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Washington

Mr. David Schaecter
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Mr. M. Schaecter,

Thank you very much for your letter dated December 4, 2008. First, let me say that I very much respect your concern for fellow survivors of the Holocaust.

I have said on previous occasions that the German Government acknowledges without qualifications Germany's historical responsibility for the Holocaust, and Germany remains committed to helping needy survivors to live dignified lives. Germany has so far paid out about € 65 billion in compensation and restitution since World War II, and it continues to make direct payments to survivors in the form of pensions and supports home care through its payments to the Jewish Claims Conference (JCC).

In its annual negotiations with the German Government, the Claims Conference has pointed out the growing needs of aging Holocaust survivors. At the request of the Claims Conference, the German Government last year agreed to provide approx. € 45 million for these services. This sum is more than double the funds provided in previous negotiations. Germany remains committed to helping survivors in need, and we will meet with the Claims Conference for another round of talks in March.

The International Commission on Holocaust Era Insurance Claims (ICHEIC) concluded its work, with more than \$305 million paid to Holocaust victims or their heirs for

previously unpaid insurance policies. An additional \$200 million was distributed for humanitarian purposes, thereby helping survivors in need.

I believe both examples show very well that voluntary agreements work to the benefit of large numbers of survivors. Legal action, on the contrary, only benefits the very few who are successful in court, but does not address the needs of the broader majority of survivors.

It was with this in mind and based on the promise of "legal peace" made to us in the German-American Executive Agreement of 2000 that my government opposed HR 1746.

However, while we continue to oppose HR 1746 and any similar bills, Germany has never threatened to respond by cutting existing benefits to poor survivors, and we have no intention to do so in the future. Pension payments under the Federal Compensation Act (BEG) and support to existing JCC programs, including pensions and one-time payments, will, of course, continue as provided for under the law and international agreements.

Turning away from the principle of "legal peace" after voluntary compensation has been paid would make it almost impossible, though, to convince the business community not only in Germany but anywhere in the world to enter into voluntary agreements that ensure compensation for Holocaust survivors.

Let me reiterate that I fully respect your work on behalf of fellow survivors. I continue to believe, however, that negotiations and voluntary contributions are the best way to help survivors in need, a goal we should all have in common.

Please convey my warm regards to the members of the Holocaust Survivors' Foundation's executive committee.

Sincerely,
Loren Hebrich