

**TESTIMONY TO THE
DOMESTIC AND INTERNATIONAL MONETARY POLICY, TRADE AND
TECHNOLOGY SUBCOMMITTEE OF THE
COMMITTEE ON FINANCIAL SERVICES
UNITED STATES HOUSE OF REPRESENTATIVES**

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Art is about family, it is about memory and it is about history. It is about the history of paintings and drawings and sculptures, but it is really about the history of people. For many, it is the last tangible connection with a past that was destroyed and with a family that was lost. It is not important whether the painting was a Monet or a minor work by an unknown artist. It is important because it belonged to a family – it is a legacy of what existed before the horrors of the Holocaust.

The looting of art by the Nazis was a systematic, widespread and unrelenting extension of their racial theories. It was an attempt to obliterate art from the Nazi empire that was considered ‘degenerate’ whether because it was ‘modern’ or because the artist was Jewish. But it was more than a policy to ‘purify’ the art world – it was an opportunity for the insatiable art appetites of Hitler, Goering, Ribentropp and other Nazis to be fed by the confiscation of art from some of the most well known Jewish families of Europe. In addition, the Jews who were to be exterminated in body were also to be plundered of all their assets. For the Nazis, the collections of Jewish art were a vast treasure that would now be available to the Nazis as a by-product of their racial policies. They would be used to build private collections, to swap for other paintings, to sell for personal profit, to create museums or to generate foreign currency for the Reich. A special unit, the Einsatzstab Reichsleiter Rosenberg (ERR), was established by the Nazis to carry out this looting.

The art market was alive and thriving during the war – none more so than those in Paris and Switzerland. The Paris market was so vibrant that a Rotterdam newspaper reported on its front page that the Drouet, the famous French auction house, was filled with customers and the year 1941 had beaten all records, citing examples back to 1824.¹ Switzerland in particular, being a ‘neutral’ country and one that granted ‘good title’ to owners of artwork after the mere passage of five years, was a haven for looted art. For example, in 1941, Walter Hofer, an art dealer who became Goering’s agent, offered 25

¹ Lynn Nicholas *Rape of Europa The Fate of Europe’s Treasures in the Third Reich and the Second World War*, Alfred Knopf Inc 1995 page

Impressionist paintings that had been confiscated in France to the Gallerie Fischer in Lucerne in exchange for six paintings that Goering desired. In October 1941 the Impressionist paintings were brought to Switzerland and a number of them were sold off almost immediately. The Fischer gallery was perhaps the most famous of the many galleries in Switzerland dealing in looted art.

Another example of the journey of families and paintings can be seen in the collection of the Dutch- German banker, Fritz Gutmann. The description of the fate of the family and the fate of the paintings is set forth in Hector Feliciano's book "The Lost Museum".² Of the paintings owned by the family and looted by the ERR, some were taken to Germany but two Degas paintings and a Renoir painting were sold or exchanged by the Nazis on the European art market. These painting had been sent for safekeeping to France but were found and plundered by the Nazis. Fritz and Louise Gutman remained in Holland during the war but their son was in England and their daughter Lili was in Italy. Like many assimilated Jews - they believed that no harm would come to them. One day in 1943, a German officer surprisingly announced to the couple that they were being granted safe passage and could leave by train to Florence where they would be met by their daughter, Lili. The SS officer handed them first class train tickets. Their daughter Lili waited for them at the train station in Florence but to no avail. In fact, in Berlin the Gutmanns were taken off the train and sent to Theresienstadt. In April 1944 Fritz Gutmann was found beaten to death in Theresienstadt. In late June or early July 1944 Louise Guttman was sent to Auschwitz, where she died in the gas chambers. After the war, their children Bernard and Lili tried to reclaim their assets. However, many works from the collection seemed to have completely disappeared – including the two Degas pastels and the Renoir. When Bernard Goodman died in 1994, his sons took up the search for the missing paintings. In 1995, one son found the Degas painting in a book that was published to coincide with two major Degas exhibitions. It was located in the United States where it was owned by an American pharmaceutical company executive who had bought it in 1987. The previous U.S. owner had bought it in 1951 from a Swiss textile merchant from Basel. The Swiss textile merchant had bought it from Hans Wendland. Wendland was friendly with officers of the ERR and was a visitor to the Jeu de Paume (where the looted art had been catalogued by the ERR) and was a partner of Theodore Fischer, the infamous Lucerne art dealer. The Goodman children filed suit to recover the painting. After many years of protracted legal battles, a settlement was reached between the Goodmans and the owner. The history of this case symbolizes not only the tragic fate of a family that could not comprehend the impending Holocaust but also the relentless pursuit of art by family members who simply could not forget the art that was part of their family and part of their life. Moreover it shows the long journey by pieces of artwork of thousands of miles from pre-war Jewish families in Europe to the United States.

During the last decade, this Committee has established itself as a leading force in the attempt to secure a measure of justice for Holocaust victims and their heirs. On behalf of

² Hector Feliciano *Lost Museum: The Nazi Conspiracy to Steal the World's Greatest Works of Art*, 1997 page

Nazi victims and their heirs, we applaud your continuous and unrelenting efforts not to let past injustice remain to taunt the victims of the worst crime in modern history.

The Importance of Information

The information available to survivors of the Holocaust and their heirs is often fragmentary or does not exist at all. Documents of ownership were lost in the turmoil of the Holocaust.

For most potential claimants, information is critical. Without information, it is impossible to know what happened. Without information, survivors and their heirs will not know where to look and the last opportunity we have to right an historic injustice will be gone.

The average age of the Holocaust survivors is over age 80. The generation of the survivors is slipping away and with them will go the personal recollections and memories that may help connect a family with its past.

Art in the United States

In the immediate post-war period the U.S. Customs Service and the Office Military Government of the United States enacted laws and regulations to prevent looted art from entering the United States.

As one well known expert noted:

“The international agreements and postwar laws and policies of the US and its Allies have been justifiably lauded for their success in the face of enormous obstacles. But despite enactment of many laws from T.D. 51072 by U.S. Customs to Military Government Laws 52, 53 and 59, it is clear that looted art entered the U.S. during and after the war.”³

Despite their best efforts, these measures were limited in scope and direction and unevenly enforced.⁴

Consequently, it already became apparent in the post war period that looted art was entering the country. The report of the Presidential Advisory Commission on Holocaust Assets in the United States stated:

“As early as 1946, the State Department notified museums and other institutions that stolen art was entering the country but in the years following the war it was not the standard practice for museums, collectors and dealers to investigate the provenance of works they acquired.”

³ Lucille Roussin *Holocaust-era Looted Art: the Routes into the U.S.* *IFAR Journal Vol 5 No3 2002 page 44*

⁴ *id.*

The report also noted that

“Holocaust era cultural property – that is, works created before 1945, transferred after 1932 and before 1946, and which were or could have been in continental Europe between those dates – is found in museums, libraries, galleries and private collections in the United States.”

The question for those involved in attempting to redress this Nazi era wrong became, “How should the art community deal with this issue?”

International Commitments

The issue of the identification and return of Holocaust era art was dealt with in an ad hoc and haphazard way for more than five decades. There were no uniform practices within countries, let alone worldwide consensus on dealing with the issue. Finally, toward the end of the 1990s, the re-examination of many unresolved Holocaust restitution issues resulted in renewed research and focus on the complex problem of the restitution of Holocaust-era art.

The first international forum was the Washington Conference on Holocaust-Era Assets, initiated by Deputy-Secretary Stuart Eizenstat and hosted by the State Department in November – December 1998. It brought together over 40 countries. The unique aspect of the Conference was that the participants included not only governments, non governmental organizations (NGOs), art researchers and historians but also those involved in the field on a daily basis – museums and art dealers. The Conference endorsed the following set of principles:

Washington Conference Principles on Nazi-Confiscated Art

In developing a consensus on non-binding principles to assist in resolving issues relating to Nazi-confiscated art, the Conference recognizes that among participating nations there are differing legal systems and that countries act within the context of their own laws.

- I.** Art that had been confiscated by the Nazis and not subsequently restituted should be identified.
- II.** Relevant records and archives should be open and accessible to researchers, in accordance with the guidelines of the International Council on Archives.
- III.** Resources and personnel should be made available to facilitate the identification of all art that had been confiscated by the Nazis and not subsequently restituted.
- IV.** In establishing that a work of art had been confiscated by the Nazis and not subsequently restituted, consideration should be given to unavoidable gaps or ambiguities in the provenance in light of the passage of time and the circumstances of the Holocaust era.
- V.** Every effort should be made to publicize art that is found to have been confiscated by the Nazis and not subsequently restituted in order to locate its pre-War owners or their heirs.
- VI.** Efforts should be made to establish a central registry of such information.

VII. Pre-War owners and their heirs should be encouraged to come forward and make known their claims to art that was confiscated by the Nazis and not subsequently restituted.

VIII. If the pre-War owners of art that is found to have been confiscated by the Nazis and not subsequently restituted, or their heirs, can be identified, steps should be taken expeditiously to achieve a just and fair solution, recognizing this may vary according to the facts and circumstances surrounding a specific case.

IX. If the pre-War owners of art that is found to have been confiscated by the Nazis, or their heirs, can not be identified, steps should be taken expeditiously to achieve a just and fair solution.

X. Commissions or other bodies established to identify art that was confiscated by the Nazis and to assist in addressing ownership issues should have a balanced membership.

XI. Nations are encouraged to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues.⁵

Approximately two years later, the Vilnius International Forum on Holocaust Era Looted Cultural Assets was held under the auspices of the Secretary General of the Council of Europe and the Prime Minister of the Republic of Lithuania. The Forum also tackled the issue of the restitution of Holocaust-era art and made the following declaration:

1. The Vilnius Forum asks all governments to undertake every reasonable effort to achieve the restitution of cultural assets looted during the Holocaust era to the original owners or their heirs. To this end, it encourages all participating States to take all reasonable measures to implement the Washington Conference Principles on Nazi-Confiscated Art as well as Resolution 1205 of the Parliamentary Assembly of the Council of Europe.

2. In order to achieve this, the Vilnius Forum asks governments, museums, the art trade and other relevant agencies to provide all information necessary to such restitution. This will include the identification of looted assets; the identification and provision of access to archives, public and commercial; and the provision of all data on claims from the Holocaust era until today. Governments and other bodies as mentioned above are asked to make such information available on publicly accessible websites and further to co-operate in establishing hyperlinks to a centralized website in association with the Council of Europe. The Forum further encourages governments, museums, the art trade and other relevant agencies to co-operate and share information to ensure that archives remain open and accessible and operate in as transparent a manner as possible.

3. In order further to facilitate the just and fair resolution of the above mentioned issues, the Vilnius Forum asks each government to maintain or establish a central reference and point of inquiry to provide information and help on any query regarding looted cultural assets, archives and claims in each country.

4. Recognizing the Nazi effort to exterminate the Jewish people, including the effort to eradicate the Jewish cultural heritage, the Vilnius Forum recognizes the urgent need to work on ways to achieve a just and fair solution to the issue of Nazi-looted art and cultural property where owners, or heirs of former Jewish owners, individuals or legal persons, cannot be identified; recognizes that there is no universal model for this issue; and recognizes the previous Jewish ownership of such cultural assets,

5. The Vilnius Forum proposes to governments that periodical international expert meetings are held to exchange views and experiences on the implementation of the Washington Principles, the Resolution 1205 of the Parliamentary Assembly of the Council of Europe and the Vilnius Declaration.

⁵ http://www.claimscon.org/index.asp?url=artworks/wash_princ

These meetings should also serve to address outstanding issues and problems and develop, for governments to consider, possible remedies within the framework of existing national and international structures and instruments.

6. The Vilnius Forum welcomes the progress being made by countries to take the measures necessary, within the context of their own laws, to assist in the identification and restitution of cultural assets looted during the Holocaust era and the resolution of outstanding issues.⁶

The common thread that runs through all these international commitments is the need (i) to identify looted art, (ii) publicize confiscated or looted art and (iii) resolve the issue of its return in an expeditious, just and fair manner.

Undoubtedly, in most cases, the second and third aspects noted above are dependent on successful provenance research, sharing of information and transparency of records. Consequently, it is critical to focus on this first aspect. For without progress in this first area, we cannot make progress on any others. Without information there will be no claims and no return of that which was stolen.

Commitments of Museums

International conferences are not the only fora in which American museums have announced their readiness to seriously confront and make progress on provenance research.

It is important to note that the impetus for American museums to do provenance research did not only come from the Washington Conference (and the obligations of the United States at the Vilnius Forum). The Presidential Advisory Commission on Holocaust Assets in the United States attached to its report of December 2000, letters that had been sent to it by the American Association of Museums (AAM) and the Associations of Art Museum Directors concerning the resolve of the members of these organizations to implement the provisions of the Commission report that called for full disclosure of the provenance of Holocaust-era works in their possession.

To achieve these goals, guidelines on the identification of possibly looted art and the commitment to continue to prioritize provenance research were adopted by the American Association of Museums (AAM) in 1998 and updated in 2001. The adoption of these guidelines was an important step forward that should not be underestimated and we applaud the AAM for undertaking this measure. The commitment to undertake provenance research is incumbent on each museum that is an accredited member of the AAM.

In 2000, shortly after these conferences and the adoption of AAM guidelines, expectations were high. The director of the Museum of Modern Art (MOMA) stated before this committee in February 2000: “There is not a single art museum in this

⁶ <http://www.claimscon.org/index.asp?url=artworks/vilnius>

country that is not aware of the importance of this issue and urgent need to diligently review the provenance of the works of art in their collections.” [emphasis added]

In September 2003, a special website was established to “to provide a searchable registry of objects in U.S. museum collections that changed hands in Continental Europe during the Nazi era (1933-1945)”. The AAM Nazi-Era Provenance Internet Portal (NEPIP) – known as the “Portal” - is currently used by 151 museums and has approximately 18,000 listings to date. As the NEPIP’s website goes on to note: “The Portal helps people seeking lost objects to refine their searches. By providing a searchable online registry of objects, the Portal helps U.S. museums fulfill their responsibility to make information about objects in their collections centrally accessible”. Funding for the Portal was provided by the Federal Government’s Institute of Museum and Library Services. In addition, the Claims Conference, in view of the critical need to disseminate information on potentially looted art, provided financial assistance to the AAM for the establishment of the Portal.

These mechanisms were extremely important to the goals in question.

Current Status of Provenance Research

More than seven years have elapsed since the Washington Conference. The issues it is important that we discuss today are: What has been achieved and what can we learn from our experience to date, and what is yet to be done?

In order to obtain an overview of what has been achieved, in February 2006 the Claims Conference, together with the World Jewish Restitution Organization, sent a survey to 332 art museums throughout the United States that were thought to have the most relevant collections for a survey related to Nazi-era provenance research. The survey covered the following issues:

- a) how many relevant or “covered” objects were held by the museum and for how many objects has provenance research been completed;
- b) what is the timetable for the completion of provenance research;
- c) what staffing and budget is allocated for provenance research;
- d) what is the provenance research policy on acquisitions and loans;
- e) what is the procedure when claims are made against the museum

A copy of “Nazi-Era Stolen Art and the U.S. Museums: A Survey” dated July 25, 2006 is attached to this testimony.

Prior to the discussion as to the substantive results of the survey, it should be noted that 65% of the museums responded to the survey and 35% did not. The survey was a good

faith attempt to compile information on the status of provenance research. Museums were given four months to complete the survey and the AAM sent an email to all Portal participants encouraging them to respond to the Claims Conference survey. The survey was an opportunity for museums to detail their activities and to explain the progress that had been made during the seven years since commitments on provenance research were given. A list of those museums that declined to respond is attached as Appendix 7 of the survey. Copies of all responses are available at www.claimscon.org/art.

The results of the survey were mixed. In general, while some museums had made good progress others had not. The major findings of the survey were as follows:

- Based on responses to the questionnaire, there are in excess of 140,000 “covered objects” as defined by the AAM (all objects that were created before 1946 and acquired by the museum after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates). This definition is, of course, far broader than items of looted art. It identifies a piece of art that needs provenance research. The Nazi-Era Provenance Internet Portal which was established to provide a searchable registry of such objects lists approximately 18,000 items, or slightly higher than 12 percent of the total number of reported “covered objects.”
- Of the museums that do clearly state that they are conducting provenance research, 52 percent have completed research on less than half of the relevant items in their collection and a further 33 percent did not provide information on the extent to which they had completed that work.
- What provenance research is conducted is done overwhelmingly on paintings and sculptures, and rarely on other items such as prints and drawings.
- Only about one-third of the museums conducting provenance research maintain a separate budget for the purpose.
- Only about one-tenth of the museums conducting provenance research employ or have ever employed a full-time researcher.
- At least one-third of the museums responding indicated that they do not conduct provenance research on their loans.

Article II of the Washington Conference Principles on Nazi-Confiscated Art states:

“Resources and personnel should be made available to facilitate the identification of all art that had been confiscated by the Nazis and not subsequently restituted.”

Seven years later, we are far from that goal. As the generation of Holocaust survivors slips away, it is urgent that the task of provenance research of items of artwork in U.S. museums rapidly be completed.

It is clear that the awareness of the “urgent need to diligently review provenance” described to this Committee in February 2000 has led only to limited progress. Our hope is that renewed commitments will be received today to accelerate this process.

Commitments of Art Dealers

In many cases, looted art is in the hands of private individuals. The only time the art is seen by the general public is if it is either loaned to a museum or when it changes hands. The latter event, involves either an art dealer or an auction house. Yet the potential hurdles to securing information from art dealers can be insurmountable. For example in the case of the Dutch-German banker Gutmann described above – the Renoir painting was identified as having been sold in 1969 through a particular auction house. The heirs tried to find out from the auction house who purchased the painting – but to no avail.⁷

In other instances potential heirs first identify paintings when the owner tries to sell them and when the heirs make a claim, the painting is taken off the market and the auction house or dealer protects the identity of the seller. In 1987 a missing Degas from the collection of Paul Rosenberg was advertised in a full page ad placed by a Hamburg dealer, noting the Rosenberg provenance. However, the picture disappeared again when too many inquiries were forthcoming.⁸ Other such instances have reportedly taken place in the United States.

It is clear that a large amount of art will remain unrestituted without the active cooperation of the art dealers and auction houses in the United States and worldwide. In recent years, the major auction houses have committed themselves to research the artwork they intend to sell. However, a large amount of artwork passes through private art dealers.

The importance of the cooperation of art dealers was highlighted by a noted expert in this area, Jonathon Petropoulos who stated in testimony to this Committee in February 2000: “But how widespread the accepted practice [of the major auction houses conducting detailed provenance research] will become remains to be seen in a trade historically characterized by secrecy and anonymity and as yet largely unregulated by domestic or international law.”

The commitment given at the Washington Conference on Holocaust-Era Assets by Mr. Gil Edelson of the Art Dealers Association of America stated:

“First, we must stop traffic in unrestituted Nazi looted art;
Second, we must seek to identify works which are the subject to claims and their owners;
Third, we must seek to resolve all claims fairly and expeditiously”

⁷ Hector Feliciano *Lost Museum* page 187

⁸ Lynn Nicholas *Rape of Europe* page 421

We are unaware of any guidelines in the American art dealer community regarding these issues. We believe that written guidelines are critical to ensure that there is consistency in how this issue is handled by art dealers. Our view is that such guidelines should cover both the issues of conducting provenance research and also procedures for handling potentially looted art that is offered to an art dealer or comes into the art dealer's possession. Uniform standards among dealers on these matters are critical to justice and transparency.

In addition, although records of purchases involve client confidentiality issues, the restitution of looted art raises sufficient moral questions that for this small group of transactions, records of previous and prospective purchases and sales should be accessible to claimants. We believe that the obligation to try to return art stolen from victims of the Holocaust can supersede the obligations of client confidentiality in these unique circumstances. Therefore we hope that the Art Dealers Association and other art dealers in the United States and in other countries will permit claimants to see details of previous transactions where there is a basis to assume that an object may have been looted. This would enable claimants to find critical information so that they can pursue their claims.

Furthermore, when dealers learn that an object may have been looted, we believe that there should be an obligation to inform the potential claimants if known, or the authorities if not.

We urge the Art Dealers Association to take a lead in involving the private art market in addressing these issues.

Einsatzstab Reichsleiter Rosenberg (ERR)

All involved in this issue, from academics to historians to museum directors to art dealers, agree that ascertaining precisely what was plundered by the Nazi is a critical task necessary to assist in the restitution of looted art.

The largest of the Nazi art looting agencies was the Einsatzstab Reichsleiter Rosenberg (ERR). The records of the ERR are very important to the identification of artworks that the Nazis confiscated and indeed were used at the Nuremberg Trials. The problem has been that these records have been scattered among a large number of archives throughout the world, principally archives in Kiev, Moscow, Berlin, Koblenz, Paris, and Amsterdam in addition to Washington. The Claims Conference has begun a large-scale project to compile, image, and make accessible at least part of the hundreds of thousands of ERR documents. In cooperation with the Bundesarchiv, an electronic finding-aid is being prepared. Records of the ERR held by the State Archives of Ukraine will be published in late 2006.

The Claims Conference is also creating a Database of Cultural and Religious Property Confiscated by the ERR. We have begun with a card file used by the ERR at the Jeu de Paume in Paris. We are also working with the records concerning ERR activity in France

and Belgium between 1940-1944 that are held by the National Archives and Records Administration in College Park, Maryland. We are hoping to expand the database through the addition of material from other ERR records.

We hope to make at least a partial Database publicly available by the end of the year. The ERR was not involved in the looting of all art, and not all records of the ERR survived the war. Due to these factors, even all the ERR records cannot provide a full inventory of looted art.

Even though it is limited, we believe that the database will be an important new tool to assist museums, art dealers in identifying works of art that may have been looted.

This will certainly not obviate the need for provenance research for museums and art dealers but we believe it can be a significant additional component of the steps to be taken when provenance of art work is researched.

Claims Process

In light of the unique moral concerns related to Holocaust era restitution issues, it is critical that potential claims be resolved in a fair, expeditious and non-bureaucratic way. A number of claims in the United States have ended up in expensive and lengthy litigation. In other countries, a central panel has been established to provide for speedy and inexpensive solutions to claims for looted artwork.

It would be hoped that potential claims could be solved outside of the court system and perhaps through a central panel system – especially given the age of the claimants.

The Rest of the World

Since the Washington Conference a number of countries have been dealing with the issue of Holocaust-era looted art. The progress in this area varies greatly from country to country. Some of the countries that have made significant progress in conducting provenance research and/or establishing a claims process are:

Austria:

In 1998, the Federal Minister for Education and Cultural Affairs, Elisabeth Gehrer, appointed a Provenance Commission to investigate looted art in federal museums and in the *Bundesdenkmalamt* (Federal Authority for the Preservation of Monuments). This ultimately led to the Federal Art Restitution Law of November 5, 1998. While the restitution law has some shortcomings, (only federal cultural institutions are subjected to this law and not private galleries), the law has, so far, been effective. Restitutions under this law have represented one of the largest returns of artwork in recent decades. Most recently, Austria restituted five valuable Klimt paintings to the heiress of Ferdinand Bloch-Bauer, Maria Altmann. Among these paintings was the “Goldene Adele”. It is relevant to note,

that a number of provincial states, foremost Vienna, have similarly adopted a claims process and initiated provenance research. This follows a return of artworks by Austria in 1996 that were found in a monastery in Mauerbach Austria arising out of negotiations carried out by the Claims Conference.

The 1998 Federal Art Restitution Law further stipulated that heirless property identified as a result of this search should be handed over to the National Fund of the Republic of Austria for Victims of National Socialism (the National Fund). The National Fund would then post these artworks online for at least one year, to allow any possible heirs to come forward, and only then would auction off the artworks. The proceeds of the auction are to be made available to victims of National Socialism.

The Netherlands:

The NK collection (Nederlands Kunstbezit-collectie), comprised of 4,217 artworks, all looted and not returned, is still in the state's custody. On 2 October 1997, the Secretary of State for Education, Culture and Science assigned the Ekkart Committee to carry out a pilot study researching the provenance of parts of the NK Collection. The actual research, by expanding its original research scope, has been carried out and is publicly available.

An Advisory Committee on the Assessment of Restitution Applications was set up by the Secretary of State for Education, Culture & Science in 2002 to deal with the independent assessment of claims. The most prominent return of art objects from the Netherlands was that of approximately 200 paintings that had belonged to the Goudstikker collection.

Unfortunately, there are a much larger number of countries that have done very little in order to assist in the restitution of looted art. For example:

Hungary:

No provenance research is being conducted in Hungary's cultural institutions, no Historical Commission was set up and no claims process is in place. Additionally, the Hungarian government decided not to accept the Washington Principles on Holocaust-Era Looted Assets. It has contested claims in court. At the same time, restitution matters are under the responsibility of the Inspectorate of Cultural Heritage, housed in the building of the National Gallery, which is assumed to hold several looted paintings (including items currently being claimed).

Poland:

The proposed private property legislation in Poland rejects any return of looted art in Polish museums and the commentary to the proposed legislation on the return

of private property that was introduced into the Sejm (Polish Parliament) earlier this year provides as follows:

“It should be emphasized that for the last 60 years the collections handed over to museums have been maintained, catalogued, documented by pictures, preserved, conserved and exhibited. The State Treasury has made considerable outlays on all these activities. To return the above works of art to their former owners, with no attempt to keep such works in public collections would be both illegal and unjustified.”

Progress was certainly made following the Washington Conference and the Vilnius Forum. We believe however, that a renewed international effort is necessary. We urge the U.S. government to assume a leadership role in order to make sure that the tremendous achievements of 1998 and 2000 are not lost and that the principles laid down at that time are fully implemented in a fair and just manner.

Conclusion

In conclusion, while there has been progress, there is clearly a long way to go. The survey of the museums in many ways raises more questions than answers. Prime among the questions is the following: When will museums finish the task started seven years ago? The longer it takes, the harder it will be for Holocaust survivors and their heirs to succeed in identifying that which was stolen from them. Time is not on our side.

The United States has in the past and can in the future show leadership in this field. It can and should be a model for countries around the world that need to deal with these issues.

In view its distinguished role in reviewing these issues in the past, we respectfully urge the Committee to take the following steps in the future:

Firstly, to maintain its oversight of the progress in the United States in carrying out the principles laid down by the Washington Conference and by the Presidential Commission including through emphasis on the tremendous urgency of U.S. museums completing the task of provenance research quickly.

Secondly, to strongly encourage the private art world in the United States and art dealers in particular to implement these principles with regard to provenance research and handling of claims and to ensure maximum transparency and openness.

Thirdly, to encourage the U.S. government to make a renewed effort regarding this issue in discussions with governments in Europe and around the world.

We thank this Committee for its efforts in the past and request your involvement in the future.



Looted art at the Jeu de Paume, Paris, 1941

Nazi-Era Stolen Art and U.S. Museums: A Survey

A SURVEY OF U.S. MUSEUMS CONCERNING ADHERENCE TO THE WASHINGTON CONFERENCE
PRINCIPLES ON NAZI-CONFISCATED ART AND THE PROCEDURES AND GUIDELINES
RECOMMENDED BY THE AMERICAN ASSOCIATION OF MUSEUMS REGARDING OBJECTS
TRANSFERRED IN EUROPE DURING THE NAZI ERA

July 25, 2006

REPORT PREPARED BY THE CLAIMS CONFERENCE AND THE WJRO

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EXECUTIVE SUMMARY

Over seven years have passed since the United States Government endorsed the *Washington Conference Principles on Nazi-Confiscated Art* and the American Association of Museums (AAM) first recommended Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era. Along with the U.S. government and other funders, the Claims Conference provided initial funding toward the establishment of the AAM's Nazi-Era Provenance Internet Portal, a search tool covering objects in U.S. museums that might possibly have been stolen during the Holocaust. In order to ascertain the progress made by U.S. museums in researching their collections and in dealing with the issues in this area, the Claims Conference – in cooperation with the World Jewish Restitution Organization (WJRO) – surveyed 332 art museums throughout the United States.

The art museums of the United States generally agree in principle with the importance of investigating their collections for works that may have been looted during the Nazi era. However, some museums have treated the issue very seriously and have done an excellent job, whereas others have lagged well behind. In summary, there has been some progress but there is still a lot to do.

Of the 332 museums approached to report on their progress, 214 did send a response and 118 (35 percent) declined to respond before the final deadline of July 10, 2006. A list of those that responded and did not respond are in the report's section I.c. and Appendices 5-7.

The principal findings from the survey are as follows:

Based on responses to the questionnaire, there are in excess of 140,000 “covered objects” as defined by the AAM (all objects that were created before 1946 and acquired by the museum after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates). This definition is, of course, far broader than items of looted art. It identifies a piece of art that needs provenance research. The Nazi-Era Provenance Internet Portal, which was established to provide a searchable registry of such objects, lists approximately 18,000 items, or slightly higher than 12 percent of the total number of reported “covered objects.”

Of the museums that do clearly state that they are conducting provenance research, 52 percent have completed research on less than half of the relevant items in their collection and a further 33 percent did not provide information on the extent to which they had completed that work.

What provenance research is conducted is done overwhelmingly on paintings and sculptures, and rarely on other items such as prints and drawings.

Only about one-third of the museums conducting provenance research maintain a separate budget for the purpose.

Only about one-tenth of the museums conducting provenance research employ or have ever employed a full-time researcher.

At least one-third of the museums responding indicated that they do not conduct provenance research on their loans.

Article II of the Washington Conference Principles on Nazi-Confiscated Art states:

“Resources and personnel should be made available to facilitate the identification of all art that had been confiscated by the Nazis and not subsequently restituted.”

Seven years later, we are far from that goal. As the generation of Holocaust survivors slips away, it is urgent that the task of provenance research of items of artwork in U.S. museums rapidly be completed.

INTRODUCTION

Between 1933 and 1945, the Nazis are believed to have plundered approximately 150,000 art and religious objects in Western Europe, and roughly 500,000 in Eastern Europe.¹ Some of these artifacts held significant monetary value, but for many Jewish families they were valuable in more than just the common sense of the word: the objects were emotionally precious.

A part of the stolen items were returned. Many were not. Today, 60 years after the end of World War II, these artworks are among the few material remnants of what was once a thriving European Jewish population. These objects are now scattered around the globe, in the possession of museums, governmental institutions and private collectors.

The United States has played a significant historic role in international restitution efforts, but it has also been a recipient of looted art. In the postwar years, objects found their way to the United States, but given the intensive demand for cultural objects at that time, it was not standard practice for museum collectors and dealers to investigate the provenance of works that came into their possession.² It is clear that a significant number of works with questionable provenance entered both public and private collections in the United States.³

One of the first global initiatives to focus on the question of looted cultural property was the Washington Conference on Holocaust-Era Assets, which was hosted by the Department of State and the U.S. Holocaust Memorial Museum at the Department of State from November 30 through December 3, 1998. More than 40 governments as well as numerous international non-governmental organizations with a stake in these issues sent delegations to the conference, which built on the work of the December 1997 London Conference on Nazi Gold.⁴

On December 3, 1998, all participating governments endorsed the "Washington Conference Principles on Nazi-Confiscated Art," which read as follows:

¹ Jonathan Petropoulos, "Art Looting during the Third Reich: An Overview with Recommendations for Further Research" in *Proceedings of the Washington Conference on Holocaust-Era Assets*, <http://www.state.gov/www/regions/eur/holocaust/heac4.pdf> (last accessed on July 3, 2006)

² Presidential Advisory Commission on Holocaust Assets in the United States: http://www.pcha.gov/PlunderRestitution.html/html/Findings_RestitutionEur.html (last accessed on June 23, 2006)

³ Lucille Roussin, *Holocaust-Era Looted Art: The Routes into the U.S.*, In: *IFAR Journal*, Volume 5, Number 3, 2002, pages 36-44;
Lynn Nicholas, *The Rape of Europa. The Fate of Europe's Treasures in the Third Reich and the Second World War*, New York 1994, page 439;

Statement by Theodore Rousseau, former officer in the OSS, who became curator of paintings at the Metropolitan Museum of Art in which he advocated for the acquisition of recovered paintings: "America has a chance to get some wonderful things here during the next few years. German museums are wrecked and will have to sell ... think it's absurd to let the Germans have the paintings the Nazis bigwigs got, often through forced sales, from all over Europe. Some of them ought to come here, and I don't mean especially to the Metropolitan, which is fairly well off for paintings, but to museum in the West which aren't." (cited in Nicholas above)

⁴ For more information please see: http://www.state.gov/www/regions/eur/wash_conf_material.html, or www.claimscon.org

Washington Conference Principles on Nazi-Confiscated Art

In developing a consensus on non-binding principles to assist in resolving issues relating to Nazi-confiscated art, the Conference recognizes that among participating nations there are differing legal systems and that countries act within the context of their own laws.

- I. Art that had been confiscated by the Nazis and not subsequently restituted should be identified.
- II. Relevant records and archives should be open and accessible to researchers, in accordance with the guidelines of the International Council on Archives.
- III. Resources and personnel should be made available to facilitate the identification of all art that had been confiscated by the Nazis and not subsequently restituted.
- IV. In establishing that a work of art had been confiscated by the Nazis and not subsequently restituted, consideration should be given to unavoidable gaps or ambiguities in the provenance in light of the passage of time and the circumstances of the Holocaust era.
- V. Every effort should be made to publicize art that is found to have been confiscated by the Nazis and not subsequently restituted in order to locate its pre-War owners or their heirs.
- VI. Efforts should be made to establish a central registry of such information.
- VII. Pre-War owners and their heirs should be encouraged to come forward and make known their claims to art that was confiscated by the Nazis and not subsequently restituted.
- VIII. If the pre-War owners of art that is found to have been confiscated by the Nazis and not subsequently restituted, or their heirs, can be identified, steps should be taken expeditiously to achieve a just and fair solution, recognizing this may vary according to the facts and circumstances surrounding a specific case.
- IX. If the pre-War owners of art that is found to have been confiscated by the Nazis, or their heirs, can not be identified, steps should be taken expeditiously to achieve a just and fair solution.
- X. Commissions or other bodies established to identify art that was confiscated by the Nazis and to assist in addressing ownership issues should have a balanced membership.
- XI. Nations are encouraged to develop national processes to implement these principles, particularly as they relate to alternative dispute resolution mechanisms for resolving ownership issues.⁵

While there were some European initiatives⁶ that followed the Washington Conference, the next international conference to involve the United States followed in 2000. Specifically, between October 3 and 5, 2000, 38 governments, including the United States, participated in the Vilnius International Forum on Holocaust-Era Looted Cultural Assets. The Conference was held under the auspices of the Secretary General of the Council of Europe and the Prime Minister of the Republic of Lithuania, and was seen as a successor conference to the previous Washington Conference on Holocaust-Era Assets. Similar to

⁵ http://www.claimscon.org/index.asp?url=artworks/wash_princ

⁶ On November 5, 1999, the Parliamentary Assembly of the Council of Europe, consisting of 41 nations, passed Resolution 1205 calling for the restitution and research of stolen Jewish art. (<http://assembly.coe.int/Main.asp?link=http%3A%2F%2Fassembly.coe.int%2FDocuments%2FAdoptedText%2Fta99%2FERES1205.htm>, last accessed on 30 June 2006)

the Washington Conference, a Final Declaration was endorsed by all participating governments. While the eleven principles of the Washington Conference on Holocaust-Era Assets were given support, additional actions were suggested to enable the restitution of Nazi-looted cultural property. Among these six suggestions, the Vilnius International Forum called on

“...governments, museums, the art trade and other relevant agencies to provide all information necessary to such restitution. This will include the identification of looted assets; the identification and provision of access to archives, public and commercial; and the provision of all data on claims from the Holocaust era until today.

...The Forum further encourages governments, museums, the art trade and other relevant agencies to cooperate and share information to ensure that archives remain open and accessible and operate in as transparent a manner as possible.”⁷

The Presidential Advisory Commission on Holocaust Assets in the United States (PCHA), was established by the U.S. Holocaust Assets Commission Act of 1998 (P.L. 105-186) and was passed with unanimous bipartisan support in the Congress and signed into law by President William Jefferson Clinton on June 23, 1998. At the Commission's hearing in New York on April 12, 2000 several museum directors reaffirmed their policies for disclosure of provenance for Holocaust-era works in their collections.⁸

Following discussions with individual museums, the Commission commenced holding discussions with their representatives, the American Association of Museums (AAM) and the Association of Art Museum Directors (AAMD). Both the AAM and the AAMD committed themselves to full disclosure and restitution.⁹

Subsequently in December 2000, the Commission issued its final report in which it recommended that *“museums should disclose all currently known object and provenance information as soon as practicable and continue to supplement this information as it becomes available”* (Point A, 2).¹⁰

The American approach to restitution issues has largely been coordinated by institutions themselves. In 1998 the Association of Art Museum Directors (AAMD) established a Task Force on the Spoliation of Art during the Nazi/World War II Era and adopted guidelines¹¹ detailing procedures on how to deal with Nazi-era looted art.

In November 1998, the American Association of Museums (AAM) first published its “Common Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era.” These guidelines were subsequently amended in April 2001. The guidelines

⁷ <http://www.claimscon.org/index.asp?url=artworks/vilnius>

⁸ In an effort to forge a common policy in response to the Commissioners' concerns, the directors agreed to full disclosure: (1) all Holocaust-era works will be identified and disclosed and all provenance information in the possession of the museums regarding those works will be disclosed; (2) provenance information will be disclosed, even where there are no known gaps; and (3) provenance research by museums will be a continuing process with additional information disclosed as it becomes known.

⁹ http://www.pcha.gov/PlunderRestitution.html/html/Findings_Agreements.html (last accessed on June 29, 2006)

¹⁰ *Plunder and Restitution: Findings and Recommendations of the Presidential Advisory Commission on Holocaust Assets in the United States and Staff Report*, December 2000

(http://www.pcha.gov/PlunderRestitution.html/html/Home_Content.html)

¹¹ Report of the AAMD Task Force on the Spoliation of Art during the Nazi/World War II Era (1933-1945), from June 4, 1998 (<http://www.aamd.org/papers/guideln.php>, last accessed on June 29, 2006)

noted that the “PCHA, AAMD, and AAM have agreed that museums should strive to: (1) identify all objects in their collections that were created before 1946 and acquired by the museum after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates (hereafter, “covered objects”); (2) make currently available object and provenance (history of ownership) information on those objects accessible; and (3) give priority to continuing provenance research as resources allow. AAM, AAMD, and PCHA also agreed that the initial focus of research should be European paintings and Judaica.”¹² The full texts of the “AAM Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era” and of the “AAM Recommended Procedures for Providing Information to the Public about Objects Transferred in Europe During the Nazi Era” are appended to this report.

In order to implement the Guidelines and Recommended Procedures that had been adopted by the museum field, the American Association of Museums developed an Internet-accessible search tool covering objects in US museums collections that had changed hands in Continental Europe during the Nazi era. The “Nazi-Era Provenance Internet Portal” (www.nepip.org) was opened to the public in September 2003 with funding from a number of sources, including the Federal Government’s Institute of Museum and Library Services and the Conference on Jewish Material Claims Against Germany (Claims Conference). As of February 15, 2006, there were 145 museums participating in the Portal.¹³

The mission of the Portal is “to provide a searchable registry of objects in U.S. museum collections that changed hands in Continental Europe during the Nazi era (1933-1945). By providing a single point of contact to dozens of U.S. museum collections, the Portal helps people seeking lost objects to refine their searches. By providing a searchable online registry of objects, the Portal helps U.S. museums fulfill their responsibility to make information about objects in their collections centrally accessible.”¹⁴

In 2005, seven years after the Washington Conference Principles and the first AAM Guidelines were adopted, the Claims Conference began a discussion with the AAM concerning the participation of U.S. museums in the Nazi-Era Provenance Internet Portal and the adherence generally of U.S. museums to the AAM Guidelines. In meetings and in correspondence, the AAM kindly provided statistics on participation in the Portal and ways in which it was trying to increase such participation. However the AAM felt that, as a voluntary association of museums and not a regulatory or “policing” body, it would be inappropriate for the Association to inquire or examine the extent to which its members were or were not following the Guidelines.

In cooperation with the World Jewish Restitution Organization (WJRO), the Claims Conference had begun a comprehensive effort toward the restitution of Jewish-owned art and other cultural property plundered during the Holocaust. The Claims Conference believed it necessary that a review occur of the progress made in this area by U.S. museums at least through self-declaration by museums regarding their progress to date in this field. The Claims Conference therefore undertook a survey of U.S. art museums to

¹² www.aam-us.org/museumresources/ethics/nazi_guidelines.cfm

¹³ There has been an increase since February 16, 2006, the date the current survey was sent. As of July 13, 2006 there were 151 museums participating and 18,101 objects listed. The entire list of museums participating in NEPIP can be found at: www.nepip.org

¹⁴ www.nepip.org

establish the current status of provenance research and other activities called for in the AAM Guidelines and Procedures and in the Washington Conference Principles.

From February 16 to March 1, 2006, a questionnaire based on the Washington Conference Principles and the AAM Guidelines and Procedures was sent to 332 art museums throughout the United States. Although these 332 art museums do not include all art museums in the country, they do include those with collections thought to be most relevant to the question of Nazi-era looted art. All the 145 museums then participating in the Nazi-Era Provenance Internet Portal were included, and the remaining 187 museums were primarily those that the AAM committee overseeing the Portal thought relevant for the Portal. While a few relevant institutions may have been overlooked, the survey clearly covered the most relevant museums nationwide. Museums were notified that their responses would be made public.

In order to ensure as many responses as possible, the Claims Conference provided for submission of completed questionnaires or statements electronically, by fax, and by mail. From May 11 to May 18, 2006, e-mail reminders were sent to all museums that had not responded, and from June 12 to June 14, 2006, letters were sent via registered mail to all those museums that still had not responded, and the deadline for submissions was extended to June 30, 2006. Although the survey was being done by the Claims Conference and not by the American Association of Museums, the AAM kindly e-mailed all Portal participants on February 21, 2006 to notify them that they might receive a communication from the Claims Conference and to encourage them to respond to the inquiry. The AAM also spoke by phone or e-mail with approximately 40 museums that contacted the AAM in regard to the survey and encouraged them to respond to the Claims Conference's request for information. In addition, so as to provide every opportunity for museums to participate in the survey, the Claims Conference continued to accept responses submitted even after the extended deadline. Copies of all responses to the questionnaire are available at www.claimscon.org/art.¹⁵ We are grateful to the AAM for the assistance it provided with regard to this survey.

When reviewing the scope of provenance research, account was taken of the extent to which the provenance research was posted on the Nazi-Era Provenance Internet Portal, which was established specifically to enable claimants to search one central site rather than having to search hundreds of individual museums' websites.

¹⁵ Although not included in the findings or conclusions, submissions by museums received July 10, 2006 or later are listed in Appendix 6 to this report and appear among the responses on www.claimscon.org/art.

FINDINGS

I. Responses to the Questionnaire

I.a. Response Rate

The majority of U.S. art museums consider the question of Nazi-era provenance sufficiently important so as to have responded to the Claims Conference/WJRO's request for information. Overall 214 out of 332 museums, or 64.5 percent, responded to the Claims Conference/ WJRO questionnaire, and 118 museums, or 35.5 percent, did not respond by the extended deadline of July 10, 2006, the date as of which data were compiled (see I.c. below and Appendices 5-7 for a list of museums that responded and did not respond).

Many museums responded diligently and provided extensive information, while a number of museums did not address all questions raised on the questionnaire or responded by other means and thus provided only partial information.

I.b. Response Rate of AAM Accredited Museums

The AAM Accreditation Commission requires each museum aspiring to become an AAM accredited museum to fulfill certain requirements. Among these requirements is the AAM commission's expectation that "*an institution [to] legally, ethically and responsibly acquire, manage and dispose of collection items as well as know what collections are in its ownership/custody, where they came from, why it has them, and their current condition and location.*"¹⁶

At its April 2006 meeting, the AAM's Accreditation Commission approved revisions to two policy documents, one of which addresses unlawful appropriation of objects during the Nazi era. Formerly known as "Position Statements," the updated documents are now called "Statements on Best Practice."¹⁷ Consequently, on 5 April 2006, the AAM Accreditation Program outlined its *Accreditation Commission's Position Statement on Unlawful Appropriation of Objects During the Nazi Era*.¹⁸

Accreditation does appear to cause museums to take the question of Nazi-era provenance more seriously. Of those museums that responded to the Claims Conference/WJRO questionnaire, 136, or 63.5 percent were from museums that are accredited with the AAM. Nonetheless, of those museums that did *not* respond, 41, or 34.5 percent, are accredited with the AAM.

¹⁶ <http://www.aam-us.org/museumresources/accred/upload/Standards.pdf> (last accessed on July 3, 2006)

¹⁷ <http://newsmanager.commpartners.com/aama/issues/2006-07-01/4.html> (last accessed on July 7, 2006)

¹⁸ <http://www.aam-us.org/museumresources/accred/upload/BP%20on%20Objects%20during%20Nazi%20Era%20.pdf> (last accessed on July 3, 2006)

I.c. Response Rate of Some Major U.S. Museums

For the most part, the major art museums of the United States with relevant collections take the issue of Nazi-era provenance sufficiently seriously as to have responded to the Claims Conference/WJRO request for information. But some major museums did not. Below is a list of what might be considered 25 highly important museums in the United States that have most relevant collections:

Name of Museum	Responded	Did not Respond
Birmingham Museum of Art		X
Brooklyn Museum of Art ¹⁹	X	
Cleveland Museum of Art	X	
Fine Arts Museum of San Francisco	X	
Harvard University Art Museum	X	
Iris & B. Cantor Center for Visual Arts	X	
Metropolitan Museum	X	
MOMA (Museum of Modern Art)	X	
Museum of Fine Art, Houston	X	
Museum of Fine Arts, Boston	X	
National Gallery of Art	X	
North Carolina Museum of Art	X	
Princeton University Art Museum		X
San Francisco Museum of Modern Art		X
Seattle Museum of Art	X	
Smithsonian Institution	X	
Solomon R. Guggenheim Museum ²⁰		X
The Art Institute of Chicago	X	
The Frick Collection	X	
The J. Paul Getty Museum		X
The Jewish Museum, New York	X	
The Los Angeles County Museum	X	
The Phillips Collection	X	
Wadsworth Athenaeum Museum	X	
Yale University Art Gallery	X	

II. Provenance Research

Art museums in the United States generally agree in principle to conduct provenance research, not all actually do so.

Of the 214 museums that sent in completed questionnaires or substitute letters, approximately 114 museums²¹, or 53 percent, clearly stated that they are actively conducting provenance research, whether with separate staff, existing staff, or volunteers/interns doing the work. Approximately 100 museums, or 47 percent, indicated on the Claims Conference/WJRO questionnaire that they are not conducting provenance research (or were not clear on the matter).

¹⁹ The response from the Brooklyn Museum of Art was received on July 17, 2006. As this was after the response deadline, the information from its response is not included in the survey results.

²⁰ A draft response from the Solomon R. Guggenheim Museum was received on July 21, 2006.

²¹ Please note that some questions were not directly answered.

Museums responding to CC/WJRO questionnaire



Some museums explained their lack of any provenance research by noting the lack of any covered objects in their collections. Undoubtedly some museum collections were formed before the Nazi era, while others contain exclusively American art that was unlikely to have been in Europe between 1932 and 1946. Some museums stated that they do not have any covered objects in their collections although they do have European art. Provenance research would definitively establish whether there are covered objects among these items.

Other museums noted in their response to the Claims Conference/WJRO questionnaire that while they would like to conduct provenance research, the necessary financial or staff means are not available. For example, one museum noted that “*Due to staff limitations, the [museum] is unable to research provenance of objects in the collection at this time.*”

II. a. Staffing for Provenance Research

Of the approximately 114 US museums that indicated in their response to the Claims Conference/WJRO questionnaire or substitute letter that they conduct provenance research, only 12 museums stated that they employ, will employ, or have previously employed a full-time researcher.

These museums are the Art Institute of Chicago, the Chrysler Museum, the Cincinnati Art Museum (employed a full-time provenance researcher for 2 ½ years), the Los Angeles County Museum of Art (employed a full-time provenance researcher but due to financial difficulties was unable to maintain that position), the Museum of Fine Arts Boston, the National Gallery, the Timken Museum of Art (employed an independent art historian), the Neue Galerie (employed an independent art historian for its recent Schiele exhibit), the University of Michigan Art Museum, the Museum of North Carolina, the Smith College Museum of Art, and the Smithsonian Institution.

In most museums the registrar, curator, or other staff members (including volunteers and/or interns) conduct provenance research in addition to their regular work assignments.

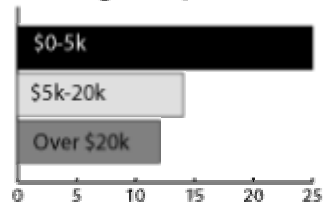
II. b. Funding for Provenance Research

Of the 214 museums that responded to the Claims Conference/WJRO questionnaire, only 42 museums indicated that they maintain a separate budget for provenance research.

Budgets allocated for provenance research range between \$500 (e.g. University of Kentucky Art Museum) to \$650,000 (e.g. Detroit Institute of Art).²²

However, some museums did not answer the question, among them the National Gallery, the Metropolitan Museum and the Museum of Modern Art.

**Budget Allocated by Museums for Provenance Research
According to Response**



The combined operating budgets of the 134 museums that provided relevant information totaled \$687 million.

II. c. Focus of Provenance Research

The 2001 AAM Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era, state that “AAM, AAMD, and PCHA also agreed that the initial focus of research should be European paintings and Judaica.”²³

Perhaps consequently, a number of museums have restricted their provenance research to their respective European painting collections. Among the approximately 114 museums that noted that they conduct provenance research, 35 museums, or 30 percent, stated that they only conduct provenance research on their painting collection, irrespective of the presence of other possible covered objects in their collections.

II. d. Scope of Provenance Research

The definition of “covered objects” established by the AAM (all objects that were created before 1946 and acquired by the museum after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates) is, of course, far broader than items of looted art. It identifies a piece of art that needs provenance research. Based on the responses to the questionnaire, the number of “covered objects” in museum collections in the United States, totals in excess of 140,000. The total number is likely significantly higher, as there are a number of museums that did not provide this information regarding their collections, or did not respond at all.

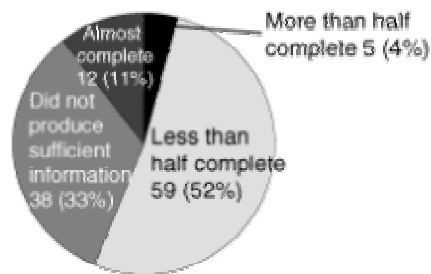
The Nazi-Era Provenance Internet Portal lists approximately 18,000 items, or slightly higher than 12 percent of the total number of reported “covered objects.”

²² Please note that the Museum of Fine Arts Boston indicated that it allocated \$220,000, LACMA \$500,000, RISD \$64,550 and Yale University Art Museum \$600,000.

²³ http://www.aam-us.org/museumresources/ethics/nazi_guidelines.cfm (last accessed on July 12, 2006)

Of the museums that clearly state that they are conducting provenance research, 12 (11 percent) gave indications that they had almost completed provenance research and a further five (4 percent) that they had reviewed more than half of the relevant part of their collections. Fifty-nine (52 percent) had completed research on less than half of the relevant part of their collections. Thirty-eight (33 percent) did not provide sufficient information regarding the extent to which they had completed this work.

Museums That State They Are Conducting Provenance Research – Progress to Date



II. e. Provenance Research for Acquisitions

Diligence regarding provenance research on a proposed acquisition, whether it be a prospective purchase or acceptance of a donated item is clearly critical to ensure that the acquisition policy of the museum going forward is an appropriate one. The AAM guidelines state *“It is the position of AAM that museums should take all reasonable steps to resolve the Nazi-era provenance status of objects before acquiring them for their collections whether by purchase, gift, bequest, or exchange.”*²⁴ Of all 214 responses received, 149 museums indicated on the Claims Conference/WJRO questionnaire that they conduct provenance research on acquisitions. Ten museums responded that they do not, 24 museums stated that the question is not applicable to them, and 31 did not answer the question.

II. f. Provenance Research for Loans

The AAM guidelines state, *“It is the position of AAM that in their role as temporary custodian of objects on loan, museums should be aware of their ethical responsibility to consider the status of material they borrow as well as the possibility of claims being brought against a loaned object in their custody.”*²⁵ Of all 214 responses received, 89 museums responded that they conduct provenance research on their loans, 46 museums responded that they do not conduct provenance research on their loans, 36 museums stated that this question is not applicable to them, 41 museums did not answer, and two museums provided inconclusive answers.²⁶

²⁴ http://www.aam-us.org/museumresources/ethics/nazi_guidelines.cfm (last accessed on July 3, 2006)

²⁵ http://www.aam-us.org/museumresources/ethics/nazi_guidelines.cfm (last accessed on July 3, 2006)

²⁶ Three (3) museums indicated that museum policies will be implemented both for the acquisition and the loan program, and six (6) museums noted that their respective loan policies will be amended to incorporate provenance research.

Thus, even of those that responded affirmatively or negatively, 34 percent do not conduct provenance research on loans. Taking into account those that did not answer, the total figure is probably higher.

II. g. Reporting the Results of Provenance Research

The Nazi-Era Provenance Internet Portal of the Association of American Museums lists objects that participating museum consider as being a “covered object” (as described in II. d. above). As noted above, potential claimants are far more likely to visit the one central U.S. website established for this purpose than to visit the websites of hundreds of different museums. It is clear from the responses to the Claims Conference/WJRO request for information that in some cases the listings on the Portal reflect only part of the objects that museums consider as being “covered objects.” In other words, in addition to the fact that not all relevant museums participate in the Portal, there are a good many “covered objects” that museums have not yet uploaded to the Portal.

III. Claims for Restitution

The following museums noted on the Claims Conference/WJRO questionnaire that they were faced/or are faced with a claim against their museum:

Art Institute of Chicago
 Cleveland Museum of Art
 Columbus Museum of Art
 Cummer Museum of Art and Gardens
 Detroit Institute of Arts
 Jewish Museum
 Los Angeles County Museum
 Milwaukee Public Museum
 Museum of Fine Arts, Boston
 Nasher Museum of Art at Duke University
 National Gallery of Art
 North Carolina Museum of Art
 Philadelphia Museum of Art
 Saint Louis Art Museum
 Seattle Art Museum
 Spencer Museum of Art at University of Kansas
 Timken Museum of Art²⁷
 Virginia Museum of Fine Arts
 Vizcaya Museums and Gardens
 Worcester Art Museum²⁸

This is not a comprehensive list of US museums that have faced or are facing claims for restitution but simply a list of those that provided the information in their responses.

²⁷ The Timken Museum of Art stated that while it was faced with a claim, research conducted clarified that the claim was invalid.

²⁸ The Worcester Museum of Art stated that while it was faced with a claim, research conducted clarified that the claim was invalid.

APPENDICES

Appendix 1)

http://www.aam-us.org/museumresources/ethics/nazi_guidelines.cfm (Last checked July 17, 2006)

Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era

Approved, November 1999, Amended, April 2001, AAM Board of Directors

Introduction

From the time it came into power in 1933 through the end of World War II in 1945, the Nazi regime orchestrated a system of theft, confiscation, coercive transfer, looting, pillage, and destruction of objects of art and other cultural property in Europe on a massive and unprecedented scale. Millions of such objects were unlawfully and often forcibly taken from their rightful owners, who included private citizens, victims of the Holocaust, public and private museums and galleries, and religious, educational and other institutions.

In recent years, public awareness of the extent and significance of Nazi looting of cultural property has grown significantly. The American museum community, the American Association of Museums (AAM), and the U.S. National Committee of the International Council of Museums (AAM/ICOM) are committed to continually identifying and implementing the highest standard of legal and ethical practices. AAM recognizes that the atrocities of the Nazi era demand that it specifically address this topic in an effort to guide American museums as they strive to achieve excellence in ethical museum practice.

The AAM Board of Directors and the AAM/ICOM Board formed a joint working group in January 1999 to study issues of cultural property and to make recommendations to the boards for action. The report that resulted from the initial meeting of the Joint Working Group on Cultural Property included the recommendation that AAM and AAM/ICOM offer guidance to assist museums in addressing the problems of objects that were unlawfully appropriated during the Nazi era without subsequent restitution (i.e., return of the object or payment of compensation to the object's original owner or legal successor).

The efforts of the Working Group were greatly informed by the important work on the topic that had gone before. In particular, three documents served as a starting point for the AAM guidelines, and portions of them have been incorporated into this document. These include: *Report of the AAMD Task Force on the Spoliation of Art during the Nazi/World War II Era (1933-1945)*; *ICOM Recommendations Concerning the Return of Works of Art Belonging to Jewish Owners*; and *Washington Conference Principles on Nazi-Appropriated Art* (released in connection with the Washington Conference on Holocaust-Era Assets co-hosted by the U.S. Department of State and the United States Holocaust Memorial Museum).

The Presidential Advisory Commission on Holocaust Assets in the United States (PCHA) was created in June 1998 to study and report to the President on issues relating to

Holocaust victims' assets in the United States. AAM and the Association of Art Museum Directors (AAMD) worked with the PCHA to establish a standard for disclosure of collections information to aid in the identification and discovery of unlawfully appropriated objects that may be in the custody of museums. In January 2001, the PCHA issued its final report, which incorporated the agreed standard for disclosure and recommended the creation of a searchable central registry of the information museums disclose in accordance with the new standard. AAM and AAMD agreed to support this recommendation, and these guidelines have been amended to reflect the agreed standard for disclosure of information.

Finally, AAM and AAM/ICOM acknowledge the tremendous efforts that were made by the Allied forces and governments following World War II to return objects to their countries of origin and to original owners. Much of the cultural property that was unlawfully appropriated was recovered and returned, or owners received compensation. AAM and AAM/ICOM take pride in the fact that members of the American museum community are widely recognized to have been instrumental in the success of the post-war restitution effort. Today, the responsibility of the museum community is to strive to identify any material for which restitution was never made.

General Principles

AAM, AAM/ICOM, and the American museum community are committed to continually identifying and achieving the highest standard of legal and ethical collections stewardship practices. The AAM Code of Ethics for Museums states that the "stewardship of collections entails the highest public trust and carries with it the presumption of rightful ownership, permanence, care, documentation, accessibility, and responsible disposal."

When faced with the possibility that an object in a museum's custody might have been unlawfully appropriated as part of the abhorrent practices of the Nazi regime, the museum's responsibility to practice ethical stewardship is paramount. Museums should develop and implement policies and practices that address this issue in accordance with these guidelines.

These guidelines are intended to assist museums in addressing issues relating to objects that may have been unlawfully appropriated during the Nazi era (1933-1945) as a result of actions in furtherance of the Holocaust or that were taken by the Nazis or their collaborators. For the purposes of these guidelines, objects that were acquired through theft, confiscation, coercive transfer, or other methods of wrongful expropriation may be considered to have been unlawfully appropriated, depending on the specific circumstances.

In order to aid in the identification and discovery of unlawfully appropriated objects that may be in the custody of museums, the PCHA, AAMD, and AAM have agreed that museums should strive to: (1) identify all objects in their collections that were created before 1946 and acquired by the museum after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates (hereafter, "covered objects"); (2) make currently available object and provenance (history of ownership) information on those objects accessible; and (3) give priority to continuing provenance research as

resources allow. AAM, AAMD, and PCHA also agreed that the initial focus of research should be European paintings and Judaica.

Because of the Internet's global accessibility, museums are encouraged to expand online access to collection information that could aid in the discovery of objects unlawfully appropriated during the Nazi era without subsequent restitution.

AAM and AAM/ICOM acknowledge that during World War II and the years following the end of the war, much of the information needed to establish provenance and prove ownership was dispersed or lost. In determining whether an object may have been unlawfully appropriated without restitution, reasonable consideration should be given to gaps or ambiguities in provenance in light of the passage of time and the circumstances of the Holocaust era. AAM and AAM/ICOM support efforts to make archives and other resources more accessible and to establish databases that help track and organize information.

AAM urges museums to handle questions of provenance on a case-by-case basis in light of the complexity of this problem. Museums should work to produce information that will help to clarify the status of objects with an uncertain Nazi-era provenance. Where competing interests may arise, museums should strive to foster a climate of cooperation, reconciliation, and commonality of purpose.

AAM affirms that museums act in the public interest when acquiring, exhibiting, and studying objects. These guidelines are intended to facilitate the desire and ability of museums to act ethically and lawfully as stewards of the objects in their care, and should not be interpreted to place an undue burden on the ability of museums to achieve their missions.

Guidelines

1. Acquisitions

It is the position of AAM that museums should take all reasonable steps to resolve the Nazi-era provenance status of objects before acquiring them for their collections whether by purchase, gift, bequest, or exchange.

a) Standard research on objects being considered for acquisition should include a request that the sellers, donors, or estate executors offering an object provide as much provenance information as they have available, with particular regard to the Nazi era.

b) Where the Nazi-era provenance is incomplete or uncertain for a proposed acquisition, the museum should consider what additional research would be prudent or necessary to resolve the Nazi-era provenance status of the object before acquiring it. Such research may involve consulting appropriate sources of information, including available records and outside databases that track information concerning unlawfully appropriated objects.

c) In the absence of evidence of unlawful appropriation without subsequent restitution, the museum may proceed with the acquisition. Currently available object and provenance information about any covered object should be made public as soon as practicable after the acquisition.

- d) If credible evidence of unlawful appropriation without subsequent restitution is discovered, the museum should notify the donor, seller, or estate executor of the nature of the evidence and should not proceed with acquisition of the object until taking further action to resolve these issues. Depending on the circumstances of the particular case, prudent or necessary actions may include consulting with qualified legal counsel and notifying other interested parties of the museum's findings.
- e) AAM acknowledges that under certain circumstances acquisition of objects with uncertain provenance may reveal further information about the object and may facilitate the possible resolution of its status. In such circumstances, the museum may choose to proceed with the acquisition after determining that it would be lawful, appropriate, and prudent and provided that currently available object and provenance information is made public as soon as practicable after the acquisition.
- f) Museums should document their research into the Nazi-era provenance of acquisitions.
- g) Consistent with current practice in the museum field, museums should publish, display, or otherwise make accessible recent gifts, bequests, and purchases, thereby making all acquisitions available for further research, examination, and public review and accountability.

2. Loans

It is the position of AAM that in their role as temporary custodians of objects on loan, museums should be aware of their ethical responsibility to consider the status of material they borrow as well as the possibility of claims being brought against a loaned object in their custody.

- a) Standard research on objects being considered for incoming loan should include a request that lenders provide as much provenance information as they have available, with particular regard to the Nazi era.
- b) Where the Nazi-era provenance is incomplete or uncertain for a proposed loan, the museum should consider what additional research would be prudent or necessary to resolve the Nazi-era provenance status of the object before borrowing it.
- c) In the absence of evidence of unlawful appropriation without subsequent restitution, the museum may proceed with the loan.
- d) If credible evidence of unlawful appropriation without subsequent restitution is discovered, the museum should notify the lender of the nature of the evidence and should not proceed with the loan until taking further action to clarify these issues. Depending on the circumstances of the particular case, prudent or necessary actions may include consulting with qualified legal counsel and notifying other interested parties of the museum's findings.
- e) AAM acknowledges that in certain circumstances public exhibition of objects with uncertain provenance may reveal further information about the object and may facilitate the resolution of its status. In such circumstances, the museum may choose to proceed with the loan after determining that it would be lawful and prudent and provided that the available provenance about the object is made public.

f) Museums should document their research into the Nazi-era provenance of loans.

3. Existing Collections

It is the position of AAM that museums should make serious efforts to allocate time and funding to conduct research on covered objects in their collections whose provenance is incomplete or uncertain. Recognizing that resources available for the often lengthy and arduous process of provenance research are limited, museums should establish priorities, taking into consideration available resources and the nature of their collections.

Research

a) Museums should identify covered objects in their collections and make public currently available object and provenance information.

b) Museums should review the covered objects in their collections to identify those whose characteristics or provenance suggest that research be conducted to determine whether they may have been unlawfully appropriated during the Nazi era without subsequent restitution.

c) In undertaking provenance research, museums should search their own records thoroughly and, when necessary, contact established archives, databases, art dealers, auction houses, donors, scholars, and researchers who may be able to provide Nazi-era provenance information.

d) Museums should incorporate Nazi-era provenance research into their standard research on collections.

e) When seeking funds for applicable exhibition or public programs research, museums are encouraged to incorporate Nazi-era provenance research into their proposals. Depending on their particular circumstances, museums are also encouraged to pursue special funding to undertake Nazi-era provenance research.

f) Museums should document their research into the Nazi-era provenance of objects in their collections.

Discovery of Evidence of Unlawfully Appropriated Objects

g) If credible evidence of unlawful appropriation without subsequent restitution is discovered through research, the museum should take prudent and necessary steps to resolve the status of the object, in consultation with qualified legal counsel. Such steps should include making such information public and, if possible, notifying potential claimants.

h) In the event that conclusive evidence of unlawful appropriation without subsequent restitution is found but no valid claim of ownership is made, the museum should take prudent and necessary steps to address the situation, in consultation with qualified legal counsel. These steps may include retaining the object in the collection or otherwise disposing of it.

i) AAM acknowledges that retaining an unclaimed object that may have been unlawfully appropriated without subsequent restitution allows a museum to continue to care for, research, and exhibit the object for the benefit of the widest possible audience and provides the opportunity to inform the public about the object's history. If the museum retains such an object in its collection, it should acknowledge the object's history on labels and publications.

4. Claims of Ownership

It is the position of AAM that museums should address claims of ownership asserted in connection with objects in their custody openly, seriously, responsively, and with respect for the dignity of all parties involved. Each claim should be considered on its own merits.

- a) Museums should review promptly and thoroughly a claim that an object in its collection was unlawfully appropriated during the Nazi era without subsequent restitution.
- b) In addition to conducting their own research, museums should request evidence of ownership from the claimant in order to assist in determining the provenance of the object.
- c) If a museum determines that an object in its collection was unlawfully appropriated during the Nazi era without subsequent restitution, the museum should seek to resolve the matter with the claimant in an equitable, appropriate, and mutually agreeable manner.
- d) If a museum receives a claim that a borrowed object in its custody was unlawfully appropriated without subsequent restitution, it should promptly notify the lender and should comply with its legal obligations as temporary custodian of the object in consultation with qualified legal counsel.
- e) When appropriate and reasonably practical, museums should seek methods other than litigation (such as mediation) to resolve claims that an object was unlawfully appropriated during the Nazi era without subsequent restitution.
- f) AAM acknowledges that in order to achieve an equitable and appropriate resolution of claims, museums may elect to waive certain available defenses.

5. Fiduciary Obligations

Museums affirm that they hold their collections in the public trust when undertaking the activities listed above. Their stewardship duties and their responsibilities to the public they serve require that any decision to acquire, borrow, or dispose of objects be taken only after the completion of appropriate steps and careful consideration.

- a) Toward this end, museums should develop policies and practices to address the issues discussed in these guidelines.
- b) Museums should be prepared to respond appropriately and promptly to public and media inquiries.

Commitment of AAM

As part of its commitment to identifying and disseminating best practices, AAM will allocate resources:

- a) to disseminate these guidelines widely and frequently along with references to other guidelines, principles, and statements that exist on the topic
- b) to track the activity and purpose of the relevant databases and other resources and to compile bibliographies for dissemination to the United States museum community
- c) to collect examples of best practices and policies on Nazi-era provenance research and claims resolution from the museum field, both in the United States and abroad, as guidelines for other museums
- d) to make the above information available to the museum community through reports, conference sessions, and other appropriate mechanisms
- e) to assist in the development of recommended procedures for object and provenance information disclosure
- f) to provide electronic links from AAM's Web site to other resources for provenance research and investigate the feasibility of developing an Internet tool to allow researchers easier access to object and provenance information about covered objects in museum collections.
- g) to encourage funding of Nazi-era provenance research.

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Appendix 2)

<http://www.aam-us.org/museumresources/prov/procedures.cfm> (last checked July 17, 2006)

AAM Recommended Procedures for Providing Information to the Public about Objects Transferred in Europe during the Nazi Era

Introduction

These recommended procedures have been formulated by the American Association of Museums (AAM) pursuant to an agreement reached in October 2000 between AAM, the Association of Art Museum Directors (AAMD), and the Presidential Advisory Commission on Holocaust Assets in the United States (PCHA). The PCHA was created in June 1998 to study and report to the President on issues relating to Holocaust victims' assets in the United States.

Provisions of the Agreement

Under this agreement the parties concurred (a) on the desirability of expanded online access to museum collection information that could aid in the discovery of objects unlawfully appropriated during the Nazi era, (b) on the need to identify the categories of objects for which this information should be made available, and (c) toward those ends, that every museum should:

- 1) Identify all objects in its collection that were created before 1946 and that it acquired after 1932, that underwent a change of ownership between 1932 and 1946, and that were or might reasonably be thought to have been in continental Europe between those dates (hereafter, "covered objects"). In the event that a museum is unable to determine whether an object created before 1946 and acquired after 1932 (a) might have been in continental Europe between 1932 and 1946 and/or (b) underwent a change of ownership during that period, it should still be treated as a covered object;
- 2) Make currently available object and provenance (history of ownership) information about covered objects accessible online; and
- 3) Give priority to continuing provenance research on those objects as resources allow.

The parties also agreed on the creation of a search tool on the Internet that would assist claimants, claimants' advocates, and researchers in accessing information on covered objects in museum collections.

For practical and historic reasons, AAM, AAMD, and PCHA agreed that the initial focus of research and online postings should be on European paintings and Judaica¹. Other covered objects in collections should be dealt with in a similar manner as resources allow.

Previously, some museums had provided online information only about objects with an incomplete provenance or a provenance containing a problematic name. The agreement calls for a more inclusive approach that PCHA, AAM, and AAMD believe is the best way for museums to aid the discovery process.

Development of Recommended Procedures

In December 2000, AAM convened a task force of museum professionals and other experts to advise staff on developing procedures for posting object and provenance information on museum Web sites and to consider mechanisms for making this information accessible from a single Internet site. The task force also addressed the issue of access to such information from museums without online collection information.

The task force identified 20 categories of information about covered objects that museums should compile and make available. Any additional information a museum is able to make available could further assist the process of discovery. The task force also developed the concept of a Nazi-era Provenance Internet Portal to assist users in conducting searches.

AAM views these procedures as consonant with the fundamental mission of museums to document and publish their collections and recognizes that, because of the Internet's global reach, posting collection information online should be a goal. Museums are encouraged to construct online searchable databases in which the posting of information about covered objects should be a priority.

Recommended Procedures

1. Making Object and Provenance Information for Covered Objects Accessible

The following 20 categories of object and provenance information are key for aiding potential claimants in identifying or ruling out a specific object. Museums should make this information accessible, organizing it according to their own standards. Museums should also include an explanation of how to interpret their provenance listings.

Museums should identify objects that fit the definition of Judaica contained in this document even if such objects have not been classified as Judaica in their databases.

Museums should provide currently available information immediately, adding to it as time allows.

Category	Comments
Artist/Maker	To include artists' names, alternate names, and previous attributions.
Nationality of Artist/Maker	---
Life Dates of Artist/Maker	---
Place or Culture of Object	Only if artist unknown.
Object Title or Name	To include alternate titles.
Date of Work	To include approximate date, if specific date is unknown.

Medium/Materials	---
Measurements	---
Date of Acquisition	---
Accession Number	---
Object Type	Painting, sculpture, decorative arts, etc/
Subject Type	Landscape, portrait, mythological subject, historical, religious, genre, Judaica, etc.
Signature and Marks (obverse)	To include signatures, inscriptions, and marks; for paintings, what appears on the front
Labels and Marks (reverse, frame, mount, etc.)	To describe marks and labels (prior to 1960) on the reverse of an object (including frame, mount, etc.). Indicate if images are available.
Description	To contain description of object (its content, subject, etc.). Museums should make this a priority.
Provenance	To contain, at the minimum, known owners, dates of ownership, places of ownership, method of transfer (sale, gift, descent, etc.). To include, if known, lot numbers, sale prices, buyers, etc. To include information on unlawful appropriation during the Nazi era and subsequent restitution. Museums should ensure that provenance information is understandable and organized chronologically.
Exhibition History	---
Bibliographic History	---
Other Relevant Information	To contain anything about the object that would be useful in identifying it for this purpose. If the object fits the definition of Judaica contained in this document, so state.
Image	An image is key to identifying an object. Museums should make every effort to include an image with their records.

2. Nazi-Era Provenance Internet Portal

It is the view of AAM that museums should control the research, presentation, and maintenance of information about covered objects in their collections. This allows museums to organize their information according to their own standards and provide all relevant introductions, explanations, and avenues for inquiry.

In order to expedite searches for information about covered objects in museum collections, AAM will launch a search tool called the Nazi-era Provenance Internet Portal. The Portal initially will allow users to search by the artist/maker and the nationality of the artist/maker (or of the object if the artist is unknown). Additionally, users will be able to learn which museums contain covered Judaica. The Portal will provide the user with basic information contributed by museums about objects that fit the search criteria as

well as links to further information controlled by those museums. The Portal ultimately will have the capacity to allow users to search on additional categories of information, such as object type and description of the object.

Museums should submit to AAM a set of descriptive data about covered objects in their collections. This information will constitute the registry. It will be the responsibility of the museum to update this information whenever there are changes, additions, or deletions.

a. Submitting Information to the Portal Registry

The information that the Portal will use to assist searchers will be housed in a database. It will contain, for each museum, basic contact and URL information (if applicable) and an indication as to whether the museum's collection contains any covered Judaica. An associated searchable object registry will house object descriptive information that will be provided by museums in phases. In the initial phase, this will be artist/maker, nationality of artist/maker, and culture/nationality, if artist is not known. In later phases museums will be asked to add title, object type, and searchable free-text descriptions. In addition, museums without online collection information will be asked to supply one PDF file² for each covered object. A link will be created from the object registry to the PDF file. Instructions for converting a document to Adobe PDF will be available from AAM.

Information about museums and their covered objects may be entered directly onto the Portal's Web site or submitted electronically. Whether a museum's registry records are linked to its Web site or to a PDF, the museum will receive a password giving access through AAM's Web site to the data it contributes. Museums will be responsible for updating and adding to these data. Instructions for submitting data to these tables will be available from AAM.

Museums should strive to provide the 20 categories of information listed above either in their online collection information or in their PDF files.

b. Searching the Portal

When a search is conducted, the Portal will return the registry information for all objects that match the search criteria and either: (a) links to the Web site of each museum where more information about these objects can be found or (b) links to each PDF file that contains more information about these objects.

AAM will employ an enhanced search facility developed by the Getty based on the Union List of Artist Names® to increase the precision and recall of searches on the artist name by accommodating various spellings and making the searcher aware of related artists and artists who share the same name.

Commitment of AAM

Because of the urgent need to create a search tool for covered objects, AAM has committed to developing and managing the Portal for three years. However, in recognition that a project of this technological complexity falls outside the range of AAM's customary activities and services, after three years AAM will seek to transfer the project to a more appropriate organization.

To address any issues that may arise regarding the Portal, AAM will establish an independent commission to guide this effort. This independent commission will be appointed by the AAM Board of Directors and will include museum professionals and experts from outside the museum field. Significantly for the museum community, claimants, and researchers, it is envisioned that the commission will continue when the portal is transferred to another organization.

For more information contact:

Erik Ledbetter
Senior Manager, International Programs
Email: eledbetter@aam-us.org
Phone: 202/289-9121

Surface mail:

American Association of Museums
1575 Eye St., NW, Suite 400
Washington, DC 20005

Endnotes

1) The term "Judaica" is most broadly defined as the material culture of the Jewish people. First and foremost this includes ceremonial objects for communal or domestic use. In addition, Judaica comprises historical artifacts relating to important Jewish personalities, momentous events, and significant communal activities, as well as literature relating to Jews and Judaism. Many museums also have acquired material of everyday life that expresses a uniquely Jewish identity.

2) Adobe® Portable Document Format (PDF) is a universal file format that preserves the appearance of any museum's source document, regardless of the application and platform used to create it. Adobe PDF files are compact and can be shared, viewed, navigated, and printed with Adobe Acrobat® Reader™ software, available on the Internet at no cost. More information can be found by visiting <http://www.adobe.com/products/acrobat/readermain.html>.

Appendix 3)
Questionnaire

*Conference on Jewish Material
Claims Against Germany, Inc.*

&

*World Jewish
Restitution
Organization*

**Washington Conference Principles on Nazi-Confiscated Art, AAM
Recommended Procedures for Providing Information to the Public
about Objects Transferred in Europe during the Nazi Era, AAM
Guidelines Concerning the Unlawful Appropriation of Objects
During the Nazi Era, and General Activity of American Institutions
Regarding Looted Art and Cultural Property**

REQUEST FOR INFORMATION

February 10, 2006

- 1) Name of museum

- 2) Name, address, telephone, fax, and e-mail address of museum director

- 3) Name, address, telephone, fax, and e-mail address of principal person responsible for provenance matters

A. PROVENANCE RESEARCH

- 1) What is the *total number of objects* of all types in your collection that you estimate were created before 1946 and acquired after 1932?

- 2) Of the *total number of objects* created before 1946 and acquired after 1932, how many do you estimate underwent a change of ownership between 1932 and 1946 and were or might reasonably be thought to have been in continental Europe between those dates (“covered objects”)?

Own website
PortalNazi-Era Provenance Internet

Total

Paintings

Sculpture

Drawings

Graphic Art

Decorative Art

Judaica

Other

- 7) What is the museum's estimated timetable for completion of on-line provision of provenance information?
- 8) Please briefly describe how provenance research is being conducted by the museum. For example, what archives are consulted? Does the museum use the 20 categories of information recommended by the AAM?
- 9) What is the number of staff members working full-time on provenance research? What is the number of staff members working part-time?
- 10) What is the approximate amount of money spent by the museum per year on provenance research?
- 11) What is the museum's total annual operating budget?

C. LOANS

- 1) Does the museum regularly request that lenders provide as much provenance information as they have available, with particular regard to the Nazi era?

- 2) Where the Nazi-era provenance is incomplete or uncertain for a proposed loan, does the museum consider what additional research would be prudent or necessary to resolve the Nazi-era provenance status of the object before borrowing it?

- 3) If credible evidence of unlawful appropriation without subsequent restitution is discovered, does the museum notify the lender of the nature of the evidence? Does the museum notify other interested parties of its findings?

- 4) Does the museum document its research into the Nazi-era provenance of loans?

D. COMPLIANCE WHEN INDIVIDUAL CLAIMS ARE MADE

- 1) If the museum determines that an object in its collection was unlawfully appropriated during the Nazi era without subsequent restitution, does the museum seek to resolve the matter with the claimant in an equitable, appropriate, and mutually agreeable manner?

- 2) Does the museum seek methods other than litigation (such as mediation) to resolve claims that an object was unlawfully appropriated during the Nazi era without subsequent restitution?

- 3) In order to achieve an equitable and appropriate resolution of claims, does the museum waive available defenses?

- 4) If the museum currently holds an unclaimed object in its collection, does it acknowledge the object's history on labels and publications?

WE WOULD GREATLY APPRECIATE RECEIVING A COPY OF ANY POLICIES AND PRACTICES THAT THE MUSEUM HAS DEVELOPED TO ADDRESS THE ISSUES DISCUSSED IN THE AAM GUIDELINES.

IF THERE ARE ADDITIONAL MATTERS NOT COVERED BY THE ABOVE QUESTIONS, WE WOULD BE GRATEFUL FOR ANY OTHER COMMENTS.

Signed: _____ Title: _____ Date: _____

Please note that the information contained herein will be made publicly available.

Prepared by the Conference on Jewish Material Claims Against Germany (Claims Conference)

Appendix 4)
Communications with Museums

February 16, 2006

[MUSEUM DIRECTOR
NAME OF MUSEUM
ADDRESS]

Dear [MUSEUM DIRECTOR],

The Conference on Jewish Material Claims Against Germany, along with the World Jewish Restitution Organization, represents world Jewry in negotiating for restitution on behalf of victims of Nazi persecution and their heirs.

The issue of Holocaust-era looted art is of great concern to us as well as to the wider public.

We have been in discussions with the American Association of Museums for some time now regarding their efforts with regard to Nazi-confiscated art.

As part of our effort to review progress to date and to educate the public on these issues, we are writing to major art institutions to ask them to advise us on their progress in implementing the Washington Conference Principles on Nazi-Confiscated Art of December 1998, the American Association of Museums Guidelines of November 1999 concerning unlawful appropriation of objects during the Nazi era, as well as their general activity in this area.

As we would like to understand this progress clearly, we have taken the liberty of preparing a request for information that goes through the major issues of interest to us.

A hard copy of the request for information is attached. If it would be easier for you, by February 22 we will place a copy of the document on a special website (artrfi.claimscon.org) which can be completed electronically.

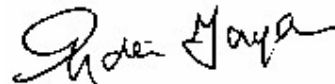
We are planning to make these responses available to the public through our website.

We would be most grateful if we could receive these responses by April 14, 2006 or sooner if at all possible.

We believe that this information will greatly assist all concerned in understanding the issues and challenges in dealing with these complex matters.

We thank you in advance for your assistance and look forward to hearing from you.

Sincerely,



Gideon Taylor
Executive Vice President

GT/ag

E-MAIL MESSAGE SENT MAY 11-18, 2006

-----Original Message-----

From: Wesley A. Fisher

Sent: Wednesday, May 10, 2006 1:06 PM

To: Galit Dardashtian

Subject: Survey questionnaire regarding art and other cultural property looted during the Nazi era

Dear Sir or Madame:

A few months ago, we sent you a survey questionnaire concerning the activity of your museum regarding art and other cultural property looted during the Nazi era in light of the Washington Conference Principles on Nazi-Confiscated Art, the AAM Recommended Procedures for Providing Information to the Public about Objects Transferred in Europe during the Nazi Era, and the AAM Guidelines Concerning the Unlawful Appropriation of Objects during the Nazi Era. We have not yet received a response from your institution.

May we ask you to be so kind as to complete the survey questionnaire on-line at <http://artrfi.claimscon.org>. We are aware that the questionnaire is long, due in part to the specifics of the AAM Procedures and Guidelines. If you prefer, please send us instead a signed statement or letter for posting on the database. Please respond as soon as possible, preferably within the next 4-5 weeks. As you know, it is our intention is to make the responses publicly available.

Thank you.

Sincerely yours,

Wesley A. Fisher

Dr. Wesley A. Fisher
Director of Research
Conference on Jewish Material Claims Against Germany, Inc.
15 East 26th Street, Suite 1405
New York, NY 10010

(1) 646-536-9105 office
(1) 212-481-9607 fax
wesley.fisher@claimscon.org

REGISTERED MAIL

June 12, 2006

[MUSEUM DIRECTOR
NAME OF MUSEUM
ADDRESS]

Dear [MUSEUM DIRECTOR],

Some months ago, we sent you a survey questionnaire concerning the activity of your museum regarding art and other cultural property looted during the Nazi era in light of the Washington Conference Principles on Nazi–Confiscated Art, the AAM Recommended Procedures for Providing Information to the Public about Objects Transferred in Europe during the Nazi Era, and the AAM Guidelines Concerning the Unlawful Appropriation of Objects during the Nazi Era. More recently, we sent you an e–mail reminder or telephoned you regarding this survey. However, we have not yet received a response from your institution.

As you know, it is our intention to make the responses publicly available. We are hereby extending the deadline for receipt of responses to June 30, 2006. After that date, we plan to prepare our announcement and issue a public statement regarding this matter.

We ask you to complete the survey questionnaire on–line at <http://artrfi.claimscon.org>. If you prefer, please send us a hard copy with a signed statement or letter for posting on the database. If you have any difficulty with completing the questionnaire on–line, wish us to fax another copy of the questionnaire, or have any questions, please contact Ms. Galit Dardashtian via e–mail at Galit.Dardashtian@claimscon.org.

Thank you.

Sincerely yours,

Wesley A. Fisher

Appendix 5)
Museums That Responded by July 10, 2006

MUSEUM	STATE	AAM MEMBERSHIP
Academy Art Museum	MD	Accredited
Ackland Art Museum	NC	Accredited
Akron Art Museum	OH	Accredited
Alice C. Sabatini Gallery	KS	Member
Allentown Art Museum	PA	Accredited
Annamarie Garden	MD	Member
Arkansas Arts Center	AR	Accredited
Art Complex Museum	MA	Member
Art Gallery, University of New Hampshire	NH	Member
Art Institute of Chicago	IL	Accredited
Art Museum of the University of Memphis	TN	Member
Art Museum of Western Virginia	VA	Accredited
Bakersfield Museum of Art	CA	Accredited
Ball State University Museum of Art	IN	Accredited
Baltimore Museum of Art	MD	Accredited
Bass Museum of Art	FL	Accredited
Bates College Museum of Art	ME	Member
Beloit College / Wright Museum of Art	WI	Member
Berman Museum of Art	PA	Accredited
Blanden Memorial Art Museum	IA	Accredited
Blanton Museum of Art	TX	Accredited
Block Museum of Art	IL	Member
B'nai B'rith Klutznick National Jewish Museum	DC	Member
Boca Raton Museum of Art	FL	Accredited
Bowdoin College Museum of Art	ME	Accredited
Calvin College - Center Art Gallery	MI	Member
Canton Museum of Art	OH	Accredited
Carleton College Art Gallery	MN	Member
Carnegie Museum of Art	PA	Not Member
Charles Allis/Villa Terrace Art Museums	WI	Member
Cheekwood Botanical Garden and Museum of Art	TN	Accredited
Chrysler Museum of Art	VA	Accredited
Cincinnati Art Museum	OH	Accredited
Cleveland Museum of Art	OH	Accredited
Columbia Museum of Art	SC	Not Member
Columbus Museum of Art	OH	Accredited

Concord Museum	MA	Accredited
Coos Art Museum	OR	Member
Corita Art Center	CA	Member
Cornell Fine Arts Museum, Rollins College	FL	Accredited
Crocker Art Museum	CA	Accredited
Cummer Museum of Arts and Gardens	FL	Accredited
Currier Museum of Art	NH	Accredited
Dallas Museum of Art	TX	Accredited
Daura Gallery, Lynchburg College	VA	Member
David Winton Bell Gallery, Brown University	RI	Member
Dayton Art Institute	OH	Accredited
Des Moines Art Center	IA	Member
Detroit Institute of Arts	MI	Accredited
Dubuque Museum of Art	IA	Accredited
Dumbarton Oaks	DC	Member
Eagle Rock Art Museum	ID	Member
El Paso Museum of Art	TX	Accredited
Ellen Noel Art Museum	TX	Accredited
Everson Museum of Art	NY	Accredited
Figge Art Museum	IA	Accredited
Fine Arts Museums of San Francisco	CA	Accredited
Fitchburg Art Museum	MA	Accredited
Flint Institute of Arts	MI	Accredited
Florida State University Museum of Fine Arts	FL	Accredited
Fort Wayne Museum of Art	IN	Accredited
Fred Jones Jr. Museum of Art	OK	Accredited
Fred L. Emerson Gallery	NY	Member
Frederick R. Weisman Art Museum, University of Minnesota	MN	Member
Frick Collection	NY	Accredited
Frye Art Museum	WA	Accredited
Georgia Museum of Art	GA	Accredited
Gibson Gallery, SUNY Potsdam	NY	Member
Gilcrease Museum	OK	Accredited
Grand Rapids Art Museum	MI	Accredited
Greenville County Museum of Art	SC	Accredited
Grey Art Gallery, New York University	NY	Member
Guild Hall	NY	Accredited
Hallie Ford Museum of Art, Willamette University	OR	Member
Harvard University Art Museums	MA	Accredited
Heckscher Museum of Art	NY	Accredited
Herbert F. Johnson Museum of Art	NY	Accredited
High Museum of Art	GA	Accredited

Hillstrom Museum of Art	MN	Member
Hillwood Art Museum	NY	Member
Hillwood Museum and Gardens	DC	Accredited
Honolulu Academy of Arts	HI	Accredited
Hood Museum of Art	NH	Accredited
Hunter Museum of American Art	TN	Accredited
Huntington Art Collections	CA	Not Member
Huntington Museum of Art	WV	Accredited
Indiana University Art Museum	IN	Accredited
Indianapolis Museum of Art	IN	Accredited
Iris & B. Gerald Cantor Art Gallery	MA	Member
Iris & B. Gerald Cantor Center for Visual Arts	CA	Accredited
Jacques Marchais Museum of Tibetan Art	NY	
Jewish Museum	NY	Accredited
Judah L. Magnes Museum	CA	Accredited
Judaica Museum of The Hebrew Home at Riverdale	NY	Member
Jule Collins Smith Museum of Fine Art	AL	Member
Kent State University Museum	OH	Member
Krannert Art Museum	IL	Accredited
La Salle University Art Museum	PA	Member
Lauren Rogers Museum of Art	MS	Accredited
Los Angeles County Museum of Art	CA	Accredited
Louisiana Art & Science Museum	LA	Accredited
Lowe Art Museum	FL	Accredited
LSU Museum of Art	LA	Member
Lyman Allyn Art Museum	CT	Accredited
Marywood University Art Galleries	PA	Member
Mead Art Museum	MA	Accredited
Memorial Art Gallery of the University of Rochester	NY	Accredited
Memphis Brooks Museum of Art	TN	Accredited
Metropolitan Museum of Art	NY	Accredited
Michelson Museum of Art	TX	Member
Middlebury College Museum of Art	VT	Accredited
Mildred Lane Kemper Art Museum	MO	Accredited
Milwaukee Public Museum	WI	Accredited
Minneapolis Institute of Arts	MN	Accredited
Mint Museum of Art	NC	Accredited
Mississippi Museum of Art	MI	Member
MIT List Visual Arts Center	MA	Accredited
Mitchell Gallery	MD	Member
Montana Museum of Art & Culture	MT	Member
Montgomery Museum of Fine Arts	AL	Accredited

Morris Museum of Art	GA	Member
Munson Williams Proctor Arts Museum	NY	Accredited
Muscarella Museum of Art	VA	Accredited
Muscatine Art Center	IA	Accredited
Museum of Art and Archaeology, University of Missouri - Columbia	MO	Accredited
Museum of Art, Rhode Island School of Design	RI	Accredited
Museum of Fine Arts, Boston	MA	Accredited
Museum of Fine Arts, Houston	TX	Accredited
Museum of Modern Art	NY	Accredited
Museum of Religious Arts	IA	Member
Museum of Russian Art	MN	Member
Nasher Museum of Art	NC	Accredited
National Academy Museum	NY	Accredited
National Gallery of Art	MD	Accredited
Nelson - Atkins Museum of Art	MO	Accredited
Neue Galerie New York	NY	Not Member
Nevada Museum of Art	NV	Accredited
Nora Elles Harrison Museum of Art	UT	Accredited
North Carolina Museum of Art	NC	Accredited
Northern Illinois University Art Museum	IL	Member
Norton Museum of Art	FL	Accredited
Oklahoma City Museum of Art	OK	Accredited
Old Jail Art Center	TX	Accredited
Orlando Museum of Art	FL	Accredited
Palm Springs Art Museum	CA	Accredited
Palmer Museum of Art	PA	Member
Paul & Lulu Hilliard University Art Museum	LA	Member
Philadelphia Museum of Art	PA	Accredited
Philbrook Museum of Art	OK	Accredited
Phillips Collection	DC	Accredited
Phoenix Art Museum	AZ	Accredited
Polk Museum of Art	FL	Accredited
Portland Art Museum	OR	Accredited
Potsdam Public Museum	NY	Member
Prairie Museum of Art and History	KS	Member
Provincetown Art Association and Museum	MA	Member
Putnam County Museum	IN	Member
Robert Hull Fleming Museum, University of Vermont	VT	Accredited
Rockford Art Museum	IL	Member
Rosenwald-Wolf Gallery	PA	Member
Saginaw Art Museum	MI	Accredited
Saint Anselm College, Chapel Arts Center	NH	Member

Saint Louis Art Museum	MO	Accredited
Samuel Dorsky Museum of Art	NY	Member
Sarah Moody Gallery of Art	AL	Member
Seattle Art Museum	WA	Accredited
Sheldon Swope Art Museum	IN	Accredited
Slater Memorial Museum	CT	Member
Smart Museum of Art	IL	Accredited
Smith College Museum of Art	MA	Accredited
Smithsonian Institution	DC	Accredited
Snite Museum of Art	IN	Accredited
Speed Art Museum	KY	Accredited
Spencer Museum of Art	KS	Accredited
Sterling and Francine Clark Art Institute	MA	Accredited
Suzanne H. Arnold Art Gallery	PA	Member
Swedish American Museum	IL	Member
Syracuse University Art Collection	NY	Member
Tacoma Art Museum	WA	Not Member
Tampa Museum of Art, Inc.	FL	Accredited
Terra Foundation for the Arts	IL	Not Member
Timken Museum of Art	CA	Member
Toledo Museum of Art	OH	Accredited
Tucson Museum of Art	AZ	Accredited
Tufts University Art Gallery, Aidekman Arts Center	MA	Member
Ukrainian Museum	NY	Not Member
UNI Permanent Art Collection & UNI Gallery of Art	IA	Accredited
University Art Museum, UCSB	CA	Accredited
University at Albany Museum	NY	Not Member
University at Buffalo Art Galleries	NY	Member
University of California / Berkeley Art Museum & Pacific Film Archive	CA	Accredited
University of Iowa Museum of Art	IA	Accredited
University of Kentucky Art Museum	KY	Accredited
University of Mary Washington Galleries	VA	Member
University of Michigan Museum of Art	MI	Accredited
University of Virginia Art Museum	VA	Accredited
University of Wyoming Art Museum	WY	Accredited
USC Fisher Gallery	CA	Accredited
Van Every/ Smith Galleries, Davidson College	NC	Member
Virginia Museum of Fine Arts	VA	Accredited
Vizcaya Museum & Gardens	FL	Accredited
Wadsworth Atheneum Museum of Art	CT	Accredited
Walters Art Museum	MD	Accredited
Washington County Museum of Fine Arts	MD	Accredited

Weatherspoon Art Museum	NC	Accredited
Wichita Art Museum	KS	Accredited
Widener University Art Gallery	PA	Member
William & Florence Schmidt Art Center	IL	Member
William Benton Museum of Art	CT	Member
William King Regional Arts Center	VA	Not Member
Wolfsonian-Florida International University	FL	Accredited
Worcester Art Museum	MA	Accredited
Yale University Art Gallery	CT	Accredited
Zanesville Art Center	OH	Member

Appendix 6)
Museums that Responded after July 10, 2006

MUSEUM	STATE	AAM MEMBERSHIP
Brooklyn Museum	NY	Member
Davis Museum & Cultural Center	MA	Member
Gibbes Museum of Art	SC	AAM Accredited
Housatonic Museum of Art	CT	Member
Museum of Art, University of Arizona	AZ	Accredited
Museum of Art, Washington State University	WA	Member
Muskegon Museum of Art	MI	Accredited
Norton Simon Museum of Art	CA	Member
Sarah Campbell Blaffer Foundation	TX	Member
Wiregrass Museum of Art	AL	Member

Appendix 7)**Museums That Did Not Respond**

“Member” means member museum of the American Association of Museums. “Accredited” means museum has been accredited by the American Association of Museums. “Not Member” means no formal affiliation with the American Association of Museums.

MUSEUM	STATE	AAM membership
Alexandria Museum of Art	LA	Accredited
Allen Memorial Art Museum	OH	Accredited
Anderson Gallery	VA	Member
Appleton Museum of Art	FL	Member
Art Museum of Greater Lafayette	IN	Accredited
Arthur Ross Gallery	PA	Member
Baum Gallery of Fine Arts	AR	Member
Beard & Weil Art Galleries	MA	Member
Birmingham Museum of Art	AL	Accredited
Boise Art Museum	ID	Accredited
Bruce Museum of Arts & Science	CT	Accredited
Caramoor Center for Music & Art	NY	Member
Casa del Herrero	CA	Member
Castellani Art Museum	NY	Not Member
Chazen Museum of Art	WI	Accredited
Colorado Springs Pioneers Museum	CO	Accredited
Coral Springs Museum of Art	FL	Member
Corcoran Gallery of Art	DC	Accredited
Corning Museum of Glass	NY	Accredited
Cranbrook Art Museum	MI	Accredited
Denver Art Museum	CO	Accredited
Douglas F. Cooley Memorial Art Gallery, Reed College	OR	Not Member
Edison Community College Gallery of Fine Art	FL	Not Member
Eide-Darymple Gallery, Augustana College	SD	Member
Elmhurst Art Museum	IL	Member
Ewing Gallery of Art & Architecture	TN	Member
Flaten Art Museum	MN	Member
Frances Lehman Loeb Art Center	NY	Accredited
Freeport Arts Center	IL	Member
Fresno Art Museum	CA	Accredited
Frost Art Museum	FL	Accredited

Fullerton Art Museum	CA	Member
Fullerton College Art Gallery	CA	Member
Gadsden Museum of Art	AL	Not Member
Gerald Peters Gallery	NM	Member
Gerald Peters Gallery	NY	Not Member
Godwin-Ternbach Museum	NY	Not Member
Grand Valley State University Art Gallery	MI	Member
Grants Pass Museum of Art	OR	Member
Guilford College Art Gallery	NC	Member
Haggerty Museum of Art	WI	Member
Haggin Museum	CA	Member
Handwerker Gallery, Ithaca College	NY	Member
Hudson River Museum	NY	Accredited
Hutchinson Art Center	KS	Member
Isabella Stewart Gardner Museum	MA	Accredited
J. Paul Getty Museum	CA	Accredited
Jane Voorhees Zimmerli Art Museum	NJ	Member
Joslyn Art Museum	NE	Accredited
Katzen Arts Center	DC	Member
Kennesaw State University Art Gallery	GA	Member
Kreeger Museum	DC	Member
Kresge Art Museum	MI	Accredited
Lakes Art Center	IA	Member
Lightner Museum	FL	Member
Longue Vue House & Gardens	LA	Not Member
Longview Museum of Art	TX	Member
Mabee-Gerrer Museum of Art	OK	Member
Madison Museum of Fine Arts	GA	Member
Marion Koogler McNay Art Museum	TX	Accredited
Maryhill Museum of Art	WA	Accredited
Menil Collection	TX	Not Member
Milwaukee Art Museum	WI	Not Member
Mount Holyoke College Art Museum	MA	Member
Museum of Art, Brigham Young University	UT	Member
Museum of Art, University of Maine	ME	Member

Museum of the Southern Jewish Experience	MS	Member
Neuberger Museum of Art	NY	Accredited
New Orleans Museum of Art	LA	Accredited
New Visions Gallery, Inc.	WI	Member
Newark Museum	NJ	Accredited
Nicholas Roerich Museum	NY	Member
Northern Arizona University Art Museum	AZ	Member
Pensacola Museum of Art	FL	Accredited
Plains Art Museum	ND	Accredited
Pomona College Museum of Art	CA	Member
Portland Museum of Art	ME	Not Member
Princeton University Art Museum	NJ	Accredited
Rahr-West Art Museum	WI	Accredited
Reading Public Museum	PA	Not Member
Ringling Museum of Art	FL	Accredited
Salvador Dali Museum	FL	Not Member
Samek Art Gallery	PA	Member
San Diego Museum of Art	CA	Accredited
San Francisco Museum of Modern Art	CA	Accredited
Sands Point Preserve Ref. Library	NY	Not member
Santa Barbara Museum of Art	CA	Accredited
Schneider Museum of Art	OR	Member
Schumacher Gallery	OH	Member
Shafer Gallery	KS	Member
Sherwin Miller of Jewish Art	OK	Member
Solomon R. Guggenheim Museum	NY	Accredited
Springfield Art Association	IL	Member
Springfield Museum of Art	OH	Accredited
Springville Museum of Art	UT	Member
Sweet Briar College Art Gallery	VA	Not Member
Temple Museum of Religious Art	OH	Member
Textile Museum	DC	Accredited
Trout Gallery	PA	Not Member
Tweed Museum of Art	MN	Member
UCLA Hammer Museum	CA	Member
University Art Gallery, Western Illinois Univ.	IL	Member
University Art Museum, Arizona State Univ.	AZ	Not Member

University Art Museum, Univ. of New Mexico	NM	Member
University of Maryland	MD	Member
Utah Museum of Fine Arts	UT	Accredited
William S. Fairfield Art Museum	WI	Member
Zigler Museum	LA	Member