

U.S. Restitution of Nazi-Looted Cultural Treasures to the USSR, 1945–1959

Facsimile Documents from the National Archives of the United States



**Compiled with an Introduction by
Patricia Kennedy Grimsted**

Prepared in collaboration with the National Archives of the United States

Washington, DC

2001

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**with a Foreword by
Michael J. Kurtz
Assistant Archivist for Records Services—Washington, DC
U.S. National Archives and Records Administration**

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TABLE OF CONTENTS

FOREWORD

Michael J. Kurtz

PREFACE AND ACKNOWLEDGMENTS

ABBREVIATIONS AND ACRONYMS

INTRODUCTION

Documenting U.S. Cultural Restitution to the USSR, 1945–1959

Patricia Kennedy Grimsted

The Historical Context: Justifying the Soviet Spoils of War

Postwar Cultural Restitution by the Western Allies

Nineteen U.S. Restitution Transfers to the USSR

The Bremen Database of Restitution Shipments

Archival Restitution from Berlin and Pilsen

Novgorod Archives Returned from Berlin

Ukrainian and Latvian Archives and Museum Exhibits Returned from Czechoslovakia

Restitution of Cultural Treasures from the Munich and Wiesbaden Collecting Points

Shipments from Munich CCP

Shipments from Wiesbaden CCP

Later HICOG Transfer

Restitution of Looted Cultural Treasures from the United States

Return of Icons from Ukraine found in Texas.

Archeological Artifacts from Ukraine found in New York

Restitution of Library Materials (Offenbach and Other Sources)

Offenbach Archival Depository (OAD)

Books Restituted from Other Points

Soviet Receipts from Offenbach

U.S. Restitution of Soviet Books from Austria

British Book Restitution from Austria

Soviet Complaints about U.S. Restitution

Cases of U.S. Non-Restitution

War Booty

The Baltic Exception

Jewish Collections

Private Émigré Claims

U.S. Intelligence Seizures and the “Smolensk Archive”

Soviet Documentation for Distribution of Cultural Treasures Returned

APPENDIX: CHART OF NINETEEN U.S. RESTITUTION TRANSFERS TO THE USSR, 1945–1959

LIST OF ILLUSTRATIONS

ILLUSTRATIONS

FACSIMILE DOCUMENTS

Signed Custody Transfer Receipts and Inventories for
Nineteen U.S. Restitution Transfers to the USSR, 1945–1959
(numbered in chronological order as per Chart in Appendix)

- 1) 20 September 1945 at Berlin
- 2) 25 October 1945 Trypist (*Czech*: Trpísty)
- 3) 5 December 1945 Salzburg
- 4) 10 June 1946 Offenbach
- 5) 31 July 1946 Offenbach
Crate list for Transfers 4 and 5 (shipped 7 August 1946)
- 6) 28 August 1946 Munich #1
- 7) 15 April 1947 Munich #2
- 8) 15 April 1947 Munich #3
- 9) 22 July 1947 Munich #4
- 10) 4 October 1947 Wiesbaden
- 11) 13 October 1947 Munich #5 (Nuremburg)
- 12) 24 October 1947 Offenbach
- 13) 30 January 1948 Munich #6
- 14) 15 September 1948 Wiesbaden
- 15) 9 December 1948 Offenbach
- 16) 2 February 1952 Berlin (HICOG) (earlier Offenbach)
- 17) 7 July 1953 Berlin (HICOG) (earlier Wiesbaden)
- 18) 10 April 1957 Washington, DC
(Related documents regarding U.S. Customs seizure)
- 19) 18 August 1959 Washington, DC

Related Documents Discussed in Introduction

Log of restitution transfers to Russia from U.S. Zone of Germany (as of 1948)
(US NA, RG 260 [OMGUS], Records of the Property Division,
Ardelia Hall Collection, box 38)

“Restituted Russian Property,” list and memorandum (20 September 1948)
from Richard F. Howard, Deputy Chief for Cultural Restitution (MFA&A),
Karlsruhe, Germany
(US NA, RG 260 [OMGUS], Records of the Property Division,
Reparations and Restitution Branch, MFA&A Section,
Records Pertaining to Restitution, Soviet—General, box 723)

Commander in Chief of the Soviet Forces of Occupation, Marshal Vasilii Sokolovskii to
U.S. Commander in Chief, General Lucius D. Clay (5 March 1949)
and Clay to Sokolovskii (10 March 1949)
(US NA, RG 260 [OMGUS], Records of the Executive Office, Chief of Staff,
Lt. Gen. Lucius Clay, 1945–49, box 19)

General Vasilii Chuikov, Commander in Chief of the Soviet Forces of Occupation and Chief of the
Soviet Military Administration in Germany (SVAG), to U.S. High Commissioner for Germany John
J. McCloy (8 August 1949) and McCloy to Chuikov (23 August 1949)
(US NA, RG 260 [OMGUS], Records of the Executive Office, AG 602.3 Restitution, 1949, Vol. I,
General Correspondence (decimal file), box 607.

LIST OF ILLUSTRATIONS

Sample Property Cards Art with Pictures from the Munich Central Collecting Point (quoted descriptions as per Munich Property Cards Art)

(USSR Munich CCP Shipment # 6—30 January 1948)
US NA, RG 260, Records of the Property Division,
Ardelia Hall Collection, Munich CCP, box 284

- 1 #11475 “Portrait of a general, standing (before landscape)”
[Portrait of Emperor Alexander I (ca. 1825) by George Dawe]
found in Herrenchiemsee (ERR)
- 2 # 18322 “Medieval warriors and slaves at the sea shore”
found in Buxheim Monastery
- 3 #44264 “Signing of a contract”
[Copy of a painting by Ilia Repin,
“Zaporozhian Cossak Writing a Letter to the Turkish Sultan”]
found in Heroldsberg
- 4 #44605 “Russian icon, Death of Mary”
found in Niederpöcking
- 5 #44609 “Russian icon, Madonna (Hodigitria)”
found in Niederpöcking

Soviet Restitution Officers Accepting Delivery at the Munich Central Collecting Point

Johannes Felbermeyer Collection,
Courtesy, Library, Getty Research Institute (89.P.4)

- 6 Overhead view of one of the main distribution halls
- 7 Close-up of Soviet restitution officer (unidentified)

Arrival of Soviet Books at the Offenbach Archival Depot (OAD), near Frankfurt-am-Main

US NA, Still Pictures Division, RG 260—POAD—II
from the album, “Offenbach Archival Depot: Photographic History”
Isaac Bencowitz, Captain S.R., Director

- 8 Books from Schloss Banz, Bavaria (POAD—II—10)
569 cases, approximately 110,000 books
- 9 Books from Staffelstein, Bavaria (POAD—II—12)
318 cases, Dutch, French, Russian, and other books
Dutch restitution officer Maj. Graswinckel, his driver and car

Processing and Restitution of Soviet Books at the Offenbach Archival Depot (OAD), near Frankfurt-am-Main

US NA, Still Pictures Division, RG 260—POAD—II
from the album, “Offenbach Archival Depot: Photographic History”
Isaac Bencowitz, Captain S.R., Director

- 10 Books and other materials as they arrive at OAD (POAD—II—18)

- 11 Sorting books from Eastern Europe and Hebrew libraries (POAD–II–21)
 by means of photographic reproduction of library markings,
 10,000 books per day
- 12 Packing Room (POAD–II–23)
 50 boxes (ca. 10,000) books per day

Restitution of Soviet Books at the Offenbach Archival Depot (OAD), near Frankfurt-am-Main

US NA, Still Pictures Division, RG 260—POAD–II
from the album, “Offenbach Archival Depot: Photographic History”
Isaac Bencowitz, Captain S.R., Director

- 13 Soviet Books ready to leave for Russia, Ukraine, and Belarus (POAD–II–34)
 (1,055 cases, approximately 232,000 books) ready
 Lt. Col. A. M. Slavin (left) and Major V. M. Ivanoff [Ivanov] (right)
 Soviet restitution officers, with Captain Isaac Bencowitz, OAD director
- 14 First shipment of Soviet books from the American Zone (POAD–II–35)
 Eight freight cars of books (1,055 cases, 232,000 books), comprising Transfers 4 and 5
 ready to leave OAD for Berlin and the USSR (7 August 1946)
 Left to right: Major Nikolaew Hucoraebbu, Major V. M. Ivanoff [Ivanov],
 Soviet restitution officers, with Captain Isaac Benkowitz
- 15 Diagramatic Map of Book Restitution from OAD (POAD–II–49)

Book Stamps Identified from Libraries in the Soviet Union from the Album

“Library Markings from Looted Books, Made at the Offenbach Archival Depot”*

US NA, Still Pictures Division, RG 260—LM–II (Volume I—Eastern)
Isaac Bencowitz, Captain S.R., OAD Director

- 16 Book stamps from Estonia, numbers 1–66 (missing nos. 4, 60)
- 17 Book stamps from Latvia, nos. 1–527; “Latvia–Addition” 528–578 (missing nos.
 16, 33, 74, 269, 276, 328, 333, 342, 357, 363, 393, 395, 406, 416, 422, 438, 457, 464, 470)
- 18 Book stamps from Lithuania: Kaunas (Kovno), nos. 1–306 (missing no. 12)
 Vilnius (Wilno/Vilna), nos. 1–213 (missing nos. 41, 103, 117, 127, 148)
- 19 Book Stamps from Russia (Russland), nos. 1–313, B-1–B-35 (missing nos. 51, 57, 69, 109,
 124, 131, 136, 151, 220, 246, 269, 272, 274, 277, 279, 281, 284, 291, 299, 300, 304, B-5, B-9,
 B-21, B-27, B-31, B-32)
- 20 Book Stamps from Belarus (White [Russia] Russland), nos. 1–163, B-1–B-10, C-1
 (missing nos. 4, 12, 21, 109, 130, 134, 155, 160, B-5)
- 21 Book Stamps from Ukraine, nos. 1–226, B-1–B-12, C-1–C-9, and 2 unnumbered
 (missing nos. 22, 27, 162, 169, 171, 178, 192)

N.B. The book stamps reproduced here represent in their entirety those sections from the OAD albums for all of the different western republics of the Soviet Union in their postwar configuration (now the independent countries of Estonia, Latvia, Lithuania, Belarus, and Ukraine), in addition to the Russian Federation. There are, however, numerous errors and inconsistencies in the placement of book stamps in the albums themselves. For example, many markings from collections in areas now part of Ukraine are found in the “Russland (Russia)” section, probably because they were in Russian and date from the prerevolutionary period of the Russian Empire. Many of the stamps representing prerevolutionary (or pre-Soviet) collections do not necessarily indicate the Soviet institution from

which the books were looted by the Nazis. Many of the earlier collections and private holdings represented had long since been abolished, and most of their holdings had been nationalized by 1941; although many of those had been accessioned by major state or Academy of Science libraries or other institutions (to which their transfer can be traced), other collections were dispersed. Also, there have been many subsequent changes in the configuration of administrative-territorial entities.

In the extant albums in the Still Pictures Division, some of the photographs of stamps are missing on some pages. In a few cases, the additional copies of “Volume I–Eastern” (vols. IV and V) contain a few of the missing stamps and hence pages from those albums have been reproduced as well.

The section for “Poland” is not included, although this section contains scattered book stamps from collections in western areas of Belarus, Ukraine, and Lithuania (and especially Vilnius [Polish Wilno]), which were part of Poland before 1939.

Pages with stamps missing from Volume LM-II (“Volume I–Eastern”) or supplemental listings that have been located in other copies of the albums (see Introduction, fn. 59) in US NA are included here under the section to which they belong. The copy of “Volume I–Eastern” still held in the personal collection of first OAD director, Colonel Seymour Pomrenze has the same stamps missing as in the US NA copies, except the Pomrenze albums had copies of two Hebrew stamps missing from the “Ukraine” section—nos. 22 and 178.

Many of the monthly OAD reports (in RG 260) include lists of libraries identified with the book stamps, ex libris, or other markings, but they are not being reproduced here. For the most part, numbered collections on those lists do not match up with the numbered book stamps reproduced in the albums. In some cases the lists are not complete, and often are not always cumulative. Again, the problem mentioned above arises with the assignment of library names to specific national listing; many of them are inaccurate. These inaccurate and/or incomplete listings are indicative of the sorting and distribution problems involved in the books returned to the USSR from Offenbach, but they will require further, more detailed investigation than can be presented here.

* Regarding these albums, see “Introduction,” pp. 24–26, and especially footnote 59.

FOREWORD

One of the most profound and long-term effects of the Second World War was the dislocation of cultural heritage resulting from widespread looting and destruction. The nations of Eastern Europe, and particularly the USSR, suffered great losses.

Allied forces occupying Germany and Austria at the end of the war embarked on a massive effort to identify and return cultural property to the countries of origin. The United States restituted several million items from its zones of occupation, including much valuable material to the USSR.

Dr. Patricia Kennedy Grimsted has provided a valuable historical service in documenting the extensive American restitution to the USSR. Dr. Grimsted's research provides further clarification of the postwar record, and will contribute, hopefully, to improved American-Russian understanding.

Michael J. Kurtz
August 2000

PREFACE AND ACKNOWLEDGMENTS

An initial version of the present documentary collection, entitled “Cultural Restitution to the USSR from the United States Zones of Occupation in Germany and Austria, 1945–1957: The Record in Official Documents from the U.S. National Archives,” including my introductory essay, was completed in March 2000 and reproduced by the U.S. National Archives in ten copies. Three of the copies were presented in Russia, as a special edition prepared for the Conference “Mapping Europe: The Fate of Looted Cultural Valuables in the Third Millennium,” held in Moscow on 10–11 April 2000, at the All-Russian State Library for Foreign Literature, VGBIL (Vserossiiskaia gosudarstvennaia biblioteka inostrannykh literatury imena M. V. Rudomino). Two copies of the initial volume were presented in Kyiv with my presentation lecture for the State Committee on Archives of Ukraine, DAKU (Derzhavnyi komitet arkhiviv Ukraïny).

I am extremely glad to have been invited to participate in the Moscow conference, which provided the occasion for the presentation of the initial version of this volume. Appreciation especially is due the director, Ekaterina Iu. Genieva, who deserves much credit for conceiving of the conference and with whom I have participated in several previous symposia regarding restitution issues. Karina Dmitrieva deserves gratitude for organizational arrangements at VGBIL in Moscow. Both of them encouraged me to undertake this project, and I also appreciate the encouragement and assistance from Nikolai I. Nikandrov of the Ministry of Culture of the Russian Federation and Valerii D. Kulishov, now retired from the Ministry as an independent researcher. Following my conference presentation in Moscow, Deputy Minister of Culture Pavel V. Khoroshilov has taken a special interest in this project and, together with Ekaterina Iu. Genieva, is planning publication of a Russian-language version in Moscow under their joint institutional sponsorship. I am very honored by this response. Likewise, I am gratified by the tremendous interest in Ukraine, where a Ukrainian-language version of this volume is already underway in collaboration with the National Archives of the United States, edited by Hennadii Boriak, Deputy Chief of the State Committee on Archives of Ukraine (DAKU).

Since the spring presentation version was produced, I have found the transfer documents for an additional restitution of cultural treasures from the United States to the Soviet Union, which took place in Washington, DC, in August 1959. The revised title, introduction, and list of shipments reflect this addition. Also of considerable interest, the Soviet copies of the official transfer documents for the two transfers that took place in Washington, DC, in 1957 and 1959 have been located in Moscow in the Archive of Foreign Policy of the Russian Federation (AVP RF). And the further transfers after Soviet receipt have likewise been documented. I appreciate the assistance of colleagues at the Ministries of Foreign Affairs and of Culture of the Russian Federation in this connection. My introduction also incorporates some additional corrections and clarifications about some of the restitution developments discussed that have come to light during the course of further research.

Of particular importance in this respect, I am very grateful to archival colleagues in Moscow, who have made additional efforts to find the corresponding Soviet copies of the transfer documents for the first seventeen transfers presented here. So far, however, their search has been unsuccessful.

Much of the research for this project has been performed while I was a Research Scholar at the United States Holocaust Memorial Museum in Washington, DC. There I was working on a related study of Nazi agencies involved in archival and library looting, particularly those

operating in Silesia and the Sudetenland, whose cultural plunder was taken to the USSR after the war. I greatly appreciate the facilities and financial support provided for me by the Holocaust Museum, which also contributed to the present study. Editorial scrutiny by Michael Gelb greatly improved the text. My friends Konstantin Akinsha and Lynn Nicholas deserve considerable gratitude for assistance while I was working on this project in Washington. Both read earlier drafts of my Introduction and helped me in locating additional documentation and illustrations.

The introductory text draws heavily on chapter 6 in my forthcoming book, *Trophies of War and Empire: The Archival Heritage of Ukraine, World War II, and the International Politics of Restitution* (Cambridge, MA: Distributed by Harvard University Press for the Ukrainian Research Institute, 2001). I am very appreciative of the willingness of the Institute to permit me to use the material in advance of publication of the book itself. Much of the research in the National Archives and other repositories in Germany, Paris, Moscow, and Kyiv was conducted in preparation for that study. I am very indebted to the many friends and colleagues who assisted me in various archives and other repositories, and who consulted with me in the course of my research over many years. It is not possible to name all of them here.

Given the opportunity I have had for additional research in the National Archives (the materials used are now all concentrated in College Park, Maryland) since that book was completed, the present study provides a much more extended treatment and documents additional U.S. restitution shipments not covered in my earlier book. I particularly appreciate consultations with archivist Amy Schmidt in the Modern Military Records unit of the National Archives during my recent research. Not only did she help me track down additional documentation, but she also assisted in the technical preparation of the documents for reproduction. I am also especially grateful for the participation of Michael J. Kurtz and the facilities he provided for the reproduction of the documents at the National Archives. Steve Puglia deserves much credit for the technical work of reproduction. I am exceedingly appreciative that the National Archives was able to respond to the demand for additional copies and issue this revised version. Many thanks go to Sharon Thibodeau for editorial oversight and the multiple arrangements involved and to Benjamin Guterman for the detailed preparation of this edition.

Patricia Kennedy Grimsted
Washington, DC, August 2000
Moscow, October 2000

Editorial Note: As this edition was going to press, the final report of the U.S. Presidential Commission appeared, but it was not possible to update the text accordingly. See *Plunder and Restitution: The U.S. and Holocaust Victims' Assets: Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the United States and Staff Report* (Washington, DC: GPO, 2000). Neither was it possible to include references to the latest volume of documents published by the Center for East European Research (Forshungstelle Osteuropa) of the University of Bremen: Ulrike Hartung, *Verschlept und verschollen: Eine Dokumentation deutscher, sowjetischer und amerikanischer Akten zum NS-Kunstraub in der Sowjetunion (1941–1948)* (Bremen: Edition Temmen, 2000).

ABBREVIATIONS AND ACRONYMS

AG	Adjutant General
AHC	Ardelia Hall Collection, part of RG 69 and RG 260 in US NA
AVP RF	Arkhib vneshnei politiki Rossiiskoi Federatsii (Archive of Foreign Policy of the Russian Federation), under the Ministry of Foreign Affairs, Moscow
BAK	Bundesarchiv (Federal Archives), Koblenz (most Nazi-period holdings earlier in BAK are now in the Bundesarchiv in Berlin-Lichterfelde, but the files cited here remain in Koblenz [BAK])
CCP	Central Collecting Point (under OMGUS)
CDJC	Centre de Documentation Juive Contemporaine, Archive (Center for Contemporary Jewish Documentation, Archive), Paris
ERR	Einsatzstab Reichsleiter Rosenberg
FO	Foreign Office, Great Britain
GA RF	Gosudarstvennyi arkhiv Rossiiskoi Federatsii (State Archive of the Russian Federation), Moscow, <i>formerly</i> TsGAOR SSSR and TsGA RSFSR
GMDS	German Military Documents Section, U.S. Army
HICOG	U.S. High Commissioner for Germany
LCM	Library of Congress Mission
NBU	Natsional'na biblioteka Ukraïny im. V. I. Vernads'kyi NAN (V. I. Vernads'kyi National Library of Ukraine of the National Academy of Sciences [NAN] of Ukraine), Kyiv, <i>before May 1996</i> , TsNB
MFA&A	Museums, Fine Arts, and Archives (protection units in Western Allied Armies and Occupation forces)
NKVD	Narodnyi komissariat vnutrennikh del (People's Commissariat of Internal Affairs), <i>after 1946</i> , MVD (German transcription, NWVD)
OAD	Offenbach Archival Depot (OMGUS), near Frankfurt-am-Main
OMGUS	United States Office of Military Government for Germany
PRO	Public Record Office (National Archives), Kew Gardens
RAN	Rossiiskaia Akademiia nauk (Russian Academy of Sciences)
RG	record group (used in US NA citations)
RGANI	Rossiiskii gosudarstvennyi arkhiv noveishei istorii (Russian State Archive of Contemporary History), Moscow, <i>formerly</i> Central Committee Archive, 1992–1999, TsKhSD

RGASPI	Rossiiskii gosudarstvennyi arkhiv sotsialno-politicheskoi istorii (Russian State Archive of Socio-Political History), Moscow, <i>formerly</i> TsPA—Central Party Archive, 1992–1999, RTsKhIDNI
RKU	Reichskommissariat Ukraine (Reich Commissariat of Ukraine), headquartered in Kovno
RMbO	Reichsministerium für die besetzen Ostgebiete (Reich Ministry for the Occupied Eastern Territories [USSR])
RTsKhIDNI	Rossiiskii tsentr khraneniia i izucheniia dokumentov noveishei istorii (Russian Center for Preservation and Study of Documents on Modern History), Moscow, <i>formerly</i> TsPA—Central Party Archive, <i>now</i> RGASPI
SVAG	Sovetskaia voennaia administratsiia v Germanii (Soviet Military Administration in Germany)
TsDAVO	Tsentral'nyi derzhavnyi arkhiv vyshchikh orhaniv vlady i upravlinnia Ukraïny (Central State Archive of High Organs of Power and Administration of Ukraine), Kyiv, <i>formerly</i> TsDAZhR URSR
TsNB	Tsentral'na naukova biblioteka im. V. I. Vernads'kyi NAN (V. I. Vernads'kyi Central Scientific Library of the National Academy of Sciences of Ukraine), Kyiv, <i>now</i> NBU
US NA	National Archives of the United States, Washington, DC, and College Park, MD
USFET	United States Forces, European Theater
VGBIL	Vserossiiskaia gosudarstvennaia biblioteka innostranoi literatury im. M.I. Rudomino (M.I. Rudomino All-Russian Library for Foreign Literature), Moscow
YIVO	Yidisher Vischaftlekher Institut (Jewish Scientific Research Institute), <i>before</i> 1939, Vilnius, <i>now</i> New York City

INTRODUCTION

Documenting U.S. Cultural Restitution to the USSR, 1945–1959

Patricia Kennedy Grimsted

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Documenting U.S. Cultural Restitution to the USSR, 1945–1959*

Patricia Kennedy Grimsted

The Historical Context: Justifying the Soviet Spoils of War

Among the many historical “blank spots” in the traditional Soviet presentation of World War II and postwar developments has been the Western restitution of Nazi-looted archives and other cultural treasures to the USSR from U.S.-occupied Germany and Austria. The resulting lack of accurate information hitherto available in Russia about wartime pillage and restitution transfers has had disastrous effects in the political arena. It has brought about a virtual new Cold War with Western members of the Council of Europe. It has made vacuous for Russia countless international conventions and resolutions adopted by the United Nations, UNESCO, and other bodies calling for the restitution of plundered cultural treasures to their countries of origin.¹

Knowledge about the extensive cultural treasures brought back to the Soviet Union as spoils of war was, for the most part, suppressed during the Soviet regime until the final years of *glasnost'* in 1989–1990. Then information gradually surfaced in Russia and in the West about the secret depositories for trophy art, about the millions of “trophy books” in an abandoned church

* The present study draws heavily on chapter 6 in my forthcoming book, *Trophies of War and Empire: The Archival Heritage of Ukraine, World War II, and the International Politics of Restitution* (Cambridge, MA: Distributed by Harvard University Press for the Ukrainian Research Institute, 2001), but includes many new findings. See also my article “Displaced Archives and Restitution Problems on the Eastern Front from World War II and its Aftermath,” *Contemporary European History* 6:1 (1997): 27–74; an earlier, shorter version appeared as “Captured Archives and Restitution Problems on the Eastern Front: Beyond the Bard Graduate Center Symposium,” in *The Spoils of War: World War II and Its Aftermath: The Loss, Reappearance, and Recovery of Cultural Property*, ed. Elizabeth Simpson (New York: Henry N. Abrams, 1997), pp. 244–51, 270–71. Earlier versions also appeared as “Displaced Archives and Restitution Problems on the Eastern Front from World War II and its Aftermath,” *Janus: Revue Archivistique/ Archival Review*, 1996, no. 2, pp. 44–76; with a German variant: “Verschleppte Archive im Bereich der Ostfront: Aus dem Zweiten Weltkrieg und seinen Folgen resultierende Rückgabeprobleme,” *Quatuor Coronati Jahrbuch*, no. 33 (1996): 23–60.

¹ See my article “‘Trophy’ Archives and Non-Restitution: Russia’s Cultural ‘Cold War’ with the European Community,” *Problems of Post-Communism* 45:3 (May/June 1998): 3–16.

outside of Moscow, and the kilometers of state and private archives from countries all over Europe that had been held for half a century in the top-secret “Special Archive.”²

As European countries started adamantly demanding the restitution of their cultural treasures and archives, the Russian Government and legislators decided they needed a law “to establish necessary legal bases for realistically treating said cultural valuables as partial compensation for the loss to the Russian cultural heritage as a result of the plunder and destruction of cultural valuables by the German occupation army and their allies in the course of the Second World War.” Nationalistically oriented deputies in the Duma and a vast majority of the public at large believed that the trophies should not be returned.

In the midst of the four-year struggle over passage of the law, Russia was admitted to the Council of Europe in January 1996. In order to secure acceptance, among the commitments Russia was required to make were two specific “intents” for restitution of archives and other cultural treasures belonging to member States.³ Since that document was signed, Russia’s parliamentary bodies have ignored those intents, a disregard that culminated in May 1997 with the passage of a law that nationalizes all cultural treasures brought to Russia at the end of the Second World War. President Boris Yeltsin twice vetoed the law, the second time, instead sending it to the Constitutional Court. But the Court forced him to sign it into law, which according to the Constitution, he had to do before the high Court could consider it. After Yeltsin signed the law on 15 April 1998, restitution was again put on hold while the Court considered the constitutionality of the law.⁴ On 20 July 1999, the high Court handed down its decision that the law “is not in conflict with the Constitution.”⁵ The essence of the 48-page ruling:

² Regarding the artworks brought back to the USSR in the aftermath of World War II, see Konstantin Akinsha and Grigorii Kozlov (with Sylvia Hochfield), *Beautiful Loot: The Soviet Plunder of Europe’s Art Treasures* (New York: Random House, 1995); revelations about the trophy art first appeared in a series of articles by the same authors in *ARTnews* in 1991. See also the revelations of Pavel Knyshevskii with the texts of still-classified documents in *Dobycha: Tainy germanskikh reparatsii* (Moscow: Soratnik, 1994), and the review by Mark Deich, “Dobycha—V adres Komiteta po delam iskusstv postupilo iz pobezhdennoi Germanii svyshe 1 milliona 208 tysiach muzeinykh tsennostei,” *Moskovskie novosti*, no. 50 (23–30 Oct. 1994): 18. Regarding the books and archives, see additional references in my articles and book cited in the initial note (*) and fn. 1.

³ Council of Europe Parliamentary Assembly, Opinion No. 193 (1996)—“On Russia’s request for membership of the Council of Europe,” adopted 25 January 1996, which Russia was obliged to sign as a condition of admittance.

⁴ “Federal’nyi zakon ‘O kul’turnykh tsennostiakh, peremeshchennykh v Soiuz SSR v resul’tate Vtoroi mirovoi voyny i nakhodiashchikhsia na territorii Rossiiskoi Federatsii’” (signed 15 Apr. 1998–64-FZ), *Sobranie zakonodatel’stva Rossiiskoi Federatsii*, no. 16 (20 Apr. 1998), stat. 1879. An authoritative English-language translation by Konstantin Akinsha and Lynn Visson, “Federal Law on Cultural Valuables Displaced to the U.S.S.R. as a Result of World War II and Located in the Territory of the Russian Federation,” together with the original Russian text is found at the website of the Project for Documentation of Wartime Cultural Losses (<http://docproj.loyola.edu>). That website also provides a succinct summary of the law’s major provisions and offers advice for prospective claimants. A variant translation is published as “Federal Law No. 64-FZ of April 15, 1998, on Cultural Treasures Transferred to the Union of Soviet Socialist Republics as a Result of World War II and Located in the Territory of the Russian Federation,” in *Washington Conference on Holocaust-Era Assets*, November

determined that cultural valuables seized from Nazi Germany should not be returned to former “aggressor countries.” At the same time, it said that countries that fought against Hitler, as well as victims of the Holocaust and the Hitlerite regime, are entitled to the restitution of their cultural heritage.⁶

On 25 May 2000, President Vladimir Putin signed into law amendments to the 1998 law that reinforce the Russian Constitutional Court decision.⁷

There is no question about the unprecedented extent to which Soviet cultural treasures and archives were plundered, damaged, and destroyed during World War II. Destroyed archives cannot be replaced, even “in kind,” because archives by definition are original documents and the official record of the agencies that created them. Understandably, the Russian public and its legislators are unanimously demanding the return of their cultural treasures and archives that were seized by the Nazis, as were Soviet authorities in Germany in the immediate postwar period. But most Russian legislators appear to have little regard for the rights of other nations to have their plundered treasures returned, and they still refuse to distinguish between the treatment of art and archives.

But, the argument still runs, since looted Russian cultural treasures were not returned from the West, Russia should not be obliged to return those that were seized by Soviet authorities after the war in compensation, or as “restitution in kind” for the Soviet treasures lost and destroyed. Given that mind-set, the Soviet regime was never receptive to the philosophy behind the Western Allied postwar cultural restitution programs, and the general U.S. refusal to adopt the policy of “restitution in kind.” Accordingly, as the Iron Curtain fell around the Stalinist regime, and Germany was divided in two, information about the significant postwar cultural restitution by the

30–December 3, 1998: *Proceedings*, ed. J. D. Bindenagel (Washington, DC: U.S. Department of State, 1999; Publication 10603), pp. 1049–62.

⁵ The text of the Constitutional Court ruling was first published in *Rossiiskaia gazeta*, no. 155 (19 Aug. 1999): 4–5. The full text also appears in *Sobranie zakonodatel'stva Rossiiskoi Federatsii*, no. 30 (26 Aug. 1999), stat. 3989, pp. 6988–7007. The Russian text together with the original law appears on the Internet at the website of VGBIL in Moscow—<http://www.libfl.ru/restitution>.

⁶ The quoted statement is from the “RFE/RL Newline” (21 July 1999), found on the Internet. A similar story was filed the same day by Reuters, found in the news compilation “Russia Today.” See also the statements by Minister of Culture Vladimir Egorov and several museum leaders in “Nachinaem restituivat', No Germanii ne dadim nichego,” *Kommersant*, no. 127 (21 July 1999), p. 10, and “Spravedlivoe reshenie v nespravedlivykh obstoiatel'stvakh,” *Kul'tura*, no. 27 (29 July–4 Aug. 1999), p. 1.

⁷ The text of the law with the new amendments— “O vnesenii izmenenii i dopolnenii v Federal'nyi zakon ‘O kul'turnykh tsennostiakh, peremeshchennykh v Soiuz SSR v resul'tate Vtoroi mirovoi voiny i nakhodiashchikhsia na territorii Rossiiskoi Federatsii’” (signed 25 May 2000–No. 70-FZ), is published in *Rossiiskaia gazeta*, no. 155 (27 May 2000), pp. 4–5; and *Sobranie zakonodatel'stva Rossiiskoi Federatsii*, no. 22 (29 May 2000), stat. 2259. See the text at <http://www.libfl.ru/restitution>.

Western Allies and the retrieval of Soviet cultural treasures and archives that did take place was not made public.

The extent to which information about the postwar Western Allied restitution programs was suppressed, and even denied, in the Soviet Union was apparent in the press and in Parliament in connection with passage of the law to nationalize the extensive Soviet “spoils of war.” During debates over the law, Russian Duma leaders adamantly assured legislators that Russia should be entitled to keep all of its extensive spoils of war—especially those seized from Germany and other Axis powers—because none of the Soviet cultural treasures looted by the Nazis were returned from Germany. Nikolai Gubenko, having earlier served as Soviet Minister of Culture under Mikhail Gorbachev, led the four-year fight for the passage of the law through the Russian Parliament, and now heads the Committee on Culture in the Duma. He kept repeating the refrain that was often echoed by his colleagues during the debates in July 1996: “Now we are asked to return ... what we received from the aggressor. We ourselves, we received nothing that had been taken away.”⁸ There was often the implication, sometimes even explicit, that, if they were not still in Germany, then the Soviet cultural treasures plundered by the Nazis must have all been taken to America. In a radio interview in 1997, just before the final vote on the law in Russia’s upper house of Parliament, Gubenko quoted a German newspaper article to the effect that “‘Russia Had Been Robbed Twice’—first by Fascist Germany and then by its Allies Since the largest part of displaced cultural treasures ... was found at the end of the war in the southern territory of Germany that fell under U.S. occupation, most of the treasures, including the Russian ones, were transported across the ocean.”⁹ The same point of view is still heard today in Russia. Available documentation, however, and especially the inventories of Soviet cultural property restituted during the postwar years, does not support such statements. The documents presented here provide quite a different picture.

⁸ Aleksandr A. Surikov, addressing the Council of the Federation, quoted in *Sovet Federatsii Federal'nogo Sobraniia, Zasedanie deviatoe, Biulleten'*, no. 1 (17 July 1996), p. 59. The same argument was also presented by Nikolai Gubenko, p. 60. At the time Gubenko was Deputy Head of the Committee on Culture in the Duma, but he now heads the Committee.

⁹ Gubenko referred to a 1991 German press article in *Der Zeit*. Nikolai Gubenko, interview with the radio station “Echo of Moscow” (22 Apr. 1997), “Luchshie interv'iu” (p. 10 of 12), electronic version (<http://www.data.ru/echo/2504gub.html>). At the time, Gubenko was making many similar statements in the Russian mass media.

Postwar Cultural Restitution by the Western Allies

No comprehensive or comparative study of the postwar Allied restitution programs in Germany and Austria has been undertaken, and many aspects have never been described in print. The most thorough general study of the American policies, with a detailed survey of international legal and procedural matters, was initially prepared as a doctoral dissertation by Michael J. Kurtz.¹⁰ At the international conference on the Spoils of War in New York City (January 1995), Kurtz summarized postwar legal developments affecting restitution.¹¹ He has not, however, dealt with issues involved in restitution to the USSR. In Eastern Europe itself, the Polish international legal scholar Wojciech Kowalski has analyzed from a legal standpoint the varying concepts of restitution, including “restitution in kind,” and their practical developments after the war. Although his emphasis is on Poland, his coverage and its implications extend to the entire Continent.¹² But neither does he cover U.S. restitution to the USSR.

After the triumph over Nazi Germany, growing disagreements between the USSR and the Western Allies about the fate of Germany and about reparation policies, together with the burgeoning Cold War, prevented quadripartite agreement for cultural restitution. As a result, cultural restitution (or non-restitution) was handled differently in each occupation zone. Immediately after the Potsdam Conference in early September 1945, the unilateral American program of restitution of displaced cultural treasures to the country of origin started in full force from the over 1,800 salt mines, castles, and other depositories in the U.S. Zones of Occupation in Germany and Austria where the Nazis had hidden their loot. A U.S. Army directive on the subject was issued over the signature of General Lucius Clay on 19 September 1945.¹³

¹⁰ Michael J. Kurtz (now Assistant Archivist for Records Services—Washington, DC, for the U.S. National Archives and Records Administration), *Nazi Contraband: American Policy on the Return of the European Cultural Treasures, 1945–1955* (New York: Garland Press, 1985).

¹¹ See Kurtz’s contribution to the New York symposium, “The End of the War and the Occupation of Germany, 1944–1952: Laws and Conventions Enacted to Counter German Appropriations, the Allied Control Council,” in *The Spoils of War*, pp. 113–16. Kurtz’s updated study of the subject is in preparation.

¹² Wojciech W. Kowalski, *Art Treasures and War: A Study on the Restitution of Looted Cultural Property, Pursuant to Public International Law* (London: Institute of Art and Law), especially chapters 2 and 3. See also Kowalski’s earlier study, *Liquidation of the Effects of World War II in the Area of Culture* (Warsaw: Institute of Culture, 1994), originally published in Polish as *Likwidacja skutków II Wojny Światowej w dziedzinie kultury*, 2nd ed. (Warsaw: Institute of Culture, 1994).

¹³ For drafts and discussion of the text see US NA, RG 260 (OMGUS), Records of the U.S. Group Control Council (Germany) (USGCC), 1944–45, box 23. See also the U.S. directive as printed in *Amtsblatt des Kontrollrats in Deutschland*, no. 1. See also the printed *Report of the American Commission for the Protection and Salvage of Artistic and Historic Monuments in War Areas* (Washington, DC, 1946), copies of which are found with related documentation in the records of the Commission (often known as the Roberts Commission), US NA, RG 239.

The U.S. Military regulations requiring restitution of cultural treasures to the country of origin appeared in print on the standard printed receipt forms for cultural property that was turned over to U.S. Central Collecting Points established to process restitution shipments in the U.S. Zone of Occupation:

RESTITUTION. Restitution of looted cultural materials to the nations of origin will be effected as rapidly as suitable arrangements can be made. (18-102)

LOOTED CULTURAL OBJECTS. The term 'looted cultural objects' includes all cultural objects which have been acquired since 1 January 1933 by the Nazis within Germany or those acquired in territories occupied by the Germans or their allies either:

a. directly by duress or wrongful acts of confiscation, dispossession or spoliation, whether pursuant to legislation, or by procedure purporting to follow forms of law, or otherwise; or

b. indirectly by purchase or other transaction regardless of whatever consideration may have been employed. (18-100.5)¹⁴

The U.S. postwar restitution program drew heavily on the work of the specially appointed British and American “monuments men”—the Monuments, Fine Arts, and Archives (MFA&A) officers—who were attached to the Western invading armies in Europe to monitor the protection of cultural treasures. Their work and the problems they faced have been very effectively described by Lynn Nicholas in several chapters of her 1994 book, *The Rape of Europa*. That account is followed by illuminating final chapters surveying postwar restitution from the Collecting Points that were organized in the U.S. Zone of Germany. Written before the revelations about the long-hidden Russian “spoils of war,” Nicholas’s book does not deal with the issues of postwar cultural plunder on the Soviet front or U.S. restitution to the USSR.¹⁵ Those subjects were as little known or understood publicly in the West as they were in the Soviet Union during the Cold War decades.

Yet American authorities in Germany were fully aware of the Soviet policy of cultural reparations, or what could have legally and euphemistically been termed “restitution in kind,” as part of Stalin’s broader reparations policy involving the removal of vast factories, to say nothing of other durable goods, clothing, and wine. The industrial equipment fit within agreed-upon reparation policies, and the foodstuffs were much needed in western regions of the USSR that had been so brutally ravaged by war against the German invader. But none of the Allied

¹⁴ These are part of the statements that appear on the standard printed forms for receipts for cultural property found and identified by MFA&A officers in Nazi hideaways, confiscated from German individuals or institutions, or otherwise acquired by U.S. Collecting Points. The quoted regulations appear in Occupation manuals and many other documents in the OMGUS records in US NA, RG 260.

¹⁵ Lynn Nicholas, *The Rape of Europa: The Fate of Europe’s Treasures in the Third Reich and the Second World War* (New York: Alfred A. Knopf, 1994), see especially chapters 8–10, regarding the invasions, and chapters 11–13, on American postwar restitution.

agreements authorized the USSR to empty German museums in “compensatory restitution,” as was done in Berlin and the Soviet Zone. American authorities in Germany learned about the Soviet cultural plunder from many sources—from German museum directors fired by Soviet officials to outraged specialists in libraries and archives. As is apparent in secret reports sent back to Washington, the Americans had extensive lists of Soviet seizures from the Berlin and Dresden museums, from the mines of Saxony, and many other repositories. One report in files of the United States Office of Military Government (OMGUS) detailed, for example, “Russian Removals from the Islamic Department of the Former Prussian State Museum.” Another report noted: “Flakturm-am-Zoo and the Pergamon were completely emptied of the considerable material they contained in June and July just before the arrival of American and British forces in Berlin.” Appended was a note that “the Russians took from the Dresden museums everything except German 19th-century paintings and a few second rate other things and plaster casts.”¹⁶

Still another report attested to the Soviet transport from the Antiquities Division (Antiken Abteilung) of the same museum—“The big and the small frieze from the Pergamon Altar and about 100 detached items from Pergamon and Magnesia . . .” It continued:

The Soviet authorities under the direction of Prof. Lazareff removed 1,800 statues from the Altes and Neues Museum. Further removals include 800 objects from the Miscellaneous Inventory, 7,000 vases and 2,000 glass paste items, 9,000 gems, 6,500 terra cottas including many Tanagra figurines and 3,000 objects from museum excavations. (Berlin museum officials agree to these figures.)

[Explanation of Soviet dismissals of museum staff.] . . . Thus there is the not unlikely possibility that the Antiken Abteilung will be reduced to a professional staff of one inexperienced person with little knowledge of the collections themselves. Consequently it will be difficult if not impossible to ascertain the known losses and the Russian removals will go undocumented.¹⁷

Enclosures provided similar detailed data about removals from other museums in Berlin, Potsdam, Dresden, and other cities.

American authorities never made these data public at the time or since. Yet these contemporary reports corroborate data released in Moscow over the past decade and even more details published recently in the West. As late as April and May 1947, when the above-cited long series of reports was sent to Washington, there was still hope among the Americans to maintain “peaceful and friendly” relations and to encourage Soviet cooperation in Germany. Hence, in

¹⁶ See, for example, the secret report on “Soviet Removals of Cultural Materials” (7 May 1947) addressed to the Adjutant General at the War Department from Lt. Col. G. H. Garde, with 23 enclosures, most of them detailed reports about specific Soviet removals, US NA, RG 260 (OMGUS), AG decimal file 1947, box 129.

¹⁷ The quotation is from enclosure #4, “Antiken Abteilung,” sent with the 7 May 1947 report to the War Department in Washington (see fn. 16). Detailed reports of additional Soviet removals from other repositories are provided in the other enclosures.

later communications about restitution policies and the specifics of restitution transfers, U.S. authorities were not prepared for a confrontation with Soviet authorities over Soviet cultural seizures. As explained in several of the accompanying American memoranda sent back to Washington, they also wanted “to protect the informants,” which may also help explain the longstanding “secret” classification.¹⁸ Unfortunately, by suppressing the information at the time, the United States now appears to have condoned the Soviet plunder. Indeed, the American silence contributed to the lack of public knowledge about the fate of those displaced cultural treasures for the next half century.

Surprisingly, despite increasing U.S. knowledge of Soviet cultural seizures in Germany, U.S. restitution to the USSR continued as it did to other countries. Given that U.S. policy, it is less surprising that, when queried at the 1995 Spoils of War Symposium in New York, the participating former directors of the postwar U.S. restitution centers had no recollection that there had been any shipments to the USSR. The present author then called the attention of those assembled to a September 1948 U.S. Army list of thirteen shipments of over ½ million cultural treasures restituted to the USSR from the U.S. Zone of Germany.¹⁹ In a context of growing Cold War mentality, that restitution had apparently not been made public at the time in either the West or the USSR.

Nineteen U.S. Restitution Transfers to the USSR. Few have taken cognizance of that U.S. Army document, first published in facsimile in Ukraine in 1991, listing transfers to the USSR between September 1945 and September 1948 from U.S. restitution centers in Germany.²⁰ In 1996, that same list was published in a Frankfurt newspaper by Professor Wolfgang Eichwede, director of the Center for East European Research (Forschungstelle Osteuropa) at the University of Bremen. More recently, in 1998 the document was published again in facsimile in a Bremen

¹⁸ This attitude is very apparent in the report on “Soviet Removals of Cultural Materials,” cited in fn. 16.

¹⁹ The question was raised during the discussion after the session on the American restitution program. When none of the participants recalled any shipments, I pointed out my publication of the U.S. Army document several years earlier in the Ukrainian edition of my study of displaced cultural treasures in Ukraine during and after the war (see fn. 20). See Grimsted, “Captured Archives and Restitution Problems on the Eastern Front,” in *Spoils of War*, p. 246.

²⁰ The official U.S. Army list and accompanying memorandum were first published as an appendix to Grimsted (with Hennadii Boriak), *Dolia skarbiv Ukrain's'koï kul'tury pid chas Druhoï svitovoï viiny: Vynyschennia arkhiviv, bibliotek, muzeiv* (Kyiv: Arkheohrafichna komisiiia AN URSR, 1991), pp. 117–19. The original list, “Restituted Russian Property,” and covering memorandum (20 Sept. 1948), are from US NA, RG 260, Records of the Property Division, Reparations and Restitution Branch, MFA&A Section, Records Pertaining to Restitution, Soviet—General, box 723. The list was enclosed with a report (20 Sept. 1948) from Richard F. Howard, Deputy Chief for Cultural Restitution (MFA&A). Another copy of the list is found in box 38, but that copy lacks the accompanying memoranda and correspondence and does not indicate the Kyiv components.

compendium dealing with displaced cultural treasures on the Eastern Front. The Bremen volume contains the most comprehensive and best-documented article to date on the U.S. restitution to the USSR.²¹ This was one of the results of a long-term Bremen project to identify Nazi-plundered cultural treasures from the USSR, which had a creative goal of securing a more positive Russian attitude towards the restitution of sequestered German cultural treasures, and especially the Bremen Kunsthalle drawings still held in Russia. But it was not until Professor Eichwede located and acquired fragments of the Amber Chamber from the Russian imperial palace of Tsarskoe Selo, which could be offered to Russia for an exchange, that part of the Bremen Kunsthalle collection was returned to Bremen in late April 2000 (and so far, only those drawings found in private hands in Russia).²² While in respect to the restitution of German cultural treasures in Russia the Bremen project had limited success, in a more positive vein the project brought together significant documentation about Nazi plundering activities in Soviet lands and about postwar American restitution.

With the growing Cold War in Germany after 1945, Soviet authorities began to complain bitterly about American non-restitution of cultural treasures despite the fact of those U.S. shipments. Indeed, the summary list of thirteen restitution shipments had been prepared in the fall of 1948 by the Restitution Division of OMGUS in answer to inquiries and complaints by Soviet authorities about the lack of American restitution and the rejection of Soviet claims. An accompanying U.S. memorandum noted that the number of items returned to the USSR “amounted to a far greater number of items than the number of items officially claimed [by Soviet authorities].”²³ Subsequent to that list, there were at least three additional restitution shipments from the U.S. Zone in Germany—a shipment of books in December 1948 and two other shipments from the U.S. High Commissioner for Germany in Berlin in 1952 and 1953. Documents also confirm a transfer in Salzburg, Austria, in December 1945 of books and scientific materials from Smolensk.

²¹ The U.S. Army list also appears as an illustration in Wolfgang Eichwede and Ulrike Hartung, eds., *Betr.: Sicherstellung”: NS-Kunstraub in der Sowjetunion* (Bremen: Edition Temmen, 1998), p. XXXVI. See especially the article by Gabriele Freitag, “Die Restitution von NS-Beutegut nach dem Zweiten Weltkrieg” (pp. 170–208), based on documents collected by the Bremen Project.

²² See, for example, Celestine Bohlen, “Arts Abroad: A Homecoming for Treasures Looted in War,” *New York Times*, 27 April 2000.

²³ The U.S. Army memorandum “Status of Applications for the Restitution of Soviet Cultural Property Filed with MFA&A Section, Restitution Branch, Karlsruhe,” signed by Richard F. Howard, Deputy Chief for Cultural Restitution (20 Sept. 1948), also appears in Grimsted, *Dolia skarbiu*, pp. 117–19. It was enclosed with a report by Howard, found in the same box, US NA, RG 260, Records of the Property Division, Reparations and Restitution Branch, MFA&A Section, Records Pertaining to Restitution, Soviet—General, box 723.

Ten years later, 31 icons that an American Army captain had brought home from Germany to Texas as booty were confiscated by U.S. Customs and officially restituted to the Embassy of the USSR by the U.S. Department of State in Washington, DC. An additional transfer under the auspices of the Department of State took place two years later in 1959, involving 31 prehistoric artifacts that had surfaced in the American Museum of Natural History in New York City.

Accordingly, we can now document nineteen transfers between September 1945 and August 1959. Materials returned included many types of cultural treasures, from the Neptune Fountain from Peterhof to collections of insects and herbaria, from paintings and icons to thousands of archeological finds, ethnographic artifacts, and porcelain from many museums in Russia, Ukraine, and Belarus, as well as archival materials and library books.

The figure of nineteen restitution shipments, it should be noted, does not include other transfers not handled by the MFA&A section of OMGUS. For example, in November 1945, there was a restitution of several truckloads of archival documents, including land-survey and transfer records (50 sheets), plans of collective farms (399 sheets) in the Ukrainian SSR, and geographic maps from several areas of the USSR (one truckload).²⁴ To cite another example, in February 1946 a certain Lt. Col. I. A. Lopasov signed a “Receipt and agreement for delivery of identifiable property other than cultural objects” in Frankfurt for “the contents of 801 [large] sacks of Soviet currency” (rubles) removed by U.S. authorities from a vault in the Reichsbank in Mulhausen (Thuringia).²⁵

Complete records of the American transfers, including the accompanying inventories, have long been open to the public in the West, although the actual documents are hard to find, located as they are in a number of different boxes of OMGUS and (the two later ones) State Department records in the U.S. National Archives. For treasures of the visual arts and museum exhibits brought to the Central Collecting Points in the U.S. Zone of Occupation in Germany, property cards were prepared for individual items of significant value, or otherwise for lots or collected items. These were similar to those prepared by the Einsatzstab Reichsleiter Rosenberg (ERR), one of the leading Nazi agencies responsible for cultural plunder throughout Europe. In many cases items were photographed at the Collecting Points, and most of those pictures have been

²⁴ Those archival materials held in an American storage facility in Kitzingen (Bavaria) were delivered in Ochsenfurt (19 Nov. 1945) with an appropriate restitution claim (no. 123R) and a receipt signed by Major Tuzov (SVAG). The signed custody receipt is retained in US NA, RG 260, Records of the Property Division, Property Control and External Assets Branch, Records of Branch Chief, box 22.

²⁵ The transfer took place in Frankfurt (5 Feb. 1946), delivered with an appropriate receipt signed by Major Lt. Col. I. A. Lopasov (SVAG). The receipt carries a note that because of the “badly damaged condition” of some of the sacks, and because “a sufficient number of large sacks was not available at the time of the resacking, ... the total number of sacks released [was increased] from 801 to 813.” US NA, RG 260, Records of the Property Division, Property Control and External Assets Branch, Records of Branch Chief, box 22.

preserved. Copies of most of the property cards and photographs are available to researchers in the National Archives, and in the case of those from the Munich Collecting Point, also in the Bundesarchiv in Koblenz.²⁶ Complete microfilm copies of the negatives linked to the property cards from the Munich Collecting Point are now held (on temporary loan) at the National Gallery of Art in Washington, where an electronic finding aid is in preparation.

To be sure, the property cards for art from the Soviet Union are often not as detailed as would be desired. The Künsberg and ERR specialists involved in looting from Soviet lands often did not have as thorough reference materials on which to base their own inventories, and they often did not have the time to prepare the types of detailed card descriptions for looted art such as was done for the Jewish-owned collections from France. Thus it is not surprising to find, for example, the caption “Portrait of a general, standing (before landscape)” for the famous portrait of Emperor Alexander I (ca. 1825) by George Dawe that had been painted for the Military Gallery in the Winter Palace in St. Petersburg (reproduction 1—#11475); or the caption “Medieval warriors and slaves at the seashore” for a copy of a well-known painting by Ilia Repnin, “Zaporozhian Cossak Writing a Letter to the Turkish Sultan” (reproduction 2—#18322). Soviet art historians were not on hand at the collecting points to assist or monitor identification and descriptive work (although U.S. authorities had expressed willingness to receive specialists), and the Soviet officers who were sent to accept restitution shipments invariably were not qualified museum specialists.

The Bremen Database of Restitution Shipments. In 1996, at the time of the first publication in Germany of the list of thirteen U.S. restitution shipments, the Bremen Center released a German-language database on CD-ROM with summary listings from the “Property Cards—Art” prepared by the U.S. collecting points, covering the ½ million property cards for cultural objects returned

²⁶ Copies of the Property Cards-Art remain (many with photographs) among the records of the U.S. Central Collecting Points in the National Archives (College Park, MD), some in more than one copy, as part of the OMGUS records (RG 260), Records of the Property Division, most of them within the Ardelia Hall Collection (AHC). Several sample property cards (with photographs) are reproduced here (photograph nos. 1–5). Some of the photographs and files of negatives, along with a complete set from Wiesbaden, are held separately in the Still Pictures Division. For some shipments, especially some from Munich, photographs are also found attached to an additional copy of the property cards themselves, grouped by Munich shipment number within the AHC files.

Another copy of the property cards and photographs from the Munich and Wiesbaden Collecting Points, and even more inventories, along with many of the ERR wartime records, remain today in the Bundesarchiv in Koblenz (BAK), as part of record group B 323—Treuhandverwaltung für Kulturgut (TVK). A newly available finding aid greatly improves access. See the brief description by the German art historian who has used the records most extensively, and especially for her new book—Anja Heuss, *Kunst- und Kulturgutraub: Eine vergleichende Studie zu Besatzungspolitik der Nationalsozialisten in Frankreich und der Sowjetunion* (Heidelberg: Universitätsverlag C. Winter, 2000), pp. 16–22.

from the U.S. Zone to the USSR.²⁷ This was one of the most impressive achievements of the Bremen project. The database presents in German translation the descriptive information found on the property cards, and when available, attribution of provenance and the name of the Soviet repository from which the items had been looted. The database also records information from many of the Soviet claims that were officially submitted, as required, to the U.S. restitution authorities in Germany. Another important part of the database records information from the U.S. transfer documents, including the date and place of transfer, the number of units involved, the dispatching American officer, the Soviet receiving officer, and the archival signature for the documents from which the data was recorded.

The Bremen list of shipments, presented in an introduction to the CD-ROM, presents twenty-one transfers to the USSR, and hence significantly diverges from the list of “U.S. Restitution Shipments to the USSR” presented here. The augmented total is misleading, however, because it includes three restitution transfers to Russian émigré groups or individuals in exile, which were *not* turned over to Soviet authorities and never went back to the USSR. These, and others as well, are discussed below in the section on exceptions and “Non-Restitution to the USSR.”²⁸

Also included in the Bremen database is an October 1962 shipment that took place under German, rather than U.S. auspices, after the U.S. Collecting Points were closed down. Nine boxes of technical and scientific books from Kyiv and Voronezh collections, among others, were shipped from the former Cultural Collecting Point in Munich to the Soviet Embassy in Bonn. The books had been found in the University of Heidelberg Library in 1961, and were thence transferred to Munich. Since there was no U.S. involvement in the transfer, it is not counted here.²⁹ On the other hand, the present list also includes the December 1945 transfer from Salzburg, Austria, which understandably was not included in the German database, although

²⁷ Wolfgang Eichwede and Ulrike Hartung, eds., “Property Cards Art, Claims und Shipments auf CD-ROM: Amerikanische Rückführungen sowjetischer Kulturgüter an die UdSSR nach dem Zweiten Weltkrieg”—Die CD der Arbeitsstelle “Verbleib der im zweiten Weltkrieg aus der Sowjetunion verlagerten Kulturgüter” (Bremen: Forschungsstelle Osteuropa, 1996).

²⁸ The Bremen transfers numbered RES 9, 10, and 17 all went to Russian émigrés, including the large transfer of rare coins, silver, and other miscellaneous items transferred to a group of Russian Kuban Cossacks in Germany who had been associated with the Vlasov movement during the war, as documented below (see fn. 135). The tenth Bremen transfer contained a single silver ladle for the same group.

²⁹ Transfer papers for this shipment remain among the residual records of the Munich Collecting Point now held in the Bundesarchiv-Koblenz, BAK, B 323/497. A receipt (dated Bonn, 25 October 1962) was signed by W. I. Iwanov [V.I. Ivanov], 3rd Secretary of the Soviet Embassy. A German report in the same file notes that the shipment was further addressed to the Central Collector of Scientific Libraries in Moscow (“Zentralnyi Kollektor naukschnych Bibliotek, Moskwa/ UdSSR, Neglinaja Uliza, 9”). Dr. A. Martens in the Bundesarchiv in Koblenz kindly provided me a copy of the relevant documents. No documentation about this transfer has been located in OMGUS or State Department records in the U.S. National Archives. The transfer is recorded in the Bremen CD database under the listing “RES 21,” but in fact, this should not be listed as a U.S. transfer.

documentation about it is available in OMGUS records. This was the only U.S. transfer to the USSR from Austria for which documentation has been found.

Archival Restitution from Berlin and Pilsen

Relatively few Soviet archival records plundered by the Nazis reached Germany, as most of those that were evacuated remained closer to home—in Poland, Silesia, Czechoslovakia, or Romania. Archival materials were nonetheless involved in the first two American restitution transfers.

Novgorod Archives Returned from Berlin. In fact, the first U.S. restitution transfer to the USSR consisted solely of archives, returned to Soviet authorities in Berlin on 20 September 1945, days after the U.S. policy directive on restitution was issued. That shipment comprised four freight-train wagons with some 1,000 packages of “archival material removed by the Germans in 1943 from Novgorod,” and which were “stored at the Preussisches Geheimes Staatsarchiv” in Berlin-Dahlem.³⁰ In the case of those “Novgorod” archival materials—which apparently also included some from Pskov—returned directly from Berlin before the opening of the U.S. restitution centers, the official transfer inventories listed only the numbers of the 333 crates loaded in four railroad freight wagons (with numbers provided). Not even survey fond-level inventories of the contents have been found among remaining U.S. or German records. Nazi documentation about four freight cars of archival records from Novgorod and Pskov shipped to Berlin in 1943 is available among the ERR records in Kyiv, although some runs of newspapers and other materials were included as well as archival documents.³¹ Quite probably, these are the same materials returned from Berlin-Dahlem, since no indication has been found of other archival materials from Novgorod shipped by the Nazis to Germany. As late as 1998 Russian archival authorities reported no knowledge or documentation about the receipt of the

³⁰ A receipt for this shipment, from the U.S. Headquarters, Berlin District, signed by Lt. Col. Constantin Piartzany [*sic*] (Berlin, 20 Sept. 1945), together with a four-page list of box numbers for the 333 crates in the four numbered railway wagons, is found in US NA, RG 260, Property Division, AHC, box 40, but no further description of the contents has been located. The fact that this transfer was made in Berlin before establishment of the U.S. Collecting Points may explain the lack of better documentation.

³¹ Quite probably these are the same materials mentioned in ERR reports and inventories, referencing four wagons from Novgorod, Pskov, and Gatchina, first shipped to Riga and then to Berlin: TsDAVO, 3676/1/136, fols. 53–78. The inventory is accompanied by a report by German archivist Wolfgang Mommsen (8 Sept. 1942), fols. 74–76. Further research on this matter is under way.

first American restitution shipment, and archivists in Novgorod were equally baffled about the matter.³²

A reasonable explanation for the Soviet confusion or lack of notice of this first United States restitution transfer may come not only from the fact that the transferred materials were not accompanied by U.S. inventories. Apparently, at least some of the materials were simply deposited in a Berlin warehouse after receipt without any indication of their source, as is apparent from a recently declassified Soviet Trophy Brigade report dated March 1946 surveying various holdings in Germany. At the end of a list of over 200 German institutions from which “trophy” materials were taken to send to the USSR, there is brief coverage of the holdings remaining in various Soviet “trophy warehouses [sklady trofeinykh organov].” A listing for the “Warehouse of the Central Commandant in Berlin” describes “among other property” a complex of “materials taken from Novgorod and other cities of the USSR,” including complexes of local and central Russian newspapers, engravings (and engraving plates) from the Novgorod archive or museum, paintings, and “quite valuable” local drawings, along with books, early charters and “Novgorod military supply records (1935–1936).” At least some of the items on the list appear to match up with the Nazi seizure and shipping reports from Novgorod. In effort to clarify the fate of this transfer, available details are added here, but further investigation is still needed.^{32a}

Ukrainian and Latvian Archives and Museum Exhibits Returned from Czechoslovakia.

The lack of descriptive inventories of transferred materials in the Novgorod case contrasts sharply to those in the other U.S. shipments. The second American restitution transfer to the

³² Soviet receipts for this shipment have not been found; when Rosarkhiv queried the Novgorod Oblast State Archive on my behalf in 1996, archivists found no documentation. As late as fall 1998, other specialists from Novgorod were unable to find any local documentation regarding such a shipment to Novgorod. See the comment to this effect (in response to my mention of this transfer in an earlier publication) in the introduction to *State Archives of the Russian Federation: Lost Archives Funds*, book 1; (Moscow–St. Petersburg: Ministry of Culture, 1999; *Summary Catalogue of the Cultural Valuables Stolen and Lost during the Second World War*, vol. 4), p. 19. At the Moscow VGBIL conference in April 2000, the director of the Novgorod museum complex told me he has found documentation about that restitution, but I have not as yet been able to examine it.

^{32a} The only specific archival materials listed are Novgorod military supply records (1935–36) and charters from Tartu (Iu'ev) and Rakvere (Wesenberg). Other materials listed, including the complexes of newspapers from Moscow, St. Petersburg/Leningrad, Novgorod, and Pskov (dating back to the 1880s), were quite probably taken from libraries of local archives. Also listed is “a collection of engravings (and engraving plates) probably from the Novgorod archive or museums,” books from the Novgorod Red Army House, and some paintings and “quite valuable drawings from Novgorod, Pskov, and St. Petersburg (late 19th century).” As listed in “Otchet rabote Upolnomochennogo Komiteta po delam kul'tprosvetucherzhdenii pri Narkome RSFSR po Sovetskoi zone okkupatsii Germanii, c 6 maia po 31 dekabria 1946 [sic, 1945] g.” (Berlin, 31 March 1946), GA RF, A-534/2/10, fol. 58. The document was signed by A. D. Manevskii, the chief of the Trophy Brigade sent by the Committee on Cultural Educational Institutions (predecessor of the Ministry of Culture). (Since the report bears Manevskii's signature [dated 31 March 1946], and all of the dates mentioned therein are prior to that, presumably the closing date of the report is 31 December 1945 [rather than 1946]).

USSR, totaling approximately twenty-five freight-train wagons of archives and other cultural treasures plundered from Ukraine and Latvia, took place on 25 October 1945 west of Pilsen (*now Czech*, Plžen), in the part of Czechoslovakia liberated by the U.S. 3rd Army. That transfer consisted of extensive early court records from the Polish period in Volhynia (16–18th centuries) and the eighteenth-century Rumiantsev Survey of Ukrainian lands (Malorosiia) from the former Kyiv Archive of Early Records, along with rare early printed books and manuscripts from the Library of the Academy of Sciences (TsNB) in Kyiv. Those treasures had been found in early May 1945 by the U.S. 3rd Army in the Bohemian castle of Trpísty, northwest of Pilsen. Even more extensive early archives and museum exhibits looted by the Nazis from Riga, including many archeological relics, were found in the nearby Monastery of Kladruby to the southwest. The official act of transfer, with a twelve-page inventory, was signed by U.S. and Soviet authorities. The inventory of the Kyiv archival materials had been prepared and signed by the volksdeutsch Slavic scholar Nikolai Geppener, whom the Nazis had taken with the shipment and who insisted on accompanying those treasures back to Kyiv (unfortunately after his return, he was persecuted as a Nazi collaborator). Another signatory was Riga museum curator Marina Grinberg, whom the Nazis had brought to Kladruby along with their loot.³³

Restitution of Cultural Treasures from the Munich and Wiesbaden Collecting Points

Shipments from Munich CCP. Six of the U.S. restitution shipments to the USSR, constituting large transfers of archeological materials, treasures of the visual arts, and other museum exhibit items, were processed through the U.S. Central Collecting Point in Munich. Operations there were memorialized in a well-illustrated published account by the first director, Craig Smyth.³⁴ Albums of photographs from the Munich CCP remain in the U.S. National Archives, and a separate collection of photographs prepared by the official Munich CCP photographer, Johannes

³³ A ten-page inventory of the transfer, involving Latvian archives and museum exhibits totaling 1,160 crates (22 freight cars), was signed on 25 October 1945. US NA, RG 260, Records of the Property Division, AHC, Restitution and Custody Receipts, box 40.

³⁴ See Craig Smyth, *Repatriation of Art from the Munich Collecting Point in Munich after World War II* (Maarssen, The Hague: Gary Schwartz SDU Publishers, 1988). In addition to the records of the Munich Collecting Point within the OMGUS Property Division records (AHC), other remaining records are held in Koblenz (BAK), B 323 (see fn. 26). See also the series, “Photographs of the Restitution of Art and Other Activities at the Munich Central Collecting Point,” Still Pictures Division, US NA, 260-MCCP; many of the photographs come from an album prepared by Smyth.

Felbermeyer, is held by the Getty Center in Los Angeles.³⁵ The USSR shipments from Munich involved the contents of the most important depositories in Bavaria that were used by the ERR for art treasures “saved” from Soviet lands. The three most extensive ERR depositories in Bavaria for treasures from the East were the castle of Colmberg, near Lehrberg (Landkreis Ansbach); the castle of Höchstädt (Landkreis Dillingen), near Augsburg; and the former Carthusian (Salesianer) Monastery in Buxheim, near Memmingen. Inventories attached to the official U.S. transfer receipts provide brief item- or packing case-level descriptions. In many instances, they indicate the Soviet institutions from which the treasures had been looted, and usually the repositories where they had been found in Germany, together with the U.S. property-card numbers. These were based on the detailed reconnaissance reports compiled by MFA&A officers, and sometimes on Nazi-prepared inventories found in the castles. In some cases ERR personnel and other personnel brought by the ERR from the USSR were found on or near the premises and interrogated by MFA&A officers. Some of them who best knew the treasures involved were kept on by the Americans to prepare the shipments for return.

The castle of Colmberg, near Lehrberg (Landkreis Ansbach), was the principal repository for shipments of art (paintings, icons, furniture, and decorative arts) from northwest Russia, particularly Pskov and Novgorod, as well as the palaces in suburban Leningrad (Gatchina, Pavlovsk, and Peterhof). There were also some icons and other collections from Kyiv.³⁶ Some of the materials from Russia and most of those from Ukraine had earlier been shipped to East Prussia, assembled in Königsberg, and subsequently housed on the manors of Richau (Domäne Richau bei Wehlau) and Wildenhoff (Herrenhaus Wildenhoff of Count Schwerin). Shipments had been arranged with military transport through the ERR headquarters in Riga, and the numbers and provenance of the crates were indicated on the shipping list enclosed. The original Nazi inventory of icons from Pskov found in Colmberg (Ansbach) is grouped by the churches from which they came, with the Munich art property-card numbers penciled in; the shipping lists are annotated accordingly, indicating the code markings on each crate.³⁷ Possibly those

³⁵ The Johannes Felbermeyer collection of photographs of activities of the Collecting Point and of works of art held there was acquired by the Getty Center for the History of Art and Humanities, Los Angeles, CA, as part of the larger collection of work by the art photographer Felbermeyer, who served as the principal photographer there. His Munich photographs are described in an unpublished finding aid. See the collection-level description at the Getty Center website, <http://www.getty.edu>.

³⁶ See, for example, the inspection report on Colmberg Castle (Landkreis Ansbach) by James T. Tillinghast (14 Aug. 1945), and the memorandum with enclosures of Frank P. Albright (15 Feb. 1946), BAK, B 323/495. Original Nazi inventories of some of the Kyiv icons have been preserved among the ERR and RKU records in Kyiv.

³⁷ See the ERR shipping report (Riga, 26 May 1944), signed by Dr. Nerling, BAK, B 323/495. The shipping lists and the inventory of Pskov icons, “Listen der Ikonen aus Pleskau,” follow with Munich property-card numbers added in pencil. Another copy (without the Munich numbers) is preserved among the Nazi records in Kyiv.

annotations were prepared by Dr. Ernst Adalbert Vortezsch, nephew of the owner of Schloss Colmberg, who had served as a curator for the ERR and was then kept on to inventory the materials for the MFA&A. Vortezsch reported to MFA&A authorities that during the initial American attack on the castle (17 April 1945) “high explosive grenades” had damaged some of the storage rooms, and “the art-objects too had to suffer from this attack.”³⁸ An MFAA officer who inspected the castle in February 1946 reported that the icons were then “piled in four rooms, quite unprotected and ought to be returned as soon as possible.” Over 25 truckloads (2½-ton trucks) were involved in the subsequent transport from Colmberg to Munich. The first Munich shipment to the USSR was comprised entirely of cultural treasures from Colmberg (Ansbach), including the extensive collections of icons from Novgorod and Pskov, according to the accompanying inventory. Colmberg materials comprised over half of the second shipment from Munich as well, and additional Colmberg holdings were also included in later shipments.³⁹

Schloss Höchstädt, a castle on the Danube owned by the Neuberg family, was the main storage center for predominantly archeological and ethnographic exhibits from 11 different institutions in southern Russia (especially Crimea, which was then still part of the RSFSR) and Ukraine, and to a lesser extent from Belarus and Lithuania. According to one Nazi list, “transferred for safe-keeping to the castles of Höchstädt/Danube” were Ukrainian collections from the Museum of Archeology under the Institute of Archeology, the Museum of Folklore, and the Museum of Architecture, together with the archives, library, and photo library files of the Institute of Archeology of the Academy of Sciences in Kyiv; archeological and ethnographic collections from Poltava and Vinnytsia; collections from the Archeological, Ethnographic, and Historical Museum in Uman; collections from the Archeological Museums in Kerch, Kherson, Mykolaiv, and Fedosiia; archives of the museums in Bashchisarai and Simferopol; and collections from the Historical Museums in Minsk and Vilnius. The archives of the Berlin Archeological Institute also ended up in the same facility, as confirmed by detailed ERR inventories found in the castle, along with floor plans of the storage areas in the castle indicating the distribution of holdings from different institutions.⁴⁰

³⁸ See the letter of Vortezsch to Dr. Wiltraud Mersmann (8 Aug. 1946), BAK, B 323/497.

³⁹ See MFA&A “Monthly Consolidated Field Report” for Bavaria (February 1946), US NA, NA 260, Records of the Property Division, AHC, box 329. See the inventories for Transfers 6–8 (Munich nos. 1, 2, and 3).

⁴⁰ Related inventories and other documentation covering the holdings found in Höchstädt are preserved in BAK, B 323/91 and 495. See for example the inspection reports by James Rorimer and Charles P. Parkhurst, Jr. (1 May 1945, 12 June 1945, 5 July 1945, 16 Aug. 1945, and 31 Aug. 1945, among others). Another copy of some of these materials, transmitted by Edwin C. Rae, MFA&A (19 Feb. 1946), is found in US NA, RG 260, Records of the Property Division, AHC, boxes 117 and 329.

Many of the item-level Nazi inventories had been prepared in November 1943 in Cracow, where the collections had been assembled enroute to Bavaria. ERR specialists there toiled under the direction of Dr. Rudolf Stampfuss and Dr. Walther Hülle of the Special Operational Unit for Prehistory (Sonderstab Vorgeschichte). Seven Soviet specialists brought by the Nazis with the shipments via Cracow included the archeologists Valeriia Kozlovs'ka and Petro Kurinnyi from Kyiv, and Vadym Shcherbakivs'kyi from Prague. According to the MFA&A reports, some of the crates had been opened, and there had been some looting from the castle. This may have resulted from the fact that, in addition to the U.S. Army–assigned guards, U.S. engineering troops were billeted there during the summer in disregard of the “off limits” posted by MFA&A (13 June 1945). Professor Kurinnyi appealed to colleagues in Cambridge University through the Red Cross for asylum and expressed his concern about the preservation of the materials of “highest scientific importance,” including records (with negatives) of archeological expeditions. The transport from the castle to Munich, involving between 60 and 100 large truckloads, was not organized until early 1946, and many of the cultural treasures arrived in damaged condition. The restitution to the USSR of the materials found in Höchstädt started with 200 items in the second shipment from Munich, and comprised the largest part of the third Munich transfer, totaling approximately 2,400 items. As is apparent from the shipping inventory, that third shipment included the famed mosaics and frescoes from the twelfth-century Saint Michael’s Cathedral in Kyiv that had been removed before it was dynamited in 1936 as part of Stalin’s antireligious campaign. They had subsequently been stored in a closed area in the neighboring Cathedral of Saint Sophia, which the Soviet authorities had turned into a museum, and from whence they were looted by the Nazis. A detailed inventory of these materials (presumably prepared in the Munich CP), including church plans, photographs and negatives, and the frescoes themselves, remains with the Munich CP records in Koblenz.⁴¹

Similarly detailed Nazi documentation has not been located for the materials held in the extensive ERR Bavarian repository in the Monastery of Buxheim, near Memmingen, which also served as a repository for many treasures from Eastern Europe, including ethnographic collections from Kyiv. It was taken under U.S. Property Control on 18 June 1945, although MFA&A officers had first visited in May (when they found a priest, thirteen nuns, and a dormitory full of refugee children living there). They reported that “no war damage was sustained by the building, but lack of attention and care over a period of time is obvious.” Most of the objects there had not been “crated, packed, or wrapped,” but the Army kept on the Nazi

⁴¹ A copy of Kurinnyi’s letter to Sir Ellis Minns is preserved in US NA, RG 260, AHC, box 120; he was permitted to remain in Germany over Soviet protests. See the transfer receipts with inventories for Transfers 7 and 8. See also the additional inventories preserved in the Munich records in BAK, B 323/498.

curator, Otto Klein, who was supervising “a staff of five civilians currently engaged in preventing further damage and in certain phases of restoration.” Initial inspections confirmed “that most, if not all of the objects were collected in France, and possibly Italy as well, by the Einsatzstab Rosenberg.” They also identified some German treasures from Augsburg and Munich, including a container with “approximately 160 pieces by Rembrandt” which had been removed from Schloss Kirchheim (Landkreis Mindelheim), owned by Prince Fugger.⁴² Initially, the MFA&A did not realize the extent of Soviet holdings there, although later they took cognizance of that fact. As was apparent from the inventory of the second Munich shipment to the USSR, at least 254 units listed came from Buxheim, as did 70 more in the third, and still another 9 in the sixth.⁴³

Although most of the art treasures plundered from the USSR by the ERR were housed in those three repositories, a scattering of valuables came from other German storage places. A few art treasures were found in the Bamberg area, on the large estate of Rosenberg himself, and in the castle of his Paris ERR chief Baron Kurt von Behr. The Castle of Banz and the former Benedictine Abbey there were among the ERR depots evacuated by MFA&A teams. A further ERR retreat in southeastern Bavaria near the Austrian border, namely the castles of Herrenchiemsee (including a former monastery), which had earlier been favorite haunts of Bavarian King Ludwig II, also yielded some treasures from Eastern Europe.⁴⁴ At least 15 units listed on the inventory of the sixth Munich shipment to the USSR had been recovered from the important ERR repository of Schloss Neuschwanstein (Landkreis Füssen), although that repository held treasures predominantly from France. The ERR card file and photographs covering the major Jewish collections looted from Paris were also found in Neuschwanstein, but similarly detailed card files and photographs have not been found for the treasures the ERR removed from Soviet lands.⁴⁵

⁴² Reports on Buxheim (M49/T 0805 or T0906) are preserved in BAK, B 323/91 and 495; copies of some of these are also found in US NA, RG 260, Property Division, AHC, boxes 137 and 329. See also the description by James J. Rorimer, *Survival: The Salvage and Protection of Art in War* (New York: Abelard, 1950), pp. 160–61.

⁴³ See the receipts with inventories for Transfers 7, 8, and 13 (Munich nos. 2, 3, and 6). In the third Munich shipment, item nos. 2512–81 had been found in Buxheim.

⁴⁴ According to several reports, this region was one of the last retreats for several ERR leaders from Eastern Europe. There were two castles on Herrenwörth Island in Chiemsee (Landkreis Rosenheim), west of Salzburg; the older castle included an old monastery.

⁴⁵ A copy of the monthly MFA&A report (29 Aug. 1945) is found in US NA, RG 260, Property Division, AHC. Nos. 2399–2437 on the third Munich shipment to the USSR had been found in Neuschwanstein, while nos. 2242, 2267–73, and 2627–29 had been located in the Bamberg area. The ERR card file for the Paris art collections is now in US NA, RG 260, Miscellaneous Records, boxes 2–36. The related 39 albums of photographs of those collections were presented as one of the U.S. prosecution exhibits at the Nuremberg Tribunal, and hence remain in RG 238 (Collection of WW II War Crimes Records) U.S. Counsel for the Prosecution of Axis Criminality, Prosecution Exhibits, USA, 388, vols. 1–39. Copies of the pictures and even more negatives remain in the Still Picture Division,

The extent of cataloguing, identification work, and photographing undertaken by the U.S. collection points is evident in the some of the preserved inventories and case lists that were prepared in English and (in many cases) coordinated with Munich Property Card–Art and photograph numbers for individual items and cases.⁴⁶ Specialists at the Munich Collecting Point also prepared their own German-language inventories for the Russian and Ukrainian cultural treasures that had been brought in from Colmberg, Höchstädt, and elsewhere, based on the provenance and type of material involved, linking them in each case to the Munich-assigned property-card numbers. Sometimes those numbers denoted a single painting or icon; in other cases, a single number covered 35–50 glass vases, 240 books, or “26 Russian manuscripts from the eighteenth and nineteenth centuries.”⁴⁷

The fifth “Munich” shipment, actually from Nuremberg, consisted of eight freight cars with components of the Neptune Fountain from Peterhof, found in underground storage vaults in Nuremberg, the city where it had originally been crafted in the 1660s and sold to Russia in 1797. A four-page German-language inventory of its components is attached to the official transfer document.⁴⁸ But guides at the favorite tourist park and the now remarkably restored Peterhof palace in suburban St. Petersburg never mention the fact that the fountain was found and returned from Germany by the U.S. Army!

RG 260 ERR and ERRA. An additional copy of the ERR picture file and other inventories remain in BAK, B 323, as well as the inventories prepared for the art and archeological exhibits from Eastern Europe, one set organized by repository of origin.

⁴⁶ See, for example, sample English-language inventories among the Munich CP records preserved in Koblenz: “List of Items of the Cherson Archaeological Museum” (4 pp.; dated Kherson, 21 February 1944), apparently translated from the German inventory, with Munich property-card numbers pencilled in—BAK, B 323/495. The same folder also contains other English-language lists and inventories, among them, for example: a case list for “Ukrainian Ethnological Material” (mostly from Kyiv, but with indication of 5 cases of ceramics from Poltava and 32 from Vinnytsia); a photograph list with bale and case markings and a separate case list for materials from the “Ethnological Museum, Kiev”; a case list for “Prehistoric Material from the Ukraine,” indicating storage location at Höchstädt; “Registry of Archaeological and ethnographical material which were evacuated for the (time being) safety [*sic*] from the State Museum of Poltava to Institute of Early History in KIEV” (10 Oct. 1943); “LIST: Material in Archaeological Section Central Museum KRIMA [*sic*] taken out by Prof. SHTAMFUSS by special arrangement of the SIMFEROPOL city GOVERNOR” (4 Jan. 1944), with a note at the end, “Aside from this [138 units] on a different list was given to Prof. SHTAMFUSS 161 named books of Archaeological literature”; and “Designation of the cases sent from Cracow to Höchstädt.”

⁴⁷ See, for example, an extensive group of inventories of treasures from Kyiv, Poltava, Uman, Vinnytsia, the Crimea, Novgorod, Pskov, Pavlovsk, Peterhof, and Tsarskoe Selo, preserved in BAK, B 323/578. In some cases, marginal notes about the evacuation dates and intermediary shipping points have been added.

⁴⁸ In the case of the return of the Neptune Fountain, a copy of the receipt is found in RG 260, Property Division, Restitution Branch, Soviet Munich receipt no. 5, box 41, another copy is found in BAK, B 323/540. See also the article by Karin Jeltsch, “Der Raub des Neptunbrunnens aus Schloss Peterhof,” in “*Betr: Sicherstellung*,” pp. 67–74.

Shipments from Wiesbaden CCP. There were also several shipments of importance to the USSR from the Wiesbaden Collecting Point, but fewer works of art from Soviet lands ended up there.⁴⁹ An initial shipment in October 1947 totaled 7,000 items. Along with 2 paintings and 5 icons, 127 cases contained scientific materials—from insects to elk antlers. A year later in September, a second shipment transferred 4 paintings.

Although the Central Collecting Points were preparing to close at the end of 1948, American authorities were still actively collecting looted Soviet property in Germany, as is apparent from in-shipment and out-shipment records for Wiesbaden in the fall of 1948. For example, in September 1948, the Wiesbaden Collecting Point received from one person a samovar and a painting taken from Russia and from another “a wooden box containing two painted holy pictures.” In October 1948, in-shipments of looted Russian property included four icons and a religious vestment found in a castle in Lantenbach, and from a man living in Offenbach a plundered portrait and two landscape paintings.⁵⁰

Later HICOG Transfer. Even after the closing of the Collecting Points, American authorities still continued shipments as more materials were identified. Towards the end of May 1952 the Chief of the Liaison and Protocol Branch of the U.S. High Commissioner for Germany sent a letter to his Soviet counterpart informing him that the U.S. was prepared to transfer five crates with 267 paintings and other objects d’art that had been identified as Soviet property. Those materials were moved from Wiesbaden to Berlin for the transfer. However, it took over a year of negotiations before the Soviet side was agreed to accept the shipment: at that point, the Soviets were refusing to sign the regular quadripartite restitution receipt forms because they objected to some of the wording. Finally, the transfer took place in Berlin on 7 July 1953, on the basis of a negotiated shortened receipt form in lieu of the regular one. Most of the paintings transferred at that time were not identified either as to artist or the museum from which they had come, but most of them were by relatively minor nineteenth-century Russian and contemporary Soviet artists.⁵¹

⁴⁹ In addition to the records of the Wiesbaden Collecting Point in the Ardelia Hall Collection in the OMGUS records, see also the photographic series, “Photographs of Activities at the Wiesbaden Central Collecting Point,” US NA, Still Pictures Division, 260-WLA, WLB, and WLC, with a fragmentary German-language caption list in 260-WLX.

⁵⁰ Copies of these receipts are found in the records of the Wiesbaden Collecting Point in RG 260, Property Division, Reparations and Restitution Branch, box 96.

⁵¹ See the receipt for Transfer no. 17, together with an inventory of the 267 items. It was signed on the Soviet side by B. I. Kondrachuk, Deputy Chief of the Protocol and Liaison Branch of the Soviet High Commission in Germany. A Foreign Service Dispatch entitled “Restitution of Art Objects to USSR” (13 July 1953), signed by Robert C. Creel, Chief, Political Affairs Division, accompanied the copies of the receipt sent to the State Department and briefly analyzed the negotiations.

Restitution of Looted Cultural Treasures from the United States

Documentation has surfaced about cultural treasures from a number of countries that were smuggled to the United States by American military servicemen in violation of military regulations. As apparent from OMGUS records, military, and especially MFA&A, authorities were trying to control theft and illegal booty shipments out of Germany, but they did not always succeed. Prosecution was more difficult on the other side of the ocean, but as Fine Arts and Monuments Adviser in the Department of State, Ardelia R. Hall and her office remained very active in this respect, coordinating the search and seizure program. Customs authorities and museums and other repositories were on the lookout, and there are numerous examples of U.S. Government authorities tracking down illegally imported cultural treasures and arranging for their restitution.⁵² The two formal acts of restitution to the USSR that took place from Washington, DC, highlight the problem of illegal cultural booty recovered in the United States and the continuing State Department efforts to return cultural treasures to their country of origin.

Return of Icons from Ukraine found in Texas. An important example is the case of 32 icons from Ukraine that were seized by U.S. Customs in Texas in 1954. Eight of them (one a tapestry) were seized in Brownsville, Texas, and 24 in Houston. A U.S. Army captain had taken the loot from the basement of a hospital in Halle, Germany, where they had apparently been hidden by an SS officer who had brought them from Ukraine. One of the icons had a provenance notation of a church in the village of Bogdanivka (Chernihiv Oblast), and it would appear that the rest were part of the same religious collection, although possibly they had been removed earlier from the village and then looted from a museum or other places. When the seizure was reported in a Houston newspaper, a petition drawn up by the pastor of the Russian Orthodox Church there, signed by many parishioners, was submitted to Customs authorities. The priest, hoping to acquire the icons for his own church, wrote:

Only too vividly can I recall the period when Soviet government personnel ... seized many an ikon collection such as this ... and burned them in huge bonfires on the streets. ... [A]ccounts reach us even today of the anti-religious feeling in the Soviet Union. ... I am too unhappily concerned that these ikons, or any others returned to the Soviet Union would never reach a church, but would be confiscated immediately.... It is therefore my heartfelt plea that you do whatever you can to prevent the return of these ikons to the Soviet Union and their destruction.⁵³

⁵² See the report, "Search for Looted Art," *HICOG Information Bulletin*, September 1951. Voluminous files in the Ardelia Hall Collection (AHC) within the General Records of the Department of State, (US NA, RG 59, Bureau of Educational and Cultural Affairs) testify to her vigilance.

⁵³ The petition, dated 14 September 1954, is signed by the Very Reverend Alexander Chernay, Pastor, St. Vladimir's Church, Missionary for the Southwestern States, The Russian Orthodox Greek Catholic Church. It is

Despite such an appeal, however, the State Department insisted on restitution. A “Receipt for Cultural Objects” was executed in Washington, DC, on 10 April 1957, signed by V. Butrov, Counselor of the Embassy of the USSR, and witnessed by Ardelia Hall herself.⁵⁴

In this case the Soviet copy of the transfer documents and related documentation has been found in Moscow in the archives of the Ministry of Foreign Affairs of the Russian Federation (AVP RF). And what is even more interesting in this connection is that the Soviet Embassy in Washington, on 31 May 1957, turned over the icons to Archbishop Dionisii, the then acting representative of the Moscow Patriarch in the United States. The present location of the icons has not been determined. Pictures of the icons have disappeared from the appropriate State Department file in the National Archives, but photographs of two of them have been found by the Russian Foreign Ministry.⁵⁵

Archeological Artifacts from Ukraine found in New York. Two years later in August 1959, a collection of 31 prehistoric bone artifacts was identified in the American Museum of Natural History in New York City as having markings from an archeological collection in either Kyiv or Minsk, similar to those in the third Soviet shipment from the Munich Collecting Point. The artifacts had first been removed to Cracow, probably under the direction of the ERR Prehistoric Commando group, and thence taken to the Castle of Höchstädt in Bavaria. The circumstances of their illegal removal from Germany to the United States is not known, but they were presented by an army widow from Georgia to the museum, where their provenance was traced, undoubtedly in response to appeals by the Department of State for looted cultural treasures illegally brought to the United States. As in the Texas case, Ardelia Hall personally presided over the transfer to a representative of the Soviet Embassy in Washington. The Soviet copy of the transfer documents has likewise been located in Moscow by the Russian Foreign Ministry (AVP RF), and archivists there report that in October 1959 the Ministry of Foreign Affairs of the

found in an extensive file documenting the case in US NA, RG 59, AHC, box 7. I am grateful to Konstantin Akinsha for calling my attention to this file. The petition is reproduced below (with Transfer no. 18).

⁵⁴ See the facsimile signed custody receipt for Transfer no. 18. Regrettably the photographs of the icons are missing from box 7, although a card notes that a complete set was enclosed in the file.

⁵⁵ The official act of transfer on 31 May 1957 was executed by the Head of the Consulate Division of the Embassy of the USSR in the USA and Archbishop Dionisii, Acting Exarchate of the Moscow Patriarch in the United States. Together with a covering memorandum (15 June 1957), the related documents with photographs were forwarded to Moscow, where they are now preserved in the Archive of Foreign Policy of the Russian Federation (AVP RF). A copy of the U.S. act of transfer and inventory of the 31 icons was also enclosed. Copies of the documents from AVP RF, fond 192/37(por no. 21)/213, fols. 50–52 ff., are held by the Ministry of Culture RF. I am grateful to Nikolai I. Nikandrov of the Ministry of Culture for acquainting me with this documentation.

USSR turned over the returned artifacts to the President of the Academy of Sciences of the Ukrainian SSR, A. V. Paladin⁵⁶

Restitution of Library Materials (Offenbach and Other Sources)

Offenbach Archival Depository (OAD). The three restitution shipments of library materials to the USSR on the October 1948 U.S. Army list all had been processed through the Offenbach Archival Depository (OAD), the centralized collection point in the U.S. Zone of Occupation and restitution center for books and archives. Located in a former I. G. Farben warehouse outside of Frankfurt, OAD was characterized as “the American antithesis to the ERR.” In what was undoubtedly “the biggest book restitution operation in library history,” OAD processed over 3 million displaced books and manuscripts (and related ritual treasures) between its opening in the winter of 1946 and its closure in April 1949.⁵⁷ The U.S. directors developed a streamlined system for identification, sorting, and repacking—all memorialized in a series of commemorative albums.⁵⁸ As an essential ingredient in the identification process, photographs

⁵⁶ The 31 prehistoric bone artifacts were transferred on 18 August 1959 in Washington, DC, to Gennadii D. Fursov from the Soviet Embassy. See the facsimile reproduced below (Transfer no. 19). Russian labels on individual artifacts undoubtedly led to the identification. Pictures, including copies of the notations are preserved in US NA, RG 59, General Records of the Department of State, Bureau of Educational and Cultural Affairs, Fine Arts & Monuments Adviser, AHC, box 9. I am grateful to Elena Belevich, Deputy Director of the Historico-Documentary Department of the Ministry of Foreign Affairs for communicating the information to me about the Soviet copies of the U.S. transfer document and the additional documentation of transfer to Ukraine on the basis of documents located in AVP RF.

⁵⁷ Still the most detailed account was prepared by one of the U.S. MFA&A officers involved with postwar restitution in Germany, Leslie I. Poste, *The Development of U.S. Protection of Libraries and Archives in Europe during World War II* (Fort Gordon, GA: U.S. Army Civil Affairs School, 1964; revised from a doctoral dissertation prepared at the University of Chicago, 1958), devotes a chapter to OAD, pp. 258–301, with a chart of out-shipments by country, pp. 299–300. Poste’s concluding statement about OAD is repeated on p. 310. See also Poste’s earlier article, “Books Go Home from the Wars,” *Library Journal* 73 (1 December 1948): 1699–1704. See the special online exhibit about OAD at the website of the United States Holocaust Memorial Museum (<http://www.ushmm.org/oad/>).

⁵⁸ See the article by F. J. Hoogewoud, “The Nazi Looting of Books and Its American ‘Antithesis’: Selected Pictures from the Offenbach Archival Depot’s Photographic History and Its Supplement,” *Studia Rosenthaliana* 26:1/2 (1992): 158–92, which reproduces selected photographs from the albums illustrating OAD operations. Copies of the original two albums, “Photographs of the Operations of the Offenbach Archival Depot,” are retained in the Still Pictures Division, US NA, 260-PHOAD. Two other volumes now filed in the same series depict activities of the ERR during World War II. Additional copies of the two Offenbach albums, “Photographic History” (May–November 1946), prepared under the second director, Captain Isaac Bencowitz, are found in OMGUS records, RG 260, Property Division, AHC, box 777.

were prepared of all ex libris, book stamps, and other markings found in the books arriving for processing, so that sorting could be done by collection and library of provenance.⁵⁹

The system was hardly foolproof, however, as remaining OAD reports and the albums themselves make clear. Knowledgeable Soviet library representatives did not come to Offenbach to assist with identification, as was the case with some other countries. And unfortunately, nobody at OAD knew Slavic languages well, nor did they understand the complexities of Soviet library organization and the migration of Russian, Belorussian, Ukrainian, and Polish collections (including many Jewish ones) in connection with postrevolutionary Soviet nationalization and wartime international border changes. Hence, it is not surprising that we find many Ukrainian library stamps listed under “Russia—‘Russland’,” and others in the “Poland” section in the OAD albums. Many monthly OAD reports include appended lists of libraries by countries, with separate sections for Poland, Russia, and Ukraine, among others. Both Vilnius (*Polish* Wilno; *Russian* Vilna) and Lviv (*German* Lemberg; *Polish* Lwów) collections are often found listed under “Poland,” although according to Stalin’s redrawn postwar international frontiers, both of these cities had been annexed to the Soviet Union. Many collections from the Ukrainian capital of Kyiv (*Russian* Kiev) and other eastern Ukrainian cities are found in the “Russian” rather than

⁵⁹ Copies of the original albums with photographs of bookplates of libraries and private collections, organized by country of provenance, are retained in the Still Pictures Division, US NA, 260-XL, “Photographs of the ‘Ex Libris’ Library Bookplates, taken by the Offenbach Archival Depot” (the two volumes are identical). Most of the 478 bookplates are from Germany, but some are from France (including the Rothschild library), Great Britain, and the Netherlands. Another copy of the album entitled, “Ex Libris Found among looted books in the Archival Depot,” prepared under Bencowitz, is found in OMGUS records, RG 260, Property Division, AHC, box 778.

There are six albums of book stamps under the US NA designation “Photographs of Library Markings from Looted Books, Made by the Offenbach Archival Depot,” in US NA, Still Pictures Division, 260-LM. Album I, prepared under the third director, Joseph Horne, covers private library markings, arranged alphabetically by the name of the library or surname of the individual, with later sections devoted to Jewish and Catholic libraries. Album II (partially duplicated in Albums IV and V), but actually marked “Vol. I Eastern,” prepared under Bencowitz, covers Eastern Europe, with successive sections for “Czecho-Slovakia, Estonia, Greece, Hungary, Kovno (mostly Jewish), Latvia, Poland, Russland, White Russland [Belarus], Wilno, Ukraine, and Yugoslavia.” The photographs of some of the stamps originally included are missing from Album II, but many of these (and a few others added later) are preserved in Albums IV or V. Album III (partially duplicated in Album VI), but actually marked “Vol. II Western,” also prepared under Bencowitz, covers Western Europe, arranged alphabetically by country. Another copy of “Volume I Eastern” is found in OMGUS records, RG 260, Property Division, AHC, box 779, but that copy is lacking some of the book stamps from Belarus and has lesser quality reproductions; another copy of “Volume II Western,” is found in box 780. Some stamps that were missing in the first volume of “Eastern” book markings were found in other copies, as indicated in the list of reproductions in the Table of Contents.

Another copy of both volumes of book markings remain in the private collection of Colonel Seymour Pomrenze, the retired archivist who served as the first director of OAD. Colonel Pomrenze kindly showed these to me and later checked his copy of “Volume I–Eastern” against those stamps missing in the US NA copies. The same stamps were also missing there, except the Pomrenze albums had copies of two Hebrew stamps missing from the “Ukraine” section—nos. 22 and 178.

Given the importance of these albums from OAD records for tracing the fate of many of the library collections from former Soviet lands, the sections covering library stamps from those areas are being reproduced in their entirety as part of this facsimile publication. I appreciate the assistance of Michael Hussey in verifying and arranging their reproduction in College Park.

“Ukrainian” lists. Such discrepancies may be responsible for the fact that many books plundered from Ukraine by the Nazis and restituted to the USSR by the United States were never returned to Ukraine. Recent tributes to the Offenbach operations, together with the reminiscences of the first director, Colonel Seymour J. Pomrenze, were presented at a 1996 conference in Amsterdam honoring the fiftieth anniversary of restitution from OAD.⁶⁰ But none of those mention the identification and distribution problems, particularly with respect to Eastern European collections, which still need more thorough analysis.

A large portion of the books that passed through Offenbach had come from the Institute for Research on the Jewish Question (Institut zur Erforschung der Judenfrage) in Frankfurt established in March 1941 (Bockenheimerlandstr. 68), which had operated under Rosenberg auspices. Extensive collections of Judaica and Hebraica were also shipped there from Soviet lands under Nazi occupation. When bombing started in Frankfurt, many Institute operations and library collections were moved to the more isolated village of Hungen, some seventy kilometers to the northeast, where a storage depository and several related ERR research units were functioning already by 1942 in the Castle of Solms-Braunfels and neighboring buildings. American MFA&A officers who inspected the area immediately after liberation found between 1½ and 2 million books and periodical volumes in at least eight different places within the village.⁶¹ A considerable quantity of Judaica was also brought to Offenbach from Berlin, including books and manuscripts from private Jewish libraries, some from Paris, and part of the library of the Berlin Jewish Community, some of which had been found in the Gestapo headquarters (Eisenacherstr. 11/13) and other buildings that had been used by the Reich Security Main Office (Reichssicherhauptamt).⁶² As will be explained below, however, a large part of the Judaica and Hebraica from Soviet lands and elsewhere in Eastern Europe found in Frankfurt and Hungen was not returned to the “country of origin,” but rather handed over to the Library of

⁶⁰ Seymour J. Pomrenze, “Offenbach Reminiscences and the Restitutions to the Netherlands,” in *The Return of Looted Collections (1946–1996). An Unfinished Chapter: Proceedings of an International Symposium to Mark the 50th Anniversary of the Return of Dutch Collections from Germany*, ed. F. J. Hoogewoud, E. P. Kwaardgras et al. (Amsterdam, 1997), pp. 10–18.

⁶¹ A two-page summary MFA&A report on Hungen (inspected 9 Apr. 1945) is included in the “Semi-Monthly Report on MFA&A for period ending 15 April 1945,” Headquarters, 3rd U.S. Army, G-5 Section (17 Apr. 1945), US NA, in Records of Allied Operational and Occupation Headquarters, World War II, RG 331, box 334; another copy is found with the records of the Internal Affairs Branch/751, box 19. See the later, more detailed inspection report by the U.S. restitution officer in charge, Glenn H. Goodman, “Rosenberg—Institut für Judenforschung, Repositories in Hungen, Oberhessen,” [nd], US NA, National Archives Collection of Foreign Records Seized, RG 242, AGAR-S, no. 1454. See also the background discussion of ERR Frankfurt operations in Hoogewoud, “The Nazi Looting of Books,” pp. 158–92.

⁶² Incoming shipments are detailed in the OAD monthly reports. In this case, see especially the reports in US NA, RG 260, Property Division, AHC, Offenbach Administrative Records, box 250.

Congress Mission and the Jewish Cultural Reconstruction Committee for distribution in the West and in Israel.

Many books plundered by the ERR also arrived from the Bamberg area, which was the principal retreat of its leadership in the final months of the war. Rosenberg's own castle was located on an estate in that area, as was Schloss Banz in the nearby town of Lichtenfels, owned by Baron Kurt von Behr, who had directed the ERR Paris office. After von Behr and his wife committed suicide there at the end of the war, "thousands of books and documents were found stored in readily accessible parts of the castle's cellars. Others were discovered in a cement-covered steel vault five stories underground." Large quantities of ERR library loot were also found in the former Benedictine Monastery of Banz, which is the site whence U.S. Army brigades also removed the ERR records that had been evacuated to the West.⁶³ Several additional troves of ERR materials were found in the nearby town of Staffelstein.⁶⁴ Additional books were brought into Offenbach from many other points, including a large shipment from Berlin. Many books that had been officially evacuated (rather than looted) from the Prussian State Library (Preussischer Staatsbibliothek) were also brought in for resorting in Offenbach, including the extensive collections that had been evacuated from Berlin to the Monastery of Teplá (west of Pilsen) in Czechoslovakia.

Offenbach records show that a total of 273,645 books were restituted to the USSR between 2 March 1946 and 30 April 1949, on the basis of confirmed library stamps, ex libris, or other markings.⁶⁵ Two transfers in 1946 consisted of 1,055 crates. The first, on 10 June 1946, contained 760 cases (ca. 167,200 books) and the second, on 31 July 1946, involved 295 cases (ca. 64,900 books). According to freight-car packing lists found in Offenbach records, the two

⁶³ Rorimer, *Survival*, pp. 159–60. See also contemporary U.S. Army reports and, for example, "Weekly Summary" (week ending 21 July 1945) of the Military Government in LK-Lichtenfels-Staffelstein; a 3rd Army G-5 MFA&A report (31 May 1945), describes the materials inspected at Schloss Banz–bei Kulmbach (28 May 1945). These are all further documented in Grimsted, *Odyssey of the "Smolensk Archive": Plundered Communist Records for the Service of Anti-Communism* (Pittsburgh: REES, 1995; *Carl Beck Papers in Russian & East European Studies*, no. 1201). Most of the books remained in Banz until April and May 1946.

⁶⁴ See the reports of OAD Director Isaac Bencowitz acknowledging the receipt respectively (9 May 1946) of 569 cases of books from Schloss Banz and (18 June 1946) of 318 cases of books from the Collecting Point and Bürgermeister Staffelstein (Bamberg), BAK, B 323/495; additional acknowledgement of these receipts is found in the OAD records in US NA, RG 260. The second load of books had been earlier identified (29 Sept. 1945) in the basement of the City Hall, the Inn Wolfeschlucht, and a barn located at no. 3 Ring Strasse. See fn. 73 below regarding the Staffelstein books.

⁶⁵ This figure for shipments to the USSR is cited by Poste, *U.S. Protection of Libraries and Archives*, pp. 298–300, which corresponds to the figures found in the OAD records I examined in US NA, RG 260, Property Division, AHC, boxes 66, 250–262.

transfers were combined in an eight-freight-car dispatch from Offenbach on 7 August 1946.⁶⁶ The next Soviet shipment, over a year later (received on 24 October 1947), involved additional “books and documents” totaling 40,395 volumes in 329 cases.⁶⁷ The total of books transferred to the USSR in those three shipments and recorded on the U.S. Army reports was 272,495 items packed in 1,384 cases. Subsequent to the list of thirteen shipments, an additional restitution transfer from Offenbach to the Soviet Union, on 9 December 1948, consisted of 1,150 items—3 cases of books and brochures (397 items, described as propaganda material), and 14 boxes (753 items) of meteorological records. These were turned over to a Soviet-authorized shipping company in Frankfurt, for lack of available Soviet officers.⁶⁸

A later transfer from Offenbach of five cases with a total of 2,249 books took place in Berlin on 2 February 1952, after OAD had been closed down, but at that point, Soviet authorities had started to balk at signing the regular quadripartite restitution form.⁶⁹ Interestingly enough, that shipment of books had already been delayed because they had earlier been claimed at Offenbach by the well-known Russian émigré Menshevik scholar and collector, Boris I. Nicolaevsky. Nicolaevsky visited Offenbach in hopes of finding his personal collections and those of the Paris Branch of the International Institute of Social History (IISH), a large part of which had been confiscated by ERR agents in Paris in 1940. Nicolaevsky was under the erroneous impression that most of the ERR anti-Bolshevik research collection was in OAD. Even before his first visit, he wrote a strongly worded memorandum in December 1946 that was circulated to American authorities, including the CIA, urging them not to return the ERR library collections to the USSR. Nicolaevsky was among those recommending shipping all of the Russian-related materials from Offenbach to America for a proposed anti-Bolshevik Russian studies institute. OAD authorities were dubious about the extensive crates of books (lacking appropriate library markings) that Nicolaevsky had segregated as property of the Paris IISH Branch or his own and

⁶⁶ All of these figures are compiled from restitution receipts (boxes 41 and 43) and OAD records found in US NA, RG 260, Property Division, AHC. The freight-car loading lists for the 7 August 1946 shipment (combining the books designated on the 10 June and 31 July transfer receipts) are found in box 255 (see the copies with Transfer no. 5). A picture (from the OAD album) of the loaded freight cars with the Soviet officers looking on is included among the photographs for this volume (no. 14) and adorns the cover of the copies presented in Moscow and Kyiv.

⁶⁷ The U.S. copy of the act of transfer (receipt no. 281), reproduced here as Transfer no.12, documents the 24 October 1947 shipment with a total of 40,395 units and indicates the institutions and numbers of cases for each, many of them Ukrainian.

⁶⁸ The receipt, signed by Wilhelm Hohn (Schenker & Co.), duly accredited by the Restitution Mission of the Soviet Government, bore the number GH/307 for 1948 (Claim No. 13 210/R, Release No. 5,120). The materials were “turned over to the firm Schenker in Frankfurt on behalf of the Soviet Representative.” (See Transfer no. 15).

⁶⁹ See the receipt for Transfer no. 16, together with a note indicating the number of volumes in each case. It was signed on the Soviet side by V. Sheskin, although one of the signed receipts notes only 397 units.

that he wanted to have shipped to America.⁷⁰ Nevertheless, some materials from the “Alfred Rosenberg Collection (Offenbach)” went to the United States as part of a four-ton shipment (42 boxes) “destined for the Library of Congress,” but shipped to the War Department on 23 May 1947; some “Russian newspapers (Earmarked for B. I. Nicolaevski)” were shipped to the War Department on 15 August 1947.⁷¹

Books Restituted from Other Points. What also needs to be recognized is that a large number of books restituted to the Soviet Union did not pass through Offenbach. In fact, many lots were listed in the inventories for Soviet shipments from the Munich Collecting Point, including an estimated 11,000 Kyiv books in the April 1947 transport. There were also some others that did not pass through the U.S. Collection Points at all, and, as will be discussed below, at least one U.S. transfer of books took place from Austria.

Some other crates of books found in the American zone were reportedly turned over to Soviet authorities outside of the actual collection centers, which would raise the total well above the Offenbach figure stated above.⁷² For example, in September 1945, Soviet Lt. Colonel Davidov, a Russian liaison officer assigned to U.S. Forces European Theater (USFET), reported finding in Bayreuth books and equipment from the Kyiv Chemical Institute and the Vinnytsia Medical Institute. A U.S. 3rd Army report recommended that the materials be handed over to the Russians forthwith, although apparently transport facilities were not immediately available to the Soviet officers authorized to enter the U.S. Zone. Receipts have not been found for a Bayreuth transfer, although some U.S. Army field memoranda suggest the transfer did take place. We cannot be sure at this point if in fact some (or how many) of the books were handed over. However, documents show that at least some of the chemical equipment and library materials from those institutes were later processed through the Munich Collection Point in 1948, as part of the sixth transfer.

⁷⁰ Horne to OMGUS, Restitution Branch (10 June 1947, secret), enclosing an extensive list of French-language books that “had been discussed with Majors Kauffmann and Winn, both of G-2”; Horne to Office of the Political Advisor (26 May 1948), enclosing a report on a meeting regarding the Nicolaevsky (*Russian Nikolaevskii*) (24 May 1948)—US NA, RG 260, Property Division, AHC, OAD records, box 251. Many more lists and correspondence regarding the Nicolaevsky claims remain among OAD records. See more details in Grimsted, *Odyssey of the Smolensk Archive*, pp. 57–62.

⁷¹ “Documents Shipments to War Department” (n.d.), US NA, RG 242, AGAR-S, no. 1553. Many of these Nicolaevsky materials ended up in the Hoover Institution on War, Revolution, and Peace, where Nicolaevsky held a position after the war until his death.

⁷² Although there are several confirmations of such transfers in OMGUS Property Division records, I have not found formal receipts signed by the Soviet receiving officer, and hence they are not included on the chart of U.S. Restitution Transfers to the USSR in the Appendix.

Similarly, in January 1946 Davidov identified books with book stamps from Kyiv in three different locations in the town of Staffelstein, one of the ERR evacuation centers noted above. According to one U.S. Army memorandum at the end of December, custody had already been turned over to Soviet authorities, although physically the books had not yet been removed. As it turned out, a Soviet officer never appeared to sign the custody receipt and remove the books. Hence the remaining books from Bamberg and Staffelstein were transferred later that spring to Offenbach and thence the USSR.⁷³

The October 1962 German transfer of books to the USSR, as we have seen, included scientific and technical books from Kyiv, Voronezh, and other unidentified Soviet institutions, having been found in the Library of the University of Heidelberg and transferred to the Soviet Embassy via Munich. Of the nine crates involved, four contained books from Kyiv, one from other institutes in Ukraine, and three were not identified by ex libris or book stamps. A ninth crate contained books with stamps from Voronezh.⁷⁴

Coincidentally, a year earlier, in 1961, the State Department received a query from the U.S. Embassy in Moscow based on a charge by the rector of Voronezh State University that Nazi-looted books belonging to his library “had been traced to the American zone of occupation in Germany but that the American authorities had failed to make restitution.” The State Department replied that “on the basis of information available to the Department, it appears that the rector must have been misinformed.” The State Department memo references the fact that “restitution shipments of books (totaling 1,401 cases and 273,645 items) were made by the Offenbach Archival Depot,” but explains that “no reference to the Voronezh Library has been found among the USSR claims received by ... OMGUS nor among the receipts for books restored to USSR by OMGUS.” Although probably a copy was not available in the office preparing that letter, a library stamp from Voronezh University is reproduced in one of the OAD albums, attesting to the fact OAD had processed books from that library.⁷⁵ A year later, however, a crate of books

⁷³ U.S. 3rd Army reports concerning these materials and the recommendations for their transfer to Soviet authorities are found in US NA, RG 260, Records of the Property Division, AHC, boxes 1404 and 1406; and Records of the Property Division, Reparations and Restitution Branch, MFA&A Section, Records Pertaining to Restitution, Soviet—General, box 723. Transfer of custody to Lt. Col. Barushnikov, Soviet Army, is noted in a memorandum of R. G. Lowe (28 December 1945), but I found no signed custody receipt. In fact, a later U.S. Army memorandum (25 March 1946) explains that the USSR had not yet sent an authorized representative to sign and remove the books. One of the U.S. officers even visited Munich to try to arrange the transfer, but no Russian officer appeared. A copy of the document signed by William J. Coffy remains in B 323/495. See fn. 64 regarding the transfer of books from Staffelstein to Offenbach.

⁷⁴ Documentation about the books discovered in the University of Heidelberg and shipped to the Embassy of the USSR in Bonn in October 1962, including a list of the provenance of individual cases (and those lacking library stamps), is found in BAK, B 323/497.

⁷⁵ Department of State Instruction, A-225 (22 June 1961), “SUBJECT: Missing Books from Voronezh Library,” US NA, RG 59, AHC, box 16. That stamp is included among the Russian book stamps in reproduction 19. Since

from Voronezh that had been found at the University of Heidelberg was among those nine cases restituted to the USSR from Germany, but there is no indication that the books had gone through Offenbach. As noted below, some additional books from Voronezh looted by the ERR had been found by British authorities in Tanzenberg, Austria, at the end of the war and restituted to the USSR in 1947 and 1948.⁷⁶

What many Russian and Ukrainian library specialists fail to realize, when they speculate about more millions of books from their prewar library collections that were plundered by the Nazis, is that only a small proportion of those actually evacuated by the latter ever reached Germany. Even more important in terms of numbers are the probably close to 2 million books looted from the USSR that were taken by the Einsatzstab Reichsleiter Rosenberg to their anti-Bolshevik research center in Silesia. Most of these were brought to the Ratibor (*now Polish Racibórz*) area, where the ERR evacuated its most important research and propaganda operations from Berlin in the summer of 1943.⁷⁷ At the end of the war, as the Red Army approached, the ERR succeeded in destroying or evacuating to the West most of their Ratibor operational records, but they abandoned most of their foreign archival and library loot. Soviet authorities found twelve freight-train wagons of books and archival materials still in shipping crates at a railroad junction about sixty kilometers east of Racibórz: five wagon-loads of the Communist Party Archive from Smolensk alone were retrieved there, along with close to a million volumes of library books and periodicals from Belarus, Ukraine, and the Baltic countries.⁷⁸ There were several other postwar Soviet retrievals of books and archival materials from the same area, including one shipment of close to a million books that went to Minsk.⁷⁹

detailed inventories by library of the books returned were not retained, it would be now impossible to tell from OAD records how many books from Voronezh had been processed there, with what transfer they were returned, and why some of them ended up in Heidelberg in 1961.

⁷⁶ Regarding the Voronezh books found by the British, see fns. 90 and 91.

⁷⁷ See my forthcoming article, “Twice Plundered or Twice Saved? Identifying The Archival and Library Loot of the Einsatzstab Reichsleiter Rosenberg (ERR),” in *Holocaust and Genocide Studies*, and the earlier initial report, “New Clues in the Records of Archival and Library Plunder during World War II: The ERR Ratibor Center and the RSHA VII Amt in Silesia,” in *The Return of Looted Collections*, pp. 52–67. I am currently preparing a separate monograph regarding these operations, together with significant documents. See also the earlier commentary in Grimsted, *Odyssey of the “Smolensk Archive,”* pp. 7–23, 42–48, and 52–54; and the introductory chapters about the ERR by Willem de Vries, *Sonderstab Musik: Music Confiscations by the Einsatzstab Reichsleiter Rosenberg under the Nazi Occupation of Western Europe* (Amsterdam: Amsterdam University Press, 1996), especially pp. 30–33, 70–78, and 85–115.

⁷⁸ See, for example, Valerii N. Shepelev, “Sud’ba ‘Smolenskogo arkhiva,’” *Izvestiia TsK KPSS* 1991, no. 5, pp. 135–38. The original reports (1 Mar. 1945) to G. M. Malenkov are found in RGASPI, 17/125/308, fols. 11–17.

⁷⁹ That shipment, containing many books with Western European library markings, was confirmed in a letter from the director of the National Library in Minsk, as reported by F. J. Hoogewoud, “Russia’s Only Restitution of Books to the West: Dutch Books from Moscow (1992),” in *The Return of Looted Collections*, pp. 72–73.

Soviet Receipts from Offenbach. A few Soviet sources acknowledge Offenbach deliveries, but information to that effect was never published during the Soviet period. Only recently Russian library specialist Aleksandr Mazuritskii acknowledged the Soviet “receipt from Offenbach of 100,000 books that had been taken by the Nazis from Ukraine and Belarus,” but he documents neither the dates of transfer nor his source.⁸⁰ Irina Matveeva, a St. Petersburg librarian who has been investigating book displacements and restitution during and after the war, quotes archival sources indicating that the Soviet Center for the Storage of Museum Fonds in suburban Leningrad received a shipment of “eight freight cars (1,055 crates) from Offenbach via Berlin in August 1946 with 115–116,000 books.”⁸¹ This is undoubtedly the same shipment indicated on an unpublished Soviet receipt found among the records of the Soviet Library Trophy Brigade in Berlin, dated 19/20 August 1946 and acknowledging “8 wagons of books that had been transported by the Germans from the Soviet Union. The given books in a total of 1,055 crates were sent by the Soviet Restitution Mission from Offenbach, located in the American Occupation Zone” and “belonged to scientific organizations in Belarus and Ukraine.”⁸² The Berlin receipt was signed by Margarita Rudomino, who headed the Soviet Library Trophy Commission in Berlin, and there is further documentation to indicate that those books were being joined to one of the trophy shipments to Gosfond.⁸³

The figures of 1,055 cases and eight freight cars, undoubtedly refer to the first two Offenbach transfers (10 June and 31 July 1946—shipped together 7 August), since they coincide with the U.S. totals (see photograph 10). However, the total number of books indicated as being received

⁸⁰ Aleksandr M. Mazuritskii, *Ocherki istorii bibliotechnogo dela perioda Velikoi Otechestvennoi voiny, 1941–1945 gg.* (Moscow: RGB, Moskovskii gosudarstvennyi universitet kul'tury, 1995), p. 153. I questioned Mazuritskii about these figures and pointed out my references to him on several occasions, but he refused to believe my figures, although he claimed to have been unable to confirm the figures he cited.

⁸¹ Irina Matveeva, “Problemy vozvrasheniia knizhnykh fondov” in *Materyialy mizhnarodnaha “kruhlaha stala” “Lesy Belaruskikh matieryial'nykh i dukhounykh kashtounastsei u chas Druhoi susvetnai vainy i pasliaiaie (peramiashchenne, vniaulenne, viartanne),”* ed. Adam Mal'dzis (Minsk: Belaruski fond kul'tury, 1996; *Viartanne*, 3), pp. 21–22. Matveeva describes the remaining records (30 folders) of that agency (Tsentral'naia khranilishcha muzeinykh fondov Leningradskikh prigorodnykh dvortsov), with which she has been working. The same figures are given in Matveeva's chart “Deiatel'nost' Tsentral'nogo khranilishcha muzeinykh fondov i primernye svedeniia o postuplenniiakh knizhnykh fondov iz chisla vozvrashennykh v Rossiui,” in [Rossiiskaia bibliotechnaia assotsiatsiia], *Informatsionnyi biulleten' RBA*, no. 11 (St. Petersburg, 1998), p. 183.

⁸² Guliaev to M. I. Rudomino (20 Aug. 1946), GA RF, A-534/2/12, fol. 247; the second reference is dated 19 August 1946 (fol. 248), and there is a receipt signed by Rudomino (20 Aug. 1946), fol. 250.

⁸³ Copies of the Soviet receipts also remain in the Rudomino papers, now in the possession of her son, including the document signed by Guliaev (19 Aug. 1946), entitled “Kharakteristika imushchestva, prinadlezhavshego Sovetskomy Soiuzu.” I am grateful to Adrian Rodomina for providing access to me.

by Soviet authorities in Leningrad is only half of the approximately 225,000 books transferred from OAD. Either the American figures were wrong, or there were about twice as many books in each crate than in the Soviet estimates; otherwise we would be left with the unlikely hypothesis that approximately 110,000 books disappeared from the same 1,055 crates between Offenbach and the Soviet trophy transport center in Berlin that logged in the eight freight cars from Offenbach. Soviet Berlin documents do not indicate the number of books, but it is doubtful the crates would have been opened and counted before shipment on to the USSR.

As it is now, the Soviet statistics of books received represent only approximately one-third of the close to 275,000 books from Offenbach for which Soviet restitution officers signed receipts. The Matveeva report on the suburban Leningrad center cites receipts from the Soviet Military Administration in Germany (SVAG) in April 1948 of another eight freight car loads (ca. 130,000 volumes) and in June of 254 crates (ca. 40,000 volumes). These may have contained the missing books from Offenbach, but the sources are not indicated.⁸⁴ No Soviet documentation has surfaced acknowledging the additional books restituted later from Offenbach. Since Rudomino and her brigade left Berlin in November 1946, later receipts would be found in SVAG records rather than those of the Trophy Library Brigade in Berlin, but those files have not yet been declassified. Obviously, further research on these matters in Moscow and St. Petersburg is needed.

U.S. Restitution of Soviet Books from Austria. At least one transfer of books and scientific equipment from Smolensk University took place in Salzburg, Austria, involving books apparently collected for the library of Hitler's planned cultural center in Linz. The receipt (dated 5 December 1945) for the transfer of "30 cases" containing "books, Herbariums, Minerals and Zoological-, Botanical-Collections," together with "3 large stuffed animals . . . and a special scientific Precision-Scales," is found in the U.S. National Archives.⁸⁵ According to an interview

⁸⁴ See also Matveeva, "Diial'nist' Tsentral'noho skhovyshcha muzeinykh fondiv," in *Materialy natsional'noho seminaru "Problemu povnennia natsional'no-kul'turnykh pam'iatok, vtrachenykh abo peremishchenykh pid chas Druhoi svitovoï viiny."* Chernihiv, veresen' 1994, ed. O. K. Fedoruk, H. V. Boriak, S. I. Kot et al. (Kyiv, 1996; Povnennia kul'turnoho nadbannia Ukraïny: Problemy, zavdannia, perspektyvy, 6), pp. 243–46.

⁸⁵ A memorandum in OMGUS records certifies to the transfer of "30 cases (60x60x100) and 3 large stuffed animals," containing "books, Herbariums, Minerals and Zoological-, Botanical-Collections and a special scientific Precision-Scales" [sic]. US NA, RG 260, US Allied Control Austria (USACA), MFA Lists, Receipts, and Reports, box 1 (no. 3). The materials were delivered to a "Mr. Lewinskih," Head of the Russian Military Control Commission, as certified by U.S. Lt. Col. Homer K. Heller, Property Control Officer. See also the "Weekly Reports," for 25 November and 4 December 1945, by Charles Sattgast, Education, Religion, Fine Arts, and Monuments Office of the U.S. Military Government, Land Salzburg, US NA, RG 260, USFA, Reparations and Restitution Branch, General Records, 1945, box 160; and U.S. Military Government Austria, Report of the U.S. Commissioner, no. 2 (December 1945), p. 130. The return of the Smolensk materials was also mentioned in a letter of Chief, RD&R Division OMGUS, James Garrish to Chief RD&R Division SVAG, Colonel Borisov (19 Sept. 1947), BAK, B 323/497.

with a librarian in Smolensk, however, it was over twenty years before only a few looted books returned thither, and with no indication of their wartime and postwar migration.⁸⁶

Soviet restitution officers suspected that additional books from Soviet lands were to be found in Villa Castiglione, Grundlsee, also in Austria, and accordingly filed a claim. That repository housed many important library gems plundered by the ERR specifically for Hitler's Linz center. MFA&A officers investigated the claim, but as of September 1947 had not found any books there from Soviet libraries and answered to that effect: "The fact that someone saw books in the Russian language in Villa Castiglione is not in itself conclusive proof that the books were looted from Soviet territory. . . . In the event it is determined that the books were removed from the Soviet Union, they will be returned as restitution."⁸⁷ No indication, however, of any restitution to the USSR from the Villa Castiglione collections has surfaced.

British Restitution from Austria. A separate study of the significant British library restitution to the USSR from Austria is still needed, based on some documents recently found in the Public Record Office and other sources. Over ½ million books looted by the ERR from Western Europe as well as Soviet lands were destined for the Central Library (Zentralbibliothek—ZB or ZBHS) of the Hohe Schule, established in Berlin (Berlin W8, Behrenstr. 49) early in 1939. ZB operations were moved to the Austrian Tyrol starting in 1942, first housed in the Grand Hotel Annenheim (near St. Andrä bei Villach). A depot for duplicates was organized in the confiscated Monastery of Tanzenberg (near Villach and Klagenfurt, in Carinthia), which later became the central facility after September 1944.⁸⁸

⁸⁶ During my visit to the library of the Smolensk Pedagogical Institute in July 1997, the head of the Rare Book Department did not believe me when I told her that books from her library were returned to Soviet authorities by the U.S. Army in Austria in 1945. She said only a few books came back to her library in the 1960s, with indication that they had been found by Soviet authorities in Austria; those were the first received by the Smolensk library. Matveeva notes that some books went to Smolensk from Salzburg in 1967 in "Problemy vozvrasheniia knizhnykh fondov" (p. 22). If, in fact, those books had been found later, and no other books were returned to Smolensk, then we do not know the fate of the 1945 American transfer of Smolensk materials from Austria.

⁸⁷ "Library Books in Villa Castiglione: Ref: Soviet Claim #20," signed by James A. Garrison, Chief, RD&R Division (11 Sept. 1947), RG 260, Property Division, AHC, Russian claims, box 331.

⁸⁸ My more detailed report on this library and the British restitution to the USSR is in preparation in connection with another study, and a forthcoming book by the Austrian researcher Evelyn Andunka is also dealing with this subject. See the survey prepared by the British MFA&A, "Preliminary Report on Zentralbibliothek der Hohen Schule (NSDAP)" (1 Aug. 1945), a copy of which is found among the records of the Roberts Commission, US NA, RG 239, box 11. See also the Nazi historical report on the library of the Hohe Schule by Cruse, "Übersicht über die Buchenteilung des ERR für die Zentralbibliothek der Hohen Schule" (1 Jan. 1944), CDJC, CXLV-159; and Rosenberg to Schwarz (18 Jan. 1944), CDJC, CXLII-199. A picture postcard of the Tanzenberg facility was found among ERR records in TsDAVO, 3674/1/3, fol. 300. See the report by Gabriela Stieber, "Die Bibliothek der 'Hohen Schule' des Nationalsozialismus in Tanzenberg," in *Carinthia I: Zeitschrift für geschichtliche Landeskunde von Kärnten* 185 (1995): 343-62, which is also based on the British files in the PRO.

After the war, over ½ million books were discovered in the Monastery and neighboring depots, including many from the USSR. Restitution to the countries of seizure was carried out directly under British auspices. Among the Western European collections involved were parts of the Rothschild library from Paris and 975 crates from the International Institute of Social History in Amsterdam, out of 4,583 crates to all countries.⁸⁹ British authorities kept the German staff under house arrest in Tanzenberg and forced them to sort the books for return to their owners. British files show that 557 crates with a total of 55,000 volumes were transferred to Soviet authorities in May 1946, and another 12 crates later, bringing the total to 569 by mid-October 1948.⁹⁰ These included thousands of books from the imperial palace libraries outside of Leningrad, especially Tsarskoe Selo, along with some important collections from Kyiv, Voronezh, and Riga. Curiously, no acknowledgment of this restitution has been found in Soviet sources.⁹¹ To this day, specialists working on the reconstruction of the imperial palace libraries have no knowledge of the fate of those collections in Nazi hands nor their restitution by British authorities after the war.

Soviet Complaints about U.S. Restitution

Not surprisingly, statements by Russian politicians today about the failure to return Soviet cultural treasures after the war are quite similar to those uttered by Soviet authorities in Germany in the immediate postwar years. Then, Cold War attitudes were already poisoning Soviet-American relations on all fronts. Other countries that received their cultural treasures plundered by the Nazis back were tremendously appreciative of American and other Western Allied restitution efforts. Soviet authorities, by contrast, showed only scorn, and were frequently complaining, especially that Soviet claims had been dropped by the U.S. side.

⁸⁹ See the official British report by Leonard Wooley, *A Record of the Work Done by the Military Authorities for the Protection of the Treasures of Art & History in War Areas* (London: HMSO, 1946), pp. 39–40; and the report of the British Committee on the Preservation and Restitution of Works of Art, Archives, and Other Material in Enemy Hands, *Works of Art in Austria (British Zone of Occupation): Losses and Survivals in the War* (London: HMSO, 1946), p. 4.

⁹⁰ Some reports are found in PRO, FO 1020/2878 and 2879. The May 1946 totals were mentioned in a yearly report for 1946—FO 1020/1793. A note dated 14 October 1948 gives a total of 569 crates returned to the USSR—PRO FO 1020/2549; but there is no further breakdown of the contents. A 17 February 1947 memorandum notes an additional 10 cases for Russia, and then 2 more were transferred later. Books from Voronezh are mentioned in some of the German inventories found in the British records.

⁹¹ Details about the returns are found in the British documents mentioned in fn. 90. See the reference above (fn. 75) to a March 1961 complaint by the rector of Voronezh University about the failure to reconstitute library books that he claims were traced to the U.S. Zone in Germany.

As the American restitution program was winding down in the fall of 1948, louder and louder complaints came from Soviet authorities. The list of thirteen restitution shipments prepared in September 1948 was a followup to complaints pressed during a visit by Captain G. P. Sidorin of the Soviet mission to the MFA&A Section. MFA&A officers continued to investigate the Soviet claims. Reference was made particularly to claims for materials from Kyiv, for which 512 claims had had to be dropped because the Soviet descriptions could not be matched up with cultural treasures retrieved by the MFA&A in Germany. Nevertheless, 167,717 items had already been restituted. The MFA&A report came back with the following words:

As it was impossible to identify the Kiev material according to the description given in the Soviet claims, they have been dropped, but all the KIEW material located in the U.S. Zone has been restituted. It amounted to a far greater number of items than the number of items officially claimed. No doubt, the 516 items claimed were included in the 167,717 actually restituted.⁹²

As apparent from the files of the MFA&A Restitution Branch, U.S. officers tried carefully to investigate all Soviet claims. The Soviet side, however, showed no appreciation for the work accomplished or the problems involved. As explained in a retrospective U.S. report in February 1949, “the Soviet Mission refused to accept the [U.S.] findings as final,” and both verbal and written protests were filed for “any and all of the claims dropped.” One of the problems pointed out in the U.S. report was that “The Soviet Mission did not maintain a regular and permanent office at [the U.S. restitution headquarters in] Karlsruhe as did the other Restitution Missions.” American restitution officers also complained about the lack of competent art specialists sent by the Soviet Mission. The frequent turnover of Soviet personnel and long gaps in their presence “made continuous and effective cooperation difficult,” and tended “to the only too apparent confusion in the files of the Soviet Restitution Mission and the lack of understanding for the established Restitution procedure.”⁹³

Six months later, the Commander in Chief of the Soviet Forces of Occupation, Marshal Vasilii Sokolovskii, sent an angry letter to the U.S. Commander in Chief, General Lucius D. Clay. The letter suggests in tone and content the political and ideological clash between Soviet and American positions in Germany, which prevented Soviet recognition of, and appreciation for, the restitution that had in fact taken place. Marshal Sokolovskii described what he termed “an intolerable situation . . . with regard to the restitution of Soviet property from the American Zone of Occupation in Germany.” He alleged that although “almost three years have elapsed since . . . the agreements on restitution, . . . the fact is that work has actually not begun.”

⁹² “Status of Applications for the Restitution of Soviet Cultural Property Filed with MFA&A Section, Restitution Branch, Karlsruhe,” signed by Richard F. Howard, Deputy Chief for Cultural Restitution (MFA&A) (10 Sept. 1948), US NA, RG 260, MFA&A Section, Records Pertaining to Restitution, box 723.

⁹³ “Soviet Restitution Claims,” US NA, RG 260, Records of the Property Division, Russia, box 23.

Sokolovskii suggested that American authorities were “endeavoring to effectively disrupt the return of Soviet property looted by the Hitlerites.” He claimed that, “Having taken no measures to uncover Soviet property, American authorities obstruct the work of the Soviet Restitution Mission in their search for Soviet property in the American Zone.” He complained about the lack of Soviet access to repositories, unwarranted rejection of Soviet claims, and concealment of valuable treasures. In the latter instance, he gave the example of the “Tikhvin Mother of God” icon, which Soviet authorities had learned was in Germany. He complained that some of the materials returned had been “subjected to deliberate spoilage or to theft,” and that American authorities failed “to punish those guilty of damaging or stealing Soviet property.” By such actions, he affirmed, “American authorities are causing material damage to the Soviet Union and ignoring the national sentiments of the Soviet people.”⁹⁴

General Clay addressed many of the Soviet complaints in his reply:

Of course, I find it impossible to reconcile your statement without supporting data that the return of restitution properties to your Government has not begun with the actions which we have taken to process the claims filed by your Government.

. . . In addition to the return of properties located as a result of the investigation of claims submitted by your Government we have also returned a number of paintings for which no claims were filed. We believed this action on our part was a positive demonstration of our desire to fulfill our obligations to restore looted properties.

As to your comment regarding the large percentage of rejections of Soviet claims, I can say only that the Soviet claims were not prepared as carefully as were the claims filed by other nations. This matter was repeatedly called to the attention of your Restitution Mission, but little, if any, additional supporting data was furnished to support subsequent claims.⁹⁵

Regarding the “specific claim for the ‘Tischvin Madonna’ icon,” Clay replied, “I have already informed your headquarters that this claim is still under investigation by our field forces. However, we have not found or identified this icon.”⁹⁶ The Soviet side had submitted a formal claim after a Soviet citizen reported seeing the icon in Germany, and General Zorin later furnished a description of the icon from an 1854 publication, at which time the icon was enclosed in an elaborate jeweled frame. Although their claim had indicated “unknown” as to where the icon was last located in the USSR, their request to examine the icon had been refused.

⁹⁴ Vasilii Sokolovskii to Lucius D. Clay (5 Mar. 1949), US NA, RG 260, Records of the Executive Office, Chief of Staff, Lt. Gen. Lucius Clay, 1945–49, box 19. The full text of both letters is reproduced in “Related Documents.”

⁹⁵ Clay to Sokolovskii (10 Mar. 1949), US NA, RG 260, Records of the Executive Office, Chief of Staff, Lt. Gen. Lucius Clay, 1945–49, box 19. The full text of both letters is reproduced herein. See also the four-page memorandum of Major Henry D. Anastasas to M. H. McCord (8 Mar. 1949) in preparation for Clay’s response to Sokolovskii.

⁹⁶ Clay to Sokolovskii (10 Mar. 1949), US NA, RG 260, Records of the Executive Office, box 19.

Clay's reply was much less precise than the report prepared for him, which claimed that after three U.S. inspections of the matter,

Our investigators have definitely established that the Madonna in the Hersbruck chapel under the custody of Bishop John is not the same icon as claimed by the Soviet authorities but an imitation copied by a monastery monk near the town of Riga.⁹⁷

Although "personally very skeptical of the Bishop's statement," the U.S. Director of the Restitution Office informed Clay that, "We have definitely established the fact that the Tischvin Madonna now in the U.S. Zone is not the one that is being claimed by the Soviets, and we have refused the Soviet claim."⁹⁸ As we will see later, this was one matter about which the Soviet side had good reason for complaint.

The Soviet diatribes continued, and obviously, the growing Cold War was also deeply affecting the U.S.-USSR restitution program. Five months later General Vasili Chuikov, Commander in Chief of the Soviet Forces of Occupation and Chief of the Soviet Military Administration in Germany (SVAG), wrote a followup letter of complaint to the U.S. High Commissioner John J. McCloy, referring back to the March exchange between Sokolovskii and Clay. "Unfortunately, until now, the situation with regard to the restitution of Soviet property from the American Zone of Occupation did not improve." He alleged that:

As before, American authorities prevent the resumption of the work of the Soviet Restitution Mission disrupted by American authorities as far back as December 1948. As a result, there is actually no search made in the American Zone for Soviet property, including searching for

⁹⁷ Anastasas to McCord (8 Mar. 1949), US NA, RG 260, Property Division, USSR confidential, box 24. According to one of the reports, Bishop John had attested to the fact that the original was in the Cathedral in Pskov on the eve of the war and had been "evacuated to Saulias in Lithuania" with other church treasures from Pskov. One official letter from the U.S. Chief of the OMGUS Reparations and Restitution Branch to Soviet General Zorin in response to the Soviet claim in October 1948 had explained that Bishop John did not then have the icon, but gave a contradictory explanation: "He has indicated under oath that the last he knew of this picture it was still in a nunnery in Riga, Latvia." Orren R. McJunkins to General L. Zorin, Chief of Reparations and Deliveries, SVAG (21 Oct. 1948), US NA, RG 260, Property Division, USSR confidential, box 24. It has still not been possible to verify from Soviet sources where the icon was held on the eve of the Nazi invasion. Four icons from Tikhvin Monastery, along with many from Pskov, were listed on the Nazi inventory and shipping list to Bavaria referenced in fn. 37; coincidentally, the shipment did pass through Riga in May 1944, but that special icon was sent earlier (see fn. 138).

⁹⁸ Phillips Hawkins to General Clay (27 Jan. 1949) US NA, RG 260, Property Division, USSR confidential, box 24. Hawkins, concluded, "I am personally very skeptical of the truth of the Bishop's statement as it is at variance with his earlier statement. However, in view of the small value of the ikon and the fact that there is no conflicting claim on it, I recommend that we take the course of least resistance and refrain from questioning the Bishop's word." Curiously, however, according to a "Custody Receipt," dated 17 November 1948 in Hersbruck, the icon had already been signed for by John, Bishop of Riga, with no mention that it was a reproduction (RG 260, box 117). Later in April 1949, there is an official transfer receipt for the icon to Bishop John, but no technical reports of the inspections have been found. See more details below (fns. 136-138).

cultural and artistic valuables, the claims for which are returned by American authorities without examination.⁹⁹

Two weeks later McCloy explained that already on 27 May 1949 the U.S. command had announced that although “no further claims for restitution . . . of non-cultural properties would be accepted by the US Zone authorities after 30 June 1949,” nonetheless, they would “continue to receive claims for the restitution of cultural properties under certain conditions as outlined.”¹⁰⁰ The American subordinate drafting the reply for McCloy added that, as pointed out in earlier letters, “the Allied Control Council did not provide a procedure whereby independent searches and investigations would be made by Allied restitution missions,” these being “the responsibility of the zone commander. Of course,” he editorialized, “the Soviets have never allowed such independent searches in their zone.” Not repeating that accusation in his reply, McCloy adopted a more positive attitude. He assured his Soviet counterpart that “We shall be happy to consider any proposal for a Soviet restitution representative to come to the U.S. Zone for a limited period on a specific restitution task should the need arise in the future.”¹⁰¹ It is worth noting that neither Clay nor McCloy had mentioned the Soviet seizure of German cultural property from Berlin and other places within the Soviet Occupation Zone, of which American authorities were well aware.

A month later, in September 1949, the Soviet Chief of the Office of Reparations and Deliveries, Major General Leonid Zorin, wrote another letter complaining about U.S. restitution procedures. He requested permits for Soviet cultural and art experts to visit and inspect suspected Soviet property at the collection points in Munich, Wiesbaden, and Offenbach. Curiously, in conclusion, Zorin called into question one of the Offenbach transfers listed on the September 1948 list:

At the same time [i.e. during the proposed inspection visit], the Soviet experts would get to the bottom of the question concerning the 160,000 books and documents which, according to Mr. Howard, had been shipped by Lt. Colonel Novik from Offenbach on 10 June 1946. According to our information, Lt. Colonel Novik had not actually made that shipment but had merely issued a receipt.”¹⁰²

⁹⁹ Vasilii Chuikov to John J. McCloy (8 August 1949) and McCloy to Chuikov (23 August 1949), US NA, RG 260, Records of the Executive Office, AG 602.3 Restitution, 1949, Vol. I, General Correspondence (decimal file), box 607. See the facsimile reproduced herein.

¹⁰⁰ McCloy to Chuikov (23 August 1949), US NA, RG 260, Records of the Executive Office, AG 602.3 Restitution, 1949, Vol. I, General Correspondence (decimal file), box 607. See the facsimile reproduced herein.

¹⁰¹ James W. Gantenbein to John McCloy (13 August 1949) and McCloy to Chuikov (23 August 1949), US NA, RG 260, Records of the Executive Office, AG 602.3 Restitution, 1949, Vol. I, General Correspondence (decimal file), box 607.

¹⁰² Leonid Zorin to Mr. Draper, Chief, Reparations and Restitution Section, Property Control Group, U.S. Military Government in Germany (16 Sept. 1949), US NA, RG 260, Records of the Property Division, Reparations and Restitution, Russia [USSR], box 23.

According to the Offenbach records noted above, Novik signed the first receipt in June, but in fact the shipment itself was not dispatched from Offenbach until after the second transfer had been effected, so that both shipments left together in eight freight cars of books on 7 August.¹⁰³ Apparently, in fact, as Clay had suggested earlier, the Soviet Mission did not have all of its records straight. The fact that Soviet authorities were later claiming that the 160,000 books receipted in June were never shipped may also have something to do with the discrepancy in Soviet figures of the books received in Berlin from Offenbach. It should be noted, however, as explained earlier, there was no discrepancy between the number of freight cars (8) and the number of crates (1,055) shipped in 1946 and those that were received by the Soviet transit center in Berlin.

Cases of U.S. Non-Restitution

While it is fair to say that almost all Soviet-area cultural property, including library materials and archives, that reached the U.S. Zone of Occupation were located and restituted after the war, some major exceptions remained significant points of friction between the Americans and Soviets. In fairness to both sides, it should be pointed out that certain categories of cultural property and archives were not restituted by the American side. Some of these, too, reflected the context of the growing Cold War.

War Booty. To be sure, many individual officers and soldiers took “booty” back to the States in their free Army shipments, not always subject to adequate customs examinations. Sometimes U.S. authorities did succeed in prosecuting offenders and arranging for the restitution of cultural treasures illegally imported into the United States, as we have seen in the case of the icons seized by U.S. Customs in Texas. Although such shipments were forbidden under U.S. Army regulations, by no means were military and civilian authorities in the States able to prosecute all offenders.

During the immediate postwar decades, the State Department led the search for illegally imported cultural treasures that might surface in auction galleries or museum acquisitions. The example of the 1959 restitution of the prehistoric artifacts from Ukraine demonstrates the

¹⁰³ See fn. 66 and the official shipping lists from Offenbach for Transfer nos. 4 and 5. A photograph of the dispatch of the shipment is used on the cover of this publication, and is repeated with full caption in the illustration section (no. 14).

seriousness of the program, but in this case success was the result of a voluntary report by one of the most respected natural history museums in the United States. In the decades that followed, not all U.S. museums have been equally diligent or willing to turn over trophy art without court proceedings, especially when it was legally purchased at great expense or received as ostensibly legitimate gifts.

One of the most notorious cases, namely the Quedlinburg Church treasures from Germany, looted by an American soldier from Texas, curiously brought no government prosecution, and the heirs sold the trophies back to Germany in 1991 for a “finder’s fee” of nearly 3 million dollars (after costly legal proceedings in the United States). A special session was devoted to the case during the 1995 Bard Conference on the “Spoils of War” in New York.¹⁰⁴ An independent American researcher, Kenneth D. Alford, has documented many other scandalous cases of looting by American military personnel, although some of his examples are insufficiently documented and have been called into question.¹⁰⁵

The Baltic Exception. Cultural materials, including archives, from the Baltic countries were another major exception. Because the Western Allies did not recognize the Soviet annexation of the Baltic republics, they refused to return looted Baltic treasures. The Riga archival materials found by the U.S. Army in western Bohemia, mentioned above, were already returned in October 1945 before the policy went into effect.

The policy of withholding cultural property of provenance in “Esthonia, Latvia, Lithuania, and those parts of Poland now claimed by Russia” was adopted in August 1946. For example, an OMGUS memorandum of 5 August instructed

(1) [that such materials should be] stored in a separate place. The presence of this material . . . should not be discussed with the Russians.

(2) Should the Russian delegates bring up the matter, they are to be told politely but positively that we are not authorized (i.e. will not) to turn over to them anything that was received from any territories other than those of pre-war Russia.¹⁰⁶

¹⁰⁴ See the published contributions in *The Spoils of War*, pp. 148–58. The jeweled cover of the ninth-century Samuhel Gospels and several other treasures looted by the American GI from Texas are pictured in *ibid.*, p. 23. See also the account by Siegfried Kogelfranz and Willi A. Korte, *Quedlinburg—Texas und zurück: Schwarzhandel mit geraubter Kunst* (Munich: Droemer Knauer, 1994).

¹⁰⁵ Kenneth D. Alford, *The Spoils of World War II: The American Military’s Role in Stealing of Europe’s Treasures* (New York: Birch Lane Press [Carol Publishing Group], 1994). This book has not won the respect of specialists, because the author failed to analyze fully and to document adequately all of the cases he described.

¹⁰⁶ Inter-Office Memorandum signed by Edwin C. Rae, OMG Bavaria, MFA&A Section (5 Aug. 1946), BAK, B 323/27.

This policy continued by joint British–American agreement. As phrased in a U.S. Army 1949 statement regarding Soviet restitution claims, however, the exclusion of restitution to the former Polish lands that had become part of western Ukraine and Belarus was not subsequently being observed. “The US Government did not recognize the USSR as a proper claimant for property removed from the Baltic States. Claims for such property were dropped,” although a later memorandum excluded the phrase “those parts of Poland now claimed by Russia” that had appeared in 1946.¹⁰⁷

Among the most notable cases in this connection, the large holdings from the Tallinn City Archive discovered by the British–American archival team in the Grasleben salt mine near Helmstedt (British Zone) were held back by British authorities, as they tried unsuccessfully to negotiate the restitution of the Hanseatic records from Bremen, Hamburg, and Lübeck that Soviet authorities seized from the salt mines near Magdeburg and shipped to Moscow.¹⁰⁸ Although some of those archives were exchanged with East Germany during the Soviet period, the final part of that exchange did not take place until 1990, and even now some Hanseatic archival fragments still remain in Russia.

Another case that has still not been resolved today involves the early parts of the Königsberg (*now Russian* Kaliningrad) city archive. These were also held back owing to the forced resettlement of the ethnic German population and the unresolved legal status of those parts of East Prussia that had been annexed to the USSR as Kaliningrad Oblast.¹⁰⁹ Those holdings also include the medieval archive of the Teutonic Order, parts of which had been transferred from Poland to Königsberg by the Nazis and which had likewise been found by a British-American team in Grasleben.¹¹⁰ The Königsberg materials are still held in the Prussian Privy State Archive in Berlin-Dahlem.

¹⁰⁷ “Soviet Restitution Claims,” US NA, RG 260, Records of the Property Division, Russia, box 23.

¹⁰⁸ The fate and holdings of the Tallinn archive were well documented in the West. See Grimsted, *Archives and Manuscript Repositories in the USSR: Estonia, Latvia, Lithuania, and Belorussia* (Princeton: Princeton University Press, 1981), pp. 743–46, 748–52. The Tallinn Archive was returned to Estonia in 1990.

¹⁰⁹ The Königsberg archive, first removed from Grasleben to Goslar and thence to Göttingen, it is now held in the Prussian Privy State Archive (Geheimes Staatsarchiv Preussischer Kulturbesitz), Berlin-Dahlem. See Kurt Forstreuter, *Das Preussische Staatsarchiv in Königsberg. Ein geschichtlicher Rückblick mit einer Übersicht über seine Bestände* (Göttingen, Vandenhoeck & Ruprecht, 1955; *Veröffentlichungen der Niedersächsischen Archivverwaltung*, no. 3); and also idem., “Das Staatsarchiv Königsberg als Quelle für Allgemeine Geschichte,” *Hamburger Mittel- und Ostdeutsche Forschungen* 6 (1967): 9–35. See Grimsted, *Archives: Estonia, Latvia, Lithuania, and Belorussia*, pp. 748–52.

¹¹⁰ A separate issue remains in the case of the archive of the medieval Teutonic Order, because this collection had been officially ceded to Poland centuries ago, and was removed from Warsaw by the Nazis, before it was evacuated with the Königsberg archive in 1944. See the scholarly catalogue of the charters, prepared after the archive was lodged in West Germany, *Regesta historico diplomatica Ordinis S. Mariae Theutonicorum 1198–1525*, ed. Erich Joachim and Walter Hubatsch, 5 vols. (Göttingen, Vandenhoeck & Ruprecht, 1948–1973). See also Emil Schieche,

Several other smaller collections from the Baltic countries also remained in Germany. In the archival realm, some Baltic Ritterschaft documentation remains in Marburg, including a number of manuscript books and genealogical materials. Justification for their retention also involved the legal argument that their owners had been resettled in Germany. That was likewise the argument for the disposition of the so-called “Schwarzhäupter treasure,” consisting of “85 pieces of ornamental silver of varying age and importance” that belonged to the Riga Blackheads, a commercial fraternity. Restitution custody was granted in that case on the basis of a claim from their successors then in Western Germany.¹¹¹

A final example that was not resolved until after the collapse of the USSR in the 1990s involved six cases of church treasures from the Pechory Monastery (Lavra), one of the most revered in the Russian Orthodox Church, close to the Estonian border. American authorities erroneously believed that the Monastery was in Estonia, and were not even sure that it was under the Russian Orthodox Church, although in the postwar border settlements, the area had become part of the Russian SFSR.¹¹² The Pechory collection remained in the Wiesbaden Collecting Point in Germany and subsequently a museum in Wiesbaden. Part of the collection was transferred under German initiative in 1973 to the museum that had been established in the Monastery of Pechory. Later, the matter became the subject of a minor German government scandal, but eventually restitution of the remaining Pechory treasures from Germany did take place in the early 1990s.¹¹³

Jewish Collections. Jewish collections from Eastern Europe were another major exception to the generally successful policy of “restitution to the country of provenance” from OAD and other U.S. Collecting Points. Because of the Nazi annihilation of Jewish communities in Eastern Europe, the lack of openly acknowledged successor Jewish institutions in the USSR, and the very active lobbying by postwar Western Jewish organizations, U.S. authorities agreed not to return many Jewish materials to the USSR and other countries in Eastern Europe. Of particular

“Tyska Ordens arkiv, dess nuvarande ode och dess oppnande for vetenskaplig forskning.” *Historisk tidskrift* 13:3 (1950): 185–97.

¹¹¹ See the transfer receipt and inventory of 49 items (7 Sept. 1951), US NA, RG 260, Property Division, AHC, Restitution and Custody Receipts, box 105.

¹¹² The Pechory treasures were mentioned, along with some others of Latvian and Estonian provenance, in a confidential report (received March 1949), US NA, RG 260, Records of the Executive Office, AG, General Correspondence, decimal file, box 607. The same report likewise mentions the silver from the Riga Blackheads.

¹¹³ The fate of the Pechory treasures was mentioned by Freitag, “Die Restitution von NS-Beutegut,” in “*Betr.: Sicherstellung*,” pp. 205–206. Freitag cites the report by Anja Heuss, “Der Klosterschatz Petschur,” *Kritische Berichte* 23: 2 (1995): 44–50.

importance in this regard were the large library collections, including many priceless manuscripts, of Judaica and Hebraica from Ukraine, Belarus, Lithuania, and Latvia that had been shipped to Frankfurt and Hungen by the ERR and related Nazi agencies, and that ended up after the war in Offenbach. Offenbach also took in a large amount of ritual silver, numerous Torah scrolls, and other important Jewish treasures. In addition to Offenbach, some Jewish cultural treasures from Eastern Europe also ended up in other U.S. Collecting Points.

Jewish organizations, anxious to aid survivors of the Holocaust after the war, actively called attention to the “disruption of Jewish community life and the lack of successor Jewish institutions” in the USSR and other countries of Eastern Europe. They accordingly spoke against the U.S. policy of “return of cultural treasures to the country of origin.” They also brought the attention of American authorities to the extent to which surviving Jews from Europe had fled across the ocean to the Americas and to Palestine, accordingly justifying the transfer of heirless Jewish property to those countries. Policies and plans were accordingly developed by U.S. occupation authorities, together with Jewish cultural organizations active in the field, to redistribute Jewish cultural treasures, many of which today would be considered “assets” of victims of the Holocaust. Almost immediately after OAD operations got underway in the spring of 1946, over 21,000 Jewish books were turned over to the American Joint Distribution Committee (AJDC) to be loaned to reestablished Jewish synagogues and to displaced person camps. Described as “prayer-books and school-books without bibliographical value,” these and other Jewish items were distributed during 1946 from OAD, purportedly “on loan,” but no documentation has been found about the “return” or further disposition of these materials.¹¹⁴

Only a few book shipments to the USSR contained Jewish materials, although the albums of library stamps and ex libris collections from Offenbach mentioned above testify to the many Jewish collections that were represented in that U.S. book restitution center and for which provenance was indicated. In the case of Ukraine, Soviet authorities received only part of the over ¼ million Jewish library materials that the Nazis had plundered from Kyiv and shipped to Frankfurt and Hungen.¹¹⁵ Many more valuable books and manuscripts of Ukrainian and

¹¹⁴ Receipts and related documentation about this program are found among the OAD records, US NA, RG 260, Property Division, AHC, OAD, box 66. This program is discussed, with further documentation, by Robert G. Waite, “The Handling of Looted Books in the American Zone of Occupation, 1944–1951: A Draft Report Prepared by the Office of Special Investigations, U.S. Department of Justice” (typescript; [Washington, DC], [2000]), pp. 46–49. Waite apparently found no documentation about the further disposition of the Jewish materials distributed from Offenbach in 1946.

¹¹⁵ Only a few USSR out-shipment lists from OAD include books identified as Judaica, so it is virtually impossible to establish statistics of this category. Recently, Kyiv specialists have identified some prewar Kyiv Hebraica in Israel. Colleagues in Kyiv are at a loss today to establish any statistics of Judaica and Hebraica returned, and in many instances they have only estimates of prewar holdings. Although many Nazi lists of the materials actually sent from Jewish collections in Kyiv and the Baltic countries remain (especially in the ERR records in TsDAVO, Kyiv), few wartime reports from Frankfurt and Hungen have been found. Further study of these sources is needed, together

Belarusian Jewish provenance were turned over to postwar Jewish cultural organizations. As a result, they have been dispersed in various collections in the United States and Western Europe; many others were sent to Israel, where they have ended up in the Yad Vashem and the National and University Library in Jerusalem. OMGUS files preserve one list of manuscripts with identified provenance in different European collections that had been removed illegally from Offenbach, sent to Jerusalem, and never returned or distributed to the countries of provenance, despite protests about the incident from U.S. authorities. The preliminary OAD list identifies ten manuscripts from the Belarus State Museum, twelve or more with “Russian marks of ownership,” many from Latvia and Lithuanian private collections, and at least one with the stamp of a Jewish library in Kyiv, which probably would have been nationalized before its confiscation. The accompanying 1947 U.S. Army memorandum first notes, “The material referred to is known to contain identifiable restitutable matter of great value, including a number of items belonging to Russian museums and libraries.”¹¹⁶ Curiously, as another fragmentary example of careless archival dispersal, at least ten files from the records of the former Institute of Jewish Proletarian Culture in Kyiv had become intermingled in Offenbach with files from the Communist Party Archive from Smolensk Oblast, and hence found their way through U.S. intelligence channels to the United States. They are still held in the U.S. National Archives as part of the so-called “Smolensk Archive,” while contingent materials from that same Kyiv Institute have been identified in Jerusalem.¹¹⁷ This latter case is an example that apparently U.S.

with OAD records and albums of book markings that indicate many of the libraries and private collections that were represented. Cross-checking various sources, along with libraries known to have received Jewish materials from OAD, may help reconstruct the fate of some important prewar collections, although cooperation from many libraries will be needed.

¹¹⁶ A list of five cases containing several hundred manuscripts that disappeared from OAD and were sent to Jerusalem without authorization remains in US NA, RG 260, Property Division, AHC, OAD, box 66 (another copy in AHC, box 240). Library markings and provenance are indicated in many cases for boxes 2 and 5, but no details are provided for the “107 Hebrew manuscripts” in Box No. 1 or the “110 Hebrew manuscripts” in Box No. 4. In addition to the Baltic countries, libraries of several Jewish communities in Germany (including Frankfurt and Karlsruhe among other private owners) are given, and three have library marks from Italy, including one from the Rabbinical College in Florence, and several from Poland. The covering memorandum, “Material wrongfully sent from Offenbach Archival Depot and presently at Jerusalem” (27 May 1947) (unsigned cc with signature line for Colonel L. Wilkinson), US NA, RG 260, Property Division, General Records, AHC, OAD, box 66 (and AHC, box 240), recommended their return be sought, but reportedly that never happened. Colonel Pomrenze recently told me privately that OAD director Benkowitz was almost court-marshaled over the incident. A fuller analysis of the provenance and eventual fate of these and other manuscripts in Jerusalem is now needed, given the availability of more sources.

¹¹⁷ As explained in Grimsted, *Odyssey of the Smolensk Archive*, pp. 75–76, 128–29. These can now be identified in the US NA holdings as file nos. WKP 179, WKP 358, WKP 482, WKP 484, WKP 485, WKP 486, WKP 488, and WKP 490. Original folder covers and/or fragments remain for those files, in most cases in Ukrainian, with Kyiv archival signatures and indication that the folders themselves were printed in Kyiv. I have not examined all of the original Smolensk files in US NA, so possibly more files may be identified as being of Kyiv origin. Regarding the fate of the records of the Kyiv Institute, I am grateful to L. A. Dubrovina, Director of the Institute of Manuscripts in

and Jewish authorities chose not to recognize the fact that at least some of these materials from Ukraine and other Soviet lands had already been nationalized before the war. Although they came not from Jewish communities per se, they had been looted by the Nazis from state (and/or Academy of Sciences) institutions and accordingly should have been returned to the country of their origin.

Jewish collections from Latvia and Lithuania could have also fallen under the prohibition of restitution to the Baltic countries that had been annexed to the Soviet Union, but Jewish cultural property from those countries was in any case handled separately. One of the largest, best known, but still complicated cases is that of the well-known Jewish [Yiddisher] Research Institute (YIVO) from Vilnius (*prewar Polish Wilno, earlier Russian Vilna*), as the city is known in Lithuanian since its incorporation into the USSR in 1939. As the Nazi eastern invasion was underway, some of the YIVO leaders who had escaped to the United States reincorporated the institute as a legal entity in New York City, thus setting legal grounds for transfer of its prewar holdings to the U.S. On that basis, and as a result of pressure from many Jewish activists after the war, books and archival materials were turned over to the New York-based YIVO, and not only those from the prewar YIVO itself, but also from many other private libraries in Vilnius, along with the library of Dr. Alfred Landau from Vienna. Most of these were shipped out under the auspices of the Library of Congress Mission (LCM), a U.S. Government agency established to deal with postwar library salvage acquisition operations on behalf of U.S. libraries, including the Library of Congress. For example, on 17 June 1947, 420 cases of library materials (approximately 25,000 volumes) from YIVO and related Jewish organizations in Vilnius and elsewhere associated with YIVO were shipped to the United States under the LCM auspices. The OAD receipt for that shipment bore the signature of Seymour J. Pomrenze, the first director of Offenbach, who had subsequently become “a duly accredited representative of the said Yiddish Scientific Institute (YIVO) and specifically assigned member of the Library of Congress Mission.”¹¹⁸ Many of those materials had been identified in Offenbach over the previous five months through the efforts of an American YIVO devotee, Lucy Dawidowicz, who

NBU (before May 1996, TsNB), and I. A. Sergeeva, head of the Judaica Division, who in May 1994 identified contingent materials from the Kyiv Institute in Jerusalem.

¹¹⁸ “Receipt and Agreement for Delivery of Cultural Objects, Offenbach Archival Depot” (17 June 1947), US NA, RG 260, Records of the Property Division, AHC, OAD, box 50. That particular receipt covers “72,204 items, comprising the following library stamps: Study Room of YIVO; YIVO Theatre Museum; YIVO-EKSTAT (Economics and Statistics Sections); From Mordecai Kosover’s Collection for the YIVO; Library of the Yiddish Scientific Institute from the Publisher ...; Vienna: from the library of Dr. Alfred Landau, Vienna, given by his family to the YIVO; YIVO–Bitze registered; Mattheus Strashun Library Collection.” See also additional documentation in box 255. Those particular boxes contain large files relating to transfers to YIVO, but additional documentation is scattered elsewhere in the OMGUS records.

had studied in Vilnius before the war and was caught up in the postwar drama of locating and salvaging what remained in the West from the Vilnius Jewish Community.¹¹⁹

Many of the Jewish library materials from the Frankfurt Institute for the Study of the Jewish Question that had been brought to Offenbach were also turned over to the LCM, along with other vast stores of unidentified or heirless Jewish library materials. Already between 25 March and 27 September 1946, eleven transfers of books, newspapers, brochures, “propaganda materials,” and archives from the Frankfurt Institute were turned over to the LC Mission. According to the surviving receipts, all of these transfers were from “the working portion of the Institute . . . but [do] not include material confiscated by the NSDAP from countries other than Germany which would be subject to normal restitution procedures.”¹²⁰ It is worth noting, however, that most probably even the “working portion of the Institute” would have consisted largely of books and periodicals that the Nazis had looted from various Jewish collections throughout Europe.

It will unfortunately be difficult today to track down the fate of all the materials from the Frankfurt Institute, particularly since many of them, if not integrated into the general LC collections, were dispersed to libraries throughout the United States. One of the transfers comprised “seven cases of archives,” but a more detailed description of the contents has not been found.¹²¹ The Manuscript Division of the Library of Congress itself accessioned a small run of archival materials from the Frankfurt Institute, which when processed filled only four archival boxes. Later in the 1960s, the original files were returned to Germany, but microfilms and the typescript finding aid are available in Washington.¹²² A much larger group of files (27 feet) from

¹¹⁹ Regarding the identification and recovery of the YIVO collections from Offenbach during the period February–June 1947, see the moving chapter in the memoirs of Lucy Dawidowicz, *From That Place and Time: A Memoir, 1938–1947* (New York, London: W.W. Norton, 1989), pp. 312–26.

¹²⁰ A folder of receipts of library materials turned over to the Library of Congress Mission (LCM) from Offenbach is found in US NA, RG 260, Jewish Property Division, AHC, Restitution and Custody Receipts, box 50. This includes receipts dated 25 March 1946 for 17 cartons (770 books), 22 cartons of newspapers (German), and 8 wooden cases of newspapers (German); 26 March 1946—143 boxes (1,955 books) and 6 boxes of newspapers (French and German); 1 April 1946—24 boxes (2,118 books); 4 April 1946—25 cartons (cardboard) with 877 books, 4 cases (wooden) with 115 books, 2 cases (wooden) with the periodical *Weltkampf*, 3 cases (wooden) with newspapers and pamphlets; 10 April 1946—28 boxes (1,710 books), 1 carton (cardboard) with 61 books, 2 cartons (cardboard) with pamphlets; 17 April 1946—19 cartons (cardboard) with 1,234 items; 22 May 1946—21 cases (2,020 items); 31 May 1946—5 cases (915 books), 11 cases of propaganda materials; 10 July 1946—13 boxes (744 brochures); 3 September 1946—12 boxes (953 books), 1 box (376 brochures), 1 box of propaganda material, 13 boxes (card registries); 27 September 1946—7 cases (archives). The initial 6 receipts are signed by David H. Clift, Deputy Chief, LCM; the later ones are signed by Reuben Peiss, Chief, LCM. Other receipts are scattered in OAD records.

¹²¹ The receipt (signed by Reuben Peiss) for 7 cases (archives) transferred 27 September 1946 is among those in RG 260, Jewish Property Division, AHC, Restitution and Custody Receipts, box 50.

¹²² The LC Manuscript Division holdings were part of the collection “German Captured Documents—Akten der NSDAP,” container nos. 142–148 (earlier container nos. 678–682, 818A), now available on microfilm reels 66–69.

the Frankfurt Institute acquired immediately after the war are now still held by YIVO in New York City.¹²³ The date and source of acquisition by YIVO is not available, but since YIVO was receiving its materials through the LC Mission, quite probably these were part of the otherwise unidentified “seven cases of archives” from the Institute that were turned over to the LC Mission. The ultimate fate of the other Frankfurt Institute holdings shipped from OAD through the LC Mission requires further investigation, but LC specialists now suggest that relatively few of those materials were integrated into LC collections.¹²⁴ Also in question is the ultimate disposition of the additional Judaica LCM and the Library of Congress itself received from other sources.

During subsequent years, considerable debate continued among American authorities in consultation with Jewish leaders as to the appropriate distribution of the many unidentified or heirless Jewish books that were accumulating at OAD, in lieu of restitution to the country of origin. In late 1948 and early 1949, when Offenbach was closing down, a full inventory was made of remaining collections from Jewish libraries in the Baltic, and efforts were made to determine if owning or successor institutions existed. At the end of the year, 400,000 volumes remained in Offenbach, almost all of Jewish origin, including many from Germany. Approximately 29,000 remained from the Baltic countries, including some non-Jewish materials among them. A small quantity of Jewish materials also remained in the Munich and Wiesbaden Central Collecting Points. By that time policy was drawn up whereby those items from Eastern Europe would be turned over to the Jewish Cultural Reconstruction (JCR), which had emerged as the Western agency in charge of redistribution for the Jewish community. JCR was to sign a commitment to “maintain collections in this category intact and in such a condition that they could be restituted to the countries of origin on request of Military Government.”¹²⁵

By February OAD could report that “agreement to transfer unidentified Jewish cultural properties to Jewish Cultural Reconstruction for distribution in perpetuation of Jewish cultural heritage [had] been signed by [a] representative of [the] U.S. Military Governor and Jewish

Fred Bauman in the Manuscript Division kindly supplied me with a copy of the typescript finding aid. Obviously, these fragmentary files would only have been part of one of the “seven” cases of archives from the Institute.

¹²³ See the brief description of the collection (RG 222) from the Frankfurt Institute for the Study of the Jewish Question in *Guide to the YIVO Archives*, comp. and ed. Fruma Mohrer and Marek Web (New York: M.E. Sharpe, 1998), p. 136 (entry no. 521). No acquisition data is given in the *Guide*, and head YIVO archivist Marek Web told to me that no further accession information is available. He did not rule out the possibility that the collection came from LCM, since almost all YIVO receipts from OAD came through that agency.

¹²⁴ I appreciate consultation with Michael Grunberger, who heads the Hebraica Division, and Fred Bauman and William Moseley in the Manuscript Division regarding these matters. Currently, specialists from the Presidential Commission on Holocaust-Era Assets are investigating LC Judaica holdings and those transferred elsewhere.

¹²⁵ OMGUS secret memorandum from Chief of Staff, Civil Affairs Division, signed Hays (13 Oct. 1948), US NA, RG 260, Property Division, AHC, box 266.

Cultural Reconstruction” (JCR). That was likewise the fate of other named Baltic Jewish collections “for which successor institutions were not located.”¹²⁶ By further agreement with one of the other major Western Jewish organizations, the Jewish Restitution Successor Organization (JRSO), many Jewish library collections, ritual treasures, and other displaced cultural property were turned over to JCR, with the understanding that JCR would oversee appropriate provenance research. By 1952, over 150,000 books went to the United States through JCR auspices for distribution to many different libraries, including the Library of Congress, but reportedly identification of provenance and appropriate restitution left much to be desired. Additional Jewish materials went to Jerusalem and other countries.¹²⁷ Extensive photographic records remain for the Jewish devotional silver that was moved to Wiesbaden. While the fate of at least some of these and other treasures can be followed in the OMGUS Property Division receipts, questions remain about the fate of other valuables.¹²⁸

With the recent high-level attention to “Holocaust-era assets,” the entire matter of the “restitution” and “redistribution” of Jewish property after the war, including heirless or unidentified books, Torah scrolls, devotional silver, and other cultural treasures, is under investigation by the U.S. Presidential Commission on Holocaust-Era Assets and a number of private researchers. An official report by the Commission on the postwar distribution of Jewish cultural assets is expected by the end of 2000. A preliminary report on the general subject of “The Handling of Books in the American Zone of Occupation, 1944–1951,” prepared by Robert Waite, a historian in the Department of Justice’s Office of Special Investigations, basically exonerates the Library of Congress of any improprieties. The author concludes that “no documentation was located in the records of the MFA&A at the National Archives or of the Library of Congress Mission at the Library of Congress that suggested or stated that agents or representatives of the Library of Congress had acted inappropriately in securing books and other

¹²⁶ See the secret reports and memoranda regarding Offenbach holdings (two undated in November, one in December, and the other dated 14 December 1948), and the later confidential report (received March 1949) listing the Jewish libraries in Latvia and Lithuania represented, from OMGUS Chief of Staff, Civil Affairs Division, signed Hays,” US NA, RG 260, Records of the Executive Office, AG, General Correspondence, decimal file, box 607.

¹²⁷ Documentation about this program is found among the OAD records, US NA, RG 260, Property Division, AHC, OAD, boxes 66, 254, and 256, and scattered in other OMGUS files. Regarding those sent to the U.S., see Waite, “The Handling of Looted Books,” pp. 49–53. The Presidential Commission is now investigating the deficiencies in identifying the original owners or heirs of many of the books distributed.

¹²⁸ See, for example, the photographs of Jewish devotional silver in Wiesbaden in US NA, RG 260, Records of the Property Division, AHC, box 106; and one collection of receipts for Jewish property (1949–1951) in box 113.

materials before they could be restituted to their proper owners.”¹²⁹ Yet, it is hard to agree completely with Waite’s emphatic conclusions, because he has not really been able to document whether or not all Jewish books sent back through the LC Mission were adequately checked for provenance. Nor did he raise the question of the distribution of Jewish and other books turned over by LCM to other libraries in the U.S.; even if he found no paper trail, the fate of those books and the dispersal of integral collections need further exploration. Nor does he face the issues of the fate of Baltic books and other Judaica or Hebraica from Eastern Europe distributed from OAD, including those sent to Israel.

Controversy is already heated in the political arena, as a January 2000 article in the *Washington Post* suggests with its title “Nazi Loot May Line American Shelves.”¹³⁰ Undoubtedly, there will be other published revelations because, reportedly, the Presidential Commission investigation is yielding differing results. In question are not only those books that were turned over to the Library of Congress Mission, but even more important, the fate of those turned over from OAD to various Jewish agencies, others that went to libraries throughout the United States, and those that ended up in Israel. There is a paper trail (as noted above) that some valuable Hebrew manuscripts that ended up in Jerusalem were stolen from Offenbach, while others found their way to various auction blocks, thence to be dispersed far and wide. The fate of Torah scrolls and devotional silver likewise raises perplexing problems.

Dispersal from Offenbach, however, is only part of the problem. We need parallel investigations regarding other valuable “trophy” Judaica and Hebraica that ended up in Nazi hideaways in Silesia, Czechoslovakia, and elsewhere in Eastern Europe, many of which were removed to the Soviet Union after the war. Their dispersal is equally tragic, but only fragmentary information or even mere speculation about their fate is now available. Czech authorities after the war captured considerable Judaica looted earlier by the Nazis and stashed in palaces or other hideaways. Jewish representatives who visited Czechoslovakia after the war reported about the extensive Jewish treasures that the Nazis had assembled in the Central Jewish Museum in Prague; the collections from Theresienstadt (*now Czech Terezín*) northwest of Prague; and those from the Sudeten castle of Niemes (*now Czech Mimoň*), east of Böhmisches Leipa (*now Czech Česka Lípa*) and other castles in the vicinity that came into Czech custody after the war.¹³¹ Some

¹²⁹ Documentation about this program is found among the OAD records, US NA, RG 260, Property Division, AHC, OAD, box 66, and scattered in other OMGUS files. Regarding those sent to the U.S., see Waite, “The Handling of Looted Books,” pp. 49–53.

¹³⁰ An article by Michael Dobbs, “Nazi Loot May Line American Shelves,” *Washington Post*, 5 Jan. 2000, p. C1, suggests some of the controversy.

¹³¹ See, for example, the report “RE: Restitutable books in Czechoslovakia,” by Lucy Schildkret, Education Officer of the American Joint Distribution Committee (AJDC), to Joseph A. Horne, Director of the Offenbach

of these that could be identified were transferred to the country of origin. Some were being sold or simply given out in specified lots to surviving Jewish families or Jewish DP camps, but apparently, there was no systematic restitution to the country of origin. In fact, some of the materials remain in the Jewish Museum in Prague and other Czech collections. Reportedly, for example, of the 37 Hebrew manuscripts found in the castle of Mimoň, 33 came from the Jewish Theological Seminary in Breslau (*now Pol. Wrocław*) and are now in the National Library in Prague.¹³² Among other interested parties, the head of the library of Hebrew University went to Czechoslovakia to negotiate the transfer of books to Jerusalem. That library succeeded in acquiring some valuable Judaica from Mimoň, although apparently not all their desiderata from Terezín.¹³³

Much less has been revealed about the Judaica and Hebraica that was taken to Moscow. U.S. authorities may have withheld Nazi-captured Jewish treasures from restitution to the USSR, but Soviet authorities found “compensatory” restitution elsewhere. The main problem is that the treasures seized were hidden from public access for half a century, and to this day their existence has not been openly reported. Recent reports suggest that several hundred “trophy” Hebrew manuscript treasures are held by the Russian State Library (former Lenin Library). Another major collection of manuscripts resides among the holdings of the former Special Archive (now part of the Russian State Military Archive—RGVA), together with recently identified important Jewish archival materials from the Netherlands, Greece, and other countries. Across the city, some 340 Torah scrolls and 240 crates of Masonic regalia and portraits that arrived in Moscow in 1945 from Silesia were turned over to the State Historical Museum (GIM) by the Special Archive in 1946, together with some early parchment documents from Greek Jewish

Archival Depot (19 Apr. 1947), US NA, RG 260, Property Division, AHC, box 260. Schildkret mentions that the Judaica loot, including part of the YIVO press archive, was found in the Sudeten castle of Niemes.

¹³² The wartime fate of the manuscripts from the Jewish Theological Seminary in Breslau and the existence of some of them in Prague and Warsaw is reported by Gérard E. Weill, “Sur une bibliothèque systématiquement pillée par les Nazis: Le catalogue des manuscrits et incunables retrouvés de la *Bibliothek des Jüdisch-Theologischen Seminars in Breslau*,” in *Hommage à George Vajda*, ed. Gérard Nahon and Charles Touati (Louvain: Éditions Peeters, 1980), pp. 579–604. Benjamin Richler, director of the Institute of Microfilmed Hebrew Manuscripts at the Jewish National and University Library in Jerusalem, kindly reported to me about the manuscripts from Breslau in Prague. See also the survey by Andrea Braunová, “Původ knihovny Židovského muzea v Praze”/ “Origin of the [Jewish] Museum’s Library Holdings,” in *Zpravodni/Newsletter* [Jewish Museum in Prague], 1999, no. 2, pp. 3–4; no. 3, pp. 2–5; and no. 4, pp. 3–4. A more detailed report about the Judaica in Czechoslovakia and the Sudeten castles is in preparation.

¹³³ See, for example, “Prof. Hugo Bergmann’s report on his trip to Prague” (Dec. 1946) and Professor J. Scholem to Dr. Joshua Starr, Secretary, Jewish Cultural Reconstruction (30 Aug. 1948), Salo Baron Papers, Stanford University Libraries, M.580, box 43, folders 6 and 7. Michael Grunberger, Head of the Hebraica Section of the Library of Congress, kindly provided me with copies of these letters.

communities. If they remain there, they are part of a still-secret collection of trophy cultural treasures in that repository.^{133a}

Today, following the collapse of the Soviet regime, many Jewish communities of Eastern Europe are reestablishing themselves and trying to identify their cultural heritage. Jewish cultural organizations are being revived and want to reclaim their legacy. Major state libraries are trying to protect the multiethnic cultural heritage of their nations. No wonder there is rising resentment that Western Jewish leaders prevented restitution of cultural treasures to the countries of origin. Particularly resented is the fact that so many Jewish treasures were taken across the seas to America or Israel. At the same time, many Jewish cultural treasures from other countries that were transferred to the USSR after the war still remain hidden there. In most cases they too were initially seized by the Nazis from Holocaust victims, but today in Russia they still have not been publicly described or identified in terms of provenance.

Private Émigré Claims. Another component of U.S. non-restitution of cultural treasures evacuated by the Nazis involved property claimed by private émigrés in the West. According to a 1948 Washington directive, U.S. authorities were “to avoid restitution to the USSR of property claimed independently by a non-national or a refugee national of the claimant government.”¹³⁴ Hence, U.S. authorities recognized claims by several Russian émigré groups. A prime example was a major collection of icons, paintings, coins, porcelain, and other treasures transferred in Munich on 7 October 1948 to a group of exiled Kuban Cossacks in Germany who had been involved in the Vlasov partisan movement. On 27 October there was an additional transfer to them of a silver ladle. On 8 June 1951, 2 crates with 235 religious books were shipped to Grand Duke Vladimir Kyrillovich.¹³⁵

In the art realm, there have been several notable controversies, including at least two recent pretensions that U.S. authorities inappropriately transferred cultural treasures to émigrés rather than returning them to the USSR. One still pending issue involves the icon of the Tikhvin

^{133a} Many of the Soviet Jewish receipts are documented in my forthcoming article, “Twice Plundered or ‘Twice Saved’? Russian ‘Trophy’ Archives and the Loot of the Reichssicherheitshauptamt,” *Holocaust and Genocide Studies*, 2001, no. 2.

¹³⁴ “Soviet Restitution Claims,” US NA, RG 260, Records of the Property Division, Russia, box 23.

¹³⁵ The transfer receipt is preserved in US NA, RG 260, AHC, box 289. It was signed by Dr. Serge Yourieff on behalf of the Central Representation of the Russian Emigration. A 24-page inventory of the transferred cultural treasures is attached. A copy of the 27 October receipt is in the same box. Copies of those receipts are also preserved with the Munich Collecting Point records in BAK, B 323/498. That folder also contains a receipt for the 1951 shipment to Grand Duke Vladimir Kyrillovich, but a copy of that transfer receipt has not been found in RG 260.

Madonna, mentioned above, successfully claimed in Germany by Russian Orthodox Bishop John, formerly of Riga, in April 1949. His claim could have involved the issue of non-restitution of cultural treasures removed from the Baltic republics, but that matter was not raised at the time, although Bishop John had testified that he had acquired the icon in Riga. The case generated a tremendous volume of correspondence with Soviet authorities when they learned the icon was in Germany. According to contemporary documents, U.S. Army restitution authorities determined that Bishop John and his Orthodox flock had the right to keep the icon when they apparently satisfied themselves that it was not the original from the Monastery of Tikhvin, but rather a reproduction of little value.¹³⁶ More recently, renewed complaints have arisen in Russia after it turned out that the icon “saved” from restitution to the Soviet Union by Bishop John was indeed the real one, dating from the fourteenth century, if not earlier. It is now in the custody of Bishop (later Archbishop) John’s adopted son, the retired Dean of the Orthodox Church of Saint-Trinity in Chicago.¹³⁷ Extant Nazi documents affirm that the icon was removed by the ERR from Pskov already in 1942, held under strict security, and occasionally used for religious services during the war, before transfer to Riga in 1944. From Riga it was shipped to Danzig, reportedly accompanied by Bishop John, thence to Ratibor in January 1944, and finally to Bavaria later in 1944.¹³⁸ Further investigation is needed to determine when, and under what conditions, the icon initially came into the possession of Bishop John.

Continued furor has attended the postwar fate of the Dürer drawings from the former Lubomirski Museum in Lviv, nationalized following the Soviet annexation of Western Ukraine in 1939, but then seized by a personal emissary of Hitler in 1941. This case could have fallen under the U.S. initial prohibition on restitution to former Polish areas reannexed by the USSR as

¹³⁶ The transfer receipt (4 Apr. 1949), along with some related correspondence, is preserved in US NA, RG 260, Records of the Property Division, AHC, box 117. John, Bishop of Riga, had earlier been granted “custody” of the icon for his church in Heersbrück (17 Nov. 1948), but the investigation continued until spring while he was awaiting emigration papers to the United States. See fns. 96 and 97. See also the letter of Phillips Hawkins to General Lucius Clay (27 Jan. 1949), RG 260, Records of the Property Division, Reparations and Restitution Branch, Miscellaneous Restitution, box 24.

¹³⁷ A Church official in Chicago confirmed its location in a telephone conversation with me in July 2000, but I have yet to receive an answer from my letter of inquiry to the retired Dean, Father Sergei Garklavs.

¹³⁸ Already by the end of November 1941, Nazi commandos reportedly “risked their life to ‘save’ the icon” from the Church of the Saint Mary Church of the Ascension in Tikhvin with the aim of using it for propagandistic purposes. ERR report (Pskov, 30 Nov. 1941), TsDAVO, 3676/1/127, fols. 71–75. Already by March 1942, another ERR report affirms, the icon was under the control of a local Nazi commandant under special security provisions in Pskov, where it was being released for religious services in a revived Orthodox church—TsDAVO, 3676/1/127, fols. 205–207; see also 3676/1/146, fols. 11–12. Additional reports on this matter have been gathered by the Ministry of Culture of the Russian Federation in Moscow, where Nikolai Ivanovich Nikandrov kindly made copies available to me, in addition to those I had gathered earlier myself from the ERR records in Kyiv. See also the article by Ol’ga Vasil’eva, “Netlennyi plennyi obraz,” *Novoe vremia*, 1995, no. 17 (April): 34–35, which follows the icon to Chicago.

part of the Ukrainian SSR at the end of the war, although that issue was never raised, and by the time the claim was processed in 1949, that prohibition had been essentially dropped.¹³⁹ Following long-secret negotiations after the war, American restitution authorities in the State Department turned the collection over to Prince Georg Lubomirski, who claimed the drawings with supporting documentation that the terms of his family's donation had been abrogated when Soviet authorities abolished the Lubomirski Museum and nationalized the Polish collections in 1939.¹⁴⁰ Although during negotiations with U.S. authorities, Lubomirski promised them to the National Gallery of Art, he later quite legally sold the Dürer drawings at auction, resulting in their dispersal to various museums in Great Britain and the United States. Their ownership still remains hotly contested. A claim has been filed with the National Gallery from Ukraine (on behalf of the Stefanyk Library in Lviv), on the grounds that the drawing there should have been returned to Lviv, whence it had been seized by the Nazis. A potential claim might equally come from Poland, on behalf of the Ossolineum in Wrocław, the current site of the reestablished Polish cultural center transferred there (with Khrushchev's blessing) from Lviv after the war in connection with the resettlement of the Polish population. A legal case might equally favor the U.S. and British museums that purchased the drawings in good faith at auction from a Lubomirski family heir, to whom they had been assigned by American restitution authorities (and especially the National Gallery to whom Lubomirski had promised them). Several recent journalistic accounts have tapped many sources and raised conflicting issues. A well-documented case study is still needed, especially if and when any legal claims are filed in court.¹⁴¹

¹³⁹ A secret cable regarding the Lubomirski claim in March 1949 requested more information and affidavits in support of the claim. US NA, RG 260, Records of the Executive Office, AG, General Correspondence, decimal file, box 607.

¹⁴⁰ See the catalogue of the collection by Mieczysław Gębarowicz and Hans Tietze, *Albrecht Dürers zeichnungen im Lubomirskimuseum in Lemberg* (Vienna: A. Schroll, 1929), presented in a folio edition with reproductions of all 24 drawings. H. S. Reitlinger, "An Unknown Collection of Durer Drawings," *Burlington Magazine for Connoisseurs* (London), March 1927, pp. 153–55, includes plates reproducing nine of the drawings and brief descriptions of the rest.

¹⁴¹ The most detailed and balanced coverage to date is that of Michael Dobbs, "Stolen Beauty," *Washington Post Magazine*, 21 March 1999, pp. 12–18, 29; Dobbs concludes, in line with the opinion of the director of the National Gallery of Art in Washington, DC, that the recent Ukrainian claim probably would not stand up in court. Another well-researched account by Martin Bailey, "Hitler, the Prince and the Dürers," in the *Art Newspaper* (London) 6:47 (Apr. 1995): 1–2, suggests the drawings rightfully belong to Lviv, and that American restitution authorities probably had no right to return them to Prince Georg Lubomirski. That is also the opinion in a recent article in the Lviv newspaper, *Vysokii zamok*, 1999, no. 1, p. 1. See also Bailey's follow-up article on the 1998 claim by the Stefanyk Library in Lviv, "Growing unease over Lubomirski Dürers," *The Art Newspaper* 93 (June 1999): 3. An earlier account of the matter by Andrew Decker in "A Worldwide Treasure Hunt," *Art News* (Summer 1991): 136–38, raises many of the problems but lacked some of the sources uncovered by Bailey and Dobbs.

U.S. Intelligence Seizures and the “Smolensk Archive.” A final category of materials that was not returned to the USSR included documents of interest to American intelligence agencies. As one agent explained in the field, “We were directed by Washington to avoid restitution to the USSR of certain products considered as being of strategic importance.”¹⁴² In the context of the burgeoning Cold War and the de facto political division between Eastern and Western Europe, Russian archival materials and technical publications that might have potential military or security significance were exempted from the American commitment to restitution. In many cases, the relevant documentation had been seized earlier by Nazi agents for similar purposes. A 1946 assessment of the German Military Document Section Collection, then located at Camp Ritchie, MD, claiming the inadequacy of “our existing intelligence on the USSR,” suggested that “exploitation to date has revealed the fact that these documents are at present our richest source of factual intelligence on the USSR. Much of this information can never be secured from any other source.”¹⁴³

In addition to military insights, American intelligence was also looking for “information the Germans had on the Communist set-up in Russia,” and “information on the organization, personnel, activities, and tactics of the Soviet system [and] the NKVD.”¹⁴⁴ This explains why a total of at least 5,957 items of Russian archival and other printed materials from the OAD were turned over to the U.S. Army Intelligence Division (G-2).¹⁴⁵

Some of the books from the Rosenberg collections designated by Boris Nicolaevsky, as mentioned above, also went to the United States, some to intelligence agencies. For example in 1947, Nicolaevsky selected “about 10 cases of books and brochures” for the CIA, that, according to the OAD director, were turned over to G-2. And there was another G-2 “shipment of 7 cases” later in October, consisting of materials with intelligence value. Other materials from the “Alfred Rosenberg Collection (Offenbach)” were turned over to military authorities and left for the States as part of a four-ton shipment (42 boxes) “destined for the Library of Congress,” and shipped to the War Department on 23 May 1947; and some “Russian newspapers (Earmarked for

¹⁴² “Soviet Restitution Claims,” US NA, RG 260, Records of the Property Division, Russia, box 23.

¹⁴³ “Evaluation of GMDS Collection,” summary sheet, Col. R. L. Hopkins to Chief of Staff, n.d. [Apr. 1946?], copy, US NA, RG 242, AGAR-S, no. 1377. The referenced document is a copy collected from “GMDS Background Papers, History, file 5:1, folder 1,” but the original has not been located in US NA.

¹⁴⁴ “Matters of Interest to Liaison Agent,” GMDS, Camp Ritchie, MD, unsigned [n.d.] (since the memo was datelined Camp Ritchie, it would have necessarily been prepared between July 1945 and April 1946, when GMDS moved to the Pentagon), copy, US NA, RG 242, AGAR-S, no. 1393 (GMDS 5:1 folder 1).

¹⁴⁵ Poste cites the total figure in the table of transfers to G-2 from Offenbach, Poste, *U.S. Protection*, p. 299, but references to additional transfers are found in OAD records in US NA (RG 260).

B. I. Nicolaevski)” were shipped to the War Department on 15 August 1947. A transfer to G-2 of “4 cases of books and maps” in October 1947 reportedly included 337 items from the Chemical Institute in Kyiv.¹⁴⁶

Most famous among these Russian materials was a miscellaneous collection from the Communist Party Archive of Smolensk Oblast, slightly over 500 files of which are now still held by the U.S. National Archives.¹⁴⁷ The entire archive had been seized from Smolensk for the ERR by the German archivist Wolfgang Mommsen in 1943. Shipped to Vilnius, where ERR specialists worked with it for over a year before their retreat in June 1944, it was subsequently shipped to the castle of Pless (*now Polish Pszczyna*), then administered as part of the ERR center in the Ratibor (*now Polish Racibórz*) area of Silesia. But the Nazis only succeeded in evacuating a small portion further West. The much more voluminous part (totaling four wagon-loads) was retrieved by the Red Army near Pless in March 1945 and returned to Smolensk, although that information was not published in Moscow until 1991.¹⁴⁸ Many Russians today still repeat the Soviet falsified version that the whole archive is in the United States.¹⁴⁹ By 1963 both the U.S. Army and the Department of State were prepared to return the Smolensk files to the Soviet Union.¹⁵⁰ Then, however, the CPSU Central Committee accepted the recommendation of Glavarkhiv Chief Gennadii A. Belov against filing an official claim as requested by the U.S.

¹⁴⁶ “Documents Shipments to War Department” (n.d.), US NA, RG 242, AGAR-S, no. 1553. Some receipts for the materials turned over to G-2 are preserved in OAD records, US NA, RG 260, AHC, box 250. See more background details regarding the Nicolaevsky affair and these intelligence shipments in Grimsted, *Odyssey of the Smolensk Archive*, pp. 57–62.

¹⁴⁷ Soon after the Smolensk files were reported to U.S. intelligence authorities in October 1946, they were transferred from Offenbach to the Documents Control Section of the Intelligence Division (G-2) of OMGUS at Oberusel (near Frankfurt) and flown back to the German Military Documents Section (GMDS) at Camp Ritchie in November.

¹⁴⁸ Regarding the Soviet retrieval in 1945, see V. N. Shepelev, “Sudba ‘Smolenskogo arkhiva,’” *Izvestiia TsK KPSS*, 1991, no. 5, pp. 135–38. Shepelev includes reports of the Red Army political unit that found the Smolensk records, along with library collections from Pskov, Belarus, and the Baltic republics, abandoned by the Nazis in a railroad station in Silesia. The original documents come from RGASPI (earlier RTsKhIDNI), 17/125/308, fols. 11–12. The Soviet retrieval and return to Smolensk is further documented in Grimsted, *Odyssey of the Smolensk Archive*, pp. 44–48. See also V. N. Shepelev, “Novye fakty o sud’be dokumentov ‘Smolenskogo arkhiva’ (po materialam RTsKhIDNI),” *Problemy zarubezhnoi arkhivnoi rossiki: Sbornik statei* (Moscow: “Russkii mir,” 1997), pp. 124–33.

¹⁴⁹ See for example the reference by the Russian archivist A. P. Pshenichnyi, “Arkhivy na okkupirovannoi territorii v gody Velikoi Otechestvennoi voiny,” *Otechestvennye arkhivy*, 1992, no. 4, p. 94. See the US NA finding aid, *Guide to the Records of the Smolensk Oblast of the All-Union Communist Party of the Soviet Union, 1917–1941* (Washington, DC: NARS, 1980).

¹⁵⁰ William M. Franklin, Director Historical Office, Bureau of Public Affairs, U.S. Department of State, to Robert H. Bahmer, Deputy Archivist of the U.S. (5 Mar. 1963), US NA, RG 64. These and other details are documented fully in Grimsted, *Odyssey of the Smolensk Archive*, especially pp. 77–79.

Archivist in 1965, fearing that “an official petition by the Soviet Union ... could be used in the USA as official recognition of the authenticity of the documents, ... [and] could contribute to further published utilization for anti-Soviet propaganda and appear to substantiate concrete examples of events that took place during the 1930s”!¹⁵¹

In March 1992, the Archivist of the United States agreed to return the Smolensk files now held in the U.S. National Archives.¹⁵² Unfortunately, however, restitution was halted in the U.S. Congress by political linkage of the “Smolensk Archive” to the still pending claim by the Schneersohn heirs in Brooklyn for their ancestors’ collection of Hebrew and Yiddish books held in the Russian State (formerly Lenin) Library in Moscow.¹⁵³ The Schneersohn claim had already been dismissed by Russian courts, given that the collection had been “abandoned” in a Moscow warehouse when its Hassidic forebears fled abroad in 1918, and that it had been subsequently nationalized. Post-1991 Russian law provides neither for the return of any nationalized cultural property, nor the alienation of cultural treasures abroad.

Curiously, the “Smolensk Archive” also involves a small Ukrainian interest. As evidence of the complexities in the wartime displacements, approximately ten of its Washington files are actually of Kyiv provenance—from the records of the Institute of Jewish Proletarian Culture of the All-Ukrainian Academy of Sciences (UVAN), dating from the 1930s, seized by the ERR in Kyiv and then inadvertently intermixed with the Smolensk materials in Germany. Some other files from that institute that were found in OAD are now held in Jerusalem.¹⁵⁴

Two other Russian collections remaining in the U.S. National Archives were probably also picked up from Offenbach by U.S. Army intelligence agents (G-2), namely a “Miscellaneous Russian Records Collection (1870–1947),” consisting primarily of published technical works, and the “Records of the Soviet Purchasing Commission in Prague, 1936–1941.”¹⁵⁵ Russian

¹⁵¹ Glavarkhiv chief Gennadii A. Belov to the CPSU Central Committee, RGANI, 5/35/212, fols. 158–159.

¹⁵² Don Wilson, Archivist of the United States, to Rudolf G. Pikhov, Chairman of Roskomarkhiv (Washington, DC, 18 Mar. 1992). Professor Pikhov kindly gave me a copy of that letter.

¹⁵³ *U.S. Congressional Record—Senate* (31 Mar. 1992): S 4537–40. See more details in Grimsted, *Odyssey of the Smolensk Archive*, pp. 80–86.

¹⁵⁴ See the reference to more details about the Smolensk files in US NA in fn.117 above.

¹⁵⁵ Both are part of the Captured Records Collection, US NA, RG 242. The collection of publications earlier had the designation RG 1055, and the Prague materials RG 1057, before their transfer to US NA: See [Departmental Records Branch, Administrative Services Division, the Adjutant General’s Office], *Guide to Seized Records*, Reference Aid Nr. 17 (Washington, DC, Dec. 1957). Detailed finding aids were prepared in both cases: “GMDS: Catalog of Russian Section” (typescript [n.d.] with RS numbers listing over 5,300 items); and “GMDS: Catalog of the Records of the Soviet Purchasing Commission,” comp. Michael Halysyn and Edward Roszkowski (Nov. 1949; 47 p.; a folder-level description of 463 units), RG 242, box 157, no. 33.

archivists are aware of their existence in the United States, but their case has not aroused the same interest as the “Smolensk Archive.”

Soviet Documentation for Distribution of Cultural Treasures Returned

Unfortunately, even ten years after the collapse of the USSR and over fifty years since the end of the war, many of the corresponding files of the Soviet receiving side in the restitution process have either not been located in their entirety or remain closed to the public. These include the records of the Property Division of the Soviet Military Administration in Germany (SVAG), the Soviet collection centers in Germany, and distribution centers in the USSR, such as the State Fond for Literature (Gosfond) and the Central Repository of the Museum Fond, located in suburban Leningrad palaces.¹⁵⁶ Today there are increasing pretensions from numerous Russian museums and libraries to cultural treasures returned from the West, but not returned to their original homes. There are strong Ukrainian and Belarusian allegations about treasures, including icons, returned to Soviet authorities from the West, but not subsequently returned to Kyiv or Minsk. The lack of adequate and publicly available documentation on the Soviet side makes it difficult, if not impossible, to investigate thoroughly such allegations. Because the Soviet Union did not participate in the Western allied restitution process after the war, and maintained secrecy about its own “trophy” seizures, there was little incentive to share data with the public.

The intensification of the Cold War and the very extent of Soviet cultural plunder from Germany and Eastern Europe, obviously did not leave Soviet authorities at the time in the mood to advertise the American restitution program. While the book shipments discussed above came to the suburban Leningrad distribution center, other library receipts were being handled by the Moscow-based Gosfond. Both of these centers were simultaneously distributing trophy books and other cultural treasures from Germany, cultural treasures from other European countries earlier plundered by the Nazis, and cultural treasures of Soviet provenance that Soviet authorities themselves had retrieved in the West. Adding complexity to tracing distribution, often those three categories of materials were intermingled in arriving shipments from Germany, further complicating distinctions among them. Accordingly, today statistics can be highly misleading, even when provisional numbers can be established. But again, distribution records for Gosfond appear to be incomplete. Russian librarian Mazuritskii claims he has “been unable to find the

¹⁵⁶ A report about the operation of the latter agency at the Chernihiv 1994 conference suggests some of the problems involved and the fact that only part of its records survive: Irina Matveeva, “Diial'nist' Tsentral'noho skhovyshcha muzeinykh fondiv,” in *Materialy natsional'noho seminaru. Chernihiv, 1994*, pp. 243–46.

records of Gosfond,” and suggests their “possible disappearance during purges of that agency in the 1950s.”¹⁵⁷

Although the incompleteness of postwar records complicates documentation of wartime of cultural losses, Soviet retrievals, and the fate of materials restituted by the United States, a few recently opened files among the records of the Committee on Cultural-Educational Institutions of the RSFSR (predecessor of the Ministry of Culture in Moscow) contain some important documents about both shipments from Germany and the subsequent distribution of U.S.-restituted cultural property. While remaining documentation is fragmentary, transfer documents bearing signatures from various museums in different parts of the USSR, including Ukraine, have been preserved for some of the cultural property returned from the West by U.S. restitution authorities.¹⁵⁸ Documents found in those files do not match up with all of the U.S.–Soviet signed transfer receipts, but some of the Soviet documents bear precise indication of when the materials were received and where they were sent in the Soviet Union.¹⁵⁹

Of particular note, in early November 1947, nineteen freight-train wagons of cultural treasures restituted from the U.S. Occupation Zone of Germany were processed at the Soviet cultural transfer center of Derutra near Berlin. Of these, eight freight-train wagons were sent directly to Kyiv and two wagons to Minsk; four went to Novgorod and four freight wagons plus an additional flatcar for bronze statues (undoubtedly from the Neptune Fountain) were directed to the suburban Leningrad cultural distribution center in Pushkin. Presumably these would have comprised the materials received from the United States in transfers 7–11 (Munich nos. 2–5 and

¹⁵⁷ Mazuritskii, *Ocherki istorii bibliotechnogo dela*, p. 147. Mazuritskii’s remarks, also published in a separate article in a Russian library journal, are quoted and reaffirmed by Ingo Kolasa in his preface to *Die Trophäenkommissionen der Roten Armee: Eine Dokumentensammlung zur Verschleppung von Büchern aus deutschen Bibliotheken*, comp. and ed. Klaus-Dieter Lehmann and Ingo Kolasa (Frankfurt am Main: Vittorio Klostermann, 1996; *Zeitschrift für Bibliothekswesen und Bibliographie*, Sonderheft 64), pp. 16–17. See more details about the problems involved with the Gosfond distribution of trophy books in Grimsted, *Trophies of War and Empire*, ch. 5.

¹⁵⁸ In 1997, I was permitted to examine some files within the partially declassified series (*opis' 2*) of the records of the RSFSR Committee on Cultural-Educational Institutions (*Komitet po delam kul'turno-prosvetitel'skich uchrezhdenii*) (predecessor of the Ministry of Culture), GA RF, A-534/2, which are still not openly available to all researchers. For example, among U.S. restitution shipments to the USSR in one list from June 1946 were 26 crates from the UkrSSR, including materials from an herbarium, an entomological collection, and negatives and books from the Institutes of Biology and Zoology—T. Zuev to A. A. Zhdanov (6 June 1946), GA RF, A-534/2/10, fol. 218.

¹⁵⁹ The Bremen group also surveyed this problem with limited success. As apparent from the use slips in individual files (GA RF, A-534/2), the German researchers themselves had not seen these files, but copies had been obtained for them. By and large the Bremen team received copies of documents from the same files that I examined, but it is not clear that they received copies of all the relevant documents. See Ulrike Hartung, “Der Weg zurück: Russische Akten bestätigen die Rückführung eigener Kulturgüter aus Deutschland nach dem Zweiten Weltkrieg. Probleme ihrer Erfassung,” *Betr: Sicherstellung*, pp. 170–208.

possibly also the October 1947 transfer from Wiesbaden). Official representatives from the Russian, Belorussian, and Ukrainian republics inspecting the materials and verifying the shipment in Derutra attested to the fact that they could not conduct a full inventory at that point, which would have involved opening and inspecting the contents of each of the several thousand crates. Accordingly, they explained, they bonded each crate and each wagon, after making a list of the crates to be included, before dispatching them to their destinations in the USSR. They noted that at least one thousand crates had been opened and some damaged, and some had to be repacked or repaired. Lists (in Russian) attached to their signed acts of attestation are preserved indicating the items (with U.S. property numbers) that were shipped to each destination.¹⁶⁰ Soviet authorities obviously must have had copies of the U.S. inventories to have prepared these lists bearing U.S. Munich numbers.

Additional inventories according to presumed repository of origin had been prepared in Munich and remain today with the Munich CCP files. In some cases working copies of the German ERR inventories that had been found in the various repositories are also preserved with Munich property-card numbers added in pencil.¹⁶¹ While presumably, the Soviet officers accepting delivery in Munich received a copy of the official acts of transfer with inventories and property-card numbers, it is puzzling why they did not receive copies of packing-crate inventories or those additional inventories identifying the repository of origin. Soviet officers were supposed to have inspected the outgoing contents of individual crates in Munich, but according to American reports, the Soviet officers present were not necessarily well-qualified museum specialists, and quite probably they were working through interpreters. Hence, it would

¹⁶⁰ See the signed official acts regarding these shipments and the attached lists with notation of corresponding U.S. property card numbers preserved in GA RF, A-534/2/14. For example, the act of transfer to Ukraine, “AKT priemasdachi muzeinogo umushestva, vozvrashchaemogo v poriadke RESTITUTSII v Sovetskii Soiuz” (Berlin, 6 Nov. 1947), GA RF, A-534/2/14, fols. 6–9; the attached list (fols. 10–19) specifies 1,127 crates of museum items from Kyiv among 2,391 crates received from the American Zone (copy, fols. 41–50). See also the act of transfer to Minsk with 182 items, fols. 20–21 (cc. fols. 53–54); the act for Leningrad-Pushkin with 275 items, fols. 22–23 and 33–34; for Novgorod with 437 items (fols. 24–26). See the signed act of receipt for 437 items in Novgorod (15 Dec. 1947), fol. 1 and fols. 3–5 (cc. fols. 35–37). See also the inventory of paintings and icons from Novgorod and Pskov received from Germany (27 Jan. 1948), fols. 65–113, fols. 116–120. There is also a receipt for 40 crates for Kerch (8 Apr. 1948), fol. 121, and fols. 129–131, and 15 crates for Simferopol (30 Sept. 1948), fol. 126. Another file (GA RF, A-534/2/13), includes additional copies of the receipts for 40 crates for the Kerch Museum (fol. 3), 268 crates for the Historical Museum in Kyiv (fols. 9–15), and others being transferred to Feodosii in the Crimea in 1948 (Crimea was part of the RSFSR until 1954). A facsimile initial page of the list for Leningrad-Pushkin is reproduced in “*Betr: Sicherstellung*,” plate XXXVII. Further verification will be required, some of it well underway by the Ministry of Culture in Moscow, to correlate the Munich numbers indicated with the inventories of different U.S. transfers, with extant German inventories, and with the additional Munich inventories remaining in Koblenz.

¹⁶¹ See the master set of inventories by city and museum, “Verzeichnis der Treuhandverwaltung von Kulturgut München bekanntgewordenen Restitutionen von 1945 bis 1962. USSR A–Z, B 323/578. See also the detailed inventories for cultural property from Kyiv museums in B 323/498. See the references to ERR inventories in B 323/495 above, fns. 37 and 46.

be quite understandable if some items were not identified correctly and distributed to their repositories of origin. The acts of transfer the Soviet officers received and signed all bore U.S. property-card numbers, but apparently the official representatives present did not receive copies of the property cards or the repository inventories.

That documentation, including the original U.S. property cards for museum exhibits and the additional inventories by originating city or repository, is nonetheless openly available, part in the U.S. National Archives and part in the Bundesarchiv in Koblenz, even though it may not always be sufficient for identification purposes. Copies of the German-language CD-ROM database compendium of the “Property Cards—Art” covering the over ½ million treasures returned from the U.S. Zone of Occupation to the USSR were made available to Russia and Ukraine.¹⁶² At Ukrainian request, xerographic copies of the original U.S. Army “Property Cards—Art” for items returned to the USSR were presented to Ukraine in 1994.¹⁶³ Specialists from Ukrainian museums have since been examining these files, but they have been having difficulty matching the property-card descriptions with their missing items without the inventories of incoming shipments. Specialists have also often had difficulty tracking down all of the remaining Nazi inventories and out-shipment documentation, but they have not spent the time necessary in Koblenz and Washington, DC. Furthermore, Ukrainian specialists have apparently not spent adequate time researching these matters in the sources that are preserved and open in Moscow, or they have not sought access to all of the incoming reports and transfer documentation from Soviet postwar cultural distribution centers. Russian specialists in the Ministry of Culture and various museums have likewise had difficulty because of lack of access to complete documentation in Russia, especially to the inventories of the U.S. restitution shipments. Even when they had access to the Bremen German-language database, it was often virtually impossible to match the “Property Cards—Art” references as therein described with their missing museum exhibits.

¹⁶² Eichwede and Hartung, “Property Cards Art—Die CD der Arbeitsstelle” (see fn. 27). Russian-language translations of the property-card data prepared from the Bremen CD-ROM, including those for Ukraine, are available in the Ministry of Culture in Moscow.

¹⁶³ The photocopies of the “Property Cards—Art” made available to Kyiv came from the records of the Collecting Point in Munich, in BAK, B 323, which I first examined in Koblenz in 1993 together with IUA Deputy Director Hennadii Boriak. The entire file was subsequently copied for presentation at the 1994 UNESCO-sponsored conference in Chernihiv. See H. Boriak, “Bremens'kyi proekt ‘Dolia kul'turnykh tsinnosti, vyvezenykh z SRSR v roky Druhoi svitovoï viiny’ (FRN): Kameral'ni metodyky i problemy doslidzhennia istorii arkhivnykh dokumentiv,” in *Materialy natsional'noho seminaru. Chernihiv, 1994*, pp. 251–60.

Also found in that same record group is a summary inventory prepared from the property cards (organized by Soviet repository of origin), “Verzeichnis der Treuhandverwaltung von Kulturgut München bekanntgewordenen Restitutionsen von 1945 bis 1962, USSR A–Z,” BAK, B 323/578. Other item-by-item descriptions and photographs of the materials restituted to the Soviet Union are available in the files of the various Collecting Points in the U.S. Zone of Occupation that are held as part of the OMGUS records, US NA, RG 260, and in BAK, B 323.

As mentioned at the outset, Russian legislators were claiming as recently as 1997 that no Nazi-plundered cultural treasures had ever been returned from Germany. Since the publicity about the thirteen U.S. shipments, Russian restitution specialists in the Ministry of Culture acknowledge that extensive restitution from Germany did take place. However, more recently, on the basis of Soviet documentation, they were claiming that no inventories accompanied the U.S. transfers. The difficulty of documenting restitution, and especially distribution, to the repository of origin in Russia or other former Soviet republics is now at the heart of the problem. In a published presentation from a 1997 conference in Minsk, Nikolai Nikandrov, a specialist in the Restitution Office of the Russian Ministry of Culture, complains about the lack of inventories received from the American side:

Between 1945 and 1947, the Americans handed over 13 loads of museum exhibits, books, archives, etc. to the Soviet Government. As we understand now, detailed lists of contents were not submitted together with the loads. At least we are still unable to find any trace of them. We also have witnesses that cultural items which arrived to Berlin, terminal Derutra, did not have item lists attached.¹⁶⁴

Nikandrov cites, for example, the figure of 2,391 crates in the Derutra warehouse in Berlin on October 1947, without “a single inventory . . . or other reference lists of contents.” Given the lack of inventories, “Correlation of information on restituted cultural treasures from the American Zone with documentation we have from Russian archives is virtually impossible. And even the card files. . . given to the USSR (from the Federal Archives in Koblenz and the National Archives in Washington) have insufficiently concrete data.”¹⁶⁵

However, American copies of the transfer papers are preserved in the U.S. National Archives, and they are all duly signed by the receiving Soviet officials, all of them accompanied by at least summary inventories for the shipments. It is inconceivable that copies of the inventories (in German or English) did not accompany the Soviet copies of the receipts. As noted above, the Soviet receiving officers must have had copies of the U.S. inventories to prepare the Russian-language transfer lists bearing U.S. property-card numbers. So far, however, the Soviet copies of the American transfer documents and the accompanying inventories of the cultural

¹⁶⁴ A complaint to this effect has been published in the report by Nikolai Nikandrov, “Russia,” in *Spoils of War International Newsletter* 6 (February 1999): 50–52 (the quote is from p. 52). The same complaint has been made to me on numerous occasions by specialists in the cultural restitution office in the Ministry of Culture.

¹⁶⁵ Nikolai Nikandrov, “Problemy vyivlenniia kul'turnykh tsennosti prinadlezhashchikh odnoi strane i peremeshchennykh na territoriiu drugoi strany v gody Vtoroi mirovoi voiny,” in *Restytsyia kul'tirnykh kashtonastsei: Problemy viartannia i sumesnaha vykarystannia (iurydychnyia, navukovyia i maral'nyia aspekty): Materyialy Mizhnarodnai navukovai kanferentsyi, iakaia adbylasia u Minsku pad ehidai UNESCO 19–20 chervenja 1997 h.*, ed. Adam Mal'dzis et al. (Minsk: Natsyianal'ny navukova-asvetny tsestr imia F. Skaryny; Belaruskii fond kul'tury, 1997; *Viartanne*, 4), pp. 58–67; the quotation is from pp. 60–61.

restitution transfers have not been located in Russian archives, except for the ones from Washington found by the Ministry of Foreign Affairs. Given my own experience with Russian archival practices, it is hard for me to believe that such important documents were not preserved.

My first presumption was that they were held within still classified sections of the SVAG records, most of the non-military portions of which are housed in the State Archive of the Russian Federation (GA RF). Some of the SVAG records were opened to researchers in 1990–1992, but then closed again by presidential order.¹⁶⁶ Some of those were reopened in 1995 “except for property-related files,” which would most probably contain the receipts and inventories, along with related correspondence and reports. However, as of the summer of 2000, these had still not been formally declassified or made available for researchers.¹⁶⁷ When copies of the initial version of this study were presented in Moscow in April 2000, GA RF director, Dr. Sergei V. Mironenko, ordered a thorough search for the Soviet copies of these documents. As of the end of July 2000, archivists in GA RF have been unable to locate them. Official inquiry from GA RF to the Archive of Foreign Policy of the Russian Federation (AVP RF) under the Ministry of Foreign Affairs likewise produced negative results, although the Ministry has located the receipts for the 1957 and 1959 transfers to the Soviet Embassy in Washington mentioned above.¹⁶⁸ The search continues. Given present concern over displaced cultural treasures and restitution issues, it is hard to understand why those documents have not been located and declassified for public use, or earlier for those officials handling restitution issues in the Ministry of Culture.

The fact that even official Russian Ministry of Culture specialists have not been able to locate the official Soviet copies of the transfer documents with the accompanying U.S. inventories, together with the postwar official denials of U.S. restitution, suggests those documents may have been immediately taken out of circulation and relegated to some classified safe. That may also explain why copies of the inventories were not forwarded by SVAG officials to the Soviet distribution center in Berlin, to the subsequent distribution center in suburban Leningrad, or with shipments to Kyiv and Minsk. Today we live in a new century, and we have

¹⁶⁶ Some of the SVAG records and the related card catalogues held in GA RF had been open for limited research in the early 1990s, but were closed again by a secret presidential decree in August 1992, pending the removal of Russian troops from Germany. Another secret presidential decree at the end of August or early September 1995 called for the declassification of SVAG records.

¹⁶⁷ The 1995 presidential decree was security classified, but archivists in GA RF explained its content to me. Since there have as yet been inadequate attempts to test the measure, and since subsequently all declassification in GA RF was frozen because of the government’s failure to appoint a new declassification commission and/or revise declassification procedures, as of summer 2000 these materials were still not available to researchers.

¹⁶⁸ See fns. 55 and 56.

nurtured every hope that post-Soviet Russian government would be more open to public access to information. However, since Russian officials have not yet found this important documentation, and since it is still not publicly available in Russia, I here provide copies from the National Archives of the United States. The inventories may not be as detailed as desired, or as those prepared by the Nazi agents of plunder. Nevertheless, these documents should help resolve some of the remaining controversies about what materials were returned to the USSR and which were not from American restitution centers in Germany.

Although matching different inventories and tracing transfers may still not be possible in all cases, additional information about the contents and migration of specific shipments should help identify their movements, even if data on individual items may not always be available. In any case, more open international sharing of what limited documentation is available might assist Russian, Belarusian, and Ukrainian specialists today to trace those materials that reached Germany and were identified as of Soviet provenance. In many cases, more detailed inventories (Nazi-period and postwar), together with the property cards and (in many cases) photographs of the art survive in U.S. and German archives. They are freely open to any Russian specialists who may come and study them or have copies prepared. Following the numbering scheme worked out in U.S. Collecting Points, it is possible to trace specific items, although to be sure, the descriptions are often vague or imprecise. Those same U.S. Collecting Point numbers appear on most of the inventories presented here.

Making these copies available to our Russian colleagues today should help counter the criticism that many cultural treasures from Soviet lands found in Germany after the war were not returned to the USSR. It should also counter the impression that many Soviet cultural treasures were taken to the United States, or that inventories were not turned over to Soviet authorities with the official copies of the signed custody receipts. Yes, there were examples of wartime or postwar taking of booty by U.S. military personnel, and there were specific categories of materials not restituted. Yet those are the exceptions, not the general rule. There are still discrepancies between American figures about items transferred to the USSR, and available Russian statistics about the number of items received, such as the discrepancy between American figures for books restituted from Offenbach and the number Russian librarians cite. Such issues require further consideration, and other specific cases require more analysis. It is my hope that continuing collaborative research with Russian specialists, combined with more open access to documentation remaining in Russia, can help overcome persisting Cold War attitudes surrounding displaced cultural treasures. Hopefully, too, more discussion at conferences such as the VGBIL meeting in Moscow can help the new century rise above the bitterness that still pervades the politics of restitution on both sides of the Atlantic. Perhaps there is even a glimmer

of hope that more cultural treasures can be freed from their current status as prisoners of the horrendous war that devastated the European Continent over half a century ago.