



October 29, 2020

Hon. Scott S. Harris
Clerk of the Court
Supreme Court of the United States
1 First St. NE
Washington, DC 20543

Re: No. 19-351, *Federal Republic of Germany, et al. v. Philipp, et al.* and No. 18-1447, *Republic of Hungary, et al. v. Simon, et al.*

Dear Clerk Harris:

In accordance with Rule 32(3) of the Rules of the Supreme Court of the United States, *amici curiae* the World Jewish Congress, Commission for Art Recovery, and Ambassador Ronald S. Lauder submit this proposal to lodge certain non-record materials with the Court.

These cases concern in part whether takings that took place during the Nazi regimes in Germany and Hungary violated international law, such that Petitioners are not immune from suit in a U.S. court pursuant to the Foreign Sovereign Immunities Act, 28 U.S.C. § 1605(a)(3). Among the issues now briefed in both cases is the proper historical perspective from which those events and the applicable law should be viewed.

In support of the brief filed with this Court by the undersigned *amici curiae*, Ambassador Lauder has prepared a brief statement, based upon his decades of commitment to representing the interests of Jews and Jewish communities throughout the world. His statement underscores the scale and devastation of the theft and expropriation utilized as part of the Nazis' genocidal campaign in Europe and the connection between genocide and the takings, particularly with respect to art and cultural objects such as the collection of artifacts at issue in *Philipp*. Ambassador Lauder's statement also provides information regarding the importance of the Holocaust Expropriated Art Recovery Act in developing U.S. policy regarding genocide-related takings – a statute which he strongly supported and led efforts to pass, including presenting testimony to Congress. The statement will therefore aid the Court in deciding the issues before it regarding the Nazi era and its proper historical context.

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Undersigned *amici* will promptly deliver a copy of the statement if the Court approves. Thank you for your time and assistance in this matter.

Very truly yours,

/s/ Thomas R. Kline

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Commission for Art Recovery, and Ambassador Ronald S.
Lauder

cc: Counsel of record