



POLISH AMERICAN CONGRESS

1612 K Street, NW, Suite 1200, Washington, DC 20006-2802

Tel.: (202) 296-6955 ♦ Fax: (202) 835-1565 ♦ E-mail: pacwash@pac1944.org

WWW.PAC1944.ORG

January 4, 2018
The Honorable Ed Royce
Chairman
House Foreign Affairs Committee

Dear Chairman Royce:

The POLISH AMERICAN CONGRESS represents the interests of Americans of Polish heritage who are convinced that their ancestral country, Poland, as a key NATO ally, protects United States national security interests in Central and Eastern Europe and promotes the values of freedom and limited government in that dangerous part of the world.

S. Res. 447, known as the JUST ACT OF 2017, includes Poland among countries, which were Axis allies during World War II, such as Romania and Hungary. A parallel resolution H.R. 1226 is under consideration by your committee. It also appears to ignore, or evade, moral and historical principles of high importance, with the result that H.R. conflates victims with villains.

Poland's unique circumstances, as a victim nation of German and Soviet aggression in September 1939, which started World War II by virtue of the mutually-planned and executed Ribbentrop-Molotov Pact, need to be recognized by Congress in these matters. The language of HR 1226 proposes that claims (under Terezin Declaration definitions) could be made against today's Polish State for crimes today's Poles did not commit. Stunningly, this completely ignores that the monstrous crimes perpetrated on Polish territory by Nazi Germany and the Soviet Union were followed by massive property transfers carried out directly by Nazi Germany and the Soviet Union.

Indeed, Poland's history from 1795 to 1918 found her wiped from the map of Europe by way of the infamous three Partitions of 1772, 1793, and 1795 that had been engineered by her contiguous imperial neighbors, Russia, Austria, and Prussia (the latter nation being an integral progenitor of Nazi Germany).

Moreover, the issue of wartime compensation to be paid to Poland as a victim (as identified by the International Military Tribunal - Nuremberg Proceedings) is entirely unresolved. These two factors make Poland's case unique, and materially different from other East Central European countries, like Hungary and Romania, both having been loyal allies of Nazi Germany.

Today, claims for private property compensation in Poland are decided case by case.. This fact alone should give pause to anyone considering imposing on today's Poland a one-size-fits-all general law on compensation for private property despoiled by Nazi Germany and then nationalized by the communists.

Poland already has compensated all United States citizens who owned private property in Poland before September 1, 1939 when Nazi Germany invaded our kin country. This was done in compliance with the 1960 Bilateral Treaty signed by Poland and the United States. Moreover, in Poland, all claims submitted for compensation by children and grand children (as real persons) of people who lost property have been adjudicated and have been paid.

Clearly, the purpose of H.R.1226 appears to be the extension of this to other entities or persons as well, an approach that suggests it being an unreasonable and arbitrary overreach by the United States Congress.

The House version of the JUST Act of 2017, H.R. 1226, unjustly conflates the role of Poland and the Poles in World War II with countries that were Axis allies. By contrast, in North Africa, and in Western Europe, and in occupied Poland, from start to finish in World War II, Polish armed forces fought Nazi Germany as a full state ally of our own United States of America.

There was no collaborationist Nazi German satellite state on Polish territory.

The claimants' bill for their despoiled and nationalized private property on conquered Polish territory during the World War II era should be presented not to the victim nation -- Poland -- but to the perpetrators, Germany and the Russian Federation, the latter as successor of the Union of Soviet Socialist Republics. Informed readers recall that the Soviet Union, as an ally of Nazi Germany, invaded Poland on September 17, 1939, two weeks following Nazi Germany's invasion of Poland. Both invasions were not accidental, but rather, mutually orchestrated aspects of the infamous Ribbentrop-Molotov Pact.

It is unjust to lay the groundwork, political or otherwise, to require today's Polish society to pay extravagant sums to legacy organizations related to victims of loss of private property or that despoiled by Nazi Germany and then nationalized by a regime indisputably established by Soviet communists.

This amounts to a perverse collective punishment of today's Poles for crimes of private property expropriation perpetrated by Nazi Germany and the communists on conquered Polish territory. Again, Poland has already undertaken a good faith effort, under strict rule of law, to address these matters.

Clearly, further investigation of facts, or hearings, should occur before action is taken. This is why I encourage you to ask the members of the House Foreign Affairs Committee not to apply H.R.1226 to Poland.

The POLISH AMERICAN CONGRESS, which represents Polish American organizations and communities, wants the House Foreign Affairs Committee thoughtfully to address our concern that our ancestral country Poland receives just and equitable treatment from the United States Government. Our sincere wish is to prevent this issue from becoming one that Polish Americans would come to feel has to be redressed at the 'ballot box'. Those who vote for the application of the JUST ACT OF 2017 to Poland, which is most UNJUST to our ancestral country, run that risk.

Your gracious consideration, and hopefully, support, will be appreciated greatly by our nation's Polish American Community.

Sincerely yours,



Frank J. Spula
President
Polish American Congress