

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. cable	re: Letter from President Clinton to Chancellor Schroeder (3 pages)	09/02/1999	P1/b(1) KBH 9/21/2013

COLLECTION:

Clinton Presidential Records
NSC Cables
Jan 1999-Dec 2000 ([Schroeder and slave...])
OA/Box Number: 530000

FOLDER TITLE:

[09/02/1999]

2014-0472-M
rs1023

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Cable

PREC: IMMEDIATE
CLASS: ~~CONFIDENTIAL~~
LINE1: OAACZYUW RUEHCAA4637 2450032-CCCC--RHEHAAX.
LINE2: ZNY CCCCC ZZH
LINE3: O 020031Z SEP 99
LINE4: FM SECSTATE WASHDC
OSRI: RUEHC
DTG: 020031Z SEP 99
ORIG: SECSTATE WASHDC
TO: AMEMBASSY BERLIN IMMEDIATE 0000
INFO: ////
SUBJ: LETTER FROM PRESIDENT CLINTON TO CHANCELLOR
SCHROEDER

DECLASSIFIED
PER E.O. 13526
2014-0772-M (1.01)
5/11/2018 KBM

CLASSIFIED BY E ANTHONY WAYNE, EUR DEPUTY ASSISTANT

TEXT:

~~CONFIDENTIAL~~ STATE 164637

E.O. 12958: DECL: 8/31/99
TAGS: OPDC, GM, KNAR, PREL, ETRD
SUBJECT: LETTER FROM PRESIDENT CLINTON TO CHANCELLOR
SCHROEDER

CLASSIFIED BY E ANTHONY WAYNE, EUR DEPUTY ASSISTANT
SECRETARY, FOR REASON 1.5 (D).

1. (U) POST IS REQUESTED TO DELIVER THE FOLLOWING LETTER
FROM PRESIDENT CLINTON TO CHANCELLOR SCHROEDER. THERE WILL
BE NO SIGNED ORIGINAL.

2. (S) BEGIN TEXT:

DEAR MR. CHANCELLOR:

I WANT TO CONGRATULATE YOU ON YOUR LEADERSHIP AND ON
GERMANY'S COMMITMENT, WORKING WITH GERMAN INDUSTRY, TO
ESTABLISH AN ENTERPRISE FOUNDATION THAT WOULD PROVIDE A
MEASURE OF JUSTICE TO THOSE WHO SUFFERED AS SLAVE AND
FORCED LABORERS WORKING FOR GERMAN INDUSTRY DURING THE
NAZI ERA. YOUR PLEDGE TO SEEK ENACTMENT OF LEGISLATION IN
THE BUNDESTAG TO ESTABLISH A COMPLEMENTARY FEDERAL
FOUNDATION TO PROVIDE COMPENSATION TO MANY OF THOSE NOT

COVERED BY THE GERMAN ENTERPRISE FOUNDATION IS A
CRITICALLY IMPORTANT COMPONENT OF THE INITIATIVE.

I WOULD LIKE TO GIVE MY STRONGEST SUPPORT TO YOU AND GERMAN INDUSTRY ON THIS INITIATIVE. IT IS A TRULY HISTORIC STEP AT THE CLOSE OF THE MILLENNIUM THAT CAME ABOUT THROUGH YOUR LEADERSHIP.

THE UNITED STATES AND GERMANY HAVE WORKED AS PARTNERS ON THE INITIATIVE. IF WE ARE ABLE TO FOLLOW THROUGH WITH THE COMMITMENT MADE ON FEBRUARY 16 TO MAKE PAYMENTS TO FORMER INDUSTRIAL SLAVE AND FORCED LABORERS, HISTORY WILL REMEMBER YOUR GOVERNMENT, AND THOSE INVOLVED IN THE INITIATIVE, FOR CONTRIBUTING TO JUSTICE IN THE LIFETIMES OF THE SURVIVORS.

WE HAVE COME FAR IN OUR NEGOTIATIONS. WE HAVE REACHED AGREEMENT ON KEY PRINCIPLES FOR A GERMAN ENTERPRISE FOUNDATION. WE HAVE ALSO MADE SIGNIFICANT PROGRESS IN PLANS TO PROVIDE LEGAL PEACE FOR GERMAN INDUSTRY IN U.S. COURTS IN CONNECTION WITH NAZI-ERA CLAIMS COVERED BY THE INDUSTRY FOUNDATION.

HOWEVER, A SIGNIFICANT DIFFERENCE BETWEEN THE PARTIES REMAINS CONCERNING THE LEVEL OF FUNDING. AS YOU PREPARE TO MEET WITH THE LEADERS OF GERMAN INDUSTRY TO DISCUSS THE FOUNDATION INITIATIVE, I WOULD LIKE TO SUGGEST THAT YOU FOCUS ON WHAT IS REQUIRED TO HELP BRIDGE THE GAP AND ALLOW GERMANY TO ANNOUNCE AGREEMENT BY THE END OF THE YEAR.

IN ORDER TO PROVIDE THE MORAL AND LEGAL CLOSURE GERMANY DESIRES AND THE VICTIMS DESERVE, A SUBSTANTIAL FINANCIAL COMMITMENT BY GERMAN COMPANIES AND THE GERMAN GOVERNMENT WILL BE REQUIRED. DEPUTY SECRETARY OF THE TREASURY STUART EIZENSTAT HAS INDICATED TO COUNT OTTO LAMBSDORFF THE LEVEL OF FUNDING THAT HE PERSONALLY BELIEVES THE LEADERS OF GERMAN INDUSTRY PARTICIPATING IN THE ENTERPRISE FOUNDATION HAVE MY COMMITMENT THAT THE UNITED STATES WILL PROVIDE VERY SUBSTANTIAL ASSISTANCE TO GERMAN COMPANIES IN FUTURE WORLD WAR II-ERA LITIGATION IN U.S. COURTS SO AS TO PROVIDE LEGAL PEACE, IF WE CAN ENSURE THAT THE FOUNDATION IS TRULY COMPREHENSIVE. OUR POLICY IS THAT THE ENTERPRISE FOUNDATION SHOULD BE REGARDED AS THE EXCLUSIVE REMEDY FOR CLAIMS AS DEFINED THEREIN. IN ADDITION TO OUR WRITTEN STATEMENTS TO THE COURTS SUPPORTING GERMAN COMPANIES, THE UNITED STATES GOVERNMENT WOULD RESPOND AFFIRMATIVELY IN ANSWER TO A QUESTION FROM A COURT, WHETHER, IF LEGAL GROUNDS FOR DISMISSAL EXIST, DISMISSAL OF CASES IS CONSISTENT WITH U.S. POLICY INTERESTS. HOWEVER, IT IS IMPORTANT FOR GERMAN COMPANIES AND THE GERMAN GOVERNMENT TO MAKE THE SCOPE OF THE ENTERPRISE AND FEDERAL FOUNDATIONS EXPANSIVE AND EQUITABLE SO THAT U.S. COURTS WILL REGARD THE ENTERPRISE FOUNDATION AS THE EXCLUSIVE REMEDY FOR CLAIMS AS DEFINED THEREIN. TO THIS END, THE BUNDESTAG MAY WISH TO CONSIDER ESTABLISHING A FOUNDATION WITH A BOTH A PUBLIC-FUNDED AND AN INDUSTRY-FUNDED COMPONENT. THIS MAY PROVE ATTRACTIVE TO ALL PARTIES.

DEPUTY SECRETARY EIZENSTAT AND COUNT LAMBSDORFF HAVE

ANNOUNCED THEIR INTENTION TO CONVENE MEETINGS AGAIN IN WASHINGTON ON OCTOBER 6-7. AT THAT TIME, I HOPE ALL PARTIES WILL BE IN A POSITION TO CONCLUDE NEGOTIATIONS AND REACH AGREEMENT ON ALL THE COMPONENTS OF THE INITIATIVE.

THE GERMAN GOVERNMENT AND ITS PEOPLE HAVE ALREADY DEMONSTRATED IMPRESSIVELY THEIR COMMITMENT TO ADDRESS PAST WRONGS. BY COMPLETING THIS EFFORT BEGUN WITH YOUR VISIONARY LEADERSHIP, GERMAN INDUSTRY HAS AN OPPORTUNITY NOW -- BEFORE THOSE REMAINING SURVIVORS OF NAZI PERSECUTION PASS AWAY -- TO MAKE A HISTORIC AND POWERFUL STATEMENT TO THE WORLD AS WE ENTER THE NEW MILLENNIUM.

SINCERELY,

//S//

WILLIAM J. CLINTON

END TEXT.

TALBOTT

SECT: SECTION: 01 OF 01

SSN: 4637

TOR: 990901203408 M4029310

DIST:

SIT: BLINKEN BREMNER DAVIDSON FICKLIN GORDON MILLISON NORLAND SAPIRO
VONLIPSEY WASSERMAN

SIT: NSC

<^DIST>

SIT: ALLEN

MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Original OA/ID Number: 2749				
Document ID: 9906783				
Row: 46	Section: 5	Shelf: 1	Position: 2	Stack: v

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Chancellor Schroeder to President Clinton [untranslated] (3 pages)	09/13/1999	P1/b(1) KBH 9/21/2018

COLLECTION:

Clinton Presidential Records
NSC Records Management
([Schroeder and slave...])
OA/Box Number: 2749

FOLDER TITLE:

9906783

2014-0472-M
rs1024

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

~~CONFIDENTIAL~~
NSC/RMO PROFILE

RECORD ID: 9906783
RECEIVED: 14 SEP 99 10

TO: PRESIDENT

FROM: SCHROEDER, GERHARD

DOC DATE: 13 SEP 99
SOURCE REF:

KEYWORDS: GERMANY
LEGAL ISSUES

HUMAN RIGHTS
HS

PERSONS:

SUBJECT: FOUNDATION FOR NAZI VICTIMS & NEXT ROUND OF NEGOTIATIONS OCT 6 - 7

ACTION: ORIGINALS RETURNED TO NSC/RMO DUE DATE: 20 SEP 99 STATUS: C

STAFF OFFICER: KASS

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO
NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSEMK

CLOSED BY: NSDMK

DOC 1 OF 1

~~CONFIDENTIAL~~

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KRM/NARA, Date 5/11/2018
2014-0472-07

~~CONFIDENTIAL~~
ACTION DATA SUMMARY REPORT

RECORD ID: 9906783

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 BREMNER	Z	99091410	PREPARE MEMO FOR BERGER
001	Z	99091515	ACTION TRANSFERRED
001 KASS	Z	99091515	PREPARE MEMO FOR BERGER
001	X	99092017	NO FURTHER ACTION REQUIRED
001	X	99092814	ORIGINALS RETURNED TO NSC/RMO

DISPATCH DATA SUMMARY REPORT

<u>DOC</u>	<u>DATE</u>	<u>DISPATCH FOR ACTION</u>	<u>DISPATCH FOR INFO</u>
001	990913		STATE

~~CONFIDENTIAL~~

NSC

6783

BUNDESREPUBLIK DEUTSCHLAND
DER BUNDESKANZLER

Bonn, den 13. September 1999

Seiner Exzellenz
dem Präsidenten der
Vereinigten Staaten von Amerika
Herrn William J. Clinton

Washington D.C.

Sehr geehrter Herr Präsident,

für Ihr Schreiben vom 2. September 1999, das Sie mir im Vorfeld meines Gesprächs mit den Spitzen der an der Stiftungsinitiative beteiligten deutschen Unternehmen am 6. September 1999 übermittelten, möchte ich Ihnen danken.

Ich bin mit Ihnen einer Meinung, dass es sich bei dieser Initiative um ein ausserordentlich bedeutendes Vorhaben handelt. Es geht um ein moralisch und menschlich ganz wichtiges Anliegen, nämlich den heute hochbetagten NS-Opfern zu helfen. Der Wille der deutschen Wirtschaft, ihrer historischen und moralischen Verantwortung durch Gründung einer Stiftung gerecht zu werden, verdient unsere Anerkennung und unsere volle Unterstützung.

Daher bin ich für das bisherige Engagement Ihres Stellvertretenden Finanzministers, Stuart Eizenstat, und vor allem für Ihre persönliche Zusage dankbar, dass Ihre Regierung - bei Gründung der Stiftung - die deutschen Unternehmen vor den US-Gerichten in vollem Umfang unterstützen wird.

SEP 30 16:17

SEP 28 1999

...

Ich stimme Ihnen zu, dass wir in den letzten Verhandlungsrunden auch hinsichtlich der Frage der Rechtssicherheit gewisse Fortschritte erzielt haben. Leider lässt sich aus meiner Sicht noch nicht sagen, dass sich die Verhandlungen hierüber schon auf der Zielgeraden befinden. Die Bundesregierung unterstützt den Wunsch der Unternehmen nach umfassendem und dauerhaftem Rechtsfrieden, denn es ist ihr legitimes Anliegen, für den gleichen Sachverhalt nicht zweimal zu zahlen.

Der Abschluss laufender Zivilverfahren sowie die Verhinderung künftiger Prozesse auf Basis neuer Sachverhalte im Zusammenhang mit der NS-Zeit sind auch aus Sicht der Bundesregierung zwingende Voraussetzung für das Gelingen der Initiative. Entsprechend sollten auch die administrativen und legislativen Massnahmen in den einzelnen US-Bundesstaaten eingestellt bzw. aufgehoben werden.

Ich bin mir nach meinem Gespräch mit den Vorstandsvorsitzenden der Unternehmen vom 6. September 1999 sicher, dass die Unternehmen dann bereit und in der Lage wären, substantielle finanzielle Beiträge zu erbringen und weitere Unternehmen für eine Teilnahme an der Stiftung zu gewinnen. Ob die von Herrn Eizenstat genannte finanzielle Dimension erreicht werden kann, vermag ich derzeit nicht zu beurteilen. Diese Aspekte könnten meines Erachtens aber schon beim nächsten Treffen am 6./7. Oktober 1999 konkretisiert werden.

In den bisherigen Verhandlungsrunden konnte erfreulicherweise Einigkeit über Strukturen einer künftigen Stiftung hergestellt werden. Insbesondere bei der schwierigen Frage der Zugangskriterien zu Stiftungsleistungen besteht – nachdem von deutscher Seite erhebliche Konzessionen gemacht wurden - mittlerweile in vielen Bereichen Einvernehmen zwischen den Beteiligten. Ich bin sehr zuversichtlich, dass die in diesem Bereich noch offenen Fragen bald geregelt werden können. Allerdings ist es wenig hilfreich, die Zahl der Anspruchsberechtigten zu erhöhen. Es ist offensichtlich, dass nicht alle Personen berücksichtigt werden können, die Ansprüche zu besitzen glauben. Ebenso selbstverständlich kann sich daher aber die rechtliche

Unterstützung durch die US-Regierung nicht nur auf die Fälle beschränken, die Leistungen aus der Stiftung zu erwarten haben.

Die Bundesregierung ist ihrerseits bereit, dem Deutschen Bundestag eine Bundesstiftung vorzuschlagen, die sich insbesondere um Zwangsarbeiter des öffentlichen Bereichs kümmern würde.

Damit die sehr betagten NS-Opfer noch rechtzeitig Mittel aus der Stiftung erhalten, müssen wir die Verhandlungen zügig zu einem positiven Abschluss bringen. Der Konsens muss von unseren beiden Regierungen in vollem Umfang getragen und politisch sowie juristisch vertreten werden. Ich darf daher nochmals an Sie appellieren, das ins Auge gefasste Statement of Interest umfassend zu gestalten und vor Gericht aktiv für eine Klageabweisung einzutreten, um Rechtssicherheit zu gewährleisten.

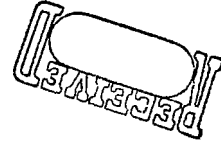
Unter dieser Voraussetzung sehe ich gute Chancen, schon in der nächsten Verhandlungsrunde am 6./7. Oktober in Washington wesentliche Fortschritte in den noch offenen Fragen zu erzielen. Ich bin Ihnen dankbar, dass Sie persönlich entschlossen sind, die volle Unterstützung der US-Regierung für ein baldiges vernünftiges Ergebnis zu mobilisieren. Ein zügiges positives Ergebnis sind wir nicht nur uns selbst, sondern vor allem den NS-Opfern schuldig.

Mit freundlichen Grüßen

Rein
W. W.

Embassy
of the Federal Republic of Germany
4645 Reservoir Road, N.W.
Washington, D.C. 20007-1998

UNIVERSITY MICROFILMS
SERIALS ACQUISITION
300 N ZEEB RD
ANN ARBOR MI 48106-1500



SEP 28 1999

Seiner Exzellenz
dem Präsidenten der
Vereinigten Staaten von Amerika
Herrn William J. Clinton

Washington D.C.

X-RAYED

MIR MARKER

This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Original OA/ID Number: 2753				
Document ID: 9907387				
Row: 46	Section: 5	Shelf: 2	Position: 3	Stack: V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Kristic Kenney to Robert Dradtke re: Talking Points for Phone Call with Chancellor Schroeder (1 page)	10/05/1999	P1/b(1) KBH 9/8/2017
001b. paper	re: Forced and Slave Labor Claims Against Germany (3 pages)	10/05/1999	P1/b(1) KBH 9/8/2017
001c. talking points	re: Talking Points (3 pages)	10/05/1999	P1/b(1) KBH 9/8/2017
001d. cable	re: Letter from President Clinton to Chancellor Schroeder (3 pages)	09/02/1999	P1/b(1) KBH 9/21/2018
001e. letter	Chancellor Schroeder to President Clinton [translated] (2 pages)	09/13/1999	P1/b(1) KBH 9/21/2018

COLLECTION:

Clinton Presidential Records
 NSC Records Management
 ([Schroeder and slave...])
 OA/Box Number: 2753

FOLDER TITLE:

9907387

2014-0472-M
 rs1025

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

~~CONFIDENTIAL~~
NSC/RMO PROFILE

RECORD ID: 9907387
RECEIVED: 06 OCT 99 09

TO: BRADTKE

FROM: KENNEY, K

DOC DATE: 05 OCT 99
SOURCE REF: 9918074

KEYWORDS: GERMANY

TELCALL

PERSONS: SCHROEDER, GERHARD

SUBJECT: TALKING POINTS FOR PHONE CALL W/ CHANCELLOR SCHROEDER ON
COMPENSATING FORMER & SLAVE LABORERS

ACTION: NO FURTHER ACTION REQUIRED

DUE DATE: 12 OCT 99 STATUS: C

STAFF OFFICER: KASS

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

KASS
NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSGP CLOSED BY: NSGP DOC 1 OF 1

~~CONFIDENTIAL~~

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KGM NARA, Date 5/11/2018
2014-0472-07

ACTION DATA SUMMARY REPORT

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 KASS
001

Z 99100609 PREPARE MEMO FOR BERGER
X 99100705 NO FURTHER ACTION REQUIRED

~~CONFIDENTIAL~~
NSC/RMO PROFILE

RECORD ID: 9907387
RECEIVED: 06 OCT 99 09

TO: BRADTKE

FROM: KENNEY, K

DOC DATE: 05 OCT 99
SOURCE REF: 9918074

KEYWORDS: GERMANY

TELCALL

PERSONS: SCHROEDER, GERHARD

SUBJECT: TALKING POINTS FOR PHONE CALL W/ CHANCELLOR SCHROEDER ON
COMPENSATING FORMER & SLAVE LABORERS

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 12 OCT 99 STATUS: S

STAFF OFFICER: KASS

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION
KASS

FOR CONCURRENCE

FOR INFO
BERGER
GORDON
HILLIARD
HOLTZAPPLE
MCCARTHY
NAPLAN
NORLAND
SIGLER

COMMENTS: _____

NEAR

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSGP CLOSED BY: DOC 1 OF 1

~~CONFIDENTIAL~~

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By *KBM* NARA, Date *5/11/2013*
2014-0472-7

United States Department of State

Washington, D.C. 20520

7387



CONFIDENTIAL

DECL: 10-4-99

October 5, 1999

MEMORANDUM FOR ROBERT A. BRADTKE
EXECUTIVE SECRETARY
NATIONAL SECURITY COUNCIL

SUBJECT: Talking Points for Phone Call with Chancellor
Schroeder on compensating former Forced and Slave
Laborers

The President and Chancellor Schroeder have agreed to a phone call today to discuss the financial contribution that Germany will make to a foundation that would compensate forced and slave laborers, and handle all other claims against German companies from the Nazi era. Deputy Secretary of the Treasury Stuart Eizenstat expects the Germans to propose a low offer of no more than 6 billion D-Marks. We fear that such a low offer could lead to a breakdown in the negotiations and a negative public reaction in the United States, with threats of state and local sanctions against German companies. A low offer may also lead to negative reactions among Germany's neighbors.

We recommend that the President praise the Chancellor for his leadership on this matter and argue for an opening German offer closer to 10 billion D-Marks, with an eventual willingness to go up to this level, if necessary. We believe that an eventual settlement will not be possible if it is much below 10 billion D-Marks. Background and Talking Points are attached.

OCT 6 9:05

Stephen J. Moll
Kristie A. Kenney
Executive Secretary

Attachments:

- Background and Talking Points

CONFIDENTIAL

Classified by: EUR DAS E. Anthony Wayne
DECL: 10-04-09; E.O. 12958, Reason 1.5 D

DECLASSIFIED
PER E.O. 13526
2014-0472-M (1.03)
2/27/2017 KBH

Forced and Slave Labor Claims against Germany

In today's telephone conversation, Chancellor Schroeder is expected to address Germany's financial offer for forced and slave labor compensation, and all other claims against German companies from the Nazi era. He is also likely to raise related legal issues. The next round of multilateral negotiations on this subject, co-chaired by Deputy Secretary Eizenstat and Count Lambsdorff, will take place in Washington on October 6 and 7. The participants in the negotiations are:

- the Conference on Jewish Material Claims Against Germany,
- a number of plaintiffs' attorneys who have brought class action lawsuits against German companies,
- the governments of Poland, the Czech Republic, Ukraine, Belarus, and Russia (most claimants are from these countries), along with their German-financed Reconciliation Foundations,
- Israel, the United States, and Germany, and
- the German companies.

You wrote Schroeder on September 2 on this subject, and he responded on September 13 (both letters attached, Tabs 2 and 3).

Recent Developments

There have been two important developments since your correspondence with Schroeder that have changed the dynamics of the negotiations:

- In two of the some 30 cases against German companies and Ford, judges dismissed the lawsuits, stating that the claims are not justiciable and should be addressed on a government-to-government basis. Although both State and Justice lawyers have serious concerns regarding these opinions, at this point, we have decided not to intervene.
- The German Government has now agreed to establish a single foundation. Thus, Schroeder has accepted a suggestion in your letter that the German Government combine the industry and government foundations into one public foundation. Schroeder's acceptance of this approach will facilitate a solution. It is administratively easier and solves many conceptual problems.

Legal Closure

From the beginning of this process, the German companies have insisted that a prerequisite for establishing the foundation is obtaining legal peace from lawsuits in U.S. courts for acts arising out of the Nazi era. While from the beginning of this process we believed that a traditional class action settlement would be the easiest and surest way to provide such peace, an approach they refused to pursue, we are nevertheless prepared to take unprecedented steps to help them achieve this through a different approach. Our Justice Department is prepared to file a statement of interest in any pending or future cases against German companies which are covered by the foundation. We would state that the foundation should be regarded as the exclusive remedy for all claims covered by the foundation. It appears that we are close to an agreement that would broaden the scope of the foundation to cover all claims against German companies arising out of the Nazi period. In addition to submitting this unprecedented statement of interest, if asked by a court, we would state that dismissal of claims was consistent with our policy interests.

On September 27, in response to the German request, Eizenstat told Lambsdorff that we are now prepared to add justiciability as one of the legal hurdles that must be overcome in any Nazi-era lawsuits against German companies. We believe that we have offered to go the extra mile for the Germans to help them obtain legal peace.

Relocated versus Deported

One of the most difficult issues to resolve has been German insistence that the proposed foundation cover laborers "deported" and sent to labor camps in Germany, but not those who were "relocated" to labor camps within their own country. By using this artificial distinction, the Germans had hoped to reduce the number of forced laborers eligible for compensation. We repeatedly asserted that such a distinction is morally and politically unacceptable and would fail to achieve legal closure for those unable to take advantage of the foundation initiative.

In order to resolve this issue, we have proposed that the German Foundation make lump-sum payments to the German-financed Reconciliation Foundations located in Poland, the Czech Republic, Ukraine, Belarus, and Russia. These foundations, rather than the German foundation, would in turn pay the forced labor survivors in those countries and

would have the discretion to pay relocated, deported and/or agricultural laborers as each sees fit. We appear to be close to an agreement on this. We would also solve the German Government's political problem of not wanting to pay agricultural workers forced to work on German farms during World War II through the same device that pays former forced and slave laborers. Our proposed approach would leave it up to the Reconciliation Foundations to determine whom would be paid.

10 Billion D-Marks

Deputy Secretary Eizenstat told Count Lambsdorff in late August that the German government and companies would need to provide the proposed German foundations with a combined contribution of 10 billion D-marks (\$5.5 billion). We would need this amount so that we could argue publicly and in court that the German offer is a fair settlement. This amount is also critical because the Germans have also insisted on a settlement which would cover all injuries from World War II related to German companies: not only forced/slave labor cases, but bank cases involving the aryanization of property, insurance cases, and other matters, e.g., medical experimentation.

Our information is that the Germans may propose in this week's round of talks an amount that will be no more than 6 billion D-Marks. German industry would provide 4 billion D-marks and the German Government would provide only 2 billion. The German companies are disappointed that their government will fail to match fully their offer, as they had expected. Schroeder's budget constraint is a factor. The expected low German offer is probably also based on the assumption that they have no legal liability and that Poland the Czech Republic will not wish to create a public political dispute with Germany at this time. However, this position fails to take into account a negative public reaction if the offer is too low, and also fails to recognize that class action lawyers will be unwilling to settle for this amount. Moreover, there is a prospect that the judges erred and the lower court rulings will be reversed on appeal.

We recommend that you praise the Chancellor for his leadership on this matter and argue for an opening German offer closer to 10 billion D-Marks, with an eventual willingness to go up to this level, if necessary. We believe that an eventual settlement will not be possible if it is much below 10 billion D-Marks. Talking Points are at Tab 1.

Talking Points

- I would like say how much I have appreciated your leadership on this critical matter. You are making a historical and powerful statement on behalf of Germany as it enters the new millennium.
- I understand that you have proposed the establishment of a single German foundation to cover both public sector and private sector laborers.
- I appreciate your favorable consideration of our suggestion for a combined foundation. I truly believe that this approach will make it easier to find a solution.

Legal Closure

- We are prepared to take unprecedented steps within our judicial system to provide German companies with the legal peace they seek.
- As I mentioned in my letter of September 2, the United States is prepared to file a statement of interest in any pending or future case against German companies in U.S. courts arising out of the Nazi era which would be covered by the foundation.
- This is particularly significant given that it appears that the proposed foundation would now be comprehensive and cover all such claims.
- Our Statement of Interest would say, among other things, that this foundation should be regarded as the exclusive remedy for all Nazi-era claims against German companies that are covered by the foundation.
- If asked by a court, we would state that dismissal of these cases is in the policy interests of the United States.
- Moreover, I intend to support a bilateral agreement with Germany in which, among other things, the United States commits itself to file such a statement.

Need for 10 Billion D-Marks

- While the United States is prepared to take such unprecedented steps, there has to be a credible amount of money allocated to the foundation to underscore the moral obligation of German companies for their mistreatment of millions of forced laborers.
- This would best ensure that the foundation is viewed as an acceptable alternative to the court process.
- Deputy Secretary Eizenstat has told Count Lambsdorff that it will take 10 billion D-Marks to settle this matter. I hope that your opening offer this week in Washington will come close to this amount, and that ultimately you would be willing to go up to this level if necessary. We cannot guarantee that this would resolve the matter, but we would press hard for settlement at that amount.
- I recognize that you face serious budget constraints that limit the amount of your government's contribution. I believe it will be difficult to get final agreement on an amount less than 10 billion D-Marks.
- It is important to recognize that the German companies want a settlement for all injuries arising from their conduct in World War II - not just slave and forced labor matters, but banking, aryanization of property, insurance, medical experimentation, and all other possible actions.
- If these negotiations break down, I fear that there could be a negative public reaction in the United States, with threats of state and local sanctions against German companies as well as negative reactions among Germany's neighbors in Central and Eastern Europe.
- There are reports that the plaintiffs' attorneys want to launch a public relations campaign against German companies and Ford, although Deputy Secretary Eizenstat has warned them against this approach.
- We should not let this matter continue to drag on. We need to settle soon. With the significant progress that we have made in recent weeks, I believe such a solution is in sight.

- I want to reiterate that, to ensure the moral and legal closure that Germany seeks, the German government and companies need to ultimately offer 10 billion D-Marks, if necessary, to settle this matter, given the breadth and completeness of closure they seek for any and all injuries arising from World War II conduct, not only slave and forced labor cases.

(**IF ASKED** to agree to a more sweeping approach on legal closure and extinguish the lawsuits by Executive Order)

- We need to review your suggestion with our lawyers, but we believe we have satisfied the concerns of the German companies by the extraordinary lengths we are prepared to go to help them achieve legal peace. Count Lambsdorff should talk to Eizenstat about this.

PTP3907

~~CONFIDENTIAL~~ PTP3907

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E.O. 12958: DECL: 8/31/99
TAGS: OPDC, GM, KNAR, PREL, ETRD
SUBJECT: LETTER FROM PRESIDENT CLINTON TO CHANCELLOR
SCHROEDER

CLASSIFIED BY E ANTHONY WAYNE, EUR DEPUTY ASSISTANT
SECRETARY, FOR REASON 1.5 (D).

1. (U) POST IS REQUESTED TO DELIVER THE FOLLOWING LETTER
FROM PRESIDENT CLINTON TO CHANCELLOR SCHROEDER. THERE WILL
BE NO SIGNED ORIGINAL.

2. BEGIN TEXT:

Dear Mr. Chancellor:

I want to congratulate you on your leadership and on
Germany's commitment, working with German industry, to
establish an Enterprise Foundation that would provide a
measure of justice to those who suffered as slave and

**DECLASSIFIED
PER E.O. 13526**
2014-0472-M (1.06)
5/11/2018 KBH

forced laborers working for German industry during the Nazi era. Your pledge to seek enactment of legislation in the Bundestag to establish a complementary Federal Foundation to provide compensation to many of those not

covered by the German Enterprise Foundation is a critically important component of the initiative.

I would like to give my strongest support to you and German industry on this initiative. It is a truly historic step at the close of the millennium that came about through your leadership.

The United States and Germany have worked as partners on the initiative. If we are able to follow through with the commitment made on February 16 to make payments to former industrial slave and forced laborers, history will remember your government, and those involved in the initiative, for contributing to justice in the lifetimes of the survivors.

We have come far in our negotiations. We have reached agreement on key principles for a German enterprise Foundation. We have also made significant progress in plans to provide legal peace for German industry in U.S. courts in connection with Nazi-era claims covered by the industry foundation.

However, a significant difference between the parties remains concerning the level of funding. As you prepare to meet with the leaders of German industry to discuss the Foundation initiative, I would like to suggest that you focus on what is required to help bridge the gap and allow Germany to announce agreement by the end of the year.

In order to provide the moral and legal closure Germany desires and the victims deserve, a substantial financial commitment by German companies and the German government will be required. Deputy Secretary of the Treasury Stuart Eizenstat has indicated to Count Otto Lambsdorff the level of funding that he personally believes is a necessary minimum. I know that this extraordinary expenditure comes at a difficult time for your budget situation, but I hope all Germans across party lines can join with you in this historic gesture.

You and the leaders of German industry participating in the Enterprise Foundation have my commitment that the United States will provide very substantial assistance to German companies in future World War II-era litigation in U.S. courts so as to provide legal peace, if we can ensure that the Foundation is truly comprehensive. Our policy is that the Enterprise Foundation should be regarded as the exclusive remedy for claims as defined therein. In addition to our written statements to the courts supporting German companies, the United States Government would respond affirmatively in answer to a question from a court, whether, if legal grounds for dismissal exist, dismissal of cases is consistent with U.S. policy interests. However, it is important for German companies and the German government to make the scope of the Enterprise and Federal Foundations expansive and equitable so that U.S. courts will regard the Enterprise Foundation

as the exclusive remedy for claims as defined therein. To this end, the Bundestag may wish to consider establishing a Foundation with a both a public-funded and an industry-funded component. This may prove attractive to all parties.

Deputy Secretary Eizenstat and Count Lambsdorff have announced their intention to convene meetings again in Washington on October 6-7. At that time, I hope all parties will be in a position to conclude negotiations and reach agreement on all the components of the initiative.

The German government and its people have already demonstrated impressively their commitment to address past wrongs. By completing this effort begun with your visionary leadership, German industry has an opportunity now -- before those remaining survivors of Nazi persecution pass away -- to make a historic and powerful statement to the world as we enter the new millennium.

Sincerely,
//S//
William J. Clinton

END TEXT.
TALBOTT

~~CONFIDENTIAL~~

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, September 13, 1999

Mr President:

Thank you for your letter of September 2, 1999 which you sent to me prior to my September 6 meeting with the heads of the German companies involved in the Foundation Initiative.

I share your view that this Initiative is an extremely important project concerning a matter of unique moral and human significance, namely helping the now very elderly victims of the Nazi regime. The German business community's determination to live up to its historical and moral responsibility by establishing a foundation deserves our recognition and full support.

I am therefore grateful for the commitment of Stuart Eizenstat, your Deputy Secretary of Finance, and, above all, your personal undertaking that your Administration will lend its full backing to German companies in the US courts when the Foundation has been established.

I agree with you that a certain degree of progress was made in the question of legal closure during the previous rounds of negotiations. Unfortunately, I do not believe that the negotiations on this are anywhere near the finish line yet. The German Government supports the companies' desire for comprehensive and lasting legal closure for they are rightly unwilling to pay for the same fact twice.

The conclusion of pending civil actions, as well as the prevention of future actions based on new facts in connection with the Nazi era are, in the view of the German Government, further imperative prerequisites for the success of the Initiative. Accordingly, administrative and legislative measures in individual US states should be stopped or abolished.

The Honorable
William J. Clinton
President of the
United States of America
Washington DC

Following my September 6 talks with the chief executives of the companies I am confident that they would then be willing and able to make substantial financial contributions and to persuade other companies to become involved in the Foundation. I cannot say at present whether the level of funding named by Mr Eizenstat can be achieved. However, I believe these issues could be fleshed out at the next meeting on October 6 and 7, 1999.

Happily, agreement was reached on the structures of a future Foundation during previous rounds of negotiations. Particularly in the difficult question of the criteria for entitlement to Foundation payments there is now - in the wake of considerable concessions made by the German side - agreement between participants in many spheres. I am very confident that the questions still open in this field can be settled in the near future. However, increasing the number of those entitled to payments will not help. It is obvious that not everyone who feels they have a claim can be considered. Nor, for that reason, can the US Administration's legal support be limited to those cases which can expect payments from the foundation.

For its part, the German Government is prepared to propose to the German Bundestag that a Federal Foundation be established which would focus its attention on forced laborers in the public sector.

In order to ensure that the very elderly Nazi victims receive funds from the Foundation in good time, we must bring the negotiations to a swift and positive conclusion. The consensus must have the full backing of our two Governments and must be defended both politically and legally. I would therefore appeal to you once more to make the proposed Statement of Interest comprehensive and to see to it that actions are dismissed by the courts in order to ensure legal closure.

I believe there is a good chance under these conditions of making considerable progress in the questions still open at the next round of negotiations in Washington on 6 and 7 October. I am indebted to you for your personal determination to mobilize the full support of the US Administration for a quick and sensible outcome. We not only owe it to ourselves but, above all, to the Nazi victims, to produce swift and positive results.

Sincerely,

/s/ Gerhard Schröder

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SUBJECT: LTR TO GERMAN CHANCELLOR SCHROEDER RE NAZI SLAVE & FORCED LABOR REPARATIONS

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COMMENTS: LTR to Schroeder re NAZI SLAVE & forced LABOR REPARATIONS

EXEC SEC OFFICE HAS DISKETTE yes

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ADDITIONAL COMMENTS

Fm _____ To _____ Date _____

Jim:

Tony has tried to cut this
back & soften the tone. It is
still a fairly tough message,
but given the subject, I am
not sure it can be more
informed. I just don't
think this is a "Dear

Good hand" letter. *ABB*

Fm _____ To _____ Date _____

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THE WHITE HOUSE

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THE WHITE HOUSE

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COMMENTS: LTR Z Schroeder re NAZI SLAVE & FORCED LABOR REPARATIONS

EXEC SEC OFFICE HAS DISKETTE yes

THE WHITE HOUSE

WASHINGTON

November 13, 1999

Dear Mr. Chancellor:

I am writing to express my appreciation for your historic leadership on the German slave and forced labor initiative you launched in February, and your willingness to establish the Foundation for survivors in a difficult budgetary period.

I applaud your efforts to improve the German financial offer in the slave labor talks. The U.S. Government has also invested an enormous amount of time and prestige in this project because it will help us move to a new era in German-American relations and do justice to surviving slave and forced laborers.

The plaintiffs have significantly moderated their demands, and have indicated they will continue to show flexibility. Your government has also indicated it would be flexible.

Furthermore, the United States, Germany, and the companies involved have now agreed on an effective mechanism to achieve legal closure. Pursuant to that agreement, the U.S. Government will undertake the extraordinary commitment of filing statements of interest in current and future suits against German companies arising from their activities during the Holocaust. This agreement will be included in an executive agreement to be entered into between our two governments.

I am convinced, however, that the success of this project depends upon a significant increase in the contribution from the German corporations beyond their opening offer of four billion D-Marks. Deputy Treasury Secretary Eizenstat, my personal representative for Holocaust and World War II issues, believes that an overall German contribution of at least 10 billion D-Marks is needed to allow us to bring this issue to closure.

At the next round of talks on November 16-17, I hope that the German side can increase its offer substantially. Your government's willingness to increase its two billion D-Mark contribution, even if spread over two fiscal years, would be an important catalyst to encourage the companies to do more. An improved German offer will bring legal and moral peace to the companies and be an important statement by Germany for the next millennium.

I would appreciate your meeting sometime in November with Deputy Secretary Eizenstat to discuss the German offer. In the meantime, I hope we can work together to make the November 16-17 meetings in Bonn a success.

I look forward to seeing you in Istanbul and in Florence.

Sincerely,

Bill Clinton

*I hope we can work
this out together*

His Excellency
Gerhard Schroeder
Chancellor of the Federal Republic of Germany
Berlin

MEMORANDUM FOR: STATE

DOCUMENT DESCRIPTION: TO: SCHROEDER, GERHARD

SOURCE: PRESIDENT

DATE: 13 NOV 99

SUBJ: LTR TO GERMAN CHANCELLOR SCHROEDER RE NAZI SLAVE & FORCED LABOR
REPARATIONS

REQUIRED ACTION: FOR DISPATCH

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FOR JOHN W. FICKLIN

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THE WHITE HOUSE
WASHINGTON

November 13, 1999

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL R. BERGER 

SUBJECT: Letter to German Chancellor Schroeder Regarding
Nazi Slave and Forced Labor Reparations

NOV 13 1999

Purpose

Express appreciation for Schroeder's efforts to secure reparations for the victims of Nazi-era forced and slave labor; urge him to improve Germany's reparations offer.

Background

In early October, the German government offered to contribute two billion, and German corporations four billion, D-Marks to resolve slave and forced labor claims. This six billion D-Marks (3.2 billion dollars) is well below what both key victim groups and attorneys for the class action are demanding to settle the lawsuits. Stu Eizenstat believes that it will take at least 10 billion D-Marks (5.3 billion) to dismiss the lawsuits against German companies in U.S. courts and obtain the legal peace sought by German companies.

The next round of the talks are November 16-17. Your letter will help encourage Schroeder to push for a successful conclusion.

RECOMMENDATION

That you sign the letter at Tab A. You may also wish to write by hand a short note at the bottom of the letter along the following lines, "We need this, Gerhard. Let's work together."

Attachment

Tab A Letter to Chancellor Schroeder

PHOTOCOPY
WJC HANDWRITING

NATIONAL SECURITY COUNCIL

WASHINGTON, D.C. 20504

November 11, 1999

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH:

ANTONY BLINKEN

ADD
NK

FROM:

NICHOLAS S. KASS

SUBJECT:

Letter to German Chancellor Schroeder Regarding
Nazi Slave and Forced Labor Reparations

Attached at Tab I is your memorandum to the President forwarding a proposed letter to Chancellor Schroeder. The draft expresses appreciation for Schroeder's efforts to secure reparations for the victims of Nazi-era forced and slave labor -- but urges Germany to improve its reparations offer.

The next round of negotiations starts next week. Ideally, we should transmit this letter to the Chancellor before the President's departure for Turkey.

RECOMMENDATION

That you sign the memorandum to the President at Tab I.

Attachments

Tab I Memorandum to the President

Tab A Letter to Chancellor Schroeder

THE WHITE HOUSE
WASHINGTON

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL R. BERGER

SUBJECT: Letter to German Chancellor Schroeder Regarding
Nazi Slave and Forced Labor Reparations

Purpose

Express appreciation for Schroeder's efforts to secure reparations for the victims of Nazi-era forced and slave labor; urge him to improve Germany's reparations offer.

Background

In early October, the German Government offered to contribute two billion, and German corporations four billion, D-Marks to resolve slave and forced labor claims. This six billion D-Marks (3.2 billion dollars) is well below what both key victim groups and attorneys for the class action are demanding to settle the lawsuits. Stu Eizenstat believes that it will take at least 10 billion D-Marks (5.3 billion) to dismiss the lawsuits against German companies in U.S. courts and obtain the legal peace sought by German companies.

The next round of the talks are November 16-17. Your letter will help encourage Schroeder to push for a successful conclusion.

RECOMMENDATION

That you sign the letter at Tab A. You may also wish to write by hand a short note at the bottom of the letter along the following lines, "We need this, Gerhard. Let's work together."

Attachment

Tab A Letter to Chancellor Schroeder

THE WHITE HOUSE

WASHINGTON

Dear Mr. Chancellor:

I am writing to express my appreciation for your historic leadership on the German slave and forced labor initiative you launched in February, and your willingness to establish the Foundation for survivors in a difficult budgetary period.

I applaud your efforts to improve the German financial offer in the slave labor talks. The U.S. Government has also invested an enormous amount of time and prestige in this project because it will help us move to a new era in German-American relations and do justice to surviving slave and forced laborers.

The plaintiffs have significantly moderated their demands, and have indicated they will continue to show flexibility. Your government has also indicated it would be flexible.

Furthermore, the United States, Germany, and the companies involved have now agreed on an effective mechanism to achieve legal closure. Pursuant to that agreement, the U.S. Government will undertake the extraordinary commitment of filing statements of interest in current and future suits against German companies arising from their activities during the Holocaust. This agreement will be included in an executive agreement to be entered into between our two governments.

I am convinced, however, that the success of this project depends upon a significant increase in the contribution from the German corporations beyond their opening offer of four billion D-Marks. Deputy Treasury Secretary Eizenstat, my personal representative for Holocaust and World War II issues, believes that an overall German contribution of at least 10 billion D-Marks is needed to allow us to bring this issue to closure.

At the next round of talks on November 16-17, I hope that the German side can increase its offer substantially. Your government's willingness to increase its two billion D-Mark

- Next
page

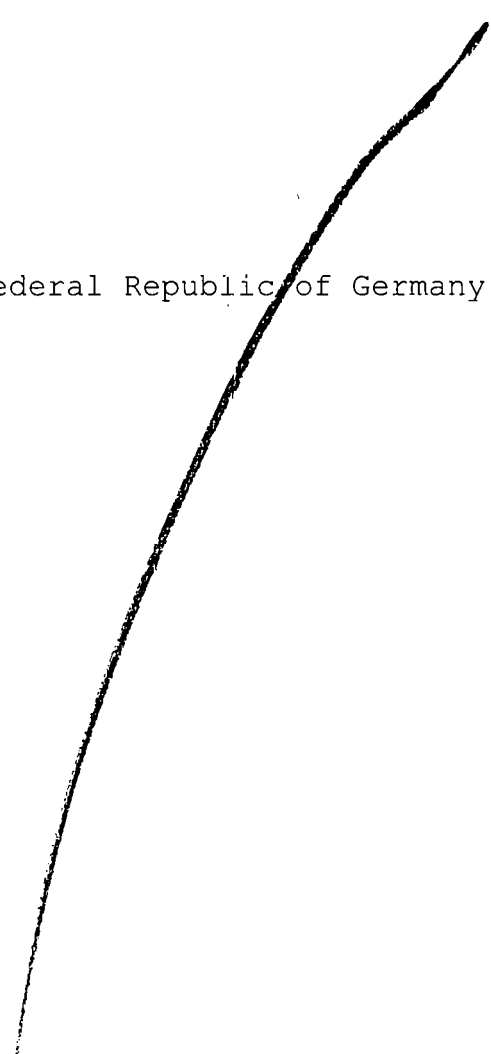
contribution, even if spread over two fiscal years, would be an important catalyst to encourage the companies to do more. An improved German offer will bring legal and moral peace to the companies and be an important statement by Germany for the next millennium.

I would appreciate your meeting sometime in November with Deputy Secretary Eizenstat, to discuss the German offer. In the meantime, I hope we can work together to make the November 16-17 meetings in Bonn a success.

I ^{very much} look forward to seeing you in Istanbul and in Florence.

Sincerely,

His Excellency
Gerhard Schroeder
Chancellor of the Federal Republic of Germany
Berlin



MIR MARKER

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Original OA/ID Number: 2765				
Document ID: 9909069				
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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. letter	Chancellor Schroeder to President Clinton [untranslated] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
001b. letter	Chancellor Schroeder to President Clinton [translated] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
001c. letter	[Duplicate of 001b] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
001d. letter	[Duplicate of 001a] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
002a. letter	[Duplicate of 001b] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
002b. letter	[Duplicate of 001a] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
002c. letter	[Duplicate of 001b] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018
002d. letter	[Duplicate of 001b] (2 pages)	12/14/1999	P1/b(1) KBH 9/21/2018

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- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
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- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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NSC/RMO PROFILE

RECORD ID: 9909069
RECEIVED: 15 DEC 99 14

TO: PRESIDENT

FROM: SCHROEDER, GERHARD

DOC DATE: 14 DEC 99
SOURCE REF:

KEYWORDS: GERMANY
HS

LEGAL ISSUES
HUMAN RIGHTS

PERSONS:

SUBJECT: ADDL CONCERNS RE NAZI SLAVE LABOR COMPENSATION

ACTION: NO FURTHER ACTION REQUIRED

DUE DATE: 27 DEC 99 STATUS: C

STAFF OFFICER: MUNTER

LOGREF: 0000158

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

FOR CONCURRENCE

FOR INFO

MUNTER
NSC CHRON

COMMENTS: _____

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSDMK

CLOSED BY: NSGP

DOC 1 OF 1

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DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KSM/NARA, Date 5/11/2018
2014-0472-07

~~CONFIDENTIAL~~
ACTION DATA SUMMARY REPORT

RECORD ID: 9909069

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001
001 MUNTER

X 00012009 NO FURTHER ACTION REQUIRED
Z 99121514 PREPARE MEMO FOR BERGER

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

001 991214 STATE

~~CONFIDENTIAL~~



Botschaft
der Bundesrepublik Deutschland
Embassy

Washington, 06.01.00

of the Federal Republic of Germany
File No.: Wi1-410.41/3 scha/gö
(Please quote)

Mr. Cameron Munter
Director for European Affairs
National Security Council
17th & Pennsylvania Ave., NW
368 Old Executive Building
Washington, DC 20504

Dear Mr. Munter:

Attached please find the original letter to President William J. Clinton signed by Federal Chancellor Gerhard Schröder.

An advance copy has already been sent to you.

Respectfully yours,

Konrad Scharinger
(Economic and Commercial Counselor)

**BUNDESREPUBLIK DEUTSCHLAND
DER BUNDESKANZLER**

Berlin, den 14. Dezember 1999

Seiner Exzellenz
dem Präsidenten der
Vereinigten Staaten von Amerika
Herrn William J. Clinton

Washington, D.C.

Sehr geehrter Herr Präsident,

Bill Clinton

vielen Dank für Ihr Schreiben vom 13. Dezember 1999 zur Bundesstiftung für ehemalige NS-Zwangsarbeiter.

In meinem letzten Schreiben hatte ich Ihnen meine große Besorgnis geschildert, dass die Stiftungsinitiative angesichts der unrealistischen finanziellen Forderungen seitens der Klägeranwälte und der noch offenen Fragen zur Rechtssicherheit letztlich noch scheitern könnte. Ich bin Ihnen dankbar, dass Sie sich dieser politisch äußerst bedeutsamen Angelegenheit persönlich angenommen haben und entscheidende Impulse für einen von allen Beteiligten tragbaren Konsens gegeben haben.

Die Bundesregierung ist bereit, den von Ihnen dargestellten Vorschlag zu akzeptieren und zu unterstützen. Ich verhehle nicht, dass diesem Entschluss eine intensive Diskussion vorausging. Unter Abwägung aller Aspekte haben wir uns entschlossen, die finanzielle Ausstattung der Bundesstiftung auf insgesamt 10 Mrd DM aufzustocken.

Für diesen Entschluss waren insbesondere zwei Aspekte ausschlaggebend: Zum ersten ist der von deutscher Seite bereitzustellende Betrag von 10 Mrd DM ab-

schliessend. Mit diesem Betrag werden sämtliche Leistungen der Bundesstiftung – für NS-Zwangsarbeiter, für Vermögensschäden sowie für den Zukunftsfonds – finanziert. Auch die übrigen im Zusammenhang mit der Bundesstiftung anfallenden Kosten sind eingeschlossen. Weitere Forderungen, wie sie gestern von Seiten der Klägeranwälte erhoben wurden, werden deshalb von der Bundesregierung gemeinsam mit der US-Regierung eindeutig zurückgewiesen.

Zweites zentrales Argument für Ihren Vorschlag sind die in den letzten Tagen erreichten deutlichen Verbesserungen bei der Rechtssicherheit. Die Zusage der US-Regierung, in allen laufenden und künftigen Gerichtsverfahren auf ihre aussenpolitischen Interessen hinzuweisen und auf Klageabweisung hinzuwirken, begrüsse ich nachdrücklich. Gleiches gilt für die Bereitschaft der US-Regierung, das Statement of Interest unabhängig von der Haltung der Kläger abzugeben. Ich gehe im übrigen davon aus, dass mit diesem Konsens den legislativen und administrativen Schritten gegen deutsche Unternehmen die Grundlage entzogen ist und die US-Regierung für die Aufhebung der Maßnahmen auf Bundes- und Staatenebene sorgt.

Nur auf dieser Basis ist ein Konsens zur Gründung der Bundesstiftung erreicht. Ich begrüsse Ihren Vorschlag, diesen Grundkonsens in den kommenden Tagen mit den übrigen Beteiligten in Berlin formell zu besiegeln und öffentlich vorzustellen.

Die Verständigung über die Bundesstiftung ist vor allem ein bedeutsames Zeichen der Humanität und Verantwortung für die NS-Opfer am Ende dieses Jahrhunderts. Die Bundesregierung ist dafür bis an die Grenzen ihrer Möglichkeiten gegangen. Sie wird deshalb jede weitere Forderung entschieden ablehnen. Ich bin mir auch der erheblichen Anstrengungen der US-Regierung bewußt. Ihnen persönlich, Ihrer Regierung und insbesondere unseren beiden Sonderbeauftragten, Stuart Eizenstat und Otto Graf Lambsdorff, bin ich für das besondere Engagement in dieser Sache sehr dankbar.

Mit freundlichen Grüßen



Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 14, 1999

Dear Mr. President:

Thank you very much for your letter of December 13, 1999 on the Federal Foundation for former Nazi-era slave and forced laborers.

In my last letter I expressed my great concern that the Foundation Initiative could still ultimately fail due to the unrealistic financial demands made by the plaintiffs' lawyers and the still unresolved issue of legal peace. I am grateful to you for giving your personal attention to this matter which is of the utmost political importance and for having provided decisive impetus towards a consensus acceptable to all concerned.

The German Government is prepared to accept and support the proposal you described. I cannot deny that this decision was preceded by intensive discussion. After considering all aspects we decided to increase the Federal Foundation's financial resources to a total of 10 billion German marks.

Two aspects were of particular relevance in making this decision: firstly, the sum of 10 billion marks to be made available by the German side is a one-off sum. All payments for former Nazi slave and forced laborers, damage to property, as well as for the Future Fund, to be made by the Federal Foundation will be financed with this sum. This includes other costs incurred in connection with the Federal Foundation. Further claims, such as those made yesterday by the plaintiffs' lawyers, will therefore be unequivocally rejected by the German Government together with the US Administration.

The Honorable
William J. Clinton
President of the
United States of America
Washington DC

The second key argument in favor of your proposal are the considerable improvements on the issue of legal peace achieved during the last few days. I greatly welcome the commitment of the US Administration to state that the dismissal of all ongoing and future lawsuits would be in its foreign-policy interest. The same applies to the readiness of the US Administration to issue the Statement of Interest irrespective of the position of the plaintiffs. I assume that this consensus will remove the basis for the legislative and administrative measures against German companies and that the US Administration will ensure that they are lifted at Federal and State level.

Only on this basis will consensus be reached on the establishment of the Federal Foundation. I welcome your proposal that this consensus be formally sealed and presented to the public in Berlin together with the others concerned in the days ahead.

More than anything else, the understanding reached on the Federal Foundation is a significant humane gesture of our responsibility towards Nazi victims at the close of this century. The German Government has done its utmost to achieve this. It will therefore firmly reject any further claims. I am also aware of the US Administration's considerable efforts. I am very grateful to you personally, your Administration and, in particular, to our two Senior Representatives, Stuart Eizenstat and Otto Graf Lambsdorff, for their strong commitment to this matter.

Sincerely,

/s/ Gerhard Schroeder

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NBC

THE AMBASSADOR
OF THE
FEDERAL REPUBLIC OF GERMANY
WASHINGTON, D.C.

834593



407806

Dear Mr. President:

I have the honor of presenting to you the enclosed letter from Federal Chancellor
Gerhard Schröder.

A courtesy translation is attached.

Respectfully yours,

Jürgen Chrobog

Washington, D. C., December 15, 1999

The President
The White House
Washington, D. C.

cc: The Department of State
German Desk
EUR/AGS
Room 4228
Washington, D.C.

The Honorable
Stuart E. Eizenstat
Deputy Secretary of the Treasury
Washington, D.C.

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 14, 1999

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JAN 5 11:27

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President of the
United States of America
Washington DC

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Sincerely,

/s/ Gerhard Schroeder

PRESIDENTIAL/NSA CORRESPONDENCE

IMMEDIATE ACTION REQUIRED

ACTION OFFICER: MUNTER

LOG NUMBER: 9069

DUE DATE: 27 DEC

DATE STAFFED: 15 DEC

CORRESPONDENCE ADDRESSED TO:



PRESIDENT



NATIONAL SECURITY ADVISOR

FROM: SCHROEDER

PREPARE A RESPONSE FOR THE PRESIDENT'S OR NATIONAL SECURITY ADVISOR'S SIGNATURE WITHIN 10 DAYS. IF A LETTER DOES NOT REQUIRE A RESPONSE, PLEASE RETURN IT TO RECORDS MANAGEMENT (RM 379) WITH THIS FORM, ANNOTATED ACCORDINGLY.

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

ID# 407806
PAGE 1

DATE RECEIVED: 1999/12/16

NAME OF CORRESPONDENT: HIS EXCELLENCY JURGEN CHROBOG

SUBJECT: PRESENTS THE EN CLOSED LETTER FROM FEDERAL CHANCELLOR GERHARD SCHRODER TO PRESIDENT CLINTON

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION		
		ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
NATIONAL SECURITY COUNCIL	SAMUEL R.SANDY BERGER	ORG	2000/01/04			

ACTION COMMENTS: _____

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ACTION COMMENTS: _____

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ACTION COMMENTS: _____

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ACTION COMMENTS: _____

COMMENTS COURTESY TRANSLATION IS ATTACHED ENCLOSURE

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODES:

JAN 5 11:27

ACTION CODES:

- A - APPROPRIATE ACTION
- C - COMMENT/RECOMMENDATION
- D - DRAFT RESPONSE
- F - FURNISH FACT SHEET
- I - INFO COPY/NO ACT NECESSARY
- R - DIRECT REPLY W/ COPY
- S - FOR SIGNATURE

DISPOSITION CODES:

- A - ANSWERED
- B - NON-SEPC-REFERRAL
- C - COMPLETED
- S - SUSPENDED

OUTGOING CORRESPONDENCE:

- TYPE RESP = INITIALS OF SIGNER
- CODE = A
- COMPLETED = DATE OF OUTGOING

REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS MANAGEMENT.

Berlin, den 14. Dezember 1999

Seiner Exzellenz
dem Präsidenten der
Vereinigten Staaten von Amerika
Herrn William J. Clinton

Washington, D.C.

Sehr geehrter Herr Präsident,

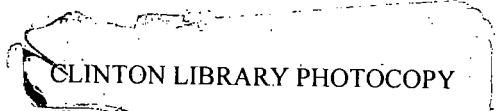
Like Bill,

vielen Dank für Ihr Schreiben vom 13. Dezember 1999 zur Bundesstiftung für ehemalige NS-Zwangsarbeiter.

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Die Bundesregierung ist bereit, den von Ihnen dargestellten Vorschlag zu akzeptieren und zu unterstützen. Ich verhehle nicht, dass diesem Entschluss eine intensive Diskussion vorausging. Unter Abwägung aller Aspekte haben wir uns entschlossen, die finanzielle Ausstattung der Bundesstiftung auf insgesamt 10 Mrd DM aufzustocken.

Für diesen Entschluss waren insbesondere zwei Aspekte ausschlaggebend: Zum ersten ist der von deutscher Seite bereitzustellende Betrag von 10 Mrd DM ab-



PHOTOCOPY
MISC. HANDWRITING

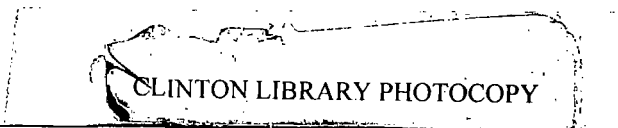
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Mit freundlichen Grüßen



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NSC/RMO PROFILE

RECORD ID: 9909069
RECEIVED: 15 DEC 99 14

TO: PRESIDENT

FROM: SCHROEDER, GERHARD

DOC DATE: 14 DEC 99
SOURCE REF:

KEYWORDS: GERMANY
HS

LEGAL ISSUES
HUMAN RIGHTS

PERSONS:

SUBJECT: ADDL CONCERNS RE NAZI SLAVE LABOR COMPENSATION

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 27 DEC 99 STATUS: S

STAFF OFFICER: MUNTER

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION
MUNTER

FOR CONCURRENCE
BAKER
NAPLAN

FOR INFO
BERGER
BLINKEN
BRADTKE
RUDMAN
SCHWARTZ
STATE
STEINBERG

COMMENTS:

*Camera Munter - answered this
letter in telcon (log # 0158)*

DISPATCHED BY _____ DATE _____ BY HAND W/ATTCH

OPENED BY: NSDMK

CLOSED BY:

DOC 1 OF 1

~~CONFIDENTIAL~~

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KSM NARA, Date 5/11/2018
2014-0472-17

9069

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 14, 1999

Dear Mr. President:

Thank you very much for your letter of December 13, 1999 on the Federal Foundation for former Nazi-era slave and forced laborers.

In my last letter I expressed my great concern that the Foundation Initiative could still ultimately fail due to the unrealistic financial demands made by the plaintiffs' lawyers and the still unresolved issue of legal peace. I am grateful to you for giving your personal attention to this matter which is of the utmost political importance and for having provided decisive impetus towards a consensus acceptable to all concerned.

The German Government is prepared to accept and support the proposal you described. I cannot deny that this decision was preceded by intensive discussion. After considering all aspects we decided to increase the Federal Foundation's financial resources to a total of 10 billion German marks.

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The Honorable
William J. Clinton
President of the

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Sincerely,

/s/ Gerhard Schroeder

BUNDESREPUBLIK DEUTSCHLAND
DER BUNDESKANZLER

Berlin, den 14. Dezember 1999

Seiner Exzellenz
dem Präsidenten der
Vereinigten Staaten von Amerika
Herrn William J. Clinton

Washington, D.C.

Sehr geehrter Herr Präsident,

Hi Bill,

vielen Dank für Ihr Schreiben vom 13. Dezember 1999 zur Bundesstiftung für ehemalige NS-Zwangsarbeiter.

In meinem letzten Schreiben hatte ich Ihnen meine große Besorgnis geschildert, dass die Stiftungsinitiative angesichts der unrealistischen finanziellen Forderungen seitens der Klägeranwälte und der noch offenen Fragen zur Rechtssicherheit letztlich noch scheitern könnte. Ich bin Ihnen dankbar, dass Sie sich dieser politisch äußerst bedeutsamen Angelegenheit persönlich angenommen haben und entscheidende Impulse für einen von allen Beteiligten tragbaren Konsens gegeben haben.

Die Bundesregierung ist bereit, den von Ihnen dargestellten Vorschlag zu akzeptieren und zu unterstützen. Ich verhehle nicht, dass diesem Entschluss eine intensive Diskussion vorausging. Unter Abwägung aller Aspekte haben wir uns entschlossen, die finanzielle Ausstattung der Bundesstiftung auf insgesamt 10 Mrd DM aufzustocken.

schliessend. Mit diesem Betrag werden sämtliche Leistungen der Bundesstiftung – für NS-Zwangsarbeiter, für Vermögensschäden sowie für den Zukunftsfonds – finanziert. Auch die übrigen im Zusammenhang mit der Bundesstiftung anfallenden Kosten sind eingeschlossen. Weitere Forderungen, wie sie gestern von Seiten der Klägeranwälte erhoben wurden, werden deshalb von der Bundesregierung gemeinsam mit der US-Regierung eindeutig zurückgewiesen.

Zweites zentrales Argument für Ihren Vorschlag sind die in den letzten Tagen erreichten deutlichen Verbesserungen bei der Rechtssicherheit. Die Zusage der US-Regierung, in allen laufenden und künftigen Gerichtsverfahren auf ihre ausserpolitischen Interessen hinzuweisen und auf Klageabweisung hinzuwirken, begrüsse ich nachdrücklich. Gleiches gilt für die Bereitschaft der US-Regierung, das Statement of Interest unabhängig von der Haltung der Kläger abzugeben. Ich gehe im übrigen davon aus, dass mit diesem Konsens den legislativen und administrativen Schritten gegen deutsche Unternehmen die Grundlage entzogen ist und die US-Regierung für die Aufhebung der Maßnahmen auf Bundes- und Staatenebene sorgt.

Nur auf dieser Basis ist ein Konsens zur Gründung der Bundesstiftung erreicht. Ich begrüsse Ihren Vorschlag, diesen Grundkonsens in den kommenden Tagen mit den übrigen Beteiligten in Berlin formell zu besiegeln und öffentlich vorzustellen.

Die Verständigung über die Bundesstiftung ist vor allem ein bedeutsames Zeichen der Humanität und Verantwortung für die NS-Opfer am Ende dieses Jahrhunderts. Die Bundesregierung ist dafür bis an die Grenzen ihrer Möglichkeiten gegangen. Sie wird deshalb jede weitere Forderung entschieden ablehnen. Ich bin mir auch der erheblichen Anstrengungen der US-Regierung bewußt. Ihnen persönlich, Ihrer Regierung und insbesondere unseren beiden Sonderbeauftragten, Stuart Eizenstat und Otto Graf Lambsdorff, bin ich für das besondere Engagement in dieser Sache sehr dankbar.

MEMORANDUM FOR: STATE

DOCUMENT DESCRIPTION: TO: PRESIDENT

SOURCE: HSCHR

DATE: 14 DEC 99


SUBJ: ADDL CONCERNS RE NAZI SLAVO LABOR COMPENSATION

REQUIRED ACTION: FOR INFORMATION

DUE DATE:

COMMENT:

FOR



JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 9909069
DATE 14 DEC 99

SUBJECT: ADDL CONCERNS RE NAZI SLAVO LABOR COMPENSATION
DOCUMENT CLASSIFICATION: ~~CONFIDENTIAL~~

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2014-0472-M

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PAGE 01 OF 01 PAGES



BUNDESKANZLERAMT

H.H. Blomeyer-Bartenstein
Director, North America, Security and
Arms Control Policy Department

Berlin, 14th December 1999
Telefon (030) 4000 - 22 14
oder..... (030) 4000 - 0 (Vermittlung)

Mr. Antony J. Blinken
National Security Council
The White House
Washington, D.C. 20504
USA

Dear Tony,

attached please find a letter from Federal Chancellor Gerhard Schröder to President Clinton on the issue of negotiations concerning former forced and slave laborers. I would appreciate it if you could forward it to the President at your earliest convenience.

A courtesy translation is attached.

Yours sincerely,

Haus

DEC 15 14:28



Bundeskanzleramt

GOVERNMENT MESSAGE

Serial No 43

Date 15.12.99

14.01.1999

No of message pages

5

(plus this cover sheet)

Classification

verschlüsselt

Precedence

From

Chanceloory

To

Mr. B. Clinton, Mr.

Blinken

Comments/delivery instructions:

TOP Down
WASSERMAN
MILLISON
FICKLIN
BLINKEN
MUNTER

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Received t

DAVIDSON

Message p

Time of receipt _____

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 14, 1999

Dear Mr. President:

Thank you very much for your letter of December 13, 1999 on the Federal Foundation for former Nazi-era slave and forced laborers.

In my last letter I expressed my great concern that the Foundation Initiative could still ultimately fail due to the unrealistic financial demands made by the plaintiffs' lawyers and the still unresolved issue of legal peace. I am grateful to you for giving your personal attention to this matter which is of the utmost political importance and for having provided decisive impetus towards a consensus acceptable to all concerned.

The German Government is prepared to accept and support the proposal you described. I cannot deny that this decision was preceded by intensive discussion. After considering all aspects we decided to increase the Federal Foundation's financial resources to a total of 10 billion German marks.

Two aspects were of particular relevance in making this decision: firstly, the sum of 10 billion marks to be made available by the German side is a one-off sum. All payments for former Nazi slave and forced laborers, damage to property, as well as for the Future Fund, to be made by the Federal Foundation will be financed with this sum. This includes other costs incurred in connection with the Federal Foundation. Further claims, such as those made yesterday by the plaintiffs' lawyers, will therefore be unequivocally rejected by the German Government together with the US Administration.

The Honorable
William J. Clinton
President of the
United States of America
Washington DC

The second key argument in favor of your proposal are the considerable improvements on the issue of legal peace achieved during the last few days. I greatly welcome the commitment of the US Administration to state that the dismissal of all ongoing and future lawsuits would be in its foreign-policy interest. The same applies to the readiness of the US Administration to issue the Statement of Interest irrespective of the position of the plaintiffs. I assume that this consensus will remove the basis for the legislative and administrative measures against German companies and that the US Administration will ensure that they are lifted at Federal and State level.

Only on this basis will consensus be reached on the establishment of the Federal Foundation. I welcome your proposal that this consensus be formally sealed and presented to the public in Berlin together with the others concerned in the days ahead.

More than anything else, the understanding reached on the Federal Foundation is a significant humane gesture of our responsibility towards Nazi victims at the close of this century. The German Government has done its utmost to achieve this. It will therefore firmly reject any further claims. I am also aware of the US Administration's considerable efforts. I am very grateful to you personally, your Administration and, in particular, to our two Senior Representatives, Stuart Eizenstat and Otto Graf Lambsdorff, for their strong commitment to this matter.

Sincerely,

/s/ Gerhard Schroeder

5053505

NSC

THE AMBASSADOR
OF THE
FEDERAL REPUBLIC OF GERMANY
WASHINGTON, D. C.

834593



407806

Dear Mr. President:

I have the honor of presenting to you the enclosed letter from Federal Chancellor
Gerhard Schröder.

A courtesy translation is attached.

Respectfully yours,

Jürgen Chrobog

Washington, D. C., December 15, 1999

The President
The White House
Washington, D. C.

cc: The Department of State
German Desk
EUR/AGS
Room 4228
Washington, D.C.

The Honorable
Stuart E. Eizenstat
Deputy Secretary of the Treasury
Washington, D.C.

DEC 16 1999

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 14, 1999

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JAN 5 11:27

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William J. Clinton
President of the
United States of America
Washington DC

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Sincerely,

/s/ Gerhard Schroeder

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Original OA/ID Number: 4072				
Document ID: 0000113				
Row: 47	Section: 1	Shelf: 11	Position: 3	Stack: V

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. cable	re: Clinton-Schroeder Letter on Forc'd/Slave Labor Negotiations (3 pages)	12/13/1999	P1/b(1) KBH 1/17/2007
002a. letter	Chancellor Schroeder to President Clinton [translated] (2 pages)	12/01/1999	P1/b(1) KBH 9/21/2018
002b. letter	Chancellor Schroeder to President Clinton [untranslated] (3 pages)	12/01/1999	P1/b(1) KBH 9/21/2018
002c. letter	[Duplicate of 002a] (2 pages)	12/01/1999	P1/b(1) KBH 9/21/2018

COLLECTION:

Clinton Presidential Records
 NSC Records Management
 ([Schroeder and slave...])
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FOLDER TITLE:

0000113

2014-0472-M

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RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

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RECORD ID: 0000113
RECEIVED: 06 JAN 00 19

TO: PRESIDENT

FROM: SCHROEDER, GERHARD

DOC DATE: 01 DEC 99
SOURCE REF: 407538

KEYWORDS: GERMANY
HS

HUMAN RIGHTS

PERSONS:

SUBJECT: URGES ASSISTANCE RE FOUNDATION INITIATIVE

ACTION: SEE 9908789 FOR FINAL ACTION DUE DATE: 18 JAN 00 STATUS: C

STAFF OFFICER: MUNTER

LOGREF: 9908789

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION

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DOC 1 OF 1

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E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KBY/NARA, Date 5/11/2018
2014-0472-07

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ACTION DATA SUMMARY REPORT

RECORD ID: 0000113

DOC ACTION OFFICER

CAO ASSIGNED ACTION REQUIRED

001 MUNTER
001

Z 00010619 PREPARE MEMO FOR BERGER
X 00011319 SEE 9908789 FOR FINAL ACTION

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

001 991201

STATE

~~CONFIDENTIAL~~

TO: PRESIDENT

FROM: SCHROEDER, GERHARD

DOC DATE: 01 DEC 99
SOURCE REF: 407538

KEYWORDS: GERMANY
HS

HUMAN RIGHTS

PERSONS:

SUBJECT: URGES ASSISTANCE RE FOUNDATION INITIATIVE

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 18 JAN 00 STATUS: S

STAFF OFFICER: MUNTER

LOGREF:

FILES: PA

NSCP:

CODES:

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COMMENTS:

Answered in Jky. 8789 - attached

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OPENED BY: NSTCG CLOSED BY: DOC 1 OF 1

ORIGINAL

INITIALS

APPR: RBETTAUER	GR
DRAFT: EROSAND	
JBINDENAGEL SEEIZENSTAT	
BSCARLIS DOGDEN JWARLICK	

12/13

~~CONFIDENTIAL~~

L/CID:EROSAND
12/13/99 202-7768351
L/CID:RBETTAUER

NSC:SBERGER TREASURY:SEEIZENSTAT
EUR/OHI:JBINDENAGEL EUR/AGS:JWARLICK
EUR/AGS:BSCARLIS DOJ:DOGDEN NSC:
S/S:GLBERRY S/S-O:

**DECLASSIFIED
PER E.O. 13526**

2006-0876-M (1.01)

1/17/2007 RDS

IMMEDIATE BERLIN

E.O. 12958: DECL: 12/13/09

TAGS: KNAR, EFIN, PREL, GM

SUBJECT: CLINTON-SCHROEDER LETTER ON FORCED/SLAVE LABOR
NEGOTIATIONSCLASSIFIED BY L/CID, RON BETTAUER, FOR REASON 1.5 (B) AND
(D).1. (SBU) EMBASSY IS REQUESTED TO DELIVER THE FOLLOWING
RESPONSE TO CHANCELLOR SCHROEDER'S DECEMBER 1 LETTER TO
PRESIDENT CLINTON AT OPENING OF BUSINESS ON DECEMBER 14.

2. (C) BEGIN TEXT:

DEAR CHANCELLOR SCHROEDER,

THANK YOU FOR YOUR LETTER OF DECEMBER 1 CALLING ON THE TWO
OF US TO WORK TOGETHER AND CONCLUDE NEGOTIATIONS CREATING A
GERMAN FOUNDATION TO ASSIST FORMER NAZI-ERA SLAVE AND
FORCED LABORERS AND OTHERS WHO SUFFERED AT THE HANDS OF
GERMAN BANKS, INSURANCE COMPANIES, AND OTHER GERMAN
COMPANIES DURING THE NAZI-ERA. I AGREE THAT THE HISTORIC
INITIATIVE OF GERMAN COMPANIES MUST BE BROUGHT TO A
SUCCESSFUL CONCLUSION BEFORE THE END OF THIS YEAR.

~~CONFIDENTIAL~~

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2

WE HAVE SOUGHT TO FIND SOLUTIONS TO THE REMAINING ISSUES IN ORDER TO ALLOW A SUCCESSFUL AND JUST RESOLUTION FOR FORMER FORCED AND SLAVE LABORERS AND OTHERS WHO SUFFERED AT THE HANDS OF GERMAN BANKS, INSURANCE COMPANIES, AND OTHER GERMAN COMPANIES DURING THE NAZI-ERA THROUGH THE CREATION OF A GERMAN FOUNDATION FOR THEIR BENEFIT. YOUR LEADERSHIP AND COURAGEOUS PERSONAL EFFORT AND THOSE OF COUNT LAMBSDORFF HAVE BROUGHT US TO THE POINT AT WHICH SETTLEMENT IS IMMINENT. DEPUTY SECRETARY EIZENSTAT AND OTHER SENIOR MEMBERS OF MY ADMINISTRATION HAVE WORKED ASSIDUOUSLY TO MOVE THE INITIATIVE FORWARD.

DEPUTY SECRETARY EIZENSTAT WAS INTENSIVELY ENGAGED THIS PAST WEEK WITH THE PLAINTIFFS' ATTORNEYS WITH WHOM HE HAS DEALT TO MOVE THEM CLOSER TO THE GERMAN OFFER. ON SUNDAY, HE REPORTED TO COUNT LAMBSDORFF THAT THEY, THE CONFERENCE FOR JEWISH MATERIAL CLAIMS AGAINST GERMANY, THE CENTRAL AND EASTERN EUROPEAN GOVERNMENTS, AND THE GOVERNMENT OF ISRAEL WOULD AGREE TO SETTLE AT DM '10 BILLION. THIS IS A TREMENDOUS STEP TO FINALLY SETTLE ALL CLAIMS WE HAVE BEEN DISCUSSING. IT WILL ESTABLISH FOR THE FIRST TIME A FLAT SUM AND CEILING AGREED BY ALL PARTICIPANTS IN THIS PROCESS. THIS COUNTEROFFER IS A FIRM COMMITMENT FOR SETTLEMENT OF WHICH WE BOTH COULD BE PROUD, ALLOWING PAYMENTS THAT WOULD REACH SURVIVING FORCED AND SLAVE LABORERS AND OTHERS WHO SUFFERED AT THE HANDS OF GERMAN BANKS, INSURANCE COMPANIES, AND OTHER GERMAN COMPANIES DURING THE NAZI-ERA, AND FULFILL THE MORAL AIMS OF THE GERMAN GOVERNMENT AND COMPANIES.

AS PART OF OUR ONGOING DISCUSSIONS REGARDING THE FOUNDATION, WE HAVE ALSO FOUND A MECHANISM TO PROVIDE THE LEGAL PEACE DESIRED BY THE GERMAN GOVERNMENT AND GERMAN COMPANIES IN THE AMERICAN MARKET. FIRST, THE EXECUTIVE AGREEMENT BETWEEN OUR GOVERNMENTS (PROVIDING THAT THE UNITED STATES WILL FILE STATEMENTS OF INTEREST IN PENDING AND FUTURE SUITS AGAINST GERMAN COMPANIES ON HOLOCAUST CLAIMS) WILL STATE, AS THE GERMAN GOVERNMENT AND COMPANIES HAVE REQUESTED, AMONG OTHER THINGS, THAT THE FOUNDATION SHOULD BE REGARDED AS THE EXCLUSIVE REMEDY FOR ALL CLAIMS AGAINST GERMAN COMPANIES ARISING OUT OF THE NAZI-ERA. IT WILL STATE FURTHER THAT BOTH OUR COUNTRIES DESIRE ALL EMBRACING AND ENDURING LEGAL PEACE TO ADVANCE OUR FOREIGN POLICY INTERESTS. SECOND, ALSO RESPONDING TO GERMAN GOVERNMENT AND COMPANIES' REQUESTS, IN BOTH THE EXECUTIVE AGREEMENT AND OUR STATEMENTS OF INTEREST WE WOULD STATE IN BOTH CONSENSUAL AND NON-CONSENSUAL CASES, ALL OF WHICH TOUCH UPON FOREIGN POLICY INTERESTS OF THE UNITED STATES,

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

3

THAT DISMISSAL OF SUCH SUITS WOULD BE IN THE FOREIGN POLICY INTERESTS OF THE UNITED STATES, THOUGH THIS MAY NOT IN AND OF ITSELF CONSTITUTE AN INDEPENDENT LEGAL GROUND FOR DISMISSAL. I KNOW THAT ACHIEVING LEGAL PEACE HAS BEEN A PARAMOUNT CONCERN OF THE GERMAN COMPANIES. THE UNPRECEDENTED STEPS THE UNITED STATES GOVERNMENT IS WILLING TO TAKE UNDERSCORES THE DESIRE BOTH COUNTRIES SHARE IN OBTAINING ALL EMBRACING AND ENDURING LEGAL PEACE.

IT HAS BEEN A LONG, HARD ROAD TO COME AS FAR AS WE HAVE IN THESE NEGOTIATIONS. BOTH OF US HAVE INVESTED SUBSTANTIAL TIME AND ENERGY OF OUR OWN AND THAT OF OUR SENIOR REPRESENTATIVES. BOTH GOVERNMENTS HAVE INVESTED SUBSTANTIAL TIME AND ENERGY. WE HAVE UNDERTAKEN THIS IN RESPONSE TO THE GERMAN COMPANIES AND BECAUSE WE BOTH BELIEVE IN THE HISTORICAL AND MORAL SIGNIFICANCE OF BRINGING A SENSE OF JUSTICE TO FORMER SLAVE AND FORCED LABORERS AND OTHERS WHO SUFFERED AT THE HANDS OF GERMAN BANKS, INSURANCE COMPANIES, AND OTHER GERMAN COMPANIES DURING THE NAZI-ERA. WE CAN HELP RESTORE A MEASURE OF HUMAN DIGNITY TO THOSE WHO SUFFERED AND SURVIVED.

AS A NEXT STEP, I WOULD BE PLEASED TO SEND DEPUTY SECRETARY EIZENSTAT AND THE UNITED STATES TEAM TO GERMANY THIS WEEK TO MEET WITH COUNT LAMBSDORFF AND THE OTHER PARTICIPANTS TO FINALIZE OUR AGREEMENT ON THE SETTLEMENT AMOUNT. WE LOOK FORWARD TO WORKING ON AN EXPEDITED BASIS TO RESOLVE THE REMAINING ISSUES INCLUDING THE SCOPE OF THE FOUNDATION.

GERMAN-AMERICAN RELATIONS ARE BASED ON OUR COMMON COMMITMENT TO HUMAN DIGNITY COMING FROM A SHARED HISTORY OF DEMOCRACY FOR OVER FIFTY YEARS. THIS UNIQUE GERMAN INITIATIVE, REACHING OUT TO THE VICTIMS OF THIS CENTURY'S MOST HORRIBLE TRAGEDY, WILL CONVEY DRAMATICALLY TO THE ENTIRE WORLD YOUR NATION'S COMMITMENT TO JUSTICE AND HUMAN RIGHTS. IT WILL ALLOW OUR COUNTRIES ENTER THE NEW MILLENNIUM TOGETHER DETERMINED TO PROTECT THE INVIOABILITY OF HUMAN DIGNITY.

SINCERELY,

//S//

WILLIAM J. CLINTON

CHANCELLOR GERHARD SCHROEDER
FEDERAL REPUBLIC OF GERMANY
BERLIN, GERMANY

END TEXT. YY

~~CONFIDENTIAL~~

TO: PRESIDENT

FROM: SCHROEDER, GERHARD

DOC DATE: 01 DEC 99
SOURCE REF:

KEYWORDS: GERMANY
HS

HUMAN RIGHTS
LEGAL ISSUES

PERSONS:

SUBJECT: LTR ON SLAVE LABOR COMPENSATION

ACTION: PREPARE MEMO FOR BERGER

DUE DATE: 14 DEC 99 STATUS: S

STAFF OFFICER: BLINKEN

LOGREF:

FILES: PA

NSCP:

CODES:

D O C U M E N T D I S T R I B U T I O N

FOR ACTION
BLINKEN

FOR CONCURRENCE
BAKER
NAPLAN

FOR INFO
BERGER
BRADTKE
MCCARTHY
MUNTER
RUDMAN
SCHWARTZ
STATE
STEINBERG

COMMENTS: _____

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OPENED BY: NSDMK CLOSED BY: DOC 1 OF 1

MSC

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0113

THE AMBASSADOR
OF THE
FEDERAL REPUBLIC OF GERMANY
WASHINGTON, D. C.

833015



Dear Mr. President:

*I have the honor of presenting to you the enclosed letter from Federal Chancellor
Gerhard Schröder.*

A courtesy translation is attached.

Respectfully yours,

Jürgen Chrobog
Jürgen Chrobog

Washington, D. C., December 2, 1999

*The President
The White House
Washington, D. C.*

*cc: The Department of State
German Desk
EUR/AGS
Room 4228
Washington, D.C.*

*Mr. James D. Bindenagel
Special Envoy for Holocaust Affairs
The Department of State
Washington, D.C.*

JAN 416:14

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 1, 1999

The President
The White House
Washington

Dear Mr. President:

The talks on a German foundation for former victims of forced labor have now entered the decisive phase. I would like to thank you very much for your strong commitment to this issue highlighted again by your letter of November 13, 1999. We greatly appreciate the efforts of the US Administration to find an equitable solution agreed by all concerned.

The valuable contributions, in particular from Deputy Treasury Secretary Stuart Eizenstat, have meant that we are now close to reaching agreement on the Foundation. Following the round of negotiations in Washington on October 6 and 7, we took up his recommendation to once more increase the initial financial offer of DM 6 billion. With considerable effort we were able together with the companies involved in the Foundation Initiative to significantly increase the funding of the Foundation to a total of DM 8 billion.

The German side presented this much improved offer during the last round of negotiations in Bonn on November 16 and 17, 1999. The German Government and the companies also pointed out however that after this there was no scope for any further increases. Thus the demands, made particularly by the plaintiffs' lawyers, for a Foundation fund of some DM 10 to 15 billion cannot be met. I raised this point during our last meeting in Florence.

I would like to take this opportunity to explain once more that this current pledge is a fair offer that can and should be supported by both sides. Graf Lambsdorff tells me that Foundation capital totalling DM 8 billion would make it possible for those who suffered most, the victims of forced labor in concentration camps, to receive up to DM 12,000. Other imprisoned or deported victims of forced labor could be awarded up to DM 4,000. This would give the

victims of national socialism, particularly those in Eastern Europe, the financial support they urgently need, particularly given their advanced years and often insecure economic situation.

Those taking part in the negotiations agreed to make a final statement by December 8, 1999. Should the offer be declined once more, the Foundation Initiative will probably collapse. The companies have already told the German Government that they would still assume their moral responsibility - but each company only towards those who worked for that company. This would entail considerable disadvantages for victims forced to work in companies which are not participating in the initiative or no longer exist.

I am absolutely convinced that both our Governments have a duty to prevent the collapse of the Foundation Initiative. Alongside the reasons just outlined, the wholly unpredictable results of such a failure for German-American relations also need to be taken into account. A foretaste of these are the discriminatory laws currently being drawn up in individual US states or already in force, which the German Government considers to flagrantly contravene current WTO regulations. Thus if the work on the Foundation Initiative is to be completed, it is also crucial that these issues - the Holocaust Victim Insurance Relief Act in California is just the most recent example - are resolved.

Only if we give our full and joint support to the current result will the many elderly victims of forced labor very soon receive a worthy financial aid package. Let us today do what can be done for a great many people and not sit back and tomorrow see this key Initiative collapse, which would in fact mean only a few people would receive help.

Given the moral and historical dimension of the Foundation Initiative, we both ought to do our utmost to achieve a basic consensus on the project before the close of the century. I would be grateful if you would bring your political weight to bear to this end.

Sincerely,

/s/ Gerhard Schröder

Berlin, den 1. Dezember 1999

Seiner Exzellenz
dem Präsidenten der
Vereinigten Staaten von Amerika
Herrn William J. Clinton

Washington, D.C.

Sehr geehrter Herr Präsident,

die Gespräche über eine Bundesstiftung für ehemalige NS-Zwangsarbeiter befinden sich in der entscheidenden Phase. Ich möchte Ihnen für Ihr besonderes Engagement in dieser Sache herzlich danken, das Sie mit Ihrem Schreiben vom 13. November 1999 nachhaltig unterstrichen haben. Wir wissen die Bemühungen der US-Regierung um ein für alle Beteiligten vertretbares Ergebnis sehr zu schätzen.

Die wertvollen Beiträge insbesondere Ihres Stellvertretenden Finanzministers Stuart Eizenstat haben uns der Realisierung einer Bundesstiftung sehr nahe gebracht. Wir sind nach der Verhandlungsrunde vom 6./7. Oktober in Washington seiner Empfehlung gefolgt, das erste finanzielle Angebot von 6 Mrd DM nochmals aufzustocken. Nicht ohne Anstrengungen konnten wir gemeinsam mit den an der Stiftungsinitiative beteiligten Unternehmen das vorgesehene Stiftungsvermögen signifikant auf insgesamt 8 Mrd DM erhöhen.

Im Rahmen der letzten Verhandlungsrunde vom 16./17. November in Bonn hat die deutsche Seite dieses stark verbesserte Angebot für das Stiftungskapital vorgelegt.

Sowohl die Bundesregierung wie auch die Unternehmen haben dabei allerdings auch betont, dass damit die finanziellen Möglichkeiten erschöpft sind. Insofern sind die Vorstellungen insbesondere der Klägeranwälte, ein Stiftungskapital von 10 bis 15 Mrd DM zu erreichen, nicht realisierbar. Ich hatte Ihnen diesen Punkt bei unserem letzten Gespräch in Florenz bereits dargelegt.

Ich möchte nochmals die Gelegenheit ergreifen, Ihnen zu verdeutlichen, dass das vorliegende Angebot als eine würdige Offerte gemeinsam vertreten werden kann und auch vertreten werden sollte. Wie mir von Graf Lambsdorff dargelegt wird, ermöglicht ein Stiftungskapital von 8 Mrd DM Leistungen an die besonders schwer betroffenen Zwangsarbeiter der Konzentrationslager in Höhe von bis zu 12.000 DM. Andere inhaftierte und deportierte Zwangsarbeiter könnten Leistungen in Höhe von bis zu 4.000 DM erhalten. Dies wäre für die NS-Opfer - insbesondere in Osteuropa - eine finanzielle Hilfe, die sie angesichts ihres in der Regel hohen Alters und ihrer wirtschaftlichen Lage dringend brauchen.

Die an den Verhandlungen Beteiligten haben vereinbart, sich bis zum 8. Dezember 1999 abschliessend zu äussern. Sollte das Angebot erneut auf Ablehnung stossen, wird die Stiftungsinitiative voraussichtlich auseinanderbrechen. Die Unternehmen haben der Bundesregierung bereits erklärt, dass sie zwar auch dann ihrer moralischen Verantwortung nachkommen würden - jedoch jedes Unternehmen für sich gegenüber den eigenen Zwangsarbeitern. Dies hätte massive Benachteiligungen für Zwangsarbeiter zur Folge, die bei nicht beklagten oder heute nicht mehr existierenden Unternehmen arbeiten mussten.

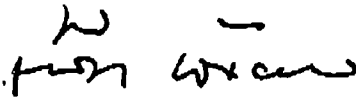
Ich bin der festen Überzeugung, dass unsere beiden Regierungen in der Pflicht stehen, ein Scheitern der Stiftungsinitiative zu verhindern. Neben den genannten Gründen ist auch auf die unübersehbaren Folgen eines Scheiterns für die deutsch-amerikanischen Beziehungen hinzuweisen. Ein Vorgeschmack davon geben uns die in Vorbereitung befindlichen oder bereits umgesetzten diskriminierenden Gesetze einzelner US-Bundesstaaten, die nach Auffassung der Bundesregierung

eklatant gegen geltende internationale WTO-Vereinbarungen verstossen. Voraussetzung für die Realisierung einer Bundesstiftung ist es daher ebenso, dass diese Massnahmen – jüngstes Beispiel ist der „Holocaust Victim Insurance Relief Act“ in Kalifornien – beseitigt werden.

Nur wenn wir gemeinsam und nachdrücklich das jetzige Ergebnis vertreten, wird es gelingen, den vielen hochbetagten Zwangsarbeitern sehr bald eine würdige finanzielle Hilfe zukommen zu lassen. Lassen Sie uns heute das Machbare für viele Menschen realisieren und nicht zusehen, wie morgen diese wichtige Initiative in Fragmente zerbricht, mit denen nur wenigen geholfen wird.

Angesichts der moralischen und historischen Dimension der Stiftungsinitiative sollten wir beide alles tun, um noch in diesem Jahrhundert den Grundkonsens über das Projekt herbeizuführen. Ich wäre Ihnen dankbar, wenn Sie Ihr persönliches politisches Gewicht in diesem Sinne zur Geltung bringen würden.

Mit freundlichen Grüssen

A handwritten signature in black ink, appearing to be 'H. W. ...' with a stylized flourish.

NATIONAL SECURITY COUNCIL

ID 0000113

REFERRAL

DATE: 06 JAN 00

MEMORANDUM FOR: KENNEY, K

STATE SECRETARIAT

DOCUMENT DESCRIPTION: TO: PRESIDENT

SOURCE: SCHROEDER, GERHARD

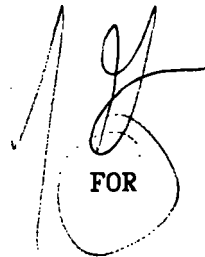
DATE: 01 DEC 99

SUBJ: URGES ASSISTANCE RE FOUNDATION INITIATIVE

REQUIRED ACTION: FOR INFORMATION

DUE DATE:

COMMENT:



FOR

JOHN W. FICKLIN

NSC RECORDS MANAGEMENT OFFICE

NATIONAL SECURITY COUNCIL
DISTRIBUTION RECEIPT

LOG 0000113
DATE 01 DEC 99

SUBJECT: URGES ASSISTANCE RE FOUNDATION INITIATIVE
DOCUMENT CLASSIFICATION: ~~CONFIDENTIAL~~

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WASHINGTON, DC 20520
DEPARTMENT OF STATE

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Initials: KBM Date: 5/11/2018
2014-0472-M

DATE, TIME, SIGN THE RECEIPT AND RETURN TO: NSC RECORDS MGNT. ROOM 379 OEOB

PAGE 01 OF 01 PAGES

**THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

ID# 407538
PAGE 1

DATE RECEIVED: 1999/12/06

NAME OF CORRESPONDENT: JURGEN CHROBOG

SUBJECT: PRESENTS THE ENCLOSED LETTER TO PRESIDENT CLINTON FROM FEDERAL CHANCELLOR
GERHARD SCHROEDER

ROUTE TO: OFFICE/AGENCY	(STAFF NAME)	ACTION		DISPOSITION		
		ACTION CODE	DATE YY/MM/DD	TYPE RESP	C D	COMPLETED YY/MM/DD
NATIONAL SECURITY COUNCIL	SAMUEL R.SANDY BERGER	ORG	2000/01/03			

ACTION COMMENTS _____

_____ / / _____ / / _____

ACTION COMMENTS: _____

_____ / / _____ / / _____

ACTION COMMENTS: _____

_____ / / _____ / / _____

ACTION COMMENTS: _____

COMMENTS ENCLOSURE

ADDITIONAL CORRESPONDENTS: 0

MEDIA: LETTER

INDIVIDUAL CODES:

REPORT CODES:

USER CODES:

ACTION CODES:

A - APPROPRIATE ACTION
C - COMMENT/RECOMMENDATION
D - DRAFT RESPONSE
F - FURNISH FACT SHEET
I - INFO COPY/NO ACT NECESSARY
R - DIRECT REPLY W/ COPY
S - FOR SIGNATURE

DISPOSITION CODES:

A - ANSWERED
B - NON-SEPC-REFERRAL
C - COMPLETED
S - SUSPENDED

OUTGOING CORRESPONDENCE:

TYPE RESP = INITIALS OF SIGNER
CODE = A
COMPLETED = DATE OF OUTGOING

**REFER QUESTIONS AND ROUTING UPDATES TO RECORDS MANAGEMENT (ROOM 72, OEOB) EXT-62590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO
RECORDS MANAGEMENT.**

PRESIDENTIAL/NSA CORRESPONDENCE

IMMEDIATE ACTION REQUIRED

ACTION OFFICER: Munter

LOG NUMBER: 0113

DUE DATE: _____

DATE STAFFED: _____

CORRESPONDENCE ADDRESSED TO:

PRESIDENT

NATIONAL SECURITY ADVISOR

FROM: Schoeder, Gerhard

PREPARE A RESPONSE FOR THE PRESIDENT'S OR NATIONAL SECURITY ADVISOR'S SIGNATURE WITHIN 10 DAYS. IF A LETTER DOES NOT REQUIRE A RESPONSE, PLEASE RETURN IT TO RECORDS MANAGEMENT (RM 379) WITH THIS FORM, ANNOTATED ACCORDINGLY.

THE AMBASSADOR OF THE FEDERAL REPUBLIC OF GERMANY
WASHINGTON, D.C. 20007

RECEIVED

DEC 6 1999

RECEIVED

*The President
The White House
Washington, D. C*

RECEIVED
1999 DEC -6 AM 6:25

Translation

The Federal Republic of Germany
The Federal Chancellor

Berlin, December 1, 1999

The President
The White House
Washington

Dear Mr. President:

The talks on a German foundation for former victims of forced labor have now entered the decisive phase. I would like to thank you very much for your strong commitment to this issue highlighted again by your letter of November 13, 1999. We greatly appreciate the efforts of the US Administration to find an equitable solution agreed by all concerned.

The valuable contributions, in particular from Deputy Treasury Secretary Stuart Eizenstat, have meant that we are now close to reaching agreement on the Foundation. Following the round of negotiations in Washington on October 6 and 7, we took up his recommendation to once more increase the initial financial offer of DM 6 billion. With considerable effort we were able together with the companies involved in the Foundation Initiative to significantly increase the funding of the Foundation to a total of DM 8 billion.

The German side presented this much improved offer during the last round of negotiations in Bonn on November 16 and 17, 1999. The German Government and the companies also pointed out however that after this there was no scope for any further increases. Thus the demands, made particularly by the plaintiffs' lawyers, for a Foundation fund of some DM 10 to 15 billion cannot be met. I raised this point during our last meeting in Florence.

I would like to take this opportunity to explain once more that this current pledge is a fair offer that can and should be supported by both sides. Graf Lambsdorff tells me that Foundation capital totalling DM 8 billion would make it possible for those who suffered most, the victims of forced labor in concentration camps, to receive up to DM 12,000. Other imprisoned or deported victims of forced labor could be awarded up to DM 4,000. This would give the

victims of national socialism, particularly those in Eastern Europe, the financial support they urgently need, particularly given their advanced years and often insecure economic situation.

Those taking part in the negotiations agreed to make a final statement by December 8, 1999. Should the offer be declined once more, the Foundation Initiative will probably collapse. The companies have already told the German Government that they would still assume their moral responsibility - but each company only towards those who worked for that company. This would entail considerable disadvantages for victims forced to work in companies which are not participating in the initiative or no longer exist.

I am absolutely convinced that both our Governments have a duty to prevent the collapse of the Foundation Initiative. Alongside the reasons just outlined, the wholly unpredictable results of such a failure for German-American relations also need to be taken into account. A foretaste of these are the discriminatory laws currently being drawn up in individual US states or already in force, which the German Government considers to flagrantly contravene current WTO regulations. Thus if the work on the Foundation Initiative is to be completed, it is also crucial that these issues - the Holocaust Victim Insurance Relief Act in California is just the most recent example - are resolved.

Only if we give our full and joint support to the current result will the many elderly victims of forced labor very soon receive a worthy financial aid package. Let us today do what can be done for a great many people and not sit back and tomorrow see this key Initiative collapse, which would in fact mean only a few people would receive help.

Given the moral and historical dimension of the Foundation Initiative, we both ought to do our utmost to achieve a basic consensus on the project before the close of the century. I would be grateful if you would bring your political weight to bear to this end.

Sincerely,

/s/ Gerhard Schröder

MSC

5047442
0113

THE AMBASSADOR
OF THE
FEDERAL REPUBLIC OF GERMANY
WASHINGTON, D. C.

Q33015



Dear Mr. President:

I have the honor of presenting to you the enclosed letter from Federal Chancellor Gerhard Schröder.

A courtesy translation is attached.

Respectfully yours,

Jürgen Chrobog

Washington, D. C., December 2, 1999

*The President
The White House
Washington, D. C.*

*cc: The Department of State
German Desk
EUR/AGS
Room 4228
Washington, D.C.*

*Mr. James D. Bindenagel
Special Envoy for Holocaust Affairs
The Department of State
Washington, D.C.*

JAN 416:14

DEC 6 1999

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This is not a textual record. This is used as an administrative marker by the Clinton Presidential Library Staff.

Original OA/ID Number: 4072				
Document ID: 0000158				
Row: 47	Section: 1	Shelf: 11	Position: 3	Stack: V

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. teleon	re: Teleon with Chancellor Schroeder of Germany (6 pages)	01/07/2000	P1/B(1) KBM 9/21/2018

COLLECTION:

Clinton Presidential Records
NSC Records Management
([Schroeder and slave...])
OA/Box Number: 4072

FOLDER TITLE:

0000158

2014-0472-M

rs1028

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

TO: KENNEY, K

FROM: BRADTKE

DOC DATE: 13 JAN 00
SOURCE REF:

KEYWORDS: GERMANY

TELCALL

PERSONS: SCHROEDER, GERHARD

SUBJECT: MEMO OF TELCON BTW PRES & CHANCELLOR SCHROEDER ON 7 JAN 00

ACTION: BRADTKE SGD MEMO

DUE DATE: 15 JAN 00 STATUS: C

STAFF OFFICER: MUNTER

LOGREF:

FILES: PA

NSCP:

CODES:

DOCUMENT DISTRIBUTION

FOR ACTION

FOR CONCURRENCE

FOR INFO

EXECSEC
FICKLIN
MUNTER
NSC CHRON

COMMENTS:

*Cameron Munter - answered 9069
with this memo*

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Z 00011110 FOR DECISION
X 00011308 BRADTKE APPROVED RECOM
X 00011308 BRADTKE SGD MEMO

DISPATCH DATA SUMMARY REPORT

DOC DATE DISPATCH FOR ACTION

DISPATCH FOR INFO

002 000113 KENNEY, K

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NATIONAL SECURITY COUNCIL

THE WHITE HOUSE

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SARGEANT	_____	_____	_____
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A = ACTION I = INFORMATION D = DISPATCH R = RETAIN N = NO FURTHER ACTION

00 JAN 11 09:18
 CC:

COMMENTS: Memcon w/Schroeder
17

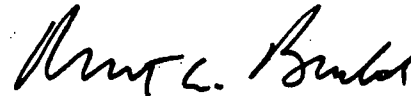
EXEC SEC OFFICE HAS DISKETTE yes

January 13, 2000

MEMORANDUM FOR MS. KRISTIE A. KENNEY
Executive Secretary
Department of State

SUBJECT: Memorandum of Telephone Conversation Between the
President and Chancellor Schroeder (U)

The attached Memorandum of Telephone Conversation between the President and Chancellor Schroeder is provided for the information of the Secretary of State. It must be distributed via NODIS channels and not below the Deputy Assistant Secretary (DAS) level. It may also be sent to our embassy in Germany for the Ambassador and/or Deputy Chief of Mission (DCM) only. (C)



Robert A. Bradtke
Executive Secretary

Attachment
Tab A Memorandum of Conversation

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KBY/NARA, Date 5/11/2018
2014-0472-M

~~CONFIDENTIAL~~

Classified by: Robert A. Bradtke
Reason: 1.5(d)
Declassify on: January 10, 2010

THE WHITE HOUSE
WASHINGTON

DECLASSIFIED
PER E.O. 13526
2014-0472-M (1.18)
5/11/2018 KSM

MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: Telcon with Chancellor Schroeder of Germany
(U)

PARTICIPANTS: The President
Chancellor Schroeder

Interpreter: Gisela Marcus

Notetakers: Robin Rickard, Don Cheramie,
Roger Merletti, James Smith

DATE, TIME: January 7, 2000, 4:36 - 5:02 p.m., EST
AND PLACE: Oval Office

The President: Hello, Gerhard. (U)

Chancellor Schroeder: Hello, Bill. (U)

The President: How are you? Happy New Year. (U)

Chancellor Schroeder: And a very happy and good new year to you and your family and hearty congratulations for what you are doing now in the Middle East. We are following it with great interest, and I think it is an enormous achievement, having gotten the two parties together. If, and when, we can be helpful at any time, we would be very happy to do so. (U)

The President: Thank you. (U)

Chancellor Schroeder: Could I add something, please? You know, I remember about half a year ago, you told me that in difficult times you have to hold your head up high, and that is what I have done. Now, things are looking pretty good in Germany. I very often thought of what you told me at that time. (U)

The President: Well, I always thought what you were trying to do was right for your country and for the future. Things have a way of working out, as long as people see you have the courage of your convictions and that you believe in yourself. (U)

Chancellor Schroeder: I have one request and what is involved here is the IMF succession. I had told you in Florence we had an excellent candidate in Koch Weser. My impression is that our candidate is one who deserves support and it is my impression that people in the United States have reservations about him. I wanted to say these reservations are without grounds, they are not justified. He has administrative experience, international experience. He is a very strong candidate and is supported by most Europeans, though some are a little difficult at times. What I am really interested in, however, is your assessment of Mr. Putin because I have to talk to him by phone. (S)

The President: Let me try to deal with all the issues you raised and save Putin until the end. (S)

Chancellor Schroeder: Yes. (U)

The President: First of all, I believe a European should be head of the IMF and after all of these years, I think it would be good if we could get a German candidate. My impression is that Mr. Koch Weser does not yet have the requisite support he needs from Europeans, despite his time at the World Bank and his experience and talents, but I want you to know I have not given my support to any candidate at this time. President Chirac told me a former Prime Minister is interested but I told him I couldn't support anybody now and we need a consensus choice. I think it's important for a European to get it and for reasons of history, it would obviously be good if a German could get it. (S)

Chancellor Schroeder: Well, I'm very pleased to hear what you just said. I think what is going on in France is some kind of an internal power struggle. I am sure he is interested in a candidate of his own. You know, none of these things are done officially. Germany stands by its candidate, because he meets all of the criteria you mentioned in Florence. He is very sensitive vis-à-vis the needs of the Third World and sensitive to the needs of Russia and these are all things Mr. Fabius, great fellow that he is, cannot provide. He does not have that type of experience. (S)

The President: Yes, I think that's a problem for him. But the only point I was going to make is, we need to get a European who has the support of Europe and can muster the support of developing countries. We will work with you on that. I think it's important and I will not -- (S)

Chancellor Schroeder: I perfectly understand and I am aware we must somehow manage to get the support of the rest of the Europeans for our candidate. That is our business. I would be

interested once we have that support in having an open-minded attitude on the part of you and the U.S. government. The rest we have to accomplish on our own and if we can't, too bad for us.

(S)

The President: I'll tell you what I will do. I will definitely not give my support to anyone else now and if there is someone who appeals to me, I still won't do it until I talk to you first.

(S)

Chancellor Schroeder: Thank you with all my heart. (U)

The President: Let me say very briefly about the Middle East peace process, I think we are making some progress. It's difficult, they have had strained relations for a long time, but I think we have a fair chance to get there. (S)

Chancellor Schroeder: I have been following with great seriousness and enormous respect your historic accomplishment.

(S)

The President: Thank you. I think there's a fair chance -- a chance, anyway -- that within 60 days we could see an agreement involving both the Israelis and the Syrians and Palestinians. But if this happens, all of us in the world, including the EU and Japan, will have to help make this work. We are going to put a lot of money into this, but we need a little help because of the cost involved. The Arabs have to see an economic benefit in the near future. (S)

Chancellor Schroeder: We have, for obvious historical reasons among other things, been an advocate for Israel and we have always been their proponent in the EU, and you and I talked about the need to bring Turkey closer to the EU and Germany has done pretty much what you and I talked about at that time. (S)

The President: You've done a wonderful job on that. The Helsinki meeting was terrific and, among other things, it will make Turkey more willing to participate in a solution to the Middle East water problem. (S)

Chancellor Schroeder: I perfectly agree and I think the things that went on there were largely the result of what we had talked about, of our efforts. (S)

The President: The other thing I wanted to say is, I'm looking forward to seeing you a couple of times this year. I guess we haven't settled on a date for the next Third Way event or for my next visit to Germany, but we'll do that as soon as we can. I'm still trying to work out the timetable on my Middle East

obligations and I will be in touch with you as soon as possible on that. (S)

Chancellor Schroeder: I understand perfectly. Everything happening vis-à-vis the Middle East has absolute priority. It's more important than anything else. (S)

The President: I will see you soon. I also wanted to say thank you and how much I admire your leadership on the slave and forced labor issue. I think it's a truly historic achievement and it wouldn't have been possible without your leadership. (S)

Chancellor Schroeder: I did that with all my heart. I'm sure it will be helpful in our relations not just as administrations and not just as governments, but as societies. (S)

The President: Yes. On Putin, I have been with him on a couple of occasions, in Norway and New Zealand at the APEC meeting. He is very smart and very disciplined. On balance, he will be a responsible leader of Russia and a good partner. (S)

Chancellor Schroeder: I quite agree and we have to somehow walk the line. On the one hand, we do not approve of what is happening Chechnya and, on the other, working to maintain the partnership between Russia and Germany and the EU and, of course, the partnership between the U.S. and Russia. I do recall we talked at one point about the special role Germany could play...as far as relations with Russia is concerned, and we are quite willing to take on that special role within the EU. And I think it's important we stay in close touch on the issue of how to deal with the people surrounding Putin, the people in his inner circle. (S)

The President: I do, too. It's important to do two things. First, stress the importance of a good election, and second, manage this Chechnya thing so we say what we believe but don't totally wreck our relationship with him. (S)

Chancellor Schroeder: Precisely. I quite agree, it is going to be difficult but we can do it. (S)

The President: One thing I wanted to say is that Yeltsin, for all his problems, was a true believer in democracy and he also wanted to have Russia's greatness in the future be more related to economic achievements and international cooperative leadership, not a sort of 21st century version of imperialism. (S)

Chancellor Schroeder: That is my impression precisely. (S)

The President: But until Russia's economy improves significantly and the pressure in Chechnya is off and until the raw feelings they have about our actions in the Balkans and NATO expansion have time to heal, we will still have the risk that Russia will do things they shouldn't do in Georgia and Moldova and putting pressure on Kazakhstan and other states that were part of the Soviet Union. So this has to be managed with real sensitivity to get them through this transition period. (S)

Chancellor Schroeder: I quite agree and I told Shevardnadze, who by the way had done a great deal furthering German unification, that I would visit Georgia prior to the elections, in a non-provocative, low-key fashion, so as not to irritate the Russians but in a way to show Germany's special interest in Georgia is not directed in any way against the Russians. (S)

The President: I think it's good you're taking that line and it's very good you're going there. It will make it obvious to them they have to be careful in dealing with Georgia. You're doing the right thing to take that approach. (S)

Chancellor Schroeder: Good. (U)

The President: Thank you, Gerhard. Again, I am thrilled by the resurgence in your popularity. I am not surprised, but I am pleased. Tell Doris I said hello and I will see you soon. (S)

Chancellor Schroeder: And best regards to your wife, as well. We are sitting here and delighted with the possibility of her becoming senator from New York. Germans living in America who have the right to vote will be asked by us personally and individually to vote for her. (S)

The President: Thank you. (U)

Chancellor Schroeder: May I ask one more thing? (U)

The President: Of course. (U)

Chancellor Schroeder: You know, unfortunately, you can't serve another term once your term has ended, but I would really, really like to stay in close touch. (U)

The President: Thank you. I talked to some of our friends, like Tony Blair, and I hope after I leave office, I can keep this Third Way alive, build it up and keep it going. (U)

Chancellor Schroeder: That is exactly what I would like and I know many people in Europe would like the same thing. (U)

CONFIDENTIAL

6

The President: Thank you. Goodbye. (U)

Chancellor Schroeder: Goodbye. (U)

-- End of Conversation --

CONFIDENTIAL

January 10, 2000

ACTION

MEMORANDUM FOR SAMUEL R. BERGER

THROUGH: ANTONY BLINKEN AB

FROM: CAMERON MUNTER CM

SUBJECT: Memorandum of Telephone Conversation with
Chancellor Schroeder

DECLASSIFIED
E.O. 13526, Sec. 3.5 (b)
White House Guidelines, September 11, 2006
By KBN NARA, Date 5/11/2018
2014-0472-M

Attached at Tab A is the Memorandum of the Telephone
Conversation between the President and Chancellor Schroeder on
January 7, 2000.

RECOMMENDATION

That you authorize Robert A. Bradtke to transmit the Memorandum
of Telephone Conversation at Tab A to State.

Approve AB 1/12 Disapprove _____

That the attached Memorandum of Telephone Conversation be filed
for the record.

Approve AB 1/12 Disapprove _____

Attachments

Tab I Memorandum for State

Tab A Telcon with Chancellor Schroeder

1/18

Concerns raised in
Schroeder's 12/14 letter
answered in 1/7 telcon,
page 4, 2nd and 3rd
paragraphs.

No need for reply.

Cameron

LOG # 9069 = INCOMING 12/14
LOG # 0158 = TELCON 1/7