

The Honorable John F. Kerry
Secretary of State
United States Department of State
Washington, DC20520

Garfield, New Jersey
October 15, 2015

Dear Secretary Kerry,

We would like to draw your attention to the letter that forty six (46) Members of the House of Representatives sent to you dated June 29, 2015 (ANNEX No 1) and the letter with very similar content that the Comptrollers of both the City and State of New York, and the Treasurer of the State of California sent to the Prime Minister of Poland dated July 30, 2015 (ANNEX No 2). On behalf of the Board of Directors of "Nowy Dziennik" (Polish Daily News), the largest Polish-American newspaper in the United States, we kindly request that you take into consideration the attached Memorandum of Law prepared by The Platta Law Firm, PLLC and explain the State Department's position on the allegations raised against Poland in the above noted letters.

A copy of this letter is also being sent to all signatories of the above-mentioned letters, to the U.S. Senators representing New Jersey, to President Barack Obama, the President of Poland Andrzej Duda and Poland's Prime Minister Ms. Ewa Kopacz.

The forty six Members of Congress made various accusations in their letter against Poland, inter alia accusing the Polish Government and private owners in Poland of remaining in unlawful possession of property abandoned in Nazi-occupied Poland by the Jewish community and individual Jewish owners during the World War II era. The forty six Members of the House of Representatives also alleged that Poland has not made full restitution of Jewish property illegally seized by Nazi Germany during the Holocaust. Similar allegations against Poland were made by the Comptrollers of the City and the State of New York and by the Treasurer of the State of California in their letter to the Polish Prime Minister.

Both letters received wide media coverage in Poland and abroad. As a result, "Nowy Dziennik" asked Slawomir W. Platta, senior partner of the largest Polish-American law firm in Manhattan, to prepare a Memorandum of Law addressing these baseless accusations made against Poland.

Specifically, Mr. Platta analyzed in detail the international Bilateral Treaty between the Government of Poland and the Government of the United States signed on July 16, 1960 (ANNEX No 3). As a result of this treaty, Poland paid forty million dollars (\$40,000,000.00) to the United States in full settlement and discharge of all

claims made by nationals of the United States, especially those of Jewish descent, against the Government of Poland, regarding property illegally seized from them by Nazi Germany during the Holocaust. In exchange, the United States Government became financially responsible for any claims in that matter and agreed to indemnify the Government of Poland for claims made by United States nationals against the Polish Government. This also applies to the present demands made by the forty six Members of United States Congress and officials of local and state authorities. It is clear that the US Congressmen presented demands which are in direct conflict with the Bilateral Treaty of 1960 between Poland and United States. Equally appalling is the fact that the Comptrollers of the City and the State of New York, and the Treasurer of the State of California, sent a similar letter to the highest Polish government official, without following customary diplomatic protocol.

The aforementioned letters effectively demand State Department's support to violate the fifty five year old treaty between the United States and Poland.

The fact that these Members of the United States Congress made such baseless accusations against Poland, without properly verifying said claims and understanding the long standing international treaty between the United States and Poland is both appalling and irresponsible.

Today, it is manifestly unfair, and contrary to the letter and spirit of the 1960 Bilateral Treaty, for the United States State Department to exert pressure on today's Polish Government to pay monetary compensation for crimes committed against private property on conquered Polish territory by Nazi Germany and the communists during the World War II era. The proper address for such claims is Berlin and Moscow, not Warsaw.

In view of the above, we respectfully request that you, as the principal policymaker of the United States Department of State, take action to set the record straight, and to speak out against all unfounded allegations made against Poland.

We look forward to your reply to our letter and to the Memorandum of Law.

Sincerely,



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