

tained from the Italian Government, and that it should be slanted toward people who suffered at the hands of the Italians.

Mr. DERWINSKI. I am not questioning that. I am merely questioning the fact that the claimant who suffered, say, in Poland, is not going to be able to receive the same proportion of compensation as the ones who suffered in Italy, merely because of the proportions of dollars involved, and the Polish Government hasn't been as fair, or we couldn't squeeze as much out of them.

Mr. McGUIRE. I think we have to take the position of the negotiators in relation to these various agreements. We have to understand that in relation to the agreements with Italy and Poland, the negotiators did not at that time know the extent of the losses incurred by Americans.

On the other hand, in our present Cuban and Communist Chinese program, we are adjudicating these claims prior to settlement so that when the time comes for negotiations the negotiators will know what the liquidated damages are.

Mr. DERWINSKI. But you also told us a year ago that one of the problems in dealing with the Polish authorities was that they raised some difficulties in the ability of the claimant to obtain needed documentation.

Mr. McGUIRE. That question did not come up. However, the Commission did maintain a field office in Poland, and we had excellent cooperation from the Polish Government.

I think that the negotiators' problem in relation to any of these countries with which they negotiate, one of the biggest problems, is the ability of that government to pay; that is, the dollars available to that government to make these payments.

Mr. MONAGAN. That is not before us now.

Mr. RE. That is not before the subcommittee this morning.

Mr. DERWINSKI. I just happened to check Mr. McGuire's testimony of a year ago, and I see we didn't answer all the questions then, and we are at the same dead end this morning, which is no fault of yours.

Mr. MONAGAN. You had that in the bill then, but you don't now.

Mr. DERWINSKI. We will straighten it out.

No further questions, Madam Chairman.

Mrs. KELLY. There are several questions I would like to ask.

The 5-percent deduction from every award, and the 10-percent lawyers' fee, that applies to every award; is it not?

That is a 15-percent deduction from the award; is that correct?

Mr. RE. Well, 5 percent is deducted for administrative expenses, and the bill does permit an attorney's fee of 10 percent.

That is correct.

Mr. TAFT. Madam Chairman, would you yield at that point?

Is there still a 5-percent limitation over 20,000 on the attorney's fee in the law?

Mr. RE. No, not in this bill. It is a flat 10 percent.

Mr. TAFT. Section 512 of the law here does have a 5-percent limitation over 20,000. That doesn't apply here?

Mr. RE. You may be looking at the section which pertains to the Cuban program, sir, that is a presettlement adjudication program. There, there is no money at all. We are simply determining the validity and amount of those claims.