

against Italy. I think since there are outstanding at least two classes of claims that have not been compensated there is no reason that they should not both be provided for. I suggest these few words be added to the administration bill.

(The complete statement of Mr. Reiter is as follows:)

STATEMENT OF ROBERT H. REITER

My name is Robert H. Reiter, and I am an attorney with offices at 1422 K Street NW., Washington, D.C. There are a few matters that I would like to present for consideration in connection with the legislation now before the Committee.

I

First, in connection with the proposal to use the remaining more than a million dollars to pay claims of late nationals against Italy, while I endorse such use of funds which are essentially trust funds deposited by Italy, for the purpose of paying American claims against Italy, and should not under the terms of the obligation we assumed in accepting these funds simply be put into the Treasury while there are claims outstanding, I would like to suggest a category of claims which is at least as appealing and legally well-founded—that of native born Americans who were personally injured in Italy. Mr. John Vorys asked me to testify on this subject when this legislation was before the Committee in the 84th Congress, and the Chairman asked for language to incorporate into the Committee report. As a result, the language I proposed was used, and appeared in House Report No. 624, 84th Congress, 1st Session, on page 14, as to the type of claims covered by the statute, including the following:

“Property losses outside of Italy and claims for personal injury and suffering and other losses would be compensable.”

I am taking the liberty of appending to this statement as Exhibit A a copy of the portion of my testimony in 1955 on the subject before this Committee. The Senate committee report used the same language, and yet, the former commission established a qualification in some cases limiting payment to claims arising before the Armistice in 1943 in Italy, before the Germans invaded Italy. Yet a number of valiant Americans, including Carl Hauss of Cincinnati, were captured by the fascists during the fighting in northern Italy, and suffered serious injury while fighting for the Allied cause. He was decorated by the Italian Government, but the American commission established an arbitrary position in some cases only by denying compensation from moneys deposited by Italy for this purpose. The discrepancy in treatment came to the attention of the press, and I am attaching copies of the articles written on the subject, as Exhibit B.

Senator Young of Ohio was in the American Army in Italy during this period, and placed a statement in the Congressional Record regarding this matter, which I am appending as Exhibit C.

The only change in the form of bill proposed by the Administration which would be required to take care of this situation is to insert at the top of page 6 of the bill after the word “persons” in the second line the words “who filed claims for property damage and”. The effect would be to permit reconsideration of personal injury claims by the Commission.

II

A second matter relates to a provision which was passed by the Senate in two Congresses, the last and the one before, relating to the elimination of an error in the drafting of the return provisions of this legislation. The statement of the Senate Committee Report well covers the merits of this legislation, as follows:

“The committee wishes to emphasize that it is not urging the Senate to pass a bill which would contravene any of the well-established principles of international law which have been consistently followed in the past in connection with the payment of claims of American citizens under the International Claims Settlement Act of 1949, as amended. * * * The committee does not believe there is any legal or equitable justification for the application of a double standard in cases of this nature * * * Both the Department of State and the Department of Justice are of the opinion that there appears to be no valid reason for these differences in treatment and favor the enactment of S. 2634.”

What would be required is the amendment of the International Claims Settlement Act of 1949, as amended, by adding section 216 at the end of title 11 thereof, as follows: