

**FOREIGN CLAIMS
SETTLEMENT
COMMISSION OF THE
UNITED STATES**

Seventh
Semiannual Report
To the Congress

For the Period Ending **DECEMBER 31**
1957

LETTER OF TRANSMITTAL

To the President of the Senate and the Speaker of the House of Representatives of the 85th Congress:

Pursuant to the provisions of section 9 of the War Claims Act of 1948 (62 Stat. 1240; 50 U. S. C. App. 2001-2016), as amended, and of section 3 (c) of the International Claims Settlement Act of 1949 (64 Stat. 12; 22 U. S. C. 1621-1627), as amended, the Foreign Claims Settlement Commission of the United States has the honor to submit herewith the seventh semiannual report of its activities as of December 31, 1957.

Respectfully.

WHITNEY GILLILLAND, *Chairman.*
PEARL CARTER PACE, *Commissioner.*
HENRY J. CLAY, *Commissioner.*

CONTENTS

	Page
Introduction.....	1
Commission Structures and Procedures.....	1
Balkan Claims Division.....	2
Soviet Claims Division.....	2
General Claims Division.....	3
Status of War Claims.....	4
Appendix:	
Exhibit I. Status of Current Claims Programs.....	6
Exhibit II. Claims Allowed Under the War Claims Act of 1948, as amended.....	7
Exhibit III. Actual Obligations for Administrative Expenses.....	7
Exhibit IV. War Claims Fund, Withdrawals and Redeposits.....	8
Exhibit V. Statement Showing Distribution of War Claims Compensation by Areas in Which Claims Arose.....	8
Exhibit VI. Table Showing Distribution of Claim Payments by Areas From 1950 to December 31, 1957, Under the War Claims Act of 1948, as amended.....	11
Exhibit VII. Bills Pending in the 85th Congress (December 31, 1957) Which Would Affect the Claim Functions of the Commission.....	12
Exhibit VIII. List of Precedent Decisions, July 1, 1957, to January 1, 1958.....	15
Exhibit IX. Digest of Precedent Decisions Under Title III, International Claims Settlement Act of 1949, as amended.....	16
Exhibit X. Action on Proposed Precedent Decisions Pending July 1, 1957.....	23
Exhibit XI. Directory, Foreign Claims Settlement Commission of the United States.....	24

INTRODUCTION

The Foreign Claims Settlement Commission derives its principal functions from the War Claims Act of 1948, as amended, and the International Claims Settlement Act of 1949, as amended. During this reporting period ending December 31, 1957, the Commission authorized the issuance of proposed decisions on 2,289 claims, held 245 hearings, and entered final decisions on 2,883 claims. Awards during the period totaled 674 in the amount of \$7,311,268. Typical of the nature of the claims processed are those described in the digests of precedent decisions arranged under appropriate subject headings which appear in the Appendix of this report as exhibit IX on page 16.

The active programs during the period consisted of claims in various categories against Bulgaria, Hungary, Rumania, Italy, and the Soviet Union, authorized by Public Law 285, 84th Congress, which added title III to the International Claims Settlement Act. These programs must be completed by August 9, 1959. An additional program consisted of certain claims against Japan authorized by Public Law 997, 84th Congress, which added section 7 (h) to the War Claims Act. Processing of these claims must be completed by February 6, 1958. A table showing the status of present programs as of December 31, 1957, is shown in exhibit I of the Appendix to this report on page 16.

At the end of the current reporting period a number of measures were pending before Congress upon which the Commission had been asked to report. (See exhibit VII.) Members of the General Counsel's staff, with representatives of other agencies, assisted in the research and drafting of some of them, including measures providing for the processing of war damage claims against Germany, and nationalization claims against Czechoslovakia. Pursuant to the request of the State Department for information preparatory to the negotiation of a settlement with Poland, the Commission had also registered in excess of 16,000 miscellaneous claims for losses in that country including those due to postwar nationalization and war damages.

COMMISSION STRUCTURES AND PROCEDURES

The claims development functions of the Commission, under the administrative supervision of the Executive Director, and with the benefit of legal advice and coordination from the General Counsel, were carried on in three operating divisions, designated respectively,

the Balkan, Soviet, and General Claims Divisions. The overall staff of the Commission was reduced from 114 to 94 during the current reporting period. Commission methods of procedure have heretofore been outlined in the Fifth and Sixth Semiannual Reports.

BALKAN DIVISION

Section 303 of the International Claims Settlement Act of 1949, as amended, authorized claims against the Governments of Bulgaria, Hungary, and Rumania, all arising out of their failure, (a) to restore or pay compensation for property of nationals of the United States as required by the respective treaties of peace with the Allied powers following World War II, (b) to compensate for the nationalization, compulsory liquidation or other taking of property of nationals of the United States in Bulgaria, Hungary and Rumania, and (c) to meet certain obligations expressed in currency of the United States arising out of contractual or other rights acquired by nationals of the United States which were acquired prior to certain specified dates and which became payable prior to September 15, 1947. The time for filing such claims expired October 1, 1956, and has not since been extended. Funds for the payment of section 303 claims consist of the net liquidated proceeds of vested assets of the respective countries named above, or corporations of such countries, by the Office of Alien Property in the Department of Justice. As of December 31, 1957, deposits had been made to the three separate claim funds established for this purpose in the Treasury of the United States as follows:

Bulgarian Claims Fund	\$2, 245, 198. 28
Hungarian Claims Fund	67, 420. 97
Rumanian Claims Fund	18, 980, 111. 00

It is expected that additional deposits will be made to each of these funds as the liquidation of such assets progresses. Subject to the adequacy of the funds, awards are paid in full up to \$1,000 and prorated above that amount. Claims against Bulgaria totaled 391. As of December 31, 1957, proposed decisions had issued on 251 claims, final decisions on 239, and awards totaled \$422,762. Claims totaling 2,725 were filed against Hungary. As of December 31, 1957, proposed decisions had issued on 1,043 and final decisions on 981. Awards totaled \$95,091. Claims against Rumania totaled 1,073. As of December 31, 1957, proposed decisions had issued on 452, final decisions on 414, and awards totaled \$873,694.

SOVIET DIVISION

Section 305 of the International Claims Settlement Act of 1949, as amended, authorizes claims against the Soviet Government in two categories: (a) those founded upon liens obtained prior to November 16,

1933 by nationals of the United States arising out of judgments or warrants of attachment against assets of Russian nationals in the United States which were assigned by Russia to the United States on that date under the Litvinov Assignment, (b) those of nationals of the United States against the Soviet Union of a general nature which arose prior to November 16, 1933. The claim payment fund was derived from the net proceeds of the liquidation of assets included in that Assignment. Deposits to the fund approximate \$9,100,000. Claims filed under section 305 totaled 4,130. As of December 31, 1957, proposed decisions had issued on 3,208, final decisions on 2,278, and awards totaled \$3,813,216. The eight claims filed in category (a) were completely processed prior to this reporting period. Only one of them was found to be compensable. In that case an award was made in the amount of \$761,486.50. As required by statute the award was paid in full. The other claims in this category were disallowed. They are being reconsidered, however, as category (b) claims. Category (b) awards are paid in full up to \$1,000 and prorated as to amounts in excess of that figure.

GENERAL CLAIMS DIVISION

All claim settlement functions of the Commission not otherwise assigned, are carried out by the General Claims Division. Accordingly, this Division, as of December 31, 1957, had the responsibility of processing claims against Italy under section 304 of the International Claims Settlement Act, and newly authorized claims of religious organizations under section 7 (h) of the War Claims Act of 1948, as amended.

Section 304 of the International Claims Settlement Act of 1949, as amended, authorizes claims of nationals of the United States against the Government of Italy arising out of the war in which Italy was engaged from June 10, 1942, to September 15, 1947, and with respect to which provision was not made in the Treaty of Peace. A fund of \$5,000,000 was made available to the United States by Italy under a Memorandum of Understanding dated August 14, 1947. The statutory provisions for initial payment of \$1,000, followed by prorated payments are the same as those specified for the Balkan and Soviet claims programs. It appears probable that the fund will be adequate to provide, eventually, for the full payment of awards on the 2,246 claims which were docketed under this program. As of December 31, 1957, proposed decisions had been issued numbering 1,742, final decisions totaled 1,603, and awards aggregated \$234,450.

Section 7 (h) of the War Claims Act of 1948, as amended, authorizes compensation to religious organizations in the Philippines of the same denomination as religious organizations functioning in the United

States for relief furnished to beleaguered Americans during World War II, and for the postwar reconstruction cost of schools, colleges, hospitals, observatories, orphanages and other similar educational and welfare institutions destroyed during the war. Awards are payable from the War Claims Fund. Deposits to the War Claims Fund in the Treasury have been made, from time to time, as provided by the Act, from the net proceeds of liquidated enemy assets vested by the Office of Alien Property in the Department of Justice. Midway in the program a point was reached where balances in the Fund were inadequate to meet the payment of awards awaiting certification in their proper order. As of December 31, 1957, therefore, further payments were suspended until authorization was made for an additional deposit to the Fund. Under this program 109 claims were docketed. As of December 31, 1957, proposed decisions had been issued on 109 claims and final decisions on 69 claims. Final awards on that date totaled \$7,563,473. Nineteen awards in the amount of \$5,508,211 have been paid in full. A statement showing the condition of the War Claims Fund as of December 31, 1957 is attached as exhibit IV of the Appendix on page 8.

STATUS OF WAR CLAIMS

Section 8 of the War Claims Act of 1948 required the former War Claims Commission to inquire and report, among other things, on the estimated number, amount and categories of claims arising from World War II, the extent to which war claims arising out of World War II "have been or may be satisfied under International agreements or domestic or foreign laws," and to make recommendations as to the categories and types which should be received, and proposals for appropriate legislation. Such a report prepared by the War Claims Commission was transmitted to the Congress by President Truman on January 16, 1953 and was published as House Document No. 67, 83d Congress, 1st Session. Since that date a number of the Commission's recommendations have been adopted into law and carried into effect. Others have not.

Appended hereto as exhibit II of the Appendix on page 7 is a table showing the number and amounts of claims allowed by the Commission under various programs authorized by the War Claims Act of 1948, as amended. Exhibit V of the Appendix is a statement showing the distribution of awards by areas and countries in which the claims arose on all war claims programs within the jurisdiction of the Commission. Some reference to other war claims coverages available to Americans is included.

APPENDIX

	Page
Exhibit I. Status of Current Claims Programs.....	6
Exhibit II. Claims Allowed Under the War Claims Act of 1948, as amended.....	7
Exhibit III. Actual Obligations for Administrative Expenses.....	7
Exhibit IV. War Claims Fund, Withdrawals and Redeposits.....	8
Exhibit V. Statement Showing Distribution of War Claims Compensation by Areas in Which Claims Arose.....	8
Exhibit VI. Table Showing Distribution of Claim Payments by Areas From 1950 to December 31, 1957, Under the War Claims Act of 1948, as amended.....	11
Exhibit VII. Bills Pending in the 85th Congress (December 31, 1957) Which Would Affect the Claim Functions of the Commission.....	12
Exhibit VIII. List of Precedent Decisions, July 1, 1957 to January 1, 1958.....	15
Exhibit IX. Digest of Precedent Decisions Under Title III, International Claims Settlement Act of 1949, as amended.....	16
Exhibit X. Action on Proposed Precedent Decisions Pending July 1, 1957.....	23
Exhibit XI. Directory, Foreign Claims Settlement Commission of the United States.....	24

FOREIGN CLAIMS SETTLEMENT COMMISSION

APPENDIX

EXHIBIT I

FOREIGN CLAIMS SETTLEMENT COMMISSION—STATUS OF CURRENT CLAIM PROGRAMS AS OF DEC. 31, 1957

Type of claims	July 1, 1957 to Dec. 31, 1957						Cumulative Totals to Dec. 31, 1957					
	Num-ber of claims on which pro-posed deci-sions were issued	Awards	Amount	Dis-mis-sals	Num-ber of claims on which pro-posed deci-sions were issued	Awards	Amount	Dis-mis-sals	Num-ber of claims on which pro-posed deci-sions were issued	Awards	Amount	Dis-mis-sals
PUBLIC LAW 285 1	4,130	376	414	\$2,423,377	1,338	668	\$2,020,933	191	3,208	925	\$4,750,874	2,283
1. Soviet.....	2,246	1,361	62	197,503	1,259	1,364	209,425	1,286	1,742	130	309,524	1,612
2. Italian.....												
3. Balkan:												
a. Hungarian.....	2,725	286	18	29,841	268	629	43,354	604	1,043	70	88,647	973
b. Bulgarian.....	391	46	27	1,483,260	10	93	131,066	57	261	128	1,710,775	123
c. Rumanian.....	1,073	133	35	842,865	98	177	530,082	131	452	120	1,156,898	332
Total Balkan claims.....	4,189	465	80	2,305,966	385	709	704,442	892	1,746	318	2,954,320	1,428
Total claims—Public Law 285.....	10,565	2,202	556	4,976,846	1,646	2,821	2,934,800	2,169	6,696	1,373	8,014,718	5,323
PUBLIC LAW 997 1												
1. Religious.....	109	87	26	4,364,752	61	62	4,376,468	40	109	33	8,227,682	76
Grand total.....	10,674	2,289	582	9,341,598	1,707	2,883	7,311,268	2,209	6,805	1,406	16,242,400	5,399

189 Stat. 570, Approved Aug. 9, 1955. This law added to the International Claims Settlement Act of 1949, as amended, Title II, authorizing the vesting and liquidation of certain Bulgarian, Hungarian, and Rumanian assets situated in the United States, and Title III authorizing the settlement by the Foreign Claims Settlement Commission of certain claims against these three governments as well as Italy and the Soviet Union filed by nationals of the United States.

2 This figure represents the net of cases reversed after issuance of proposed dismissals in the previous reporting period.

3 70 Stat. 1062, Approved Aug. 6, 1956. This law added new section 7(b) to the War Claims Act of 1948, as amended, authorizing certain additional World War II damage claim benefits claims by religious organizations in the Philippines of the same denomination as religious organizations in the United States.

FOREIGN CLAIMS SETTLEMENT COMMISSION

EXHIBIT II

FOREIGN CLAIMS SETTLEMENT COMMISSION—CLAIMS ALLOWED UNDER THE WAR CLAIMS ACT OF 1948, AS AMENDED, AND CERTIFIED TO THE SECRETARY OF THE TREASURY FOR PAYMENT AS OF DEC. 31, 1957

Type of claims	July 1, 1957 to Dec. 31, 1957		Dec. 31, 1957	
	Number	Amount	Number	Amount
Public Law 896 (War Claims Act of 1948; 62 Stat. 1240, Approved July 3, 1948):				
1. Civilian American internees.....				
2. Prisoners of War (American and Filipino).....	66	\$8,477	9,260	\$13,679,329
3. Religious organizations and personnel.....			179,442	49,906,337
Subtotal.....	66	8,477	62	2,857,899
Public Laws 303 and 359 (66 Stat. 47, Approved Apr. 9, 1952; 68 Stat. 97, Approved May 13, 1954):				
1. Prisoners of war (American and Filipino).....	91	22,207	176,570	73,426,433
2. Religious organizations and personnel.....			60	17,238,596
Subtotal.....	91	22,207	176,630	90,665,029
Public Law 615 (68 Stat. 759, Approved Aug. 21, 1954):				
1. Korean prisoners of war.....				
2. Civilian internees, Korea.....		1,027	9,450	8,874,458
Subtotal.....		1,027	10	16,774
Public Law 744 (68 Stat. 1033, Approved Aug. 31, 1954):				
1. Merchant Seamen.....				
2. Sequestered credit (bank account and others).....		1,249	170	328,981
3. Civilian American internees.....			3,167	10,570,917
4. Allied prisoners of war.....		1,561	2,222	4,082,086
Subtotal.....		2,810	206	335,886
Public Law 997 (68 Stat. 1033, approved Aug. 6, 1956):				
1. Religious organization and personnel.....	15	2,321,206	19	5,508,211
Subtotal.....	15	2,321,206	19	5,508,211
Grand total.....	172	2,365,727	380,638	186,825,857

1 Awards previously completed and obligated and payments made during current period.

EXHIBIT III

FOREIGN CLAIMS SETTLEMENT COMMISSION—ACTUAL OBLIGATIONS FOR ADMINISTRATIVE EXPENSES JULY 1, 1957, THROUGH DEC. 31, 1957

Object class	Description	1st quarter	2d quarter	Total
01	Personal services.....			
02	Travel.....	\$179,358	\$167,482	\$346,840
04	Communication services.....	2,356	190	2,546
06	Printing and reproduction.....	4,556	2,242	6,798
07	Other contractual services.....	1,587	747	2,334
08	Supplies and materials.....	5,386	4,477	9,863
09	Equipment.....	1,365	379	1,744
11	Grants, subsidies and contributions.....	1,115	209	1,324
13	Refunds, awards and indemnities.....	9,720	10,358	20,058
15	Taxes.....	116	30	146
	Total obligations.....	205,559	186,172	391,731

EXHIBIT IV

FOREIGN CLAIMS SETTLEMENT COMMISSION—WAR CLAIMS FUND¹ WITHDRAWALS
AND REDEPOSITS TO THE FUND AS OF DECEMBER 31, 1957 (Cumulative)

Payment of claims, FCSC, ² as of Dec. 31, 1957-----	\$178,081,190.00
Payment of claims, BEC, ³ as of Dec. 31, 1957-----	23,410,954.18
Actual disbursements for administrative expenses, FCSC, for fiscal years 1950, 1951, 1952, 1953, 1954, 1955, 1956, and ap- propriation authorization for fiscal years 1957 and 1958-----	5,142,741.65
Actual disbursements for administrative expense of sections 4 (a), (b), (c), and (f) of the War Claims Act, 1950, 1951, 1952, 1953, and appropriation authorizations for fiscal years 1954, 1955, 1956, and 1957-----	711,223.52
Repayment of loans, State Department-----	50,550.08
Transfer to Treasury (BEC ³ future payments)-----	17,500,000.00
GAO Certificate of settlement-----	69.50
Total withdrawals as of Dec. 31, 1957-----	224,896,728.98
Redeposits to the Fund (cr)-----	6,729.28
Net withdrawals as of Dec. 31, 1957-----	224,889,999.65

A total of \$178,081,190 has been transferred from the War Claims Fund to
"Payment of World War II Claims, Foreign Claims Settlement Commission."
Of this amount \$177,945,240.72 has been disbursed in payments to claimants.

¹ Established in the Treasury of the United States pursuant to section 13, War Claims
Act of 1948, as amended, for expenditure as provided in such Act.

² Foreign Claims Settlement Commission.

³ Bureau of Employees Compensation, U. S. Department of Labor. This Bureau admin-
isters claims for death, injury, and disability benefits authorized under sections 4 and 5 (f)
of the War Claims Act of 1948, as amended.

EXHIBIT V

FOREIGN CLAIMS SETTLEMENT COMMISSION

Statement Showing Distribution of War Claims Compensation by Areas in
Which Claims Arose

The Foreign Claims Settlement Commission has processed war claims under
both of its basic statutes, to wit: The War Claims Act of 1948, as amended (62
Stat.1240 et seq.), and the International Claims Settlement Act of 1949, as
amended (64 Stat. 12 et seq.). Claims under the former are paid from the War
Claims Fund in which there was deposited by the Office of Alien Property, De-
partment of Justice, \$225,000,000 as of December 31, 1957. This sum was derived
from the liquidation of German and Japanese assets vested under the Trading
With the Enemy Act. Approximately \$171,000,000 of this amount was of Ger-
man origin and \$54,000,000 Japanese. Claims against Italy are paid from a
\$5,000,000 fund provided by Italy. To the extent that funds are available to
apply to claims against Bulgaria, Hungary, and Rumania, the same are derived
from the liquidation of assets of those countries, or corporate nationals thereof,
under the International Claims Settlement Act. These funds have heretofore
been estimated to be Bulgaria—\$3,000,000, Hungary—\$6,000,000, Rumania—
\$25,000,000 (Senate Report No. 1050, 84th Cong., on H. R. 6382). Public Law 744,

83d Congress provided compensation to American merchant seamen captured and
interned by the Japanese or Germans during World War II at \$60 per month of
detainment. There were 170 awards totaling \$328,981. Other Commission
awards by area or country or origin of claims to December 31, 1957, are as
follows:

I. CLAIMS ATTRIBUTABLE TO JAPAN

1. *Prisoner of war claims.*—Members of the Armed Forces of the United States
who were held prisoners during World War II were compensated at the rate of
\$1 for each day they failed to receive the proper quantity and quality of food
(Public Law 896, 80th Cong.), and \$1.50 for each day they were subjected to
forced, uncompensated labor and other inhumane treatment. (Public Law 303,
82d Cong.) There were 193,472 awards on such claims known to be attributable
to Japan alone totaling \$71,556,177 out of a total of 356,218 similar awards ag-
gregating \$123,668,606.

2. *Civilian internee claims.*—Claims of American civilians who went into hid-
ing from or were interned by the Japanese in the Philippines, Wake, Guam, or
Midway at \$25 per month for persons under 18 years of age and \$60 per month
for others. (Public Law 896, 80th Cong. and Public Law 744, 83d Cong.). There
were 11,652 awards totaling \$18,090,396. Pursuant to the provisions of the War
Claims Act, as amended, the sum of \$41,622,177.70 from the War Claims Fund
was allocated to the Bureau of Employees Compensation, U. S. Department of
Labor to cover, in addition to certain administrative expenses: (a) compensa-
tion to American civilians who suffered disability or death resulting from
injuries sustained while detained by or in hiding from the Japanese in the
Philippines, Wake, Guam, or Midway, and (b) wages of employees specified
in the War Risk Hazards Act who were missing or interned by the enemy as
a result of the war. As of December 31, 1957, according to this source, ap-
proximately 6,000 claims had been paid under this program in the amount of
\$24,281,260.

3. *Relief claims.*—Under section 7 (a) of the War Claims Act, religious or-
ganizations, or personnel thereof, functioning in the Philippines affiliated with
religious organizations in the United States were entitled to reimbursement for
expenditures incurred or the value of supplies furnished to beleaguered Ameri-
cans during World War II. There were 62 awards totaling \$2,857,899.

4. *Welfare institution claims.*—Under section 7 (b) through (g) of the Act,
religious organizations functioning in the Philippines and affiliated with religious
organizations in the United States for the postwar reconstruction costs of their
schools, colleges, observatories, hospitals, orphanages and other welfare institu-
tions destroyed during the war. (Public Law 303, 82d Cong.) There were 60
awards totaling \$17,238,596.

Public law 997, 84th Congress, added subsection (h) to section 7 of the Act to
authorize claims of religious organizations functioning in the Philippines of the
same denomination as similar organizations in the United States for (a) the cost
of assistance furnished to American civilians and military personnel captured by
or in hiding from the Japanese during the war, and (b) the postwar reconstruc-
tion costs of schools, colleges, hospitals and similar institutions destroyed during
the war. Nineteen awards on such claims totaling \$5,508,211 had been certified
for payment as of December 31, 1957.

5. *Bank accounts.*—Public Law 744, 83d Congress, included a provision for
compensation to Americans for losses of bank accounts and other credits sequest-
ered by the Japanese in the Philippines and to banks in the Philippines which

had voluntarily reestablished sequestered American credits. There were 3,167 awards under this program totaling \$10,570,917.

6. *Korean conflict.*—Public Law 615, 83d Congress provided benefits to prisoners of war and civilian internees in the Korean conflict of the same kind as provided for World War II. Benefits were payable from appropriated funds and not the War Claims Fund. There were 9,460 awards totaling \$8,891,232 on such claims.

7. *Other sources of compensation for losses attributable to Japan.*—Property losses in the Philippines were compensable under the Philippine Rehabilitation Act of 1946 (60 Stat. 128; 50 U. S. C. app. sec. 1751 et seq.) under which Congress appropriated \$400,000,000, for the settlement of private claims and provided that surplus property of the United States to the extent of not more than \$100,000,000 be employed for rehabilitation. All claimants having compensable losses were compensated in full up to \$500 plus 52.5 percent of the amount of awards in excess of \$500. Of approximately \$390,000 paid on some 1,250,000 claims, about \$20,000,000 was paid to roughly 2,600 Americans.

American property losses in Japan are compensable under the Japanese Peace Treaty which was ratified by United States Senate, March 20, 1952 (98 Cong. Rec., p. 2635), and implemented by the Allied Powers Compensation Law, approved by the Japanese Diet, November 26, 1951 (No. 264). Residents of Guam were compensated under the Guam Relief Act of November 2, 1945 (59 Stat. 582) for damage to, or loss or destruction of their properties. An aggregate of slightly more than \$1,440,076 was paid on these claims. The War Damage Corporation, created pursuant to section 5 (d) of the Reconstruction Finance Corporation Act (55 Stat. 249, 56 Stat. 175), paid 73 property damage claims on Guam totaling \$267,482, in Hawaii 198 claims totaling \$219,015.02, and Alaska 207 claims totaling \$80,060.05. Australia, Malaya, and Thailand themselves established war damage compensation programs under which Americans were eligible.

8. *Uncompensated areas.*—The principal areas in which Americans suffered war damages attributable to Japan and for which no coverages have thus far been afforded are: China, Burma, Hong Kong, Indochina, and Indonesia.

II. CLAIMS AGAINST GERMANY (EUROPEAN THEATRE)

1. *Prisoner of war claims.*—Members of the Armed Forces of the United States who were held prisoners during World War II were compensated at the rate of \$1 for each day of failure to receive the proper quantity and quality of food (Public Law 896, 80th Cong.) and \$1.50 per day they were abused or mistreated (Public Law 303, 82d Cong.). There were 162,540 awards on claims arising in the European area totaling \$51,776,653.

2. *Italy.*—Public Law 285, 84th Congress, provides for the processing of certain uncompensated American claims against Italy arising out of the war but not covered by the Treaty of Peace. As of December 31, 1957, 86 awards had been made totaling \$234,450. The program has not been completed. It may be noted that certain other claims of Americans against Italy arising out of the war are compensable under the Treaty.

3. *Bulgaria, Hungary, and Rumania.*—Public Law 285 provides a program for the processing of American war damage, nationalization, and a limited category of contract claims against Bulgaria, Hungary, and Rumania. As of December 31, 1957, 298 awards had been made under this program totaling \$1,391,547. Awards under this Law on claims against each of these countries as of December 31, 1957, were as follows:

	Number of awards	Amount
Bulgaria.....	123	\$422,762
Hungary.....	62	95,691
Rumania.....	113	873,694
Total.....	298	1,391,547

Although the time for filing claims has expired, the program is continuing.

4. *Greece, Albania, Yugoslavia, and the Mediterranean Area.*—A substantial portion of American war damage claims arising in these countries or areas were attributable to Italian military action and became compensable under Public Law 285 as claims against Italy. Records are not available showing the number or amount of payments to Americans in these countries.

5. *Other compensation.*—Belgium, Denmark, France, Malta, The Netherlands, Norway, Switzerland, and the United Kingdom have established war damage programs under which Americans were eligible for some compensation. Records are not available showing the number or amount of payments to Americans in these countries.

6. *Uncompensated areas.*—The principal European areas in which Americans suffered war damages for which no coverage has thus far been afforded are: Germany, Austria, Czechoslovakia, Danzig, Estonia, Latvia, Lithuania, and Poland. Other losses attributable to Germany occurred in Albania, Greece, and Yugoslavia.

III. OTHER UNCOMPENSATED LOSSES

In addition to the foregoing there remain a limited number of uncompensated losses of commercial ships and cargoes, net losses of insurance underwriters, and claims arising from the death of civilian passengers on commercial vessels arising from German military action.

EXHIBIT VI

FOREIGN CLAIMS SETTLEMENT COMMISSION—TABLE SHOWING DISTRIBUTION OF CLAIM PAYMENTS BY AREA FROM 1950 TO DEC. 31, 1957, UNDER THE WAR CLAIMS ACT OF 1948, AS AMENDED

Area	Number of payees	Amounts
I. EUROPEAN		
a. POW'S (P. L. 896, 303 and 359).....	162,540	\$51,776,653
II. PACIFIC		
a. POW'S (P. L. 896, 303 and 359).....	193,472	71,556,177
b. Civilian (P. L. 896).....	9,260	13,679,329
c. Civilian (P. L. 744).....	2,222	4,082,086
d. Religious (P. L. 896).....	62	2,857,899
e. Religious (P. L. 303).....	60	17,238,596
f. Religious (P. L. 997).....	19	5,508,211
g. Sequestered accounts (P. L. 744).....	3,167	10,570,917
Total Pacific area.....	208,262	125,493,215
III. AREA UNDETERMINED		
a. Allied POW'S (P. L. 744).....	206	335,836
b. Merchant Seamen (P. L. 744).....	170	328,981
Total area undetermined.....	376	664,817
IV. KOREAN		
a. POW'S (P. L. 615).....	9,450	8,874,458
b. Civilian (P. L. 615).....	10	16,774
Total Korean.....	9,460	8,891,232

EXHIBIT VII

FOREIGN CLAIMS SETTLEMENT COMMISSION—BILLS PENDING IN THE 85TH CONGRESS
WHICH WOULD AFFECT THE CLAIM FUNCTIONS OF THE COMMISSION

The following bills, exclusive of appropriation bills and general administrative measures, the enactment of which would affect, directly or indirectly, the claim functions of the Commission, were pending in the 85th Congress as of December 31, 1957: (Note: Asterisk (*) opposite the bill number indicates a request from the appropriate legislative Committee for the views of the Commission with respect to the bill. Total Requests: 55.)

HOUSE BILLS

[Referred to the Committee on Interstate and Foreign Commerce except H. R. 5044, H. R. 5752 and H. R. 6606 to the Committee on Foreign Affairs]

- H. R. 527* To amend the War Claims Act of 1948, so as to extend the benefits of such Act to persons captured or interned by, or in hiding from, the Japanese Government in China during World War II.
- H. R. 597 To amend section 9 (a) of the Trading With the Enemy Act, as amended.
- H. R. 1016* To create a Czechoslovakian Claims Fund to settle claims of certain United States nationals against Czechoslovakia.
- H. R. 1021* To amend the War Claims Act of 1948, as amended. (American war damage claims.)
- H. R. 2155* To amend section 17 of the War Claims Act of 1948 so as to increase the classes of persons entitled to receive payment of certain claims under such section, and for other purposes.
- H. R. 2505* To amend the War Claims Act of 1948, so as to extend the benefits of such Act to persons captured or interned by, or in hiding from, the Japanese Government in China during World War II.
- H. R. 2537* To amend section 32 of the Trading With the Enemy Act of 1917, as amended, so as to permit the return under such section of property which an alien acquired by gift, devise, bequest, or inheritance from an American citizen.
- H. R. 3356* To amend the Trading With the Enemy Act, as amended.
- H. R. 3842* To amend section 32 (a) of the Trading With the Enemy Act.
- H. R. 3871* To provide for the investment of certain funds obtained under the provisions of the Trading With the Enemy Act, and to provide for the use of interest from such investments for scientific scholarships and fellowships for children of veterans.
- H. R. 4185* To provide that members of the Armed Forces shall be paid compensation at the rate of \$2.50 per day for each day spent in hiding during World War II or the Korean conflict to evade capture by the enemy.
- H. R. 4204* To create a Czechoslovakian Claims Fund to settle claims of certain United States nationals against Czechoslovakia.
- H. R. 4216* To amend section 9 (a) of the Trading With the Enemy Act, as amended.
- H. R. 4416* To provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended.
- H. R. 4425* To amend the Trading With the Enemy Act.
- H. R. 4685* To amend section 32 of the Trading With the Enemy Act of 1917, as amended, so as to permit the return under such section of amounts payable to aliens under trust funds created by American citizens.

- H. R. 4742* To provide that members of the Armed Forces shall be paid compensation at the rate of \$2.50 per day for each day spent in hiding during World War II or the Korean conflict to evade capture by the enemy.
- H. R. 5044* To amend the International Claims Settlement Act of 1949. (Extension of eligibility).
- H. R. 5647* To amend the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended. (Return of vested enemy assets and American war damage claims).
- H. R. 5752* To amend section 304 of the International Claims Settlement Act of 1949, as amended, so as to make certain persons who were citizens of the United States on the date of the enactment of such section eligible to file claims thereunder.
- H. R. 5760* To amend the War Claims Act of 1948, as amended, (American war damage claims).
- H. R. 5814* To provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended. (Return of vested enemy assets and American war damage claims).
- H. R. 6034* To amend the War Claims Act of 1948, as amended, and the Trading With the Enemy Act, as amended, and to provide for the payment of certain American war damage claims. (Return of vested enemy assets and American war damage claims).
- H. R. 6083* To provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended.
- H. R. 6102* To amend the War Claims Act of 1948, as amended, and the Trading With the Enemy Act, as amended, and to provide for the payment of certain American war damage claims. (Return of enemy vested assets and American war damage claims).
- H. R. 6255* To provide for the investment of certain funds obtained under the provisions of the Trading With the Enemy Act, and to provide for the use of interest from such investments for scientific scholarships and fellowships for children of veterans. (Report requested on identical bill, H. R. 3871).
- H. R. 6264* To amend the War Claims Act of 1948, as amended. (Extend section 5 benefits to all American civilian internees including residents of Guam).
- H. R. 6545* To provide for the suspension of the vesting of alien property, and the liquidation of vested property, under the Trading With the Enemy Act.
- H. R. 6606* To amend section 306 of the International Claims Settlement Act of 1949, as amended. (Extending the filing period for certain claims).
- H. R. 6766* To provide for the return to religious, charitable, or educational institutions of property seized under the Trading With the Enemy Act before December 18, 1941, and the proceeds thereof.
- H. R. 6888* To amend the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended. (Return of enemy vested assets and American war damage claims). Submitted by the Commission in behalf of the Executive Branch.
- H. R. 7222* To provide funds to pay nationals of the United States who have war damage claims against Germany and Japan, without additional direct appropriations therefor, and to amend the Trading With the Enemy Act and the War Claims Act of 1948, as amended.

- H. R. 7318* To amend the War Claims Act of 1948, as amended, to provide compensation for certain World War II losses. (American war damage claims).
- H. R. 7353* To amend section 5 of the War Claims Act of 1948 to provide detention and other benefits thereunder to certain Guamanians killed or captured by the Japanese at Wake Island.
- H. R. 7358* To amend section 4 of the War Claims Act of 1948 to provide benefits to certain contractors' employees.
- H. R. 7359 To amend section 5 of the War Claims Act of 1948, as amended, to provide benefits to Guamanians captured or killed at Wake Island.
- H. R. 7830* To amend the Trading With the Enemy Act, as amended, so as to provide for certain payments for the relief and rehabilitation of needy victims of Nazi persecution.
- H. R. 8029 To provide for the payment of claims for supplies and services furnished the irregular, or guerrilla, forces of the former Commonwealth of the Philippines during World War II.
- H. R. 8167 To provide for the payment of claims for supplies and services furnished by the irregular, or guerrilla, forces of the former Commonwealth of the Philippines during World War II.
- H. R. 8920* To amend the War Claims Act of 1948 with respect to claims for benefits in the case of certain persons who died while held as prisoners of war.
- H. R. 9175* To provide scientific scholarships and fellowships for children of veterans and other individuals from interest resulting from the investment of certain funds obtained under the provisions of the Trading With the Enemy Act, and to provide for the repayment from such funds of certain American war claims against Germany and Japan.
- H. R. 9533 To authorize certain compensation to members and former members of the uniformed services who were confined as prisoners of war or who evaded capture for a period of one year or more, and for other purposes.

SENATE BILLS

[Pending before the Senate Committee on the Judiciary]

- S. 163* To extend the period for filing claims under the War Claims Act of 1948.
- S. 411 To amend the Trading With the Enemy Act, as amended.
- S. 600 (Return of enemy vested assets and American war damage claims).
- S. 600 Amendments intended to be proposed by Mr. Young.
- S. 625* To amend section 303 of the International Claims Settlement Act of 1949, as amended, so as to make certain persons who were citizens of the United States on the date of the enactment of such section eligible to file claims thereunder.
- S. 727 To provide for the investment of certain funds obtained under the provisions of the Trading With the Enemy Act, and to provide for the use of interest from such investments for scientific scholarships and fellowships for children of veterans.
- S. 883* To extend for one year the time for filing of claims by former prisoners of war under section 6 (e) of the War Claims Act of 1948.
- S. 979* To amend the International Claims Settlement Act of 1949, as amended, and for other purposes. (Extends filing period for certain claims and reduction of awards to reflect tax write-off benefits. Passed Senate Aug. 15, 1957. Referred to Committee on Foreign Affairs).
- S. 1302 To amend the Trading With the Enemy Act, as amended, and the War Claims Act of 1948, as amended. (Return of enemy vested assets and American war damage claims).

- S. 1639* To provide for the suspension of the vesting of alien property, and the liquidation of vested property, under the Trading With the Enemy Act.
- S. 1845* To create a Czechoslovakian Claims Fund to settle claims of certain United States nationals against Czechoslovakia.
- S. 1981* To amend the Trading With the Enemy Act, as amended, so as to provide for certain payments for the relief and rehabilitation of needy victims of Nazi persecution.
- S. 2149 To authorize the Secretary of Health, Education, and Welfare to make grants from funds obtained under the Trading With the Enemy Act to assist the States and local communities to provide facilities for older persons including the surviving parents of veterans of World War II and the Korean conflict.
- S. 2737* To provide scientific scholarships and fellowships for children of veterans and other individuals from interest resulting from the investment of certain funds obtained under the provisions of the Trading With the Enemy Act, and to provide for the repayment from such funds of certain American war claims against Germany and Japan.
- S. Res. 232 Authorizing an investigation of the administration of the Trading With the Enemy Act and War Claims Act of 1948 by the Committee on Judiciary.

PRIVATE BILLS

[Pending respectively before the House and Senate Committees on the Judiciary]

- H. R. 1506* For the relief of Cesar Garcia.
- H. R. 1844* For the relief of Harry Vondas.
- H. R. 3165* For the relief of William H. Lowery, executor of the estate of Minnie A. Lowery, deceased.
- H. R. 4049* For the relief of Abraham Fye.
- H. R. 4985* For the relief of Cesar Garcia.
- H. R. 7124* For the relief of Lester R. Loomis.
- H. R. 8940* For the relief of Rosario H. DiRosa.
- H. R. 9608* For the relief of Dorman William Whitton.
- S. 2756* For the relief of Mr. and Mrs. Alf C. Bergum.
- S. 2885* For the relief of Eleanor Constan.

EXHIBIT VIII

FOREIGN CLAIMS SETTLEMENT COMMISSION

Washington 25, D. C.

LIST OF PRECEDENT DECISIONS ISSUED IN THE 6-MONTH PERIOD
ENDING DEC. 31, 1957

NOTE.—Letters preceding the number of the claim and number of the decision indicate the country against which the claim was filed as follows: BUL (Bulgaria), HUNG (Hungary), RUM (Rumania), IT (Italy) and SOV (Soviet Union).

Claimant	Claim No.	Decision No.	Page
ALLEN, Anne M. Callahan.....	SOV-41,241	SOV-2140	18
BONAMINIO, Ovidio Antonio.....	IT-10,073	IT-298	20, 22
BONDAREFF, Esther Schiff.....	SOV-42,290	SOV-1411	18, 22
BRYANT, Olney Hampton.....	SOV-40,031	SOV-1249	21

Claimant	Claim No.	Decision No.	Page
CHINESE ENGINEERING & DEVELOPMENT CO., INC.	IT-10,017	IT-433	20
CRANDALL, Lloyd John	IT-10,742	IT-352	16-17
FIRST NATIONAL BANK OF CHICAGO, etc.	SOV-40,323	SOV-7a	21
GOODRICH, B. F. & CO.	RUM-30,748	RUM-300	17, 22
GRANT, Harriet H.	SOV-40,093	SOV-680	18
GREEN, Theodore Francis	SOV-41,084	SOV-1189	21
KUTSUKIAN, James	IT-10,546	IT-432	18, 19
MALAN, Gordon Theophilus	IT-10,066	IT-434	17, 18, 19, 20
PALLAY, John J.	SOV-40,181	SOV-2	17
RIIS, Sergius Martin	SOV-40,695	SOV-960	18
SAKELLAREDIS, George John	IT-10,228	IT-274	22, 23
SAPOUNAKIS, Sam	IT-10,092	IT-280	20, 21
SLANINKA, Nicholas	HUNG-21,925	HUNG-596	21
TREVES, Clotilde Sonnino, et. al.	IT-10,728	IT-267	20
TURNER, Ernie Dave, and Lina	HUNG-20,016	HUNG-667	19
URSIN, Margaret K.	IT-10,397	IT-266	19, 23
VALSAMAKIS, Gus G.	IT-10,128	IT-300	18, 19-20
WHITTAM, William Milton	IT-10,149	IT-299	22
WILLIAMS, John D.	SOV-40,092	SOV-4a	22
WOTTEN, Margaret Farrell	HUNG-21,540	HUNG-347	17

EXHIBIT IX

FOREIGN CLAIMS SETTLEMENT COMMISSION

Washington 25, D. C.

DIGEST OF PRECEDENT CLAIMS DECISIONS UNDER TITLE III, INTERNATIONAL CLAIMS SETTLEMENT ACT OF 1949, AS AMENDED JULY 1, 1957 TO DEC. 31, 1957¹

The following digest of decisions of the Foreign Claims Settlement Commission under Title III of the International Claims Settlement Act of 1949, as amended, is designed to afford a ready reference to typical issues and questions resolved by the Commission in claims filed under sections 303, 304 and 305 of the Act in the current 6-month reporting period ending December 31, 1957. Decisions selected for inclusion in the index are generally regarded in the nature of precedents. As of December 31, 1957, a number of them had not yet become final. This means either that the appeal period had not yet expired or that further development was required before the entry of a final decision. Following the digest of the decision in each case, there is shown the decision number, the nature of the decision (final or proposed), the claim number, name of the claimant, date of the initial decision and the Commission's action.

ACTS OF WAR:

Legitimate, Claims Based on Not Compensable. This claim was based upon the loss of certain items of personal property by a United States Naval officer in the course of and as a consequence of a naval amphibious landing at Salerno, Italy during World War II. Held, claimant's loss was the

result of legitimate acts of war sustained by an active belligerent in combat with no accompanying proof of a violation of international law and, therefore, not compensable under section 304 of the Act. *IT-352, Final. Cl. No. IT-10,742, CRANDALL, Lloyd John, November 26, 1957. Denied.*

BANK DEPOSITS:

Loss of, Caused by Currency Devaluations. Claim is made for the difference between the value of a bank deposit in Italy with the Banca d'Italia at Turin, as of September 3, 1939, the date of deposit, and its value on the date claim is filed. The record clearly shows the drop in value was the result of the devaluation of the Italian lira. Held, claim is not compensable under section 304 of the Act since the loss was the result of the exercise of legitimate sovereign authority and not in violation of international law. *IT-434, proposed. Cl. IT-10,066, MALAN, Gordon Theophilus, December 18, 1957. Denied.*

BOND CLAIMS: (See CONTRACTUAL OBLIGATIONS).

CEDED TERRITORIES, LOSSES IN: (See: PROPERTY LOSSES, LOCATION OF).

CIVILIAN INTERNEES: (See: DETENTION BENEFITS).

CONTRACTUAL OBLIGATIONS:

Debts Incurred After Nationalization of Russian Corporation. A debt owing to the claimant but incurred after the nationalization by the Soviet Government of the debtor Russian corporation and without the authority or consent of the Soviet Government, does not form the basis of a compensable claim against the Soviet Government under section 305 of the Act. *SOV-2 Supplemental Proposed. Cl. No. SOV-40,181, PALLAY, John J., October 16, 1957. Denied.*

Italian Bonds. Suspension of service of various issues of Italian Government Revenue Bonds, and bonds issued by the cities of Turin and Rome at the beginning of World War II does not give rise to a claim under section 304 of the Act inasmuch as provision was made under the Italian Treaty of Peace and the Memorandum of Understanding to make appropriate adjustments with respect to such bonds. *IT-434, Proposed. Cl. No. T-10,066, MALAN, Gordon Theophilus, December 18, 1957. Denied.*

Nationalization of Debtor as Affecting. In this claim a Rumanian corporation had contracted for the payment of certain fees to an American corporation (the claimant herein). Certain amounts were due the latter and unpaid under the contract, on the date of the nationalization of the former (June 11, 1948). Held, that such nationalization did not constitute a taking of American-owned property in Rumania within the meaning of section 303 (2) of the Act because the debt was assumed by Rumania and not extinguished. Further, held that whatever contractual rights the claimant may have acquired against Rumania were not acquired prior to September 15, 1947 as required by section 303 (3). *RUM-300, Proposed. Cl. No. RUM-30,748, B. F. GOODRICH & CO., December 4, 1957. Denied.*

Private or Municipal Bond Issues. Claim based upon bonds of a private Hungarian banking institution. Held, not compensable under section 303 (3) since there was no obligation thereunder running against the Government of Hungary and hence no claim against Hungary. *HUNG-347, Final Cl. No. HUNG-21,540, WOTTEN, Margaret Farrell, September 11, 1957. Denied.*

CREDITOR CLAIMS: (See CONTRACTUAL OBLIGATIONS).

CURRENCY DEVALUATION LOSSES:

Bank Deposit in Italy. Loss of, from devaluation of Italian lira. Held, not compensable under section 304 of the Act. *IT-434, Proposed. Cl. No. IT-10,066, MALAN, Gordon Theophilus, December 18, 1957. Denied.*

Greek Drachmas. Claimant alleged certain losses resulting from a loan which was made to the SKOPELOS (Greece) HARBOR FUND, due to the devaluation of the Greek drachmas. Resulting currency reforms in Greece effectively extinguished the debt based upon claimant's loan by reducing it to an infinitesimal fraction of its original amount. Held, that a currency reform resulting in the devaluation of a nation's currency is an exercise of sovereign authority which does not give rise to a claim against that nation. Claim was, therefore, not compensable under section 304 of the Act. *IT-300, Final. Cl. No. IT-10,128, VALSAMAKIS, Gus G., December 18, 1957. Denied.*

CURRENCY EXCHANGE RATES:

Effective Date, Russian Ruble Bonds. City of Kharkov bonds, annulled October 12, 1919, payable in rubles, held to form basis of compensable claim under section 305 (a) (2) of the Act. Award calculated on basis of ruble exchange rate in effect on date of annulment. *SOV-960, Final. Cl. No. SOV-40,695, RIIS, Sergius Martin, October 24, 1957. Award.* (To the same effect: See: *SOV-2055, Cl. No. SOV-42,207, JOELSON, Rachel Aron-son, June 26, 1957.*)

Guaranteed Rates Applicable. Where the claimant owned certain Russian Government bonds payable at a guaranteed exchange rate of \$0.5145 for one ruble he was entitled to an award calculated on that basis, not the rate in effect on the date of their repudiation. *SOV-680, Final. Cl. No. SOV-40,093, GRANT, Harriet H., September 30, 1957. Award.*

CURRENCY LOSSES:

Russian Treasury Bills. Soviet decree annulling Russian ruble bonds expressly excluded annulment of short-term obligations and notes of the State Treasury, such as Treasury bills held by the claimant. Held, such bills are in the nature of currency which remained in circulation as such. *SOV-1411, Final. Cl. No. SOV-42,290, BONDAREF, Esther Schiff, November 16, 1957. Denied.*

DATE OF LOSS OR TAKING:

Repudiated Russian Bonds. Where the Soviet Government seized on March 7, 1918, the entire contents of claimants' safety deposit box including certain Russian bonds previously repudiated on February 10, 1918, claimant was entitled to a recovery for the value of the bonds determined as of February 10, 1918, not March 7, 1918, the date of their actual, physical taking. *SOV-2140, Final. Cl. No. SOV-41,241, ALLEN, Anne M. Callahan, September 18, 1957. Award.*

DETENTION BENEFITS:

International Law Not Shown to Have Been Violated. Claimant, a national of the United States, was interned by the Italian Government during World War II. Held, the mere fact of such internment, in the absence of any showing of a violation of international law in claimant's capture or arrest or during such internment, did not give rise to a compensable claim under section 304 of the Act. *IT-432, Proposed. Cl. No. IT-10,546, KUTSUKIAN, James. December 11, 1957. Denied.*

FUTURE RENTS:

Interest In Lieu of. Claimants each owned an undivided one-half interest in certain real estate situated in Budapest, Hungary which was nationalized. Claim was filed for the value of the property so nationalized plus loss of potential or future rental income therefrom. Held, loss of future rents not compensable, but claimants entitled to compensation by way of interest for loss of use of the money representing the value of the property at the time of nationalization. *HUNG-667, Proposed. Cl. No. HUNG-20,016, TURNER, Ernie Dave, and Lina, November 20, 1957. Award.*

INSURANCE POLICY PROCEEDS:

Seizure by Czechoslovakia. Claimant was the beneficiary of a life insurance policy, issued by the District office in Prague, Czechoslovakia, of the Reunion Di Securita of Trieste, an insurance company. The government of Czechoslovakia seized the proceeds of the policy. Claim denied for the reason that claimant failed to show his loss, by virtue of the seizure, arose as a result of the war in which Italy was engaged as required by section 304 of the Act. *IT-266, Final. Cl. No. IT-10,397, URSIN, Margaret K., October 30, 1957. Denied.*

INTEREST, INCLUSION OF IN AWARDS:

In Lieu of Future Rental Income. Claimants each owned an undivided one-half interest in certain real estate situated in Budapest, Hungary which was nationalized. Claim was filed for the value of the property so nationalized plus loss of potential or future rental income therefrom. Held, loss of future rents not compensable, but claimants entitled to compensation by way of interest for loss of use of the money representing the value of the property at the time of nationalization. *HUNG-667, Proposed. Cl. No. HUNG-20,016, TURNER, Ernie Dave, and Lina, November 20, 1957. Award.*

INTERNATIONAL LAW, PRINCIPALS OF:

Civilian Detention Payments. Claimant, a national of the United States, was interned by the Italian Government during World War II. Held, the mere fact of such internment, in the absence of any showing of a violation of international law in claimant's capture or arrest or during such internment, did not give rise to a compensable claim under section 304 of the Act. *IT-432, Proposed. Cl. No. IT-10,546, KUTSUKIAN, James, December 11, 1957. Denied.*

Currency Devaluation Losses. Claim is made for the difference between the value of a bank deposit in Italy with the Banca d'Italia at Turin, as of September 3, 1939, the date of deposit, and its value on the date claim is filed. The record clearly shows the drop in value was the result of the devaluation of the Italian lira. Held, claim is not compensable under section 304 of the Act since the loss was the result of the exercise of legitimate sovereign authority and not in violation of international law. *IT-434, Proposed. Cl. No. IT-10,066, MALAN, Gordon Theophilus, December 18, 1957. Denied.*

Currency Devaluation Losses. Claimant alleged certain losses resulting out of a loan which was made to the SKOPELOS (Greece) HARBOR FUND due to the devaluation of the Greek drachmas. Resulting currency reform in Greece effectively extinguished the debt based upon claimant's loan by reducing it to an infinitesimal fraction of its original amount. Held, that a currency reform resulting in the devaluation of a nation's currency is an exercise of sovereign authority which does not give rise to a claim against that nation. Claim was, therefore, not compensable under section 304 of the Act. *IT-300, Final. Cl. No. IT-10,128, VALSAMAKIS, Gus G., December 18, 1957. Denied.*

nation's currency is an exercise of sovereign authority which does not give rise to a claim against that nation. Claim was, therefore, not compensable under section 304 of the Act. *IT-300, Final. Cl. No. IT-10,128, VALSAMAKIS, Gus G., December 18, 1957. Denied.*

ITALIAN PEACE TREATY, SCOPE OF CLAIMS:

Ceded Territories. Loss or damage to property situated in territories or areas ceded by Italy to another sovereign power under the Italian Peace Treaty were losses, for which Italy assumed responsibility to provide compensation under such Treaty and were not compensable, therefore, under section 304 of the Act. *IT-280, Final. Cl. No. IT-10,092 (Dodecanese Islands), SAPOUNAKIS, Sam, October 30, 1957. Denied.* (Followed: *IT-410, Proposed. Cl. No. IT-10,398 (Yugoslavia), BJANKINI, Jurica (George), November 13, 1957, Denied; IT-432, Proposed. Cl. No. IT-10,546 (Trieste), KUTSUKIAN, James, December 11, 1957. Denied.*

Italian Bonds. Suspension of service of various issues of Italian Government Revenue Bonds, and bonds issued by the cities of Turin and Rome at the beginning of World War II does not give rise to a claim under section 304 of the Act inasmuch as provision was made under the Italian Treaty of Peace and the Memorandum of Understanding to make appropriate adjustments with respect to such bonds. *IT-434, Proposed. Cl. No. IT-10,066, MALAN, Gordon Theophilus, December 18, 1957. Denied.*

Patrimonial Tax Levies. This claim was based upon certain patrimonial tax levies by the Government of Italy against claimants, the heirs of an estate left by one alleged to be a national of the United States. Such taxes were voided under the terms of the Italian Treaty of Peace and any such taxes paid to the Italian Government were to be returned to the heirs. Held, provisions for recovery of any such levies paid were made under the Italian Treaty and therefore the claim was not compensable under section 304 of the Act. *IT-267, Final. Cl. No. IT-10,728, TREVES, Clotilde Sonnino, et. al., September 18, 1957. Denied.*

Property Damage in Italy. Claim based upon damages to property situated on the Italian mainland in Montenero, was within the scope of Article 78 of the Italian Treaty of Peace which makes provision for recoveries of such losses. Claim was, therefore, denied under section 304 of the Act which admits only those claims not otherwise provided for in such Treaty. *IT-298, Final. Cl. No. IT-10,073, BONAMINIO, Ovidio Antonio, December 4, 1957. Denied.*

Property Seized by Italian Authorities Outside Italy. This claim was based upon the seizure of identifiable property belonging to a national of United States by Italian authorities in China. The property was placed in the custody of the Italian Consulate in Tientsin and never returned to the claimant. Held, compensation for the resulting loss from such seizure, taking or confiscation was not otherwise provided for in the Treaty of Peace with Italy and having arisen out of the war in which Italy was engaged between June 10, 1940 and September 15, 1947, was compensable under section 304 of the Act. *IT-433, Proposed. Cl. No. IT-10,017, MINER & DEVELOPMENT CO., INC., December 11,*

MEASURE OF DAMAGES

Insignificant Losses. A judgment against a company was apparently included with the transfer of other property described in general terms and not specifically identified, all in consideration of \$200, "and other good and valuable consideration." Held, claimant, as successor to the transferee cannot recover more than \$200, the "actual consideration paid", as required by section 307 of the Act, and that the principal of *de minimus non curat lex*, (the law is not concerned with trifles), will apply. *SOV-7a, Supplemental Proposed. Cl. No. SOV-40,323, FIRST NATIONAL BANK OF CHICAGO AND CATHERINE A. LEE, Trustees Under the Will of John M. Lee, Deceased, October 30, 1957. Denied.*

NATIONALITY OF CLAIMANTS:

Continuity of, Presumed. Claimant, in 1922, purchased Imperial Russian Government 5½% Short Term War Loan Bonds of 1916 from an investment broker in the United States. The identity and nationality of the owner of the bonds from February 10, 1918, when the Soviet Government annulled them and the claim arose, are unknown. Since such bonds were traded on the market in the United States in large quantities prior to February 10, 1918, in the absence of evidence to the contrary, the Commission concluded that the bonds in this claim were owned continuously from February 10, 1918, by nationals of the United States. *SOV-1189, Amended Proposed. Cl. No. SOV-41,084, GREEN, Theodore Francis, November 6, 1957. Award.*

Continuity of, Not Presumed. Claimant purchased certain Russian Liberty Bonds issued in 1917 by the Provisional Government of Russia, subsequently repudiated February 10, 1918 by the Soviet Government. Such bonds were not generally circulated or traded in on the open markets in the United States. Held, in the absence of evidence to the contrary it must be concluded that such bonds were not owned by nationals of the United States when the claim arose upon their repudiation, February 10, 1918. *SOV-1249, Amended Proposed. Cl. No. SOV-40,031, BRYANT, Olney Hampton, November 6, 1957. Denied.*

PERSONAL INJURY CLAIMS: (See: DEATH AND INJURY CLAIMS: (See Also: ACTS OF WAR; ITALIAN PEACE TREATY, SCOPE OF CLAIMS).)

Military Personnel. Injuries sustained by claimant while serving in the Armed Forces of Hungary during World War II do not give rise to a valid claim under section 303 of the Act which is limited to property losses or the failure to meet contractual or other obligations by Bulgaria, Hungary or Rumania. *HUNG-596, Final. Cl. No. HUNG-21,925, SLANINKA, Nicholas, November 12, 1957. Denied.*

PROPERTY LOSSES, LOCATION OF:

Ceded Territories. This claim was based upon war losses or damage inflicted on claimant's property situated in the Dodecanese Islands. Italy ceded the particular territory, in which the property was situated at the time, to Greece under the terms of the Treaty of Peace between Italy and the Allied Powers. Held, compensation for such losses was provided for in the Italian Treaty and, therefore, not compensable under section 304 of the Act. *Cl. No. IT-10,092, SAPOUNAKIS, Sam, October 30, 1957. Denied. Cl. No.*

IT-10,398, BJANKINI, Jurica (George), November 13, 1957. (Yugoslavia) Denied; IT-432, Proposed. Cl. No. IT-10,546, KUTSUKIAN, James, December 11, 1957. (Trieste) Denied.

Ethiopia. Damage to property in Ethiopia by Italian military forces during the prewar Ethiopian campaign beginning May 3, 1936, was not a loss sustained as a result of the war in which was engaged from June 10, 1940 to September 15, 1947 as required under section 304 of the act. IT-274, Final. Cl. No. IT-10,228, SAKELLAREDIS, George John, December 11, 1957. Denied.

Italian Mainland. Claim based upon damages to property situated on the Italian mainland in Montenero, was within the scope of Article 78 of the Italian Treaty of Peace which makes provision for recoveries of such losses. Claim was, therefore, denied under section 304 of the Act which admits only those claims not otherwise provided for in such Treaty. IT-298, Final. Cl. No. IT-10,073, BONAMINO, Ovidio Antonio, December 4, 1957. Denied.

RENTS AND PROFITS: (See: FUTURE RENTS).

RUSSIAN RUBLE BONDS:

Treasury Bills Distinguished. Soviet decree annulling Russian ruble bonds expressly excluded annulment of short-term obligations and notes of the State Treasury, such as Treasury bills held by the claimant. Held, such bills are in the nature of currency which remained in circulation as such. SOV-1411, Final. Cl. No. SOV-42,290, BONDAREFF, Esther Schiff, November 16, 1957. Denied.

SALES OF PROPERTY, LOSSES INCURRED:

Italian Bonds. This claim was for losses incurred by the claimant in the sale in 1954 of certain postwar Italian government bonds upon which the claimant took a loss. Held, such loss was not one attributable to Italy and arising out of the war, in which Italy engaged from June 10, 1940 to September 15, 1947 and, therefore, not compensable under section 304 of the Act. IT-299, Final. Cl. No. IT-10,149, WHITTAM, William Milton, December 11, 1957. Denied.

TAKING OF PROPERTY, WHAT CONSTITUTES:

Annulment of Debts Owed by Nationalized Banks. On March 4, 1919, the Soviet Government issued a decree which annulled all obligations of nationalized enterprises which arose prior to such nationalization. As a result, creditors of certain banks so nationalized, including claimant, were barred from enforcing their legal rights. Held, these actions by the Soviet Government constituted an outright confiscation of the property of claimant, giving rise to a compensable claim under section 305 of the Act. SOV-4a, Supplemental Proposed. Cl. No. SOV-40,092, WILLIAMS, John D., October 30, 1957. Award. (To the same Effect: See SOV-6a, Supplemental Proposed. Cl. No. SOV-40,409, HENCKE, Frederick J., November 13, 1957, as to repudiation by Russia of World War I creditor claim.)

Assumption of Debts Owed by Nationalized Rumanian Corporation. On June 11, 1948, the Rumanian Government nationalized a Rumanian corporation which was then indebted to an American corporation (the claimant herein). Under the law by which the nationalization took place, Rumania assumed the corporation's liabilities including its liability to the claimant. Held, the debt, if any, was not extinguished by the nationalization and did not, therefore, constitute a taking of property owned by the claimant within the meaning of section 302 (2) of the Act. RUM-300, Proposed. Cl. No. RUM-30,748, B. F. GOODRICH & CO., December 4, 1957. Denied.

TAX LEVIES, ITALIAN PATRIMONIAL (See: ITALIAN PEACE TREATY, SCOPE OF CLAIMS).

WORDS AND PHRASES:

"War in Which Italy Was Engaged". Damage to property in Ethiopia by Italian military forces during the prewar Ethiopian campaign beginning May 3, 1936, was not a loss sustained as a result of the war in which Italy was engaged from June 10, 1940 to September 15, 1947 as required under section 304 of the Act. IT-274, Final. Cl. No. IT-10,228, SAKELLAREDIS, George John, December 11, 1957. Denied.

"War in Which Italy Was Engaged." Claimant was the beneficiary of a life insurance policy issued by the District office in Prague, Czechoslovakia, of the Reunion Di Securita of Trieste, an insurance company. The government of Czechoslovakia seized the proceeds of the policy. Claim denied for the reason that claimant failed to show his loss, by virtue of the seizure, arose as a result of the war in which Italy was engaged from June 10, 1940 to September 15, 1947, as required by section 304 of the Act. IT-266, Final. Cl. No. IT-10,397, URSIN, Margaret K., October 30, 1957. Denied.

EXHIBIT X

FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES
Washington 25, D. C.

ACTION ON PROPOSED PRECEDENT DECISIONS PENDING JULY 1, 1957

Claimant	Claim No.	Decision No.	Proposed decision	Final decision	Date
AKKASHOGLU, Nicholas	BUL-1,020	BUL-154	Denied	Affirmed	11-7-57
AMERICAN TRUST CO.	SOV-42,528	SOV-1999	do	do	10-14-57
BAIRD, Carl Joseph	SOV-40,744	SOV-1939	do	do	7-25-57
BANKERT, Hugo Paul, Sr.	SOV-41,520	SOV-1938	do	do	7-25-57
BUSEY, Huldah H. Schwinn	SOV-41,895	SOV-2004	do	do	7-31-57
DE MARCO, James	IT-10,086	IT-249	do	do	7-9-57
GEORGE, Lazar	BUL-1,026	BUL-138	do	do	7-22-57
GOULD, Henry Herbert	BUL-1,174	BUL-20	do	do	8-27-57
HOFFMAN, Abraham	RUM-30,877	RUM-153	do	do	9-10-57
HUSTON, Andy	SOV-42,373	SOV-1903	do	do	7-19-57
JOELSON, Rachel Aronsohn	SOV-42,207	SOV-2055	Award	do	9-11-57
KOESTNER, Louis	IT-10,665	IT-257	Denied	do	12-5-57
MASCIOLI, Giovanni	IT-10,096	IT-258	do	do	9-10-57
NORTHEASTERN LUNCH CO., LTD.	RUM-30,056	RUM-138	do	do	9-10-57
ROMANOS, Dimitris	IT-10,317	IT-255	do	do	7-9-57
RUDINGER, Hugo Peter	RUM-30,326	RUM-101	do	do	7-30-57
SMITH, Paul	RUM-30,259	RUM-143	do	do	8-6-57
SZUNYOGH, Szabolcs	HUNG-22,185	HUNG-333	do	do	8-6-57
WEISS, Samuel	HUNG-20,004	HUNG-13	do	do	9-10-57
WINGET, Walter W.	HUNG-20,122	HUNG-50	do	do	11-14-57

EXHIBIT XI

DIRECTORY, FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

WHITNEY GILLILLAND, *Chairman*Ruby Faltin, *Administrative Assistant*PEARL CARTER PACE, *Commissioner*Gladys L. McKay, *Administrative Assistant*HENRY J. CLAY, *Commissioner*Dell Johnston, *Confidential Assistant*Robert A. Kennedy, *Executive Director*Andrew T. McGuire, *General Counsel*James A. Tawney, *Legislative Liaison Officer*Joseph H. DeWitt, *Assistant Executive Director*Donald G. Benn, *Director, Balkan Division*Joseph Stein, *Director, Soviet Division*J. Noble Richards, *Director, General Claims Division*Julius M. Kleizo, *Administrative Officer*Margaret H. Garner, *Personnel Officer*