfactory agreement to be ready by July 15, 1953. It has been our understanding that all negotiations that have taken place since that date have been conducted with this deadline in mind.

In view of the short time that now remains before July 15 we regard it as appropriate and necessary at this time to make the following points:

- (1) In order to achieve agreement by July 15, 1953 it will obviously be necessary to have a response from the Austrian government to the claims advanced by the Joint Executive Board during the course of the present week. The basis for such a response from the Austrian government has been laid in the memoranda delivered since June 17, 1953 to the Federal Chancellor and the final document detailing the claims of the Joint Executive Board in the light of the technical discussions between the delegations of the Board and the Austrian government submitted on July 1, 1953.
- (2) Since the July 15, 1953 deadline was the official proposal of the Federal Chancellor, it has been expected by interested organizations and persons throughout the world that announcement of agreement would be made on or about that date. The absence of a clear response by the Austrian government on which an agreement by July 15, 1953 could be based will undoubtedly be regarded as indicating Austrian unwillingness really to reach a satisfactory settlement of this matter.
- (3) This view would be heightened by the unfortunate background of the unproductive discussions over a number of years of various aspects of this matter referred to above. We therefore stress the importance of reaching an agreement by July 15 to avoid undesirable consequences which failure to do so might have.
- (4) To avoid any misunderstanding the minimum requirements of an agreement to be reached by July 15 should be made clear. To provide a basis for future elaboration of details such an agreement would have to cover:
 - (a) An agreed overall amount which the Austrian government is prepared to commit for compensation to surviving individual Jewish victims wherever they may be of Nazi persecution in Austria;

/...

RG 59
Entry 1284 Lot: 580223
File: 586 - Austrian Reparations
Box 8

347323

DECLASSIFIED	RG <u>59</u>
Authority <u>E.O.10501</u>	Entry <u>568-Files</u>
By <u>115 NAPA Date 8/11/01</u>	Austria Occupation
	File <u>586-Austrian Reparations Israel</u>
	Box <u>8</u>

- 2 -

- (b) A schedule prepared in agreement with representatives of the Joint Executive Board and based on the memoranda already submitted of the essential categories of legislation for the disbursement of the above amount;
- (c) An undertaking that draft legislation to give effect to the intent of the foregoing paragraphs shall be prepared by representatives of the Austrian government in agreement with those of the Joint Executive Board not later than December 31, 1953 and introduced as government measures into the Austrian parliament as expeditiously as possible thereafter;
- (d) An agreed overall amount which the Austrian government is prepared to make available for the relief and rehabilitation of surviving Jewish victims of Nazi persecution in Austria in settlement of the "hairless property" claim. Such amount should be based on recognition of the vast property losses both traceable and non-traceable suffered by those Jewish victims of Nazi persecution in Austria who did not survive and the dispositions for its use should take into account the fact that the vast majority of the surviving victims are now outside of Austria;
- (e) An agreed period of years during which all payments contemplated by the foregoing paragraphs shall be completed.

The above points are here brought to the attention of the Austrian government for the purpose of avoiding misunderstanding and in the interests of our mutual desire to arrive as quickly as possible at a mutually satisfactory agreement. In view of the personal interest taken in this matter by the Federal Chancellor it is hoped that this memorandum will be brought to his attention.

M.W. Beckelman
for the delegation of the
JOINT EXECUTIVE BOARD

Vienna, July 6, 1953

RG 59
Entry 1289 Lot: 580223
File: 586-Austrian Reparations
Box 8

347324

DECLASSIFIED

E010501

Authority
By 15 NARA Date 8/11/01

RG

59

Entry Subs. Files
Austria Occupation
File 586-Austrian
Reparations Israel
Box 8E. 1284
Lot File 580223C
O
P
Y

MEMORANDUM

SUMMARY OF MEETING WITH AUSTRIAN GOVERNMENT REPRESENTATIVES

WEDNESDAY, SEPTEMBER 30, 1953 - 9 a.m.

The meeting took place in the conference room of the Federal Chancellery (the room in which the meeting between the Jewish delegation and the Austrian Government representatives had taken place in June 1953).

Present were:

Vice-Chancellor Schaerf
Finance Minister Kamitz, and
Press Relations Officer Meznik,

The Vice Chancellor opened the meeting by welcoming Mr. Beckelman and expressing to him the regrets of the Chancellor at not being present. At the time that this meeting had been contemplated, the dates of the Chancellor's visit to France had not yet been fixed. When it became clear that the Chancellor would not be present at this meeting, the Chancellor had expressed the wish that the meeting should not be postponed but that the Vice Chancellor and the Minister of Finance should meet with Mr. Beckelman, as arranged.

Mr. Beckelman expressed his pleasure at having this opportunity of meeting the Vice Chancellor and his interest in this meeting to discuss the Austrian Government's views on the pending questions involved in the negotiations between the Jewish organizations and the Austrian Government.

The Vice Chancellor thereupon asked the Minister of Finance to summarize these views. The Minister of Finance said that he was glad of the opportunity of Mr. Beckelman's presence in Vienna to have this meeting. Following summarizes the statement made by him:

- 1) The Minister of Finance emphatically reaffirmed the Austrian Government's adherence to the principle of non-discrimination in legislation benefitting victims of Nazi persecution in Austria and said that the Government is prepared forthwith to consider with the experts of the Jewish organizations such further specific steps as may be necessary to give effect to this principle.
- 2) With respect to compensation for jewelry, gold, bank accounts and similar assets the experts who have been working on this question during this summer have discovered that statistical material on this point is not readily available (the Finance Minister referred to a report in this sense which is supposed to have been communicated to Mr. Beckelman). Furthermore and in any event the Finance Minister did not believe that this claim was properly presentable against Austria. The property in question had been taken to Germany and the claim should therefore be presented to Germany rather than to Austria. Also some compensation had in

.../.

347325

DECLASSIFIED

E.O.10501

Authority
S, 115 NARA Date 8/11/01

RG

59

Entry 56b5 FILES

Austria's Occupation

File 586-Austria's

Reparations Israel

Box 8

E.1284
LOT F.10 580223

- 2 -

fact been paid for this property, and although this compensation might in turn have been confiscated or taxed away (the Reichsfluchtsteuer etc.), such confiscation or taxing was again a claim against the German and not the Austrian Government. While such claims might eventually be included in an overall settlement between the German and Austrian Governments, the Austrian Government was not at present in a position to do anything about the matter.

3) The Finance Minister pointed out that a settlement of the heirless property question was an extremely difficult one. In the first place there were groups other than the Conference for Jewish Material Claims on Austria that had similar claims under this heading. Thus during his recent visit to the United States the Finance Minister had been approached by a representative of the Association of Concentration Camp Victims (Dr. Eisler) who had said that while he agreed that Jews should be compensated for heirless property losses, the group which he represented was not comprehended within the claims put forward by the Jewish organizations. It was his (Eisler's) view that rather than making a lump sum settlement in lieu of heirless property, the Austrian Government should establish an overall fund from the proceeds of such property, out of which all surviving victims of Nazi persecution in need of assistance could benefit.

Furthermore the Finance Minister pointed out that similar representations from a number of other groups of Nazi victims in Austria had been received by the Austrian Government. These groups comprised persons of Jewish origin who are no longer Jewish, and non-Jewish victims of Nazi persecution whose claims had also to be taken into account. In the Finance Minister's view, therefore, the contents of the heirless property "pot" were a heterogeneous mass of assets, not all of which stemmed from Jewish sources. It was not until the filing dates under all the existing restitution laws had expired that it would be possible to sort out the contents of this "pot", and make proper allocation of the proceeds. In this connection the Finance Minister pointed out that there had been some indication (though this was not yet definite) that the French and British Governments might propose a further extension of the filing dates under the existing restitution laws.

4) The Finance Minister commented that he had heard that there had been a request for housing assistance. The Austrian Government was prepared to do what it could in this regard, and it was his view that within the framework of existing legislation and making use of such parcels of land as might prove to be heirless, such land could be made available to surviving victims of Nazi persecution in Austria who require housing, and credits advanced to them to enable building to be carried out.

5) With respect to compensation for loss of furniture and household effects the Finance Minister reaffirmed the intention of the Austrian Government to assimilate such compensation to victims of Nazi persecution now outside of Austria to the system of compensation already existing for persons in Austria whose homes, furniture and household effects had been bombed or had suffered other war damage.

.../.

347326

DECLASSIFIED

E.O.10501

Authority 15 NAPA Date 8/11/61

RG

59

Entry 5485 Files

Austria Occupation

File 586-Austrian

Reparations Israel

Box 8

E.1284
104-570 580223

- 3 -

Mr. Beckelman said he assumed that the foregoing statement represented the Austrian Government's answer to the pending questions which had been raised in the meeting between Dr. Goldmann and the Federal Chancellor about ten days ago. The Vice Chancellor said that this was correct and that the statement which the Finance Minister had just made represented an interim reply by the Government in the sense that it would be discussed further with the Chancellor upon his return to Vienna. In the meantime, however, the statement just made by the Finance Minister had been reported by him to the Cabinet and had been approved by them as the statement of the Austrian Government's position. (The Vice Chancellor also said that there had thus far been no report on these negotiations to the Austrian Parliament.)

Mr. Beckelman then addressed himself to the points made by the Minister of Finance. The following summarizes his (Beckelman's) observations and the discussion which took place in connection with them:

- 1) Mr. Beckelman welcomed and agreed with the statement of the Minister of Finance regarding the principle of non-discrimination and the fact that this was a matter which could properly be dealt with by the experts. He expressed similar views on the matter of compensation for furniture and household effects.
- 2) While recognizing the difficulties pointed out by the Finance Minister with respect to jewelry, bank accounts and similar assets, he felt that the fact that these claims would in due course be included in overall negotiations between the Austrian and German Governments, offered a possible solution to the problem of immediate compensation, basing himself on the fact that under international law a citizen of one state had no right to sue the Government of another state but must instead look to his own Government to protect his interests. He suggested that the Austrian Government might consider making an advance of a limited amount to persons who had lost such property in consideration of which advance the recipient would assign to the Austrian Government his claims for compensation for such assets. There was considerable discussion of this proposal leading to the conclusion that its practicability was a matter for further study and determination by the two delegations of experts. The Vice Chancellor believed that provided the conclusion was that the proposal was politically and practically feasible, the necessary data and information required to implement it should be available in Austrian Government's archives.
- 3) Addressing himself to the question of heirless property Mr. Beckelman pointed out that while recognizing the difficulties enumerated by the Minister of Finance, an adequate settlement in lieu of heirless property was regarded by the Jewish organizations as an essential element in any settlement of the claims of the Jewish organizations. He said that in his view the figure mentioned by Dr. Goldmann in his recent talk with the Chancellor, namely 300 million Schillings, and which the Finance Minister had mentioned, was a figure sufficiently low both to demonstrate the earnestness and goodwill of the Jewish organizations' desire to reach an agreement with

.../.

347327

DECLASSIFIED

E.O.10501

Authority

8/15 NARA Date 3/11/01

RG

59

Entry

5003 Files

Austrian Occupation

File 586-Austrian

Reparations Israel

Box

8

E. 1284
Loc. File 580223

- 4 -

the Austrian Government and to provide an adequate margin of safety for the Austrian Government against any errors that might exist in calculating the value of heirless and unclaimed property without waiting for the expiration of filing dates for claims under the restitution laws. He emphasized that when one took into account both the real and traceable property involved as well as the non-traceable (nicht feststellbar) property which must have been left behind by the 60,000 Jews who had died under the Nazi occupation, the figure of 300 million Schillings must obviously be regarded as a minimum which provided the margin of safety he referred to.

So far as groups not represented by the Conference on Jewish Material Claims on Austria were concerned, Mr. Beckelman said that to the extent that these groups had justified claims for relief and rehabilitation assistance to the people they represented, a similar fund might be set aside on their behalf. He pointed out that all the information available to the Jewish organizations indicated that by comparison with the size of the group represented by the Jewish organizations, other groups would constitute a very small percentage. In answer to an observation by the Finance Minister regarding the necessity for having real estimates to justify a settlement in view of heirless property, and the doubt expressed by the Finance Minister about the possibility of obtaining estimates of non-traceable property that would really be valid, Mr. Beckelman referred to the formulation proposed by Dr. Goldmann in the July meeting with the Austrian Government representatives to provide a justification for the settlement proposed. Dr. Goldmann's suggestion had been that the Austrian Government might announce that taking into account the heirless and unclaimed property of Jewish victims of Nazi persecution and similar factors and as an expression of its desire to assist needy surviving Jewish victims of Nazi persecution, it was establishing a fund (of, for example, the 300 million Schillings mentioned by Dr. Goldmann) to be administered by responsibly established welfare organizations for the relief and rehabilitation of needy surviving victims.

The Finance Minister said that in his view such a proposal was impracticable because it would open the Austrian Government to claims of immeasurable dimensions from large numbers of the Austrian population who can similarly claim that they were in need of assistance because of losses which they had suffered of all kinds during the Nazi occupation of Austria.

Mr. Beckelman then asked whether the Austrian Government would be prepared to say that provided that a method of formulation, announcement and administration of such a fund could be found which would satisfy the difficulties enumerated by the Finance Minister, the Austrian Government was prepared to allocate some such sum as 300 million Schillings to this purpose. The Vice Chancellor and Finance Minister said that they could express no opinion on this question. The Finance Minister added that he could not see any way in which the difficulties he had enumerated could be overcome (although he made a passing reference to the possibility that an heirless property settlement might be regarded as an "advance" in the same sense that Mr. Beckelman had suggested as an advance to deal with compensation for jewelry and bank accounts - he later withdrew this suggestion and reaffirmed his conviction that the heirless property question could not be usefully discussed at the present time), and that it was his view, therefore, that this question could only be dealt with at a later date. He repeated that to include compensation under the

.../...

347328

DECLASSIFIED

E.O.10501

RG

59

Authority E.O.10501
By 15 KARO Date 8/11/01Entry 568. Files
File 586-Austrian Occupation
Box 8E.1284
Lot File 580223

- 5 -

heading of non-traceable property in the calculation of the amount of a settlement in lieu of heirless property would open the Austrian Government to claims from individuals for all losses suffered by them in similar and unprovable categories of property. He added that so far as the Austrian Government estimates went, they showed heirless and unclaimed property of between 20 and 25 million Schillings. Mr. Beckelman pointed out that this figure referred only to heirless and unclaimed property under the second restitution law and that it was his understanding that Austrian figures for similar property under the third restitution law amounted to between 90 and 110 million Schillings. The Finance Minister said that this was true but that the charges, deductions and other expenses connected with this matter would in fact leave very little of a balance under this heading of heirless and unclaimed property under the third restitution law.

4) Mr. Beckelman then mentioned a number of other points which were pending from the earlier phases of the negotiations. These were:

- a) that the Austrian Government agrees that there shall be no impairment of existing restitution laws to the disadvantage of surviving victims of Nazi persecution. The Vice Chancellor and the Minister of Finance agreed that this statement was correct;
- b) that the Verband der Israelitischen Kultusgemeinden Oesterreichs had submitted a detailed schedule of losses incurred in the burning of synagogues in Austria and had requested compensation for this loss for the purposes: (1) of repairing and reconstructing such synagogues as might still be required for the remaining Jewish population of Austria; (2) for the restoration and maintenance of desecrated cemeteries, and (3) for the welfare requirements of the Verband Israelitischer Kultusgemeinden Oesterreichs. The Finance Minister said this was a new subject for him and he would recommend that it receive further study from the delegation of experts. The Vice Chancellor commented that with respect to restoration of cemeteries a great deal had already been done;
- c) that some tens of thousands of books from Jewish libraries, both public and private, were in the possession of Austrian libraries and Government institutions; that this question had been raised in the preceding detailed negotiations and that the indication had been that such books would be restored. The Finance Minister said that though he was not familiar with this question in detail, it was his impression that this statement was correct.

5) Referring again to the statement made by the Finance Minister Mr. Beckelman explained that with respect to housing the problem concerned some 800 to 1,000 persons chiefly in Vienna and chiefly repatriates to Austria from Shanghai who had been unsuccessful in obtaining adequate dwellings. It was the view of the Verband der Israelitischen Kultusgemeinden Oesterreichs that it would not be desirable to seek to solve this problem by evicting persons from their

.../.

347329

DECLASSIFIED

E.O.10501

Authority
By 15 NARA Date 8/11/61

RG

59

Entry 505 Files
Austria OccupationFile 586-Austrian
Reparations Israel

Box 8

E.1284
Corr F.10 580223

- 6 -

present apartments in order to restore the repatriates to their former dwellings. It was suggested rather that in the allocations for building purposes made available by the Austrian Government to the Vienna municipality or to building societies some adequate sum (60 to 100 million Schillings) be made available and earmarked for the construction of dwellings which could then be rented by these repatriates. The Finance Minister said that it was the desire of the Austrian Government to do what it could to meet this need. His concern was that under Austrian law there could be no special laws or discrimination in favor of a special group. Mr. Beckelman pointed out that in his understanding of the proposal no special law would be required and no such discrimination contemplated. It was rather that the normal channels used by the Austrian Government for the construction of additional dwelling premises should take the special requirements of this group of repatriates into account. The Finance Minister said that this question required further study and that the delegation of experts might be able to make some useful recommendations on this subject. The Vice Chancellor commented that in his understanding the difficulty was not with repatriates who had formerly lived in Vienna but with repatriates who had come to Vienna, who had formerly lived in other parts of Austria.

In summing up, the Finance Minister said that it was his recommendation that the delegation of experts should now reassemble to consider the implementation of the principle of non-discrimination, the implementation of compensation for furniture and household effects, the study of the proposal that compensation for jewelry and bank accounts be given as an advance, the problem of housing, compensation for synagogues and the question of books and other cultural objects, but that the question of a settlement for heirless property be deferred until a later date which could not now be specified but which would be after the filing time for claims under the restitution laws had expired whenever that might be. He said that at that time the Austrian Government would do its best to reach a not ungenerous settlement on this issue ("wir werden nicht kleinlich sein") but he repeated again that although it was the firm desire of the Austrian Government in goodwill and in fairness to reach an equitable settlement with the Jewish organizations on all outstanding questions, it was his considered conviction that it was both politically and practically impossible to deal with the heirless property question at this time, and that to attempt to do so or to make any announcement of the establishment of any global fund of such dimensions and for such purposes as I had mentioned, would upset the achievement of all the other points on which we were now in process of reaching agreement.

Mr. Beckelman said that while appreciating all the difficulties mentioned by the Finance Minister he wished to emphasize the great importance attached to this question by the Jewish organizations, and the difficulty of reaching any agreement which did not include it. Mr. Beckelman said that he would report this morning's discussion to the members of the Joint Executive Board and would await their instructions.

He suggested that in order to make sure that there had been no misunderstanding on any of the points discussed, he would send a copy of this report to the

... .

347330

DECLASSIFIED

Category E010501
By 15 NARA Date 3/11/01

RG

59

Entry Subs Files

Austria Occupation

File 86-Austrian

Reparations Israel

Box 8

E.1284
Lot File 580223

- 72 -

Finance Minister which the latter said he would be glad to have. Referring to the Vice-Chancellor's statement that the Austrian Government's position as stated in this morning's meeting had been an "interim reply", Mr. Beckelman suggested that perhaps after the Chancellor's return the matter might be discussed with him further and Mr. Beckelman might then be in touch with the Finance Minister for further discussions in that light. The Finance Minister said that this was of course acceptable and that he felt that in the meantime the delegations of experts might do useful work on some of the other questions.

The meeting adjourned at 10 a.m. It was agreed that the Press Relations Officer would issue a brief communique to the effect that the meeting had taken place and that it had considered various phases of pending questions in the light of the material thus far available from the delegations of experts. Mr. Beckelman said that he would answer any inquiry addressed to him by the press in this connection in the foregoing sense and with the statement that any questions regarding the details of the discussion should be addressed to the Government Press Relations Office.

(signed) M.W. Beckelman
3/10/53

347331

DECLASSIFIED

E.O.10501

Authority
By 15 NARA Date 3/11/01

RG

Entry

File

Box

59

Subj. Files

Austria Occupation

586-Austrian Reparations Israel

8

CABLE FROM DR. NAHUM GOLDMANN TO CHANCELLOR - OCTOBER 5, 1953

BUNDESKANZLER
 ING. JULIUS RAAB
 BALLHAUSPLATZ 1
 VIENNA, AUSTRIA

AM VERY DISAPPOINTED AND SURPRISED ABOUT REPLY WHICH WAS GIVEN LAST WEDNESDAY BY VICECHANCELLOR SCHAEFF AND FINANCEMINISTER KAMITZ TO OUR REPRESENTATIVE BECKELMAN STOP HAD HOPED CONFIDENTLY THAT AFTER OUR LAST CONVERSATION YOUR GOVERNMENT WOULD BE READY ACCEPT OUR DEMAND THREEHUNDRED MILLION SCHILLINGS FOR HEIRLESS PROPERTY AND HARSHIP FUND FOR NEEDY AUSTRIAN JEWS STOP HAVE DISCUSSED SITUATION TODAY WITH MY COMMITTEE STOP WE ARE UNANIMOUSLY OF VIEW THAT THERE IS NO POSSIBILITY CONTINUE NEGOTIATIONS AS LONG AS NO ACCEPTABLE BASIS FOUND FOR SETTLEMENT QUESTION HEIRLESS PROPERTY STOP EYE APPEAL TO YOU WHO HAS DEMONSTRATED IN VARIOUS DISCUSSIONS UNDERSTANDING FOR NECESSITY FOR AGREEMENT WITH OUR COMMITTEE TO DISCUSS THE QUESTION ONCE MORE WITH YOUR COLLEAGUES AND PROPOSE AN ACCEPTABLE SETTLEMENT STOP YOU HAVE REPEATEILY RECOGNIZED THAT WITHIN GENERAL FRAMEWORK OUR DEMANDS PROBLEM HEIRLESS PROPERTY MUST BE SETTLED STOP IN EXPECTATION OF NEW PROPOSAL WE HAVE POSTPONED ANY PUBLIC DECLARATION FOR FEW DAYS BUT MUST INFORM PUBLIC IN COURSE THIS WEEK REGARDING NEWLY CREATED SITUATION AND EXPLAIN WHY RESUMPTION UNDER PRESENT CIRCUMSTANCES IMPOSSIBLE STOP AWAITING YOUR REPLY TO ME OR MR BECKELMAN AND IN THE HOPE THAT YOU WILL FIND WAY TOWARD ACCEPTABLE SETTLEMENT EYE REMAIN RESPECTFULLY

NAHUM GOLDMANN

RG-59

Entry 1284 Lot: 580223

File: 586-Austrian Report.

Box 8

347332

DECLASSIFIED	RG 59
Authority E.O.1050	Entry 5000 FILES
By 11 NAPA Date 8/11/01	File Austria Occupation
	586-Austrian Reparations Israel
	Box 8

E. 1284
Loc FRC 580223

COPY

586

LANDIS COHEN RUBIN AND SCHWARTZ

(1832 Jefferson Place, N.W.) WASHINGTON, D.C.

November 20, 1953

The Honorable Livingston T. Merchant
 Assistant Secretary
 Department of State
 Washington, D.C.

Re: Austrian-Jewish negotiations

Dear Mr. Merchant:

On behalf of the Committee for Jewish Claims on Austria, I enclose herewith two copies of a memorandum describing the chronology of discussions with respect to the heirless property issue, together with certain attachments.

I should like again to express the appreciation of the Committee for the understanding attitude of the Department and of the American Embassy in Vienna.

Sincerely yours,

(signed) Seymour J. Rubin

347333

DECLASSIFIED	RG	59
E.O.1050	Entry	SUBS FILES
Authority		Austria Occupation
By 15 NARA Date 8/11/01	File	586-Austrian Reparations Israel
	Box	8

E.1284
LOFFICE 58D223MEMORANDUM

11-26-53

The following summarizes the discussions with the Austrians with respect to heirless property:

- (1) June 17, 1953 - The subject of heirless property was one of the principal points mentioned in the presentation made to Chancellor Raab. During the meeting Chancellor Raab said that he agreed that legislation for the benefit of individuals and a global settlement for heirless property should form the subject of the negotiations then beginning.
- (2) June 18 or 19, 1953 - The official Austrian Government communique about the June 17 meeting repeated this statement.
- (3) June 17, 1953 - Mr. Goldmann had a private meeting with Chancellor Raab on the same day and emphasized the importance attached to the heirless property problem.
- (4) June 18, 1953 - At Chancellor Raab's request, a memorandum was submitted to the Austrian Government on the subject of the claims. The heirless property problem is set out in the first paragraph of that memorandum.
- (5) June 22, 1953 - Foreign Minister Gruber and Finance Minister Kamitz indicated that they regarded the June 18 memorandum as a satisfactory basis for discussion and that nothing in the memorandum was excluded from the scope of negotiations.
- (6) June 24, 1953 - The Austrian delegation indicated that there would be difficulties in working out an heirless property settlement. Mr. Beckelman said that if the Austrian Government felt that nothing could be done on the subject, there was no point in going further with the discussions. If, however, the idea was to explore the difficulties in order to find a solution, discussions could go forward and the Austrian representative (Mr. Klein) agreed that the second alternative was intended.
- (7) July 6, 1953 - Heirless property is mentioned in paragraph 4(d) of the aide memoire submitted to the Austrian Government and it is stated that a settlement must take into account non-traceable as well as traceable property.

347334

DECLASSIFIED

E010501

Authority

By 15 MAR 2003

Date 3/11/01

RG

59

Entry

Subs. Files

Austrian Occupation

File 586-Austrian

Reparations Israel

Box

8

F.1284
SERIAL 680223

- 2 -

(8) July 14, 1953 - No direct answer having been made to the July 6 memorandum, although several times promised, the subject was mentioned during the July 14 meeting, at which time Chancellor Raab suggested that experts should work to refine and complete their estimates of heirless property.

(9) July 15, 1953 - Dr. Goldmann wrote to Chancellor Raab summarizing what he understood to be the conclusions reached at the July 14 meeting. Paragraph 4 of that letter indicates Dr. Goldmann's understanding that Chancellor Raab was ready to take into account in dealing with heirless property other factors than exclusively traceable property, and to consider making available a sum for relief and rehabilitation work. No reply in contradiction or confirmation has been received.

(10) July 24, 1953 (approx.) A press release was issued by the Austrian Government substantially in the form of a draft of July 14. The press release stated that the heirless property question remained open, and that in September it was expected that all questions not yet settled would be dealt with.

(11) August 1953 - Dr. Goldmann wrote to Chancellor Raab emphasizing that an agreed settlement to the heirless property question would facilitate a full agreement and suggesting a personal talk. Chancellor Raab replied agreeing to the suggestion of the talk and inviting Dr. Goldmann to Vienna.

(12) September 17, 1953 - Dr. Goldmann talked with Chancellor Raab. Dr. Goldmann said that if the Austrian Government were unwilling to have an heirless property settlement which included non-traceable property, it would be better to abandon the negotiations and leave the Austrian Government to take such unilateral steps as it might desire with respect to the principle of non-discrimination, etc. Chancellor Raab disagreed with the idea of abandonment and said that he felt very strongly that a full agreement could and should be reached. He suggested a further meeting between Dr. Kamitz and Mr. Beckelman.

(13) September 30, 1953 - Mr. Beckelman had a meeting with Mr. Schaerf and Dr. Kamitz. At this meeting he was told, *inter alia*, that non-traceable property could not be taken into account in an heirless property settlement and that in any event, the entire question of heirless property could not be dealt with at the present, in view of the fact that individual claims might still be filed under the present restitution laws or extensions of those laws.

(14) October 5, 1953 - Dr. Goldmann cabled to Chancellor Raab expressing his surprise and disappointment at the results of the Schaerf-Kamitz-Beckelman meeting, and asking for a reply which would open the way to an acceptable settlement.

347335

DECLASSIFIED

E.O.10501

RG

59

Entry

585 Files

Austria Occupation

File

586-Austrian

Reparations Israel

Box

8

E. 1284
LOFF, 10 58 D 223

Authority 15 NARA Date 3/11/01

- 3 -

(15) November 9, 1953 - Mr. Beckelman telephoned to Chancellor Raab's office from Paris, to request a reply to the cable of October 5.

(16) November 17, 1953 - Cable received from Chancellor Raab, rejecting any heirless property settlement until after the Treaty with Austria shall have come into effect.

There are attached hereto copies of the following documents, for reference purposes:

- (a) Statement, handed to Austrian Delegation as of June 30, 1953, re heirless property. The last paragraph of this statement deals briefly with the argument based on Article 44 of the draft Treaty.
- (b) Final document submitted by the Delegation of the Committee for Jewish Claims on Austria, on July 1, 1953.
- (c) Aide memoire of July 6, 1953, delivered by Committee to Messrs. Gruber and Kamitz.
- (d) Draft press communique of July 14, 1953 (prepared after meeting with Chancellor Raab).
- (e) Memorandum of conversation, prepared by Mr. Beckelman. (This memorandum was contemporaneously sent to Mr. Kamitz)
- (f.) Dr. Goldman's cable of October 5, 1953.
- (g) Although a copy of Chancellor Raab's cable has not as yet been received in the United States, a Jewish Telegraphic Agency telegram from Vienna attributes to Austrian sources a statement that the reply rejects any heirless property settlement at present, rejects any concept of an advance payment, and states that the heirless property problem can only be considered on a case-by-case study to be made no sooner than six months after ratification of the Austrian Treaty. The JTA dispatch has so far been kept from the newspapers.

347336

DECLASSIFIED

E.O.10501

Authority By 115 NARA Date 3/1/01

RG

59

Entry Subs. Files

Austria Occupation

File 586-Austrian

Repatriations Israel

Box 8

E-tr 1274
L.t 580233

Appendix to Parliamentary Correspondence

December 1, 1953.

68/A.B.
to 46/JReply to Inquiry

Regarding the inquiry of Rep. Dr. Kraus and associates of June 17, 1953, regarding the negotiations on heirless Jewish assets, the Federal Chancellor Eng. Raab, in agreement with the Federal Ministry of Finance, states as follows:

The Jewish organizations have already months ago expressed the desire to be allowed to submit their demands directly to the Federal Government. Because of the change in the government and the preparations for elections, only the second half of June could be established as a possible period of time. The Federal Government has welcomed a factual discussion of the demands, particularly since so far always only isolated demands were published in the press, which - since they were without connection - gave rise to unpleasant discussions.

It can hardly be disputed that the intervening organizations are speaking on behalf of a group of persons who were exposed to persecution during the German occupation of Austria. On the other hand it is not, as the German propaganda wants to have believed, that only Jews were persecuted. There were numerous other persons who were persecuted not for racial but for national or religious reasons or only because they adhered to other political or moral ideas than the party program of National Socialism. This fact however, the National Socialist system does not want to admit; it rather claimed that the occupying power was solely interested to restore to the native population those assets which alien elements had extorted from it in the course of time. On the other hand, it was evident that a great portion of property which was confiscated after the occupation of Austria did not by any means pass into the hand of the native Austrian population, but that much of this property - and not the worst part - went to German nationals and that also many Austrians and Austrian enterprises were forced to cede their property to Germans.

This opinion has now been adopted by the racial persecutees and they hold the view that the Austrian restitution legislation was enacted one-sidedly in favor of racially persecuted persons; i.e., the Jews. Hereby the expression - "Jew" is sometimes used to mean racially persecuted persons, and at other times to refer to profession of a certain faith.

The negotiations which have commenced served above all the purpose to remove existing uncertainties and to clarify the requests which were advanced, as well as their justification. The Federal Government is aware of the fact that it is contradictory to the Austrian Constitution and to the principles of a legal state to create inequality before the law, and that if laws would be necessary to remove the wrong done during the German occupation of Austria, all victims of this persecution must be treated in the same manner.

Therefore, during the negotiations the delegates were clearly advised that they must not forget that there are also other persecutees of the Nazi regime, who on their part have already - at least partly - filed their claims.

The Protective Union (Schutzverband) is perfectly free to convey its wishes to the Federal Government, also bringing about the clarification of misunderstandings which apparently exist by an objective discussion with the competent officials.

347337

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 3/11/01

RG

59

Entry 525-Files

Austria Occupation

File 786-Austrian

Reparations Israel

Box 8

Edn 1274
Lot 58D 233

~~586 HGA - I want to advise
Evacuees, but where is
December 2, 1953.
this insulting?~~

Appendix to Parliamentary Correspondence

The Minister of Finance on the Jewish Demands

~~Ref. to: RBD~~

REPLY TO INQUIRY

70/A.B.
to 78/J

~~12-2-53 right in saying the ferocity of the
organizations attack is aggravated by con-
siderment at having brought the
early stages.~~

Representative Probst and his associates, at the end of October had requested the Finance Minister, in connection with press reports on negotiations between representatives of Jewish organizations and the Austrian Federal Government, to make a report to Parliament regarding the claims put forward by the Jewish Committee and the course of the negotiations.

In the same matter, the Federal Chancellor, Eng. Raab has already made a reply to an inquiry from Rep. Dr. Kraus and associates, which we published yesterday (1st and 2nd Appendix to Parliamentary Correspondence, Dec. 1, 1953).

Finance Minister Dr. Kamitz now replied to the inquiry from Rep. Probst and associates, in a detailed manner. The statements of the Finance Minister went as follows:

After the State of Israel and the Jewish Organizations, after long negotiations in The Hague, had reached several agreements with the West German Republic regarding compensation for damages inflicted by National Socialism to the Jews. The demand was put forward in increasing degree, that Austria also conclude such an agreement.

The Cabinet, on July 22nd, 1952, after a report on attempted meetings and written representations of Jewish organizations on the question of heirless Jewish property, did not consider itself under an obligation to enter into negotiations with these organizations, before a settlement of the questions of German property and unclaimed property in connection with the Peace Treaty.

After a report of the Federal Chancellor on the request of the European Director of the American Jewish Committee, Zachariah Shuster and the General Secretary of the European Section of the World Jewish Congress, Dr. S. Roth, concerning the invitation of the representatives of the four important world organizations, together with the representatives of the Israelitische Kultusgemeinde, for a discussion of the range of questions concerning compensation and indemnification for Jewish victims of Nazism as well as the question of Jewish heirless property in Austria, the Cabinet decided on September 9, 1952 to appoint a Committee of Officials (Beamtenkomitee), consisting of representatives of the Chancellery, the Federal Ministries of Justice, Social Administration and Finances, for the purpose of listening to the wishes of the petitioners.

This hearing however, could not take place since the Federal Government (because of preparation for elections and the new elections) was only authorized to act as a caretaker. Therefore, the central agencies only collected pertinent material.

On April 14, 1953 the Cabinet had authorized the Ministers of Foreign Affairs and Finance to initiate the steps envisaged in the Cabinet's decision of September 9, 1952. The Austrian representatives in Washington were advised to inform the Jewish world organizations orally, that the Government was ready to receive in the second half of June, the wishes relating to the problems of professing Jews who were victims of National Socialism in Austria. The organization to be designated would have to be authorized to speak as sole authorized representative with binding powers, in the name of the persons concerned.

347338

DECLASSIFIED

E.O.10501

the Fed Authority

Adminis

wishes

By 15 NAPA Date 8/11/01

RG

59

Entry

Subs Files

File

1945-1949 Occupation

Box

586-Austrian Reparations Israel

8

officials

ancellory,

Social .

to the

This hearing however, could not be held because the Government (because of preparation for elections and the new elections) was only authorized to act as a caretaker. Therefore, the central agencies only collected pertinent material.

On April 14, 1953 the Cabinet had authorized the Ministers of Foreign Affairs and Finance to initiate the steps envisaged in the Cabinet's decision of September 9, 1952. The Austrian representatives in Washington were advised to inform the Jewish world organizations orally, that the Government was ready to receive in the second half of June, the wishes relating to the problems of professing Jews who were victims of National Socialism in Austria. The organization to be designated would have to be authorized to speak as sole authorized representative with binding powers, in the name of the persons concerned.

In collaboration with the Federal Ministries concerned, the guiding principles for these discussions were developed. Here, it was first of all stated that no compensation or reparation duty of Austria came into question: basically, the German Reich respectively its

(Over)

RG 59
Entry 1284 Lot: SP0223
File: 586-Austrian Reparations
Box 8

347339

DECLASSIFIED

E.O.10501

By 15 NARA Date 8/11/01

RG

59

Entry Subs. Files

Austria Occupation

File 586-Austria Reparations Israel

Box 8

Entry 1274
Lot 580 233

-2-

legal successor, were solely obligated to compensation, since it had also ordered the persecution of Jewry. Austria was at that time occupied, and without the ability to act under international law. This point of view is also recognized by the State of Israel.

The payment of any compensation sums is out of the question since Austria never damaged anyone, and is therefore not obligated to compensate. Should the Austrian citizens have participated in such torts, they did not do so as Austrian citizens, but either on their own or on instructions of the then authorities. Insofar as they acted against the then existing laws, a criminal prosecution, as well as civil suit for damage payments, is possible under Austrian law.

From the above, it follows that the desires and suggestions of the Jewish delegates could be examined only in the light of how far they could be met in the framework of Austrian legislation. In this sense, the Committee of Officials will have to take a position during the discussions if the case should arise.

The Cabinet decided on June 16, 1953 that these guiding principles should be followed, with the provision that the Federal Ministry of Finance should have the chairmanship of the Committee of Officials

Upon the advice that discussions could begin in the middle of June, the Jewish organizations themselves had suggested the date June 22nd as a start. Already a week earlier however, representatives of the organizations arrived here, designated themselves as a "High Level Commission" and sought contact with individual members of the Government as well as the Federal President. Furthermore, a mass meeting of Vienna Jews was organized, at which the representatives of the foreign organizations emphasized that they were primarily concerned with moral reparations, and that Austria would have to make a certain financial payment.

On June 20th, a memorandum was submitted to individual members of the Government, according to which the fulfillment of the demands involved first of all, a moral obligation of the Austrian Federal Government to compensate the Jewish victims of National Socialist persecution, as much as possible for the wrongs and damages done to them... These are not reparations demands of any kind but -

- 1) a needed improvement, and -where necessary- amendment of the existing restitution and indemnification legislation.
- 2) a global compensation for heirless and unclaimed Jewish property of all kinds, to the Committee which will use these sums for the improvement of the living conditions and the lot of Jewish victims of National Socialist persecution of Austrian origin.

The demands were made with due consideration of the capacity of the Austrian economy; no definite financial demands could be formulated, but one billion Schillings as compensation for heirless and unclaimed property would be considered as a suitable but essential basis for the settlement of this demand. The burden which would accrue to Austria out of the required changes in the existing legislation to meet the urgent claims of the categories of Jewish victims presently not considered, was estimated in that memorandum at 1-1/2 billion Schillings. A part of these payments would under all circumstances have to be made available in foreign currency, whereby it would however, be possible to cover a portion by deliveries of goods. "The value of economic losses only which was inflicted on Austrian Jewry by the National Socialist regime" is estimated in this memorandum at about 30 billion Schillings.

After the Executive Committee which had been designated for the discussions with the Committee of Officials, had been received on June 22nd by the Minister for Foreign Affairs and myself - whereby I stated that I considered the figures mentioned, as extremely exaggerated - a report was rendered on June 23, 1953 to the Cabinet re-

34730

DECLASSIFIED

Authority E.O.10501

By 1B NARA Date 8/11/01

RG 59

Entry 586-Files

Austria Occupation

File 586-Austrian Reparations Israel

Box 8

Entry 1274

Lot 580233

-3-

garding the representations of Jewry, the submission of the memorandum, and the conduct of the negotiations on the level of officials. At the same cabinet meeting, the government adopted proposals regarding the extension of compensation to officials and compensation for deprivation of liberty to former Austrian citizens.

The Committee of Officials had received through the Cabinet decision of June 16th, the instruction to first receive the wishes of the members of the delegation, and then to examine them and study them regarding their conformity with the legislative provisions existing in Austria. This was to be imparted as well as explained to the members of the Delegation. The first discussion of the Committee of Officials with the representatives of the Jewish organizations took place on June 24th. The representative of the Ministry of Finance in his introduction described the Austrian legal position and particularly emphasized that Austria had never caused any damage, and therefore cannot be required to give compensation for damages. It was also by no means true as certain propaganda would have it, that Jews alone were persecuted. The Committee of Officials could only receive the requests and clarify the existing legal position. The Jewish delegates submitted a statement of the material losses of the Jews in Austria, which were estimated at U.S. Dollars 1,188,000,000. In this meeting, only the general viewpoints were specified.

In the following discussions of June 25th and 26th, the individual points of the program of demands were discussed informatively, whereby details were not discussed; in the following days, details were discussed by the experts of the Committee with the officials of the appropriate ministries.

In the last joint discussion of June 30th, a further memorandum on the basis of the demands was submitted by the Jewish side - furthermore, a memorandum on heirless and unclaimed property and a summary review on the claims and suggestions regarding individual claims of Jewish victims of Nazi persecution.

In the course of the negotiations, there arose the possibility, particularly in connection with the request for relief measures for returned refugees, to achieve a solution which would obviate the need of enacting of the Eighth Restitution Law regarding dwellings - it is true that this law continues to be demanded in increased degree for business premises. During the negotiations, a memorandum was further submitted regarding measures required to alleviate the wrong inflicted on Jews in Austria, which did not include any statements on figures.

In the course of the discussions, the representatives of the Jewish organizations always emphasized that the figures submitted by them were only a "background" to their demands and should by no means be considered as definite; the payments were to be brought into line with the capacity of Austria to pay.

On July 6th the chairman of the Jewish Delegation, Mr. Beckelman, submitted an Aide Memoire to the Minister for Foreign Affairs and myself, in which it is stated that he had been promised by the Federal Chancellor an agreement by July 15, 1953, and he therefore had to have before that day, a decision regarding the following requests by Jewry:

- a) Statement of a total amount which the Austrian Government would make available for payment of compensation to surviving Jewish victims of Nazi persecution.
- b) Setting up of a plan, in agreement with the Jewish delegates, regarding the distribution of this amount among the various fields of legislation.
- c) Preparation of draft laws in agreement with the Jewish representations in the year 1953 and their earliest submission as government proposals to Parliament.
- d) Setting aside of an appropriate sum in settlement for the heirless property of Jews in Austria, whether the property is

1
2
3
4
5

DECLASSIFIED

Authority E.O.10501

By 15 KAPA Date 8/11/54

-4-

RG

Entry

File

Box

59

Subs. Files

Austria Occupation

586-Austrian Reparations Israel

Box 8

Entry 1274

cat 580233

- e) Designation of a period of time within which the payments should be made.

In a report to the Cabinet of July 9, 1953, after reviewing the history of the matter, I pointed out that despite the explanation of Austrian circumstances in the first discussion of June 24th, no consideration was being given to the special Austrian situation. Particularly, it was being in no way considered that Austria on the basis of its constitution, cannot create special laws for particular segments of the population. For the Austrian laws, it is immaterial whether someone was persecuted as professing Jew, non-professing Jew or for any other racial motive. Therefore, the figures submitted are completely useless as a basis for calculating the burden accruing to Austria. On the other hand, it was ascertained in the discussions, that a part of the requests could be met already on the basis of existing Austrian legislation, and another, on the basis of government draft bills respectively, "Parliamentary Draft Laws" which were being dealt with in Parliament in the meantime. A further portion can be met by amendments to existing legislation by assimilating victims of political persecution to war victims; as this is already the case with war graves (see Federal Law of July 7, 1948, BGBl, No. 175). Also measures for housing relief could be taken on the basis of existing laws.

It would however, seem unacceptable to the Austrian Government to enact measures which would grant compensation exclusively for damages. There can only be consideration of individual relief for former Austrian citizens who are presently in need. It must be maintained however, that Austria itself did not inflict any damages during the period of its occupation, and therefore cannot be required to provide compensation; for legislative or otherwise, authoritative measures, the German Reich, respectively the government which is to be considered its legal successor, has to be liable. If persons regardless of their nationality, have engaged in persecutory acts in violation of the then existing laws, then these persons are responsible - respectively liable under the existing Austrian criminal and civil legislation. If, according to the statements of the Jewish Delegation, Germany took the position at the conclusion of the Hague agreements, that the compensation obligation is to be borne by the Austrian State, this cannot bind the Austrian Government in any way. It can however, undertake to advance the position vis a vis the German Government, that responsibility for these actions is to be assumed by Germany and that the latter has to pay compensation to Jewry.

If as a justification of these demands it is pointed out that a moral obligation of Austria arises from the fact that it had not been in a position to protect its citizens against mistreatment, it could be pointed out that Austria, relying upon its membership in the League of Nations, had asked the leading Powers in the Spring of 1938 for protection and aid, but that this appeal went unheeded and that very shortly after the German occupation of Austria, the diplomatic representatives were formally withdrawn from Austria.

When the Jewish delegation finally pointed out that this involved here a sort of elementary catastrophe and that international relief measures were required similar to those on the occasion of the flood catastrophes in Italy and the Netherlands, it must be stated on the part of Austria, that Austria cannot alone take such relief measures, particularly since we have suffered gravest damage through acts of war and particularly through the occupation, so that also the reference to the enrichment of the Austrian economy through the German occupation is meaningless.

The demand to name a sum which would be available for individual measures is - as mentioned above, impossible of execution because measures created for professing Jews only would be in contradiction to the provisions of the Constitution, and there is the danger that the Government would be cited for breach of the Constitution. In regard to the provisions of Parliamentary procedures according to which a proposal for legislation must also contain proposals for the financial coverage, it is necessary to obtain a picture of the funds which would be required for these possible legislative measures. Inquiries were

347342

DECLASSIFIED

RG 59

statements

on fi

Authority E.O.10501

Entry 59

Subs. Files

File 586-Austrian

Occupation

Box 8

Reparations Israel

In th By 15 NAPA Date 8/11/01
 organization were only a "background" to
 considered as definite; the payments were
 the capacity of Austria to pay.

f the Jewish
 fted by them
 no means be
 into line with

On July 6th the chairman of the Jewish Delegation, Mr. Beckelman, submitted an Aide Memoire to the Minister for Foreign Affairs and myself, in which it is stated that he had been promised by the Federal Chancellor an agreement by July 15, 1953, and he therefore had to have before that day, a decision regarding the following requests by Jewry:

- a) Statement of a total amount which the Austrian Government would make available for payment of compensation to surviving Jewish victims of Nazi persecution.
- b) Setting up of a plan, in agreement with the Jewish delegates, regarding the distribution of this amount among the various fields of legislation.
- c) Preparation of draft laws in agreement with the Jewish representations in the year 1953 and their earliest submission as government proposals to Parliament.
- d) Setting aside of an appropriate sum in settlement for the heirless property of Jews in Austria, whether the property is traceable or not.

(over)

R659
 Entry 1284 Lot: 580223
 File: 586-Austrian Report.
 Box 8

347343

DECLASSIFIED

Authority E010501

By 15 NARA Date 3/11/01

RG 59

Entry 505 Files

Austria Occupation

File 86-Austrian

Operations Israel

Box 8

E-tr 1274

Lot 580233

-5-

made in that connection, and particularly, the Central Statistical Office was requested to examine the figures on the basis of existing census figures.

It can be stated already that there are in the figures of the Jewish delegates, duplications for example, through the fact that for assets which disappeared, individual compensation is demanded on the one hand while on the other hand, under the same heading, demands are made on the basis that such assets which are no longer traceable, remained in Austria and enriched its economy.

Completely unacceptable appears the demand for the payment of a global settlement for the so-called "heirless property" (unclaimed property).

This cannot be ascertained at present because the deadlines for the filing of claims, particularly under the Third Restitution Law, have not expired and moreover, claims for the restitution of many assets could not yet be filed for the reason that the third and fourth Restitution Claims Law still have not been settled in Parliament. This explains the still comparatively large amount of the assets for which no restitution claims have been filed, which is estimated at 300 million Schilling. With the creation of the 3d and 4th Restitution Claims laws, this amount would be significantly reduced. Moreover, it must be considered that in effecting restitution, counter claims against the property must be satisfied, so that hardly more than 20 to 25 million Schilling may remain for the "Collecting Agency for Confiscated Property." Only property which is subject to restitution on the basis of the First Restitution Law, can pass to the Collecting Agency ex lege, while all assets subject to restitution under the Third Restitution Law - which in the meantime were acquired by private individuals - can be transferred to the Collecting Agency only after completion of restitution proceedings in court. In any event, these restitution claims would have to be advanced by an agency, independent of the government.

That Austria does not want to have any of the confiscated property, which was not claimed in time, was demonstrated already in the draft of the 5th restitution claims law, which states that restitution claims for those assets which were not claimed in time, should be put forward by a "Collecting Agency for Confiscated Property."

During the discussions, representatives of the Arab States have called on the foreign ministry and have pointed out that a settlement similar to that in Germany, whereby payments would be made to the State of Israel, would not be calmly accepted by the Arab side. The Austrian Government pointed out that the Israel Foreign Minister, Moshe Sharett himself, at the occasion of the signing of the so-called Hague Agreements in September 1952, had stated that a settlement similar to the German one was out of the question for Austria.

On July 14th, 1953 the Cabinet decided to request the organizations first of all to submit an estimate for the heirless property. At the same Cabinet Meeting a report was made on a resolution of the World Alliance of Christian Jewry, which had been submitted by its Executive Committee. A number of other organizations, such as the American KZ Association, the Swiss Central Office for Refugee Relief and several other organizations in and outside of Austria, called the attention of the Government to the fact that they by no means considered themselves represented by the representatives of foreign Jewish organizations in Vienna, and that they protest against this monopoly of representation. The Catholic Church has repeatedly expressed itself in the same way. Subsequently, numerous letters from individuals arrived, which again and again point out that many persons were persecuted who did not belong to the Jewish faith and were not even Jews in the meaning of the Nuremberg Laws.

On July 15th, Mr. Beckelman submitted the draft of a Joint communique which after appropriate modification was published in the Vienna press on July 28th, and had the following wording.

"The negotiations which were conducted on the part of the Government of the Federal Republic of Austria, during the last few weeks with the representatives of the Jewish organizations, have in their first stages already led to certain positive results.

34734

DECLASSIFIED

Authority E.O.10501

By 15 NAPA Date 3/11/60

RG

59

Entry Subs. Files

Austria Occupation

File 586-Austrian

Reparations Israel

Box 8

Entry 1274

Lot 580233

-6-

Above all, the Austrian side stated that the Austrian legislation makes no distinction concerning citizenship and residence of restitution claimants, which apparently is not yet well enough known abroad. Furthermore, the Austrian Government stated the principle, that in the legislation concerning compensation for victims of the National Socialist occupation of Austria, no distinction shall be made between Austrian citizens and other persons, regardless of whether they have their residence in or outside of Austria. This avoidance of discrimination was already principally expressed in the laws which have been enacted by Parliament in recent days and which concern compensation to officials as well as compensation for deprivation of liberty.

Clarification is still required for the questions of unclaimed (including heirless) confiscated property of victims of National Socialism, which is to be used in behalf of the corresponding surviving victims.

Due to the beginning of summer vacations, it was agreed in a discussion in which participated on behalf of the Austrian Government, the Federal Chancellor, the Minister of Foreign Affairs, and the Finance Minister, and on behalf of the Jewish organizations, the Chairman of the Joint Executive Board for Jewish Claims on Austria, Dr. Nahum Goldmann and the leader of the Jewish negotiating delegation, Mr. Moses Beckelman - that experts on both sides should continue the discussions which should lead to a clarification of the evaluation of the unclaimed (heirless) Jewish confiscated assets. In the first half of September, discussions shall then be resumed in order to deal with and clarify the remaining questions which were raised but not settled."

Before their departure, the individual representatives had still spoken about the submission of data and had promised same, but these data were never submitted. To obtain them meets with difficulties, as the material from the last census is always destroyed when a new census takes place.

On September 17th a discussion took place between Dr. Goldmann and the Chancellor, and on September 30th a discussion between Mr. Beckelman, the Vice-Chancellor and myself. At this occasion I gave the assurance that the Austrian Government desires no discrimination regarding legislation on behalf of persecutees and that it is ready to discuss appropriate steps in this connection with the experts of the Jewish organizations. Compensation claims for jewelry, gold, bank accounts and similar assets cannot well be made against Austria since these assets are not in Austria. A settlement of the question of heirless assets is very difficult, since many other interested parties are also making claims, which was called again to my attention during my stay in America.

Regarding the securing of living quarters, the Government is ready to do everything possible. Thus, heirless property could be utilized for this purpose in the framework of existing legislation. Regarding furnishings and household goods, there is the intention to treat persons living abroad in the same manner as those persons in Austria who had suffered bomb damage or other damage.

Mr. Beckelman welcomed the statement regarding the principle of non-discrimination, and demanded compensation for household goods and furnishings. While recognizing all difficulties regarding jewelry, bank accounts and similar assets, Mr. Beckelman expressed the desire that in this connection, an agreement between the Austrian and German Governments might bring a possible solution. He suggested that Austria grant an advance in this connection. These questions should still be discussed by the experts and it should be attempted to find data in the Austrian archives. Regarding the heirless property, the Jewish organizations would see it as a solution if a global amount of 300 million Schilling were granted as a sign of Austrian seriousness and good intentions. Beckelman pointed out that in view of the fact that so much Jewish property no longer traceable had to be left behind by the Jews, this proposal must be considered as a minimum. Regarding the other interested parties, there would be no objection that similar funds be made available to them. I pointed to the present numerous demands of other victims of National Socialism. The heirless property on hand which could be made available, could amount to hardly more than 20 to 25 million Schillings - to which Mr. Beckelman stated that an amount of

345
346
347
348
349

DECLASSIFIED

E.O.10501

Authority 115 NAPA Date 8/11/01

RG

59

Entry

Subs. Files

Austria Occupation

File 586-Austrian Reparations

Box 8

8

-7-

90 to 110 million Schillings should result under the Third Restitution Law. I replied that in these amounts, the encumbrances, particularly the amount originally paid, were hardly considered.

Mr. Beckelman then pointed to the following still unresolved questions:

- a) The Austrian Government agrees that an inequality in the restitution laws to the detriment of surviving victims should be removed.
- b) No compensation was given for destroyed synagogues and ritual objects, for the restoration and maintenance of desecrated cemeteries, for the welfare program of the Israelitische Kultusgemeinde.
- c) Many tens of thousands of books from Jewish private and public libraries are still in the possession of Austrian libraries and public institutions.

Finally, Mr. Beckelman referred to the necessity for the securing of living quarters.

It was agreed that discussions of experts should lead to a favorable result.

The experts of the Jewish organizations have thus far not arrived in Vienna. Instead, Dr. Goldmann in a cable of October 6th to the Chancellor, repeated again the demand for 300 million Schillings for heirless property and denied the possibility for a continuation of discussions, if no acceptable basis were found. In his reply, the Chancellor again set forth the point of view of Austria and pointed out that suggestions for the continuation of discussions would be expected.

RG 59

Entry 1284 Lot: 580223

File: 586 - Austrian Report

Box 8

347346

DECLASSIFIED

E.O.1050

Authority 115 NAPA Date 8/11/70By 115

RG

59

Entry SAC's FilesAustria OccupationFile 586-Austrian Reparations Israel

Box

8

~~Confidential~~~~EPA
RBF~~

Israel Desk says reluctance to get into this thing has blocked the approach to the Israelis with a view to restraining Eshel. I explained that US and Israel have same objectives in this thing and they could hardly object; also that if the US interests were defeated by Eshel's behavior after we succeed (if we do) in getting this back on the track, the situation would look bad. Bob Burns got off his official line long enough to tell me that the only way to get any action from them would be for RBF to approach Mr. Hart since the efforts at the desk level had gone as far as they could.

hga

*RBF got Hart's
agreement Jan 8/11
to work informally with
the Israeli*

7/11 Confidential

347347

RG 59
Entry 1284 Lot: 580223
File: 586-Austrian Reparations Israel
Box 8

DECLASSIFIED

Authority E.O.10501

By 115 NARA Date 3/11/00

RG

59

Entry

SCBS FILES

Austria Occupation

File 586-Austrian Reparations Israel

Box

8

1291

File 586

McCottee

586

Austria = Religious
Problems

DECEMBER 14, 1953

THE HONORABLE JOHN SHAW WOODYN MILLER
SECRETARY OF STATE
DEPARTMENT OF STATE
WASHINGTON, D. C.

THE COMMITTEE FOR JEWISH CLAIMS OF AUSTRIA, WHICH REPRESENTS 22 JEWISH
ORGANIZATIONS IN THE COUNTRIES OF THE FREE WORLD HAS BEEN NEGOTIATING WITH THE
GOVERNMENT OF AUSTRIA SINCE JUNE 1953 ON JEWISH CLAIMS ARISING OUT OF TREATMENT
OF JEWS IN AUSTRIA DURING THE NAZI REGIME. THESE NEGOTIATIONS HAVE BEEN CARRIED
ON WITH THE FULL KNOWLEDGE AND SYNPATETIC ENCOURAGEMENT OF THE DEPARTMENT AND OF
THE AMERICAN EMBASSY IN VIENNA. NOTWITHSTANDING A RECENT LETTER FROM CHANCELLOR
RAAS AND STATEMENT MADE EARLIER IN ENCYCLER BY THE CHANCELLOR AND BY THE AUSTRIAN
FINANCE MINISTER BEFORE THE AUSTRIAN PARLIAMENT REVIEWING THE PREVIOUS REPORT

(Continued)

347348

RG 59

Entry 1284 Lot: 580223

File: 586-Austrian Report

Box 8

DECLASSIFIED

E.O.10501

Authority
By 11/15 NARA Date 8/11/01

RG

59

Entry

Subs. Files

Austria Occupation

File 386-Austrian Reparations Israel

Box 8

SITUATION AND HAVE BROUGHT ABOUT A CRISIS IN THESE NEGOTIATIONS. THE STATEMENTS MADE BEFORE THE NEW PARLIAMENT HAVE BEEN GIVEN WIDE PUBLICITY BY THE AUSTRIAN AUTHORITIES AND IN THE PRESS.

THE SITUATION IS FURTHER AGGRAVATED BY SECRET PUBLIC REPORTS THAT THE AUSTRIAN AUTHORITIES ARE AT THE SAME TIME PREPARING FOR MEASURES FOR THE BENEFIT OF FORMER MEMBERS OF THE NAZI PARTY IN AUSTRIA.

WE FEEL THAT THE PRESENT SITUATION IS SO CRITICAL AS TO JUSTIFY OUR REQUESTING THE DATE OF A PERSONAL INTERVIEW WITH YOU. WE ARE CONSCIOUS OF THE DEMANDS ON YOUR TIME AND ARE GRATEFUL FOR THE SYMPATHETIC ATTENTION GIVEN TO OUR REPRESENTATIVES BY ASSISTANT

(Continued)

347349

RG 59
Entry 1284 Lot: 580223
File: 386-Austrian Report.
Box 8

DECLASSIFIED

E.O.10501

AUTHORITY
By 15 NARA Date 8/11/01

RG

59

Entry 505 - Files

Australia Occupation

File 586-Austrian

Reparations Israel

Box 8

SECRETARY MENCHIK AND HIS STAFF. NEVERTHELESS WE FEEL THAT THE PRESENT ATMOSPHERE IS SO CHARGED WITH TENSION AND EXPLOSIVE POSSIBILITIES AS A CONSEQUENCE OF BOTH THE TIME AND THE CONTENT OF THE AUSTRIAN PUBLIC DECLARATIONS UPON WHICH WE THAT A MEETING BETWEEN YOURSELF AND THE LEADERS OF THE AMERICAN JEWISH ORGANIZATIONS PARTICIPATING IN THE COMMITTEE FOR JEWISH CLAIMS OF AUSTRIA WOULD BE HIGHLY IMPORTANT AND HELPFUL.

THE UNDESIGNED DIRECTIVE MEMBERS OF THE COMMITTEE FOR JEWISH CLAIMS OF AUSTRIA WOULD BE PLEASED TO COME TO WASHINGTON AT YOUR CONVENIENCE AT ANY TIME BETWEEN DECEMBER 21-23 INCLUSIVE. SHOULD YOUR SCHEDULE NOT CALL FOR YOUR PRESENCE IN WASHINGTON DURING THAT PERIOD OF TIME THAT A MEETING WITH SECRETARY SMITH MIGHT BE ARRANGED.

WE WISH TO REITERATE THAT OUR REQUEST FOR THIS MEETING ARISES BOTH OUT OF OUR CONCERN

(Continued)

347350

RG 59
Entry 1284 Lot: 580223
File: 586-Austrian Report.
Box 8

DECLASSIFIED

Authority E.O.10501

By 115 KAPA Date 8/11/01

RG 59

Entry

Subs-Files
Austria OccupationFile 586-Austrian
Reparations Israel

Box 8

FOR THE HUMANITARIAN OBJECTIVES OF OUR NEGOTIATIONS WITH AUSTRIA AND OUT OF OUR UNQUOTE
DESIRE TO AVOID ANY UNFAVORABLE DEVELOPMENTS.

WE WOULD APPRECIATE A REPLY AT YOUR EARLY CONVENIENCE DIRECTED TO GAUL KABAN, SECRETARY,
COMMITTEE FOR JEWISH CLAIMS ON AUSTRIA, SUITE 800, 270 MADISON AVENUE, NEW YORK CITY.

HONORABLY YOURS,

JACOB BLAUSCHILD, PRESIDENT, AMERICAN JEWISH COMMITTEE

FRANK COHNMAN, HONORARY PRESIDENT, B'nai B'rith

ADOLPH EISEN, CHAIRMAN, JEWISH LABOR COMMITTEE

GUSTAV JELLINEK, CO-CHAIRMAN, WORLD COUNCIL OF JEWS FROM AUSTRIA

Charge Austria

347351

RG 59

Entry 1284 Lot: 580223

File: 586-Austrian Reparat.

Box 8

DECLASSIFIED

E.O.1050

Authority

By 11/2 KAPA Date 3/11/61

RG

59

Entry Subs. Files

Austria Occupation

File 586-Austrian Reparations Israel

Box

8

"It is the policy of the United States to heal rather than prolong the wounds of war. To do that fairly, however, required that full consideration be given to all those who suffered at the hands of its instigators. The United States, which once held 260,000 Austrian prisoners of war, returned the last of them to their homes by 1946. As regards other sufferers, I remarked in the Allied Council, while considering the proposed amnesty law, that I was disappointed to find legislation for the relief of ex-Nazis preceding that for their victims. While I do not (rpt not) question the humanitarian impulses of the proponents of this law, I cannot (rpt not) help but wonder why they continue to postpone enactments that would grant proper restitution to those whom the Nazis persecuted here. Pointing out the inadequacy of existing legislation to this effect, the United States element has repeatedly urged since 1947 the need for greater amends. In simple justice we must continue to urge Austria to comply with this obligation."

347352

RG 59

Entry 1284 Lot: 580223

File: 586-Austrian Reparations

Box 8

DECLASSIFIED

Category E01050
By 115 KARA Date 3/11/00

RG

59
Entry 586-Subs. Files
File 586-Austrian Occupation
Box 8

COPY

New York, New York
December 14, 1953

The Honorable John Foster Dulles
Secretary of State
Department of State

The Committee for Jewish Claims on Austria, which represents 22 Jewish organizations in the countries of the Free world has been negotiating with the Government of Austria since June 1953 on Jewish claims arising out of treatment of Jews in Austria during the Nazi regime. These negotiations have been carried on with the full knowledge and sympathetic encouragement of the Department and of the American Embassy in Vienna. Nevertheless a recent letter from Chancellor Raab and statements made early in December by the Chancellor and by the Austrian Finance Minister before the Austrian Parliament reverse the previous hopeful situation and have brought about a crisis in these negotiations. The statements made before the parliament have been given wide publicity by the Austrian authorities and in the press.

The situation is further aggravated by recent public reports that the Austrian authorities are at the same time pressing for measures for the benefit of former members of the Nazi party in Austria.

We feel that the present situation is so critical as to justify our requesting the favor of a personal interview with you. We are cognizant of the demands on your time and are grateful for the sympathetic attention given to our representatives by Assistant Secretary Merchant and his staff. Nevertheless we feel that the present atmosphere is so charged with tension and explosive possibilities as a consequence of both the tone and the content of the Austrian public declarations under reference that a meeting between yourself and the leaders of the American Jewish organizations participating in the

RG-59
Entry 1284 Lot: 580223
File: 586-Austrian Reparat.
Box 8

347353

DECLASSIFIED

E010501

Letter to

By 117 NAPA Date 3/11/00

RG

59

Entry 505-Files

Austria Occupation

File 586-Austrian Reparations Israel

Box

8

-2-

committee for Jewish claims on Austria would be highly important and helpful.

The undersigned executive members of the committee for Jewish Claims on Austria would be pleased to come to Washington at your convenience at any time between December 21-23 inclusive should your schedule not call for your presence in Washington during that period we would hope that a meeting with Undersecretary Smith might be arranged. We wish to reiterate that our request for this meeting arises both out of our concern for the Humanitarian objectives of our negotiations with Austria and out of our urgent desire to avoid any unfavorable developments.

We would appreciate a reply at your early convenience directed to Saul Kagan, Secretary, Committee for Jewish Claims on Austria, Suite 800, 270 Madison Avenue, New York City.

Respectfully yours,

Jacob Blaustein, President, American Jewish Committee

Frank Goldman, Honorary President, B'Nai B'Rith

Adolph Held, Chairman, Jewish Labor Committee

Gustav Jellinek, Co-Chairman, World Council of Jews from Austria

347354

RG59
Entry 1284 Lot: 580223
File: 586-Austrian Reparations
Box 8

DECLASSIFIED

E.O.1050

Authority
By 15 NARA Date 3/11/01

RG

59

Entry

585-Files

Australia Occupation

File 586-Austrian Reparations Israel

Box

8

The following organizations are represented by the Jewish negotiators in the current negotiations:

Agudas Israel World Organization
 Alliance Israelite Universelle
 American Jewish Committee
 American Jewish Congress
 American Jewish Joint Distribution Committee
 American Zionist Council
 Anglo-Jewish Association
 B'nai B'rith
 Board of Deputies of British Jews
 British Section, World Jewish Congress
 Canadian Jewish Congress
 Central British Fund
 Confederacao das Entidades Representativas da Coletividade
 Israelita do Brasil
 Conseil Representatif des Juifs de France
 Delegacion de Asociaciones Israelitas Argentinas
 Executive Council of Australian Jewry
 Jewish Agency for Palestine
 Jewish Labor Committee
 South African Jewish Board of Deputies
 Synagogue Council of America
 World Jewish Congress

RG59
 Entry 1284 Lot: 580223
 File: 586-Austrian Reparations Israel
 Box 8

347355

DECLASSIFIED

E.O.1050

Authority E.O.1050
By 115 NARA Date 8/11/01

RG

59

Entry

Subs. Files
Austria OccupationFile 586-Austrian
Reparations Israel

Box

December 17, 1953

TO: The Under Secretary

THROUGH: S/S

FROM: EUR - Mr. Merchant

SUBJECT: Negotiations between the Jewish Committee for Claims on Austria and the Austrian Government

DISCUSSION

There is attached (Tab A) a telegram to the Secretary from the Jewish Committee for Claims on Austria in which they request an appointment between December 21 and 23 (inclusive) to discuss their apparently futile negotiations with the Austrian Government on restitution. The Committee represents major Jewish organizations in Europe and America (list attached as Tab B). Its representatives have discussed this matter with me and other Department officials and with Ambassador Thompson on several occasions.

The Committee has attempted to reach agreement with Austria on a lump sum payment for property seized under the Nazi regime and now left heirless. An agreed provision of the draft Austrian State Treaty provides that such property will be used for the benefit of surviving victims of Nazism and there has been no disagreement with this principle on any side. A settlement on the same question in Germany was reached with the German Federal Republic in 1952.

Negotiations in Austria, begun last June, have gone badly. The Committee is submitting to the Austrian Chancellor in a few days a letter which replies to his recent rejection of any settlement of the heirless property question until after the State Treaty is effective and which comments on more recent remarks in Parliament by the Chancellor and the Minister of Finance which were also negative in substance and, at least in the case of the latter, said to be offensive in tone. There is little prospect of a favorable Austrian reply to this letter, which is probably the Committee's last move before breaking off negotiations and, both here and abroad, publicly condemning the Austrian Government.

The Committee has been maladroit and somewhat unrealistic in the negotiations. To this extent it is partly responsible for their failure. Nevertheless, the Committee's moral position is sound. Its initial demand was close to \$70 million, but it has more recently talked in terms of about \$10 million. In its telegram the Committee states again its appreciation of cooperation given by the Department and by the Embassy.

CONFIDENTIAL

RG 59
Entry 1284 Lot: 580223
File: 586-Austrian Report.
Box 8

347356

DECLASSIFIED

E.O.10501

Authority

By

115

NAPA Date

3/11/60

RG

59

Entry

Subs. Files

Austria Occupation

File

586-Austrian

Reparations Israel

Box

8

CONFIDENTIAL

- 2 -

The Austrian Government refers to the Moscow Declaration of November 1, 1943, which speaks of Austria as "the first free country to fall a victim to Hitlerite aggression", and considers that it does not share Germany's moral responsibility for Nazi abuses. It has always been obstructive on all questions of restitution and has been much more inclined to favor former Nazis than their victims. Austrian efforts to obtain Allied approval of Nazi amnesty legislation have been unrelenting. Their reasons for rejecting a lump sum settlement for heirless property are specious.

The United States, while supporting the Treaty principle on heirless property and hoping that these negotiations might be a means of implementing it, has carefully avoided supporting any claim or form of settlement in these negotiations. Ambassador Thompson has expressed vigorously to all the members of the Austrian Government concerned our view that restitution problems must be promptly and satisfactorily resolved. Having done his best to further these negotiations or obtain their resumption, he now believes that there is no chance of a lump sum settlement, that he has perhaps even exceeded his instructions in urging the Austrians to negotiate, and that we must look to future Austrian legislation to resolve the heirless property and other restitution questions. He is continuing the policy of the past several years of approving no legislation beneficial to former Nazis, which the Austrian Government is increasingly anxious to enact, until adequate provision has been made for victims of Nazism. Our previous Ambassador stated this policy publicly on May 21, 1952 (Tab C).

The Committee may suggest that you call in the Austrian Ambassador to restate our interest in the matter. They may also suggest that you consider a public reaffirmation of our position on Nazi-amnesty legislation and/or a public disputation of the Austrian Government's reasons for refusing to negotiate promptly and in good faith.

RECOMMENDATIONS:

1. That you receive the representatives of the Committee as near as possible to the dates which they suggest (December 21-25).

2. That you restate that the United States cannot be drawn into the negotiations between the Committee and the Austrian Government, but that you would agree:

- (a) That the Committee may say, in any public statement about this meeting, that you reaffirmed the position taken by Ambassador Donnelly on May 21, 1952, concerning benefits for victims of Nazism (Tab C).
- (b) That further representations to Austrian authorities will be considered but may not be useful in view of the fact that the Ambassador has already approached the Chancellor and the Vice-Chancellor repeatedly and that he believes progress toward a lump-sum settlement most unlikely now.

CONFIDENTIAL

R659
Entry 1284 Lot: 580223
File: 586-Austrian Report.
Box 8

347357

DECLASSIFIED
Authority E.O.10501
By 15 RAPA Date 3/11/01

RG 59
Entry SCBS FILES
File 286-Austrian
Reparations Israel
Box 8

~~CONFIDENTIAL~~

3. That the Committee be reassured of our continuing interest in achieving a settlement of all restitution problems.

4. That the Committee be urged not to break off negotiations in a way which would prejudice a future settlement of the problem under Austrian legislation or by other means.

ATTACHMENTS:

- Tab A - Telegram from the Jewish Committee, December 14, 1953
- Tab B - List of members of the Jewish Committee
- Tab C - Statement by Ambassador Donnelly

EUR:WE:HGAapl1ng:rp

~~CONFIDENTIAL~~

RG 59
Entry 1284 Lot: 580223
File: 286-Austrian Reparations
Box 8

347358

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 3/11/04

RG

59

Entry

Subs. Files

Austria Occupation

File 586-Austrian

Reparations Israel

Box

8

INCOMING TELEGRAM

Department of State

486 486

CONFIDENTIAL

23

Action

EUR

FROM: Vienna

Info

SS

G

SP

C

GER

L

E

DCL

OMI

CIA

P

TO: Secretary of State

NO: 1580, December 18, 5 p.m.

NSA

Control: 6706

Rec'd: December 18, 1953
1:49 p.m.

Reference DEPTEL 1791.

Feder, director AJDC, delivered Goldmann letter afternoon December 17 to Chancellery. No indication Austrian reaction. Eshel advised President of Vienna Jewish Community he being recalled in connection with restitution negotiations. Claimed Israel concerned about attitude of Austrian authorities reflected in Kamitz letter and Israel feels this attitude may cause difficulties with Germany respect to future payments to Israel according Luxembourg agreement. Understand Eshel will recommend measures be taken to "correct" Austrian attitude and consider "retaliatory" action.

THOMPSON

RHF/15

CONFIDENTIAL

REPRODUCTION FROM THIS
COPY, IF CLASSIFIED, IS
PROHIBITED

RG 59
Entry 1284 Lot: 580223
File: 586-Austrian Reparat.
Box 8

347359

DECLASSIFIED

E.O.10501

Authority 11/5 KAPA Date 8/11/54

RG

59

Entry 586-FilesAustria OccupationFile 586-Austrian Reparations IsraelBox 8~~CONFIDENTIAL~~Final 586
December 21, 1953 586

TO: The Under Secretary

THROUGH: S/S

FROM: EUR - Mr. Merchant

SUBJECT: Negotiations between the Jewish Committee for Claims on Austria and the Austrian Government

DISCUSSION

Tab A is a telegram to the Secretary from the Jewish Committee for Claims on Austria in which they request an appointment between December 21 and 23 (inclusive). The Committee represents major Jewish organizations in Europe and America (list attached as Tab B).

The Committee has attempted to reach agreement with Austria on all restitution matters and especially on a lump sum payment for property seized under the Nazi regime and now left heirless. Negotiations in Austria, begun last June, have gone badly and are now at the breaking point. The New York Times today carried an editorial critical of Austria's position in the matter. If negotiations fail, less temperate attacks will follow.

Ambassador Thompson believes there is now no chance of a lump sum settlement and that we must look to future Austrian legislation to resolve the heirless property and other restitution questions. He opposes any public statement by the Department now but recommends that you or the Secretary speak to the Austrian Ambassador (Tab C).

RECOMMENDATIONS

1. That you receive the representatives of the Committee.
2. That the Committee be urged not to break off negotiations, or at least not to do so in a way which would prejudice a future settlement of the problem.
3. That the Committee be reassured of our continuing interest in solving restitution problems and that they be told that you are considering calling in the Austrian Ambassador to review the problem.
4. If the Committee asks for a public statement by the Department, such as Ambassador Donnelly's 1952 statement (Tab D), that you say that at this time a statement would be prejudicial to a solution of the problem but that the suggestion will be kept in mind. If pressed, you should tell the Committee that we do not now intend to change the practice in the Allied Council of vetoing Austrian laws benefiting former Nazis in the absence of a satisfactory settlement of restitution matters.

~~CONFIDENTIAL~~

347360

RGS
Entry 1284 Lot: 580223
File: 586-Austrian Reparations
Box 8

DECLASSIFIED

E.O.1050

Authority

By

11/10/00

NAPA D-19-3

RG

59

Entry

5405 FILES

Austria Occupation

File 586-Austrian Reparations Israel

Box

8

December 31, 1953

CONFIDENTIAL

- 2 -

5. That the Committee be informed that, while we shall continue to endeavor to re-establish active and constructive negotiations, the timing of these efforts must be determined in relation to developments in the Berlin conference situation.

6. That an understanding be reached with the Committee that the press be told only that:

- a) you had met with representatives of the Committee and given sympathetic hearing to their problem;
- b) the Department and the Embassy will continue to seek prompt and just solution to all problems affecting the victims of Nazism.

ATTACHMENTS

Tab A - Telegram from the Jewish Committee, December 14, 1953.

Tab B - List of members of the Jewish Committee.

Tab C - Telegram from Vienna, No. 1579;

Tab D - Statement by Ambassador Donnelly.

EHR:WHE:NGAPPLING:ry

347361

R659

Entry 1289 Lot: 580223

File: 586-Austrian Reparations

Box 8

DECLASSIFIED

E.O.10501

Authority
By 11/2 NARA Date 3/11/01

RG

59

Entry

Subs. Files

Austria's Occupation

File 586-Austrian Reparations

Box 8

Tab B

586

12-30-53

AUSTRIAN OBJECTIONS TO A SETTLEMENT WITH JEWISH AGENCIES ON
HEIRLESS PROPERTY

XXXXXX

The Austrian Government argues that

1. Until existing restitution laws expire there is no way of knowing what property is heirless.
2. Settlement with one group of claimants would be discriminatory against those not represented by this group.
3. Settlement of the heirless property question before conclusion of the State Treaty would risk Austria's having to pay for the same thing again since Article 44 of the Draft Treaty provides ~~xxx~~ that heirless property shall be transferred to organizations designated by the Four Powers.

These are legalistic evasions. (1) Existing laws have been in effect for at least four years and any claims which might still be filed could certainly be brought in by a public announcement. ~~xxxxx~~ (2) While the Jewish representatives could not claim to speak for ~~anyone else~~ ^{both} ~~the claimants~~ certainly ~~we and~~ would support ~~Austria,~~ they/~~xxxxxxxxxxxxxxxxxx~~ legislation which would deal with all claims to benefits from heirless property. ~~and~~ It is evident that the Jewish claims represented by the present negotiators would be expected in justice and reason to be all but a small percentage of such claims. (3) Any post-treaty objection to Austria's implementation of the ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxx~~ Treaty's principles concerning heirless property would have to be quadripartite and the United States could ~~certainly~~ be counted on to uphold the action already taken by Austria. To wait until after the Treaty might imply a hope that quadripartite disagreement would block any payment to the victims of Nazism.

R659
Entry 1284 Lot: S80223
File: 586 - Austrian Report.
Box 8

347362

DECLASSIFIED

Authority E.O.10501

By 15 NAPA Date 3/11/61

RG

Entry

File

Box

59

Subs. Files

Austria Occupation

S86-Austria Reparations Israel

8

Tab C

12-30-53

RELATION OF LAWS FAVORING FORMER NAZIS
TO THE RESTITUTION PROBLEM

In 1949 former Nazis, numbering about a half million, began to be readmitted to political activity in Austria. With the two existing major parties being of equal strength, competition for the ex-Nazi votes became keen. This brought about a reversal of the previously constructive Austrian attitude toward restitution.

Proposals were made to amend the Third Restitution Law, which concerns restitution of ~~xx~~ real and personal property, in such a way that ownership of property acquired by duress would have been confirmed to the present holders rather than being returned to the original owners. These proposals were blocked first by U.S. intervention and, in 1952, by a unanimous veto in the Allied Council.

Also in 1952 the Austrian Government approved three constitutional laws benefitting former Nazis. In the Allied Council we joined in preventing these laws from coming into force. At that time Ambassador Donnelly stated publicly that we were "disappointed to find legislation for the relief of ex-Nazis preceding that for their victims" (Tab D).

At about the same time we joined in disapproval of a law granting amnesty to prisoners-of-war returning from imprisonment after April 30, 1949. We have recently reversed our position and approved this law.

A considerable amount of political pressure is building up in Austria to bring the disapproved constitutional laws into effect, either by changing the position of members of the Allied Council or by ignoring them. The latter course would risk partition of Austria. The existence of this pressure, however, does give us a lever in restitution questions.

347363

RG-59

Entry 1284 Lot: S80223

File: S86-Austrian Report

Box 8

DECLASSIFIED

Authority E01050
 By 115 NARA Date 3/11/00

RG 59

Entry 585-Files
 File 586-Austrian Occupation
 Reparations-Israel
 Box 8

~~WE - Mr. Appleby~~
 585 586

CONFIDENTIAL

NE - Mr. Dorsey

December 22, 1953

NE - Robert L. Burns

Possible Israel Intervention in Austrian Restitution Negotiations
 with Jewish Organizations.

Discussion:

WE (the Austrian desk) has asked that the Israel Government be requested not to intervene in the restitution negotiations between the Austrian Government and representatives of Jewish organizations, since such intervention would probably prejudice success of the already critical negotiations. The Austrian Government has made known its opposition to Israel involvement in the negotiations, which it and the U.S. Government consider a matter between the Austrians and private interests.

A recent cable from Vienna (attached) indicates that the Israel Consul in Vienna, Edhal, who has already injected himself into the negotiations to the Austrian Government's displeasure (and whom we asked the Israel Government to keep out of the matter), has been recalled in connection with the negotiations and will recommend measures be taken to "correct" the Austrian Government's attitude in the negotiations and consider "retaliatory" action.

Recommendation:

That you or Mr. Hart call in ~~MEMORANDUM~~ Miss Esther Herlitz or Mr. Yaakov Shimonov and indicate the impropriety of Israel Government intervention in the negotiations which could only have undesirable results as far as an eventual settlement of private Jewish restitution claims against Austria is concerned. It could be mentioned that we of course maintain our interest in seeing a satisfactory solution of the Austrian restitution question.

NEA:NE:HLBurns:bm
12/22/53CONFIDENTIAL

347364

RG 59
 Entry 1284 Lot: S80223
 File: 586-Austrian Report.
 Box 8

DECLASSIFIED

Authority E.O.10501

By 11 NARA Date 3/11/04

RG 59

Entry 586-Austria Occupation

File 586-Austrian Reparations Israel

Box 8

12-30-53

586

December 30, 1953

The Honorable Robert D. Murphy
 Deputy Undersecretary of State
 Washington 25, D. C.

Dear Mr. Murphy:

We have the honor to hand you herewith, in connection with our discussion of today's date, the following documents:

(a) A copy of the letter dated December 11, 1953, addressed to Chancellor Raab, on behalf of the Joint Executive Board for Jewish Claims on Austria; and

(b) A memorandum entitled: Austrian Government Measures for the Benefit of Austrian Nazis.

Very truly yours,

For the Committee for Jewish Claims on Austria

Jacob Blaustein

Frank Goldman

Adolf Held

R659
 Entry 1284 Lot: 580223
 File: 586 - Austrian Reparations
 Box 8

347365

DECLASSIFIED

Authority E.O.10501

By 11/12 NARA Date 3/11/01

RG 59

Entry 586-A

File 586-Austrian
Reparations Israel

Box 8

December 11, 1953

Haussekretär Ing. Julius Neub
 Haussekretariat
 Ballhausplatz
 Vienna, Austria

Dear Mr. Chancellor:

I acknowledge receipt of your letter of November 13, 1953, which I have promptly communicated to the Joint Executive Board for Jewish Claims on Austria, which, as you know, represents both the Committee for Jewish Claims on Austria, which has twenty-two member organizations, and the Federation of Austrian Jewish Communities. Subsequently, the Joint Executive Board has received notice of the statements made by yourself on December 1, and by Finance Minister Karmitz on December 2, 1953, before the Austrian Parliament.

The Joint Executive Board for Jewish Claims on Austria has authorized me to reply to your letter, taking note of the statements above referred to.

1. The Board feels that several of the points made in your letter of November 13 might well be the subject of detailed reply. It feels, moreover, that the description of the course of our negotiations in Dr. Karmitz's statement contains serious inaccuracies. Nevertheless, we feel it best, at this time, to address primary attention to the most basic points raised by your letter and by the statements under reference. We therefore address ourselves primarily to the stated views of your Government on the subject of heirless property in Austria and to certain basic issues which concern individual claimants.

2. Your letter of November 13 seems to indicate that, in the opinion of the Austrian Government, no solution of the problem of heirless property is possible at this time. Now does your Government apparently feel that any solution whatsoever is possible until the lapse of six months after the date on which a state treaty with Austria may have come into effect. Moreover, it is now stated by Dr. Karmitz that this view was reached at a Cabinet meeting on July 9, 1953, despite directly contradictory public and private statements by the Austrian Government at later dates.

It is with surprise and consternation that the Joint Executive Board has received the above views.

...cont'd..

RG 59

Entry 1284 Lot: 580223

File: 586-Austrian Report.

Box 8

347366

DECLASSIFIED

Authority E.O.10501
By 115 NARA Date 3/11/01

RG

59
Entry 586 - Files
File 286-Austrian Occupation
Operations Israel
Box 8

-2-

a) Although it is hoped by all that a treaty with Austria will come shortly into effect, the date on which the Treaty provisions to which you refer will become operative - if ever - is entirely unknown. For reasons which are a matter of public record, it is entirely possible that these particular provisions may never come into effect. Recognition of this possibility has been publicly shown by the interested Governments. There has been, at one stage of the negotiations with regard to the Treaty, a proposal that a "short treaty" be substituted for the longer text. Surely this possibility was in mind when various Allied Governments urged on the Jewish organizations and on your Government a prompt and mutually agreeable settlement of these claims.

We can therefore see no reason in the tentative provisions of Article 44 of the draft Treaty, to which you refer, to postpone an equitable settlement of this problem.

b) The views which you now express come as a distinct shock since the record discloses them to be a sharp reversal of the position previously stated by the Austrian Government.

The record is clear. That record shows consistent insistence by the Joint Executive Board for Jewish Claims on Austria that the problems of heirless property and legislation for the benefit of individual surviving persecutees be discussed and settled together. And the record shows acceptance by the Austrian Government, at the least, of the principle that there should be a present discussion of both problems, and an attempt to arrive at a mutually satisfactory settlement on both of these issues.

The record in fact goes back beyond last June, but since, at the specific invitation of the Austrian Government, formal discussions began in June, 1953, it may be appropriate to cite a few examples since that date, which clearly indicated the willingness of the Austrian Government to try to arrive at a mutually satisfactory and present solution. The following instances may (among others of a less formal nature) be appropriately recalled:

(1) June 17, 1953. Pursuant to arrangements made through the Austrian Embassy in Washington, a delegation of members of the Joint Executive Board for Jewish Claims on Austria called on you. There were also present Vice Chancellor Schaerf, Foreign Minister Gruber and Finance Minister Kamitz. The arrangements for this meeting were made in consultation with the Austrian Embassy in Washington following a conference with the Austrian Ambassador Dr. Lowenthal. The date and other details of this meeting were suggested by the Austrian Government and accepted by us. Contrary to the statement of Dr. Kamitz that this meeting was not expected it is clear that this meeting was formally arranged in agreement with the Austrian Government far in advance of the actual meeting date. I made it clear at the outset of my presentation of our case at that meeting that unless your Government were ready to discuss all the issues and all our requests, we could not start these negotiations.

..cont'd..

R6-59
Entry 1284 Lot: S80223
File: 586-Austrian Report.
Box 8

347367

DECLASSIFIED

Authority E.O.10501

By 115 HAPA Date 3/11/61

RG

59

Entry

Subs Files

Austria's Occupation

File 586-Austrian

Reparations Israel

Box 8

-3-

At that meeting you concurred in the suggestion that the negotiations which were about to begin should concern themselves both with legislation for the benefit of survivors and with a settlement of the heirless property problem.

(ii) The concurrence was repeated and publicly stated in the official communique of your Government, which was drafted immediately after the meeting of June 17, and was issued to the press on June 19.

(iii) June 18, 1953. In response to your specified request made during the meeting of June 17, a memorandum was prepared by the Joint Executive Board summarizing the Jewish claims and, again at your request, reference was made to a figure in connection with the heirless property problem. This figure was specifically stated to be a "point of departure" for negotiations. The memorandum was prepared and delivered to you at your request - and not thrust upon your various Ministers, as Dr. Karits implies in his December 2 statement - and receipt of it was "gratefully" acknowledged by you on June 19, 1953. Your letter of June 19 stated that you had sent copies to Dr. Schaerf, Dr. Gruber and Dr. Karits. That memorandum set out the heirless property claim in its very first paragraph.

(iv) June 22-23 and 25. On June 22, Mr. Beckelman, Chief of the Board's negotiating delegation, and two members of the Joint Executive Board, had a meeting with Foreign Minister Gruber and Finance Minister Karits. Mr. Beckelman summarized what was said at that meeting in his letter to the two Ministers of June 23. In that letter, he took "this opportunity to restate what my colleagues and I believe to have been the salient conclusions of our conversation of Monday, June 22, 1953." In point (a) of those conclusions, Mr. Beckelman stated that, while the Austrian Government believed the figures previously submitted to be high, "The Austrian Government accepts these figures as a basis for negotiation and does not rule them out of consideration a priori in the event that the documentary and factual material presented in the detailed negotiations should in fact satisfactorily substantiate these figures." Point (b) of Mr. Beckelman's resume of the conclusions reached with the two Ministers was as follows:

"While it was clear from our conversation that there are at present differences in our interpretation and meaning attached to certain terms involved in our discussions (such for example as "heirless property"), the Austrian Government accepts the memorandum above referred to as the basis of negotiations. In response to our inquiry the Government explicitly acknowledged that nothing contained in the memorandum and none of the subjects or topics mentioned in it are excluded from the purview of the negotiations."

On June 25, Minister Karits replied to Mr. Beckelman's letter, and said (in translation):

..cont'd..

RG-59

Entry 1289 Lot: SP0223

File: 586-Austrian Report

Box 8

347368

DECLASSIFIED

E.O.10501

RG

59

Authority E.O.10501
Entry 115 NARA Date 8/11/01Subs. Files
Austria Occupation
File 586-Austrian Reparations Israel
Box 8

"In agreement with Minister Gruber, I would like to advise you that we concur, with one exception, with the new conclusions, set down in this letter. During our discussion on Monday, June 22, we established that as recent as a basis for negotiations the principles laid down in your memorandum. However, as far as the figures are concerned, we permitted ourselves to point out that we thought them extraordinarily exaggerated. We have therefore not established that these figures will serve as the basis of negotiations but have pointed out that exact figures must be worked up in the detailed negotiations between your representatives and our representatives, which, if the principles of the memorandum are recognized, could then serve as a basis for discussion. I believe the point here is only a small nuance of expression." (underlining added)."

(v) June 24-June 30. During this period of formal delegation meetings, nothing was said by your delegation which suggested a reversal of understanding reached with the Chancellor that heirless property was a proper subject for immediate discussion. Discussions on this subject in fact proceeded.

(vi) July 6. The aide memoire submitted to the Austrian Government, and discussed with Ministers Gruber and Kamitz declares that the Board regards an heirless property settlement as an essential ingredient of a satisfactory overall settlement.

(vii) July 14 and 15. A meeting was held with you, at which I discussed heirless property, and you suggested that experts ought to work to refine their estimates. Only July 15, I wrote to summarize the results of that meeting, and in that letter indicated my understanding that you were willing to take into account, in connection with an heirless property settlement, non-traceable as well as traceable property. Neither then or during our meeting of September 17, did you indicate that this understanding was not correct.

The record is so clear, Mr. Chancellor, that there is little point in further multiplying these examples. The communiqué issued by the Austrian Government on July 28, refers specifically to heirless property and its use for surviving victims and indicates that the delegations would meet again in the Fall on all open issues.

When I met with you again on September 17, 1953, I said frankly that the solution of the heirless property issue was an essential part of an overall settlement. You said then that you were convinced that a full settlement both on legislation and on heirless property could and should be reached.

The view now expressed, as we understand that view, that we must postpone to an indefinite future date a settlement of the heirless property problem,

..cont'd..

RG-59
Entry 1284 Lot: 580223
File: 586-Austrian Report.
Box 8

347369

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 8/11/01

RG

59

Entry

565-Files

File

Austrian Occupation

Box

586-Austrian Reparations Israel

8

does not accord with the views previously expressed by your Government, over the course of many discussions. Your letter indicates a definite change of position by your Government with regard to the question of heirless property after all the preceding negotiations in which you indicated your willingness to negotiate a settlement on this question. For our part, we can but repeat what has been our position from the beginning - that a full and mutually satisfactory agreement between the Joint Executive Board and the Austrian Government must take into account both the legislative program for surviving persecutees, and the heirless property problem.

3. In view of the above, we feel that it is not necessary to labor the point that Article 44 of the draft Treaty does not affect the present possibility of an heirless property settlement. But we may point out:

(a) The Treaty is not a complete draft. It may never be completed. It is not in force. It may never be in force. It has no present legal validity.

(b) Whatever the applicability of Article 44, it could not in any case apply to properties as to which the filing deadlines have already expired. This is in fact conceded in your letter of November 13. Moreover, Article 44 could not conceivably apply to heirless assets which are non-traceable and therefore not within the purview of the restitution laws.

(c) The dispositions being presently proposed by our Board in respect of heirless and unclaimed property are in full accord with the basic principles of the Treaty. Thus, the interpretation put by the Austrian Government on the Treaty is apparently shared by no other Government. The Allied Council in Vienna was informed of our negotiations by note of June 17, 1953. No objection whatsoever was made by any member Government. Moreover, support for the objective of a mutually satisfactory agreement on both aspects of these negotiations has been several times stated by Allied Governments, and we believe these views to be known to the Austrian Government. The principle has, for example, been publicly expressed that justice to persecutees - for whose benefit the heirless property would be used - should come before measures aimed at regularizing the status of those who participated in Nazi activities.

(d) Finally, what is under discussion here is recognition of a fundamental and basic principle - to which the Austrian Government has indicated its concurrence. That principle is that the Austrian Government should not retain properties acquired as a result of persecution and extermination practiced by the Nazis. The implementation of that principle is clearly not affected, certainly not adversely, by the proposed Treaty.

4. Finally, I come to the point which has been raised both by your letter of November 13, and by Dr. Kamitz in his statement of December 2 - the apparent allegation that the Joint Executive Board for Jewish Claims on Austria seeks discriminatory treatment for Jewish victims of Nazi persecution.

We are utterly shocked that such an implication could appear in any official statement of the Austrian Government. Nothing could be farther from

..cont'd..

R6-59
Entry 1284 Lot: S80223
File: 586-Austrian Report.
Box 8

347370

DECLASSIFIED

Authority E.O.10501

By 115 NARA Date 8/11/01

RG 59

Entry 586

File 586-Austrian Occupation

Box 8

the truth. Nothing would be more repugnant, to those who have themselves suffered from discrimination, than that they should suggest favored treatment for persecutees of one particular kind. This is known to the Austrian Government.

We are a Jewish organization. We speak for Jewish persecutees, and have no right to represent others. But we have gladly welcomed and, in fact urged arrangements - such as those made by the Government of the Federal German Republic - for the benefit of non-Jewish persecutees and victims of National Socialism. We would welcome any such arrangements which might be made by the Austrian Government.

It is a fact that any legislation, any arrangements with respect to heirless assets, which might be made, whether by the Austrian Government, or the Federal German Republic or by the United States or other Allied nations, will chiefly affect Jewish victims. This cannot be blamed on a desire of Jewish organizations for discrimination in their favor. Rather it is a reflection of the tragic fact that the Jews were the main victims of National Socialist persecution and that, as a result, six million Jews perished under National Socialism. You are not unaware, though it is not taken account of in Dr. Kamitz's lengthy statement, that over a third of the entire pre-war Jewish population of Austria perished. Out of these executions on a wholesale scale originates the present claim for heirless property.

That the vast preponderance of persecutees under the Nazis were Jews is bitterly obvious. That fact is internationally recognized, for instance, in the Paris Reparation Agreement. Under that agreement, signed by 17 nations, certain contingent sums were allocated for relief and resettlement of nonrepatriable victims of German action. It was subsequently agreed by the competent nations that of these sums ninety percent should be allocated for Jewish persecutees, and ten percent for non-Jewish persecutees.

A legislative program for the relief of persecutees should speak for all persecutees, of whatever kind, who suffered the same kind of damage whether the basis for Nazi persecution was religious, racial or political. A program which deals equitably with heirless property should deal with all such property. It is not a source of satisfaction, Mr. Chancellor, but of heavy sorrow, that experience teaches that the overwhelming portion of heirless property will be Jewish property - because the Jews alone were the victims of a policy of mass extermination.

You know, and we have demonstrated, that vast sums were lost by those who, with their entire families, perished under the Nazi sword. Substantial portions of these sums, traceable and non-traceable, remained in the Austrian economy, and benefit it to this day. There also are factories in Austria, now operating, which were built or rehabilitated with Jewish slave labor. No state will wish to be the beneficiary of the murder of its citizens and residents.

..cont'd..

347371

RG 59

Entry 1284 L.t.: 580223

File: 586-Austrian Reparat.

Box 8

DECLASSIFIED

Authority E.O.10501

By 15 KAPA Date 3/11/61

RG

59

Entry

Subs. Files

Austria Occupation

File 586-Austrian Reparations Israel

Box

8

The principles on which we base our claims have been recognized by many nations, and are embodied in international agreements.

We also feel that steps for the victims of Nazism, Jewish and non-Jewish alike, should precede measures for the benefit of former Nazis.

We would welcome any steps taken by Austria for the benefit of non-Jewish victims. We must reject any suggestion that the proposals which we have put forward are in any way discriminatory, and we - in obvious agreement with the Allied Governments - fail to see any basis on which they could be considered violative of any constitutional safeguards against discrimination.

We have reduced our claims to the limits of our conscience. We are prepared to discuss methods of liquidating any agreed amounts which will impose little burden on the Austrian economy. Under these circumstances, a discussion of ways and means of mitigating the sufferings of the victims of Nazism is requested by elementary principles of justice.

The Joint Executive Board for Jewish Claims on Austria is of the firm opinion that, given good will, there exists no real obstacle in the way of a satisfactory and present solution of the problems which it has discussed with the Austrian Government. As soon as we hear from your Government that you are ready to continue discussions on both major subjects of our negotiations - the legislative program for surviving persecutees and the heirless property problem - we shall be glad to set a mutually acceptable date for the resumption of the negotiations which began under hopeful circumstances.

Very truly yours,

DR. NAHUM GOLDMANN

RG 59
Entry 1284 Lot: SD0223
File: 586-Austrian Reparations
Box 8

347372

DECLASSIFIED	RG
Authority F.O.10501	59
by 15 NARA Date 8/11/04	Entry Subs. Files Austria Occupation
	File 586-Austrian Reparations Israel
	Box 8

December 22, 1953

MEMORANDUM

Subject: AUSTRIAN GOVERNMENT MEASURES FOR THE BENEFIT OF AUSTRIAN NAZIS

The following is a brief recital of the steps taken by the Austrian Government in its efforts to restore property and legal status to former Nazis.

1. July 13, 1952 - The Austrian Parliament adopted, on the very eve of its adjournment, a series of laws which were designed to:
 - (a) Grant total amnesty to broad categories of implicated Nazis, including persons guilty of high treason (amnesty law for implicated persons).
 - (b) Totally cancel property forfeitures for similarly broad contingents of implicated Nazis - even in cases where the amnesty law (see above) precluded the full remission of punishment (property confiscation law).
 - (c) Lift the ban on service promotions for all categories of implicated public servants.
2. Simultaneously, the Austrian Parliament enacted a "Federal Law on the Alleviation of Hardship in Restitution Matters" which was designed to legalize certain categories of Nazi alienation of property and authorized the reopening of judgments passed by Austrian restitution courts for the return of certain classes of confiscated properties to victims of Nazi persecution.
3. July 26, 1952, the Department of State, in a release to the Press, took the Austrian Government to task for this legislation, stating that it was "to the detriment of the victims of National Socialism" and emphasized that the Department of State "was greatly disturbed to have received reports on the above legislation when restitution and general claims problems of victims of Nazism still have not been resolved by the Austrian Government."

The position enunciated by the U. S. Government, on that date, followed an earlier expression of U. S. Policy by the U. S. High Commissioner, Walter J. Donnelly, on May 16, 1952, to the effect that he was "disappointed to find legislation for the relief of ex-Nazis preceding that for their victims."

R659
Entry 1284 Lot: 580223
File: 586 - Austrian Reparat.
Box 8

347373

DECLASSIFIED	RG	59
Authority	Entry	585 - Files
E.O.10501		Austria Occupation
By 15 NARA Date 8/11/01	File	586 - Austrian Reparations Israel
	Box	8

Page 2

- b. August 23, 1952 - The Allied Control Council refused to approve the three "amnesty laws" and expressly vetoed the proposed law affecting restitution of property to victims of Nazi persecution.
5. On October 6, 1953, it has been reported that the Austrian Cabinet has approved a so-called draft "law for the transfer of assets" giving the Government power to return, through simple administrative procedures, assets forfeited by Austrian Nazis and war criminals on the basis of decisions by Austrian courts.

Available information indicates that the individuals concerned were sentenced by Austrian Courts, principally, for crimes connected with deportation, maltreatment and murder of Jews.

The report concerning this measure was called to the attention of the Department by letter of October 15, 1953.

6. On November 7, 1953, the Allied Control Council approved a limited measure providing amnesty for former Austrian Nazis repatriated as prisoners of war from Russia after April 30, 1949.

This measure, justified on the ground that the individuals concerned had suffered sufficient punishment through Soviet imprisonment, is apparently being interpreted by the Austrian Government as a reversal of the general policy pursued by the U. S. in Austria, that a satisfactory solution of the problems of victims of Nazi action must precede any further grants of amnesty, or relief, to the perpetrators of Nazi action in Austria.

RG 59
Entry 1284 Lot: 580223
File: 586 - Austrian Report.
Box 8

347374

DECLASSIFIED	RG 59
Authority E.O.10501	Entry 586-Files
By 117 NARA Date 8/11/01	Austria Occupation
	File 586-Austrian Reparations Israel
	Box 8

DRAFT Statement by agencies on leaving Aust. See 30

586

12-30-47

A delegation representing the Committee for Jewish Claims on Austria called today upon the Deputy Undersecretary of State, Mr. Robert Murphy, to discuss the crisis in the negotiations between the Austrian Government and the world Jewish organizations for a settlement of Jewish claims against Austria.

Mr. Jacob Blaustein, President of the American Jewish Committee, Mr. Frank Goldman, President of Bnai Brith and Mr. Adolph Held, President of the Jewish Labor Committee, expressed appreciation for the sympathetic attitude with which the United States Government has been following these negotiations. It has called to the attention of the Department the refusal of the Austrian Government to continue the negotiations on a settlement of the claims for heirless property. The Austrian Government had agreed to discuss a settlement of this issue last June when negotiations began.

The delegation pointed out that while balking on a settlement of heirless Jewish property, the Austrian Government has repeatedly attempted to restore property and legal status to incriminated Nazis. The Jewish representatives also recalled that tens of thousands of American citizens who have suffered losses and privations through Nazi rule in Austria, but were fortunate to find a haven in the United States, are vitally concerned with the successful outcome of the negotiations.

On leaving the State Department the delegation reported that Mr. Murphy expressed the deep concern of the United States Government over the deadlock in the negotiations between the Austrian Government and the Jewish organizations. He assured the delegation that the Department of State will continue its efforts to bring about a satisfactory resumption of negotiations.

RG 59
Entry 1284 Lot: 580223
File: 586-Austrian Report.
Box 8

347375

DECLASSIFIED	RG 59
Authority E.O.10501	Entry 5285-FILES
By 15 NARA Date 8/11/01	Austria Occupation
	File 586-Austrian Reparations Israel
	Box 8

The following will represent the Executive Committee for Jewish Claims on Austria at the meeting in Mr. Murphy's office on December 30, at 4:30:

Mr. Jacob BLAUSTEIN, President of the American Jewish Committee
 Mr. Frank GOLDMAN, Honorary President of B'nai Brith
 Mr. Adolph HELD, Chairman of the Jewish Labor Committee
 Dr. Nehemiah ROBINSON, Representative of the World Jewish Congress
 Mr. Saul KAGAN, Executive Secretary of the Committee
 Mr. Seymour RUBIN, who is Counsel and Washington Representative for the Committee.

From WE: Mr. Freund)
 will attend
 Mr. Appling)

347376

R659
 Entry 1284 Lot: S80223
 File: 586-Austrian Reparations
 Box 8

DECLASSIFIED

E.O.10501

Authority
By 15 NARA Date 3/11/01

RG

59

Entry

Subs. Files

Austrian Occupation

File 586-Austrian

Reparations Israel

Box 8

MCT

586

DEPARTMENT OF STATE

Memorandum of Conversation

DATE: December 31, 1952

SUBJECT: Negotiations with Austrian Government on Restitution Questions

PARTICIPANTS:

Mr. Murphy, Deputy Under Secretary
 Mr. Freund, VE
 Mr. Appling, VE
 Mr. Jacob Blaustein, President of the American Jewish Committee*
 Mr. Frank Goldman, Honorary President of the B'nai Brith*
 Mr. Adolph Kald, Chairman of the Jewish Labor Committee*
 Mr. Saul Kagan, Executive Secretary of the Committee*
 Dr. Nehemiah Robinson, Representative of the World Jewish Congress*
 Mr. Seymour Rubin, Counsel and Washington Representative of the
 Executive Board of the Committee for Jewish Claims on Austria

COPIES TO:
~~REDACTED~~EUR
GJ

O - Mr. Murphy

Embassy, Vienna

W (2)

U. S. GOVERNMENT PRINTING OFFICE 16-61120-1

Mr. Blaustein explained the Executive Board's function as representative of major Jewish organizations in Europe and America. He thanked the State Department and the Embassy in Vienna for their past understanding and helpfulness. He said that despite repeated earlier understandings that negotiations between the Committee and the Austrian Government were to take into account both a legislative program for restitution and the use of Jewish property left heirless in Austria for the benefit of surviving victims of Nazism, the Austrian Government, to the amazement of the Board, has now apparently reversed its position. In recent statements before Parliament the Chancellor and the Minister of Finance had said that the heirless property question cannot be resolved until after a State Treaty is effective. This the Board considered a breach of good faith. They objected to the implication of the Austrian statements that the Board sought a special settlement for a special group. Mr. Blaustein stressed that the Board was interested in seeing justice done to all victims of Nazism.

Mr. Blaustein felt that the negotiations had reached a stage at which it was necessary to call on the Department for further help. The Board suggested that the Austrian Ambassador might be called to the Department and that Ambassador Thompson might again express in Vienna our Government's concern at present difficulties. The Board would welcome assurances that the United States Government still stands where it always has on the question of refusing benefits to former Nazis before justice has been done for victims of Nazism. This was prompted by the recent failure of the U.S. to oppose the Late Returns Law in the Allied Council. The Board would also welcome agreement with its view that there is no reason why settlement of the heirless property question need wait until after the State Treaty is effective. Finally, Mr. Blaustein urged that the United States Government try to impress on the Austrian Government that a settlement of these restitution questions would be in Austria's own interest as a matter of the international reputation.

*Note: All are representatives of the Executive Board of the Committee for Jewish Claims on Austria.

CONFIDENTIAL

R659
 Entry 1284 Lot: 580223
 File: 586-Austrian Report.
 Box 8

347377

DECLASSIFIED

Authority E.O.10501

By 15 NARA Date 8/11/04

RG 59

Entry Subs-Files

Austria Occupation

File 586-Austrian Reparations Israel

Box 8

~~CONFIDENTIAL~~

- 2 -

Mr. Goldmann wished to emphasize that the Committee was not concerned with a business deal but rather considered this a moral question, one concerning human rights. He noted that the Austrian Government denies its legal responsibility for the persecution of Jews in Austria and said that in the light of historical fact it cannot deny moral responsibility. He added that the reversal of the Austrian position on heirless property led the Committee to feel that "it had been taken for a ride". He believed that the Department, like the Board, would not have favored opening negotiations had it been known that the negotiations would not cover heirless property. Both he and Mr. Bleustein remarked that making a settlement of this problem dependent on conclusion of a State Treaty might well be equivalent to putting it off forever. They also urged that an approach be made to the Austrians promptly since Chancellor Raab's further reply to the Board is now under consideration and because American influence will be markedly reduced should a State Treaty be concluded at the Berlin meeting. Mr. Goldmann pointed out that the Board had even indicated its willingness to talk in terms of 11-12 million dollars to be paid in such a way as not adversely to affect the Austrian economy. He said that with the passage of time there is a tendency to forget the murder of six million Jews by the Nazis, but that this could not be forgotten by those of the Jewish faith. He expressed appreciation of the Board and particularly of B'nai Brith of the understanding of this fact shown by the Department.

Mr. Held commented that, in reporting the recent remarks in the Austrian Parliament, the *Arbeiter Zeitung*, newspaper of the Austrian Socialist Party said that the Austrian Government had apparently reversed its position from that taken at the opening of the negotiations.

Dr. Robinson said that if Austria is seeking justice (in the State Treaty negotiations) it must also give justice. He called attention to the Moscow Declaration which, while it said Austria was a victim of Nazi aggression, also added that Austria could not escape responsibility for collaboration with the Nazis.

Mr. Murphy said that from his own experience he knew of Austria's role in the origin and growth of Nazism and that he had been somewhat startled by the terms of the Moscow Declaration. Austrian unwillingness to deal with this problem seemed incomprehensible both on moral grounds and as a matter of practical politics.

By way of explanation of the political reasons for the Austrian attitude, Mr. Rubin interjected that the ex-Nazi vote in Austria was of great influence with power so equally divided between the two major parties.

Mr. Murphy went on to say that the Austrian legalistic arguments were not entirely convincing and that if Germany could make a settlement so could Austria. He agreed something should be done and said he would have no hesitancy in suggesting that the Austrian Ambassador be called in. He believed that Ambassador Thompson has continued to make representations to the Austrian Government in the matter. He had little hope that an Austrian State Treaty would be achieved at Berlin but felt that some action should be taken before Chancellor Raab's reply to the Board was made. Mr. Murphy added that the U.S. official attitude in these matters is unchanged and that he would give consideration to what further steps might be taken.

It was agreed that Mr. Freedman should review with the Board a statement which might wish to release to the press following this meeting.

W:MG:plp:edc 1/6/64 ~~CONFIDENTIAL~~

RG-59

ENR 1284 Lot: 580223

File: 586-Austrian Report

Box 8

347378