

117TH CONGRESS
2D SESSION

S. 4587

To award a Congressional Gold Medal to Benjamin Berell Ferencz, in recognition of his service to the United States and international community during the post-World War II Nuremberg trials and lifelong advocacy for international criminal justice and rule of law.

IN THE SENATE OF THE UNITED STATES

JULY 21, 2022

Mrs. GILLIBRAND (for herself, Mr. SCHUMER, and Mr. CARDIN) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To award a Congressional Gold Medal to Benjamin Berell Ferencz, in recognition of his service to the United States and international community during the post-World War II Nuremberg trials and lifelong advocacy for international criminal justice and rule of law.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Benjamin Berell
5 Ferencz Congressional Gold Medal Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Benjamin “Ben” Berell Ferencz was born
2 on March 11, 1920, in Transylvania, now modern
3 day Hungary.

4 (2) In 1920, Ben and his family fled anti-Se-
5 mitic persecution and emigrated to the United
6 States. Ben grew up in New York City, and in 1940,
7 was awarded a scholarship to Harvard Law School
8 where he graduated with honors.

9 (3) After the onset of World War II, Ben en-
10 listed in the United States Army in 1943, and joined
11 an anti-aircraft artillery battalion preparing for the
12 invasion of France. As an enlisted man under Gen-
13 eral Patton, he fought in most of the major cam-
14 paigns in Europe.

15 (4) As Nazi atrocities were uncovered, Ben was
16 transferred to a newly created War Crimes Branch
17 of the Army to gather evidence of war crimes that
18 could be used in a court of law to prosecute persons
19 responsible for these crimes. Ben documented the
20 horrors perpetrated by Nazi Germany, visiting con-
21 centration camps as they were liberated.

22 (5) At the end of 1945, Ben was honorably dis-
23 charged from the United States Army with the rank
24 of Sergeant of Infantry. He had been awarded 5
25 battle stars.

1 (6) In 1946, the United States Government re-
2 cruited Ben to join the team working on the Nurem-
3 berg tribunals, a novel independent court established
4 to try top-ranking Nazi officials for crimes per-
5 petrated during the course of the war, including
6 those crimes we now call the Holocaust. Mr. Ferencz
7 was sent to Berlin to oversee a team of 50 research-
8 ers investigating official Nazi records, which pro-
9 vided overwhelming evidence to implicate German
10 doctors, lawyers, judges, generals, industrialists, and
11 others in genocide.

12 (7) By 1948, at age 27, Ben had secured
13 enough evidence to prosecute 22 SS members of
14 Nazi killing squads charged for the murder of over
15 1,000,0000 Jewish, Roma, Soviet, and other men,
16 women, and children in shooting massacres in occu-
17 pied Soviet territory. He was appointed chief pros-
18 ecutor in the Einsatzgruppen Trial, in what the As-
19 sociated Press called “the biggest murder trial in
20 history”. The court found 20 Nazi officials guilty of
21 war crimes, crimes against humanity, and member-
22 ship in a criminal organization for their roles in the
23 murder of over a million people. An additional 2 de-
24 fendants were found guilty for membership in a
25 criminal organization.

1 (8) After the Nuremberg trials ended, Ben
2 fought for compensation for victims and survivors of
3 the Holocaust, the return of stolen assets, and other
4 forms of restitution for those who had suffered at
5 the hands of the Nazis.

6 (9) Since the 1970s, Ben has worked tirelessly
7 to promote development of international mechanisms
8 to outlaw and punish aggressive war and the crimes
9 of genocide, crimes against humanity and war
10 crimes. His efforts contributed to the establishment
11 of the International Criminal Court and to the rec-
12 ognition of aggression as an international crime.

13 (10) Ben is a tireless advocate for international
14 criminal justice and the conviction that the rule of
15 law offers the world a sustainable path to stem con-
16 flict and reach peaceful conclusions to geopolitical
17 disputes. His unwavering goal has been “to establish
18 a legal precedent that would encourage a more hu-
19 mane and secure world in the future”.

20 (11) Ben, at age 101, is still active, giving
21 speeches throughout the world about lessons learned
22 during his extraordinary career. He is compelled by
23 the imperative to “replace the rule of force with the
24 rule of law”, promoting judicial mechanisms that
25 can resolve conflict. He often tells young people to

1 “never give up” because the fight for peace and jus-
2 tice is worth the long struggle ahead.

3 **SEC. 3. CONGRESSIONAL GOLD MEDAL.**

4 (a) PRESENTATION AUTHORIZED.—The Speaker of
5 the House of Representatives and the President pro tem-
6 pore of the Senate shall make appropriate arrangements
7 for the presentation, on behalf of the Congress, of a gold
8 medal of appropriate design to Benjamin Berell Ferencz,
9 in recognition of his service to the United States and inter-
10 national community during the post-World War II Nurem-
11 berg trials and lifelong advocacy for international criminal
12 justice and rule of law.

13 (b) DESIGN AND STRIKING.—For purposes of the
14 presentation referred to in subsection (a), the Secretary
15 of the Treasury (referred to in this Act as the “Sec-
16 retary”) shall strike a gold medal with suitable emblems,
17 devices, and inscriptions, to be determined by the Sec-
18 retary.

19 **SEC. 4. DUPLICATE MEDALS.**

20 (a) IN GENERAL.—The Secretary may strike and sell
21 duplicates in bronze of the gold medal struck pursuant
22 to section 3 at a price sufficient to cover the cost thereof,
23 including labor, materials, dies, use of machinery, and
24 overhead expenses.

1 (b) UNITED STATES HOLOCAUST MEMORIAL MU-
2 SEUM.—

3 (1) IN GENERAL.—The Secretary shall provide
4 a duplicate bronze medal described under subsection
5 (a) to the United States Holocaust Memorial Mu-
6 seum.

7 (2) SENSE OF CONGRESS.—It is the sense of
8 Congress that the United States Holocaust Memo-
9 rial Museum should make the duplicate medal re-
10 ceived under this subsection available for display to
11 the public whenever the United States Holocaust
12 Memorial Museum determines that such display is
13 timely, feasible, and practical.

14 **SEC. 5. STATUS OF MEDALS.**

15 (a) NATIONAL MEDALS.—The medals struck pursu-
16 ant to this Act are national medals for purposes of chapter
17 51 of title 31, United States Code.

18 (b) NUMISMATIC ITEMS.—For purposes of section
19 5134 of title 31, United States Code, all medals struck
20 under this Act shall be considered to be numismatic items.

21 **SEC. 6. AUTHORITY TO USE FUND AMOUNTS; PROCEEDS OF**
22 **SALE.**

23 (a) AUTHORITY TO USE FUND AMOUNTS.—There is
24 authorized to be charged against the United States Mint
25 Public Enterprise Fund such amounts as may be nec-

1 essary to pay for the costs of the medals struck under
2 this Act.

3 (b) PROCEEDS OF SALE.—Amounts received from the
4 sale of duplicate bronze medals authorized under section
5 4 shall be deposited into the United States Mint Public
6 Enterprise Fund.

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