

105TH CONGRESS  
2D SESSION

# H. RES. 557

Expressing support for U.S. government efforts to identify Holocaust-era assets, urging the restitution of individual and communal property, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 1998

Mr. LANTOS (for himself, Mr. GILMAN, Mr. HAMILTON, Mr. SMITH of New Jersey, Mrs. MALONEY of New York, Ms. WOOLSEY, Mr. FRANKS of New Jersey, Mr. ACKERMAN, Mr. BERMAN, Mr. BROWN of Ohio, Mr. BURTON of Indiana, Mr. CHABOT, Mr. DEUTSCH, Mr. FALEOMAVAEGA, Mr. FOLEY, Mr. FOX of Pennsylvania, Mr. FROST, Mr. FRANK of Massachusetts, Mr. HASTINGS of Florida, Mr. HORN, Mrs. LOWEY, Mr. MENENDEZ, Ms. ROS-LEHTINEN, Mr. SANDERS, Mr. SCHUMER, Mr. SHERMAN, Mr. SISISKY, Mr. WAXMAN, and Mr. WEXLER) submitted the following resolution; which was referred to the Committee on International Relations

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## RESOLUTION

Expressing support for U.S. government efforts to identify Holocaust-era assets, urging the restitution of individual and communal property, and for other purposes.

Whereas the Holocaust was one of the most tragic and complex horrors in this century, and survivors of that catastrophe are now reaching the end of their lives;

Whereas among the many atrocities committed by the Nazis was their systematic effort to confiscate property illegally

and wrongfully from individuals, institutions, and communities solely because of religion or ethnicity;

Whereas the Nazi regime used foreign financial institutions to launder and hold property illegally confiscated from Holocaust victims, and some foreign financial institutions violated their fiduciary duty to their customers by converting to their own use financial assets belonging to Holocaust victims and denying heirs of these victims access to these assets through restrictive regulations and unreasonable interpretation of those regulations;

Whereas in the post-Communist period of transition many of the countries of Central and Eastern Europe have begun to enact legal procedures for the restitution of property confiscated or stolen from victims of the holocaust to communities and to individual survivors of the Holocaust and their heirs;

Whereas, despite the enactment of legislation and the establishment of institutions to restore confiscated property in a number of countries, progress has been slow, difficult, and painful, and some countries have established restrictions which require those whose properties have been wrongfully plundered to reside in or be a current citizen of the country from which they now seek restitution or compensation;

Whereas the Tripartite Gold Commission has now concluded its activities, and under the leadership of the United States established an international Nazi Persecutees' Relief Fund, reached agreement with most of the countries which had gold on deposit with the Tripartite Gold Commission to donate their shares to this Persecutees' Fund, and the United States has pledged to contribute \$25 million to this fund;

Whereas two significant agreements have recently been reached, the first between Holocaust survivors and private Swiss banks and the second between Holocaust survivors and European insurance companies, which represent significant first steps in the international effort to provide belated justice to survivors and victims of the Holocaust and their heirs;

Whereas the Department of State and the United States Holocaust Memorial Museum will co-host the Washington Conference on Holocaust-Era Assets later this year in order to review current efforts, share research across national borders, renew efforts to open Nazi-era archives, and spur greater progress on the restitution of Holocaust-era assets; and

Whereas there is a growing international consensus and sense of urgency that, after a half century of indifference and inaction, justice must be obtained for victims and survivors of the holocaust and their heirs; Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) recognizes the great responsibility which the  
3       United States has to Holocaust survivors and their  
4       families, many of whom are American citizens, to  
5       continue to treat the issue of Holocaust-era assets as  
6       a high priority and to encourage other governments  
7       to do the same;

8               (2) commends the agencies of the United States  
9       government for their untiring efforts and for the ex-  
10      ample they have set, including the publication of the

1 May 1997 and June 1998 reports on U.S. and Al-  
2 lied Efforts to Recover or Restore Gold and Other  
3 Assets Stolen or Hidden by Germany in World War  
4 II and the efforts to return such assets to their  
5 rightful owners;

6 (3) commends those organizations which have  
7 played a critical role in the effort to assure com-  
8 pensation and/or restitution for survivors of the Hol-  
9 ocaust, and in particular to the World Jewish Con-  
10 gress and the World Jewish Restitution Organiza-  
11 tion;

12 (4) welcomes the convening of the Washington  
13 Conference on Holocaust-Era Assets later this year  
14 by the United States Holocaust Memorial Museum  
15 and the Department of State and expresses the hope  
16 that this conference will contribute to the sharing of  
17 information and will spur greater progress on the  
18 restitution of Holocaust-era assets;

19 (5) commends those countries which have insti-  
20 tuted procedures for the restitution of individual and  
21 communal property confiscated from Holocaust vic-  
22 tims, and urges those governments which have not  
23 established such procedures to adopt fair and trans-  
24 parent legislation and regulations necessary for such  
25 restitution;

1           (6) calls upon countries in transition in Central  
2           and Eastern Europe to remove certain citizenship or  
3           residency prerequisites for individual survivors of the  
4           Holocaust seeking restitution of confiscated prop-  
5           erty;

6           (7) notes that former Communist countries  
7           which seek to become members of the North Atlantic  
8           Alliance and other international organizations must  
9           recognize that a part of the process of international  
10          integration involves the enactment of laws which  
11          safeguard and protect property rights that are simi-  
12          lar to those in democratic countries which do not re-  
13          quire artificial citizenship and residency require-  
14          ments for restitution or compensation;

15          (8) commends those countries which have estab-  
16          lished significant commissions, such as the Presi-  
17          dential Advisory Commission on Holocaust Assets in  
18          the United States, to conduct research into matters  
19          relating to Holocaust-era assets, to assure that in-  
20          formation developed by these commissions is publicly  
21          available, to complete their major historical research  
22          efforts, and to contribute to the major funds estab-  
23          lished to benefit needy Holocaust survivors no later  
24          than December 31, 1999;

1           (9) commends those countries and organiza-  
2           tions which have opened their archives and made  
3           public records and documents relating to the Nazi  
4           era, and urges all countries and organizations, in-  
5           cluding the United Nations, the Holy See, the Inter-  
6           national Committee of the Red Cross and national  
7           Red Cross organizations, to assure that all materials  
8           relating to that era are fully accessible to the public;

9           (10) urges all countries to develop and include  
10          as a part of their educational curriculum material on  
11          the Holocaust, the history of the Second World War,  
12          the evils of discrimination and persecution of racial,  
13          ethnic or religious minorities, and the consequences  
14          of the failure to respect human rights;

15          (11) appreciates the efforts of the government  
16          of Germany for successfully concluding an agree-  
17          ment with the Conference on Material Claims  
18          Against Germany on matters concerning restitution  
19          for Holocaust survivors from Central and Eastern  
20          Europe who have not yet received restitution, and  
21          urges the government of Germany to continue to ne-  
22          gotiate with the Claims Conference to expand the  
23          eligibility criteria to ensure that all needy Holocaust  
24          survivors receive restitution;

1           (12) urges all countries to continue aggressive  
2 investigation and prosecution of individuals who may  
3 have been involved in Nazi-era war crimes, such as  
4 the Government of Germany which should investigate  
5 Dr. Hans Joachim Sewering for war crimes of  
6 active euthanasia and crimes against humanity committed  
7 during World War II;

8           (13) urges countries, especial Israel, Russia,  
9 Poland, and other Central and East European nations,  
10 and organizations such as the International  
11 Committee of the Red Cross and Israel's Jewish  
12 Agency to coordinate efforts to help reunite family  
13 members separated during the Holocaust; and

14           (14) directs the Clerk of the House to transmit  
15 a copy of this resolution to the Secretary of State  
16 and requests that the Secretary transmit copies to  
17 all relevant parties.

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