

On August 5, 1965, I testified before the Senate Sub-Committee on behalf of a group of clients who have claims against Italy, and on August 9, 1966 I testified before the House Foreign Affairs Committee, in connection with Bill S-1935, which is presently under consideration before this Honorable Sub-Committee as Bill HR-9063.

I have again been requested by the National Conference for Equality under Claims Legislation, which was organized by a group of large organizations comprising many millions of members throughout the United States to protect the rights of American citizens against inequities in claims legislation, to testify before this Committee. This National Conference is composed of the following organizations, among many others: Conference of Americans of Central-Eastern European Descent, which Conference is a frame organization comprising the ten greatest national minority organizations; the American Jewish Congress; American Jewish Committee; The American Federation of Jews from Central Europe; The Association of Czechoslovakian Jews; The Club of Polish Jews.

As Acting Chairman of this National Conference, I wish to restrict my remarks to the provision referring to the residual balance in the Italian Claims Fund.

The reason why the National Conference for Equality under Claims Legislation wishes to present its views to this Committee with regard to this provision of the bill is the tendency of the administration to advocate the turning over of these remaining funds to the Treasury Department and to exclude claimants who, by the express provisions of Public Law 604-85, are eligible to participate in the distribution of these funds. This right was therefore denied to them until, on the suggestion of a group of Senators headed by the Chairman of the Foreign Relations Committee, the Honorable J. W. Fulbright, attention was called to the fact that this exclusion of claimants represents a great injustice which should be corrected.

Madam Chairman, towards the end of the last session, your Sub-Committee again proposed that all the language which would have reopened the Italian Claims Program should be struck from the Bill, and that the money remaining in the Italian Claims Fund be transferred to the War Claims Fund.

The present Bill contains a provision for distribution of the remaining balance of this Fund to claimants who are legally entitled to participate in the distribution.

The National Conference wishes to call the attention of this Honorable Committee to the strong arguments which were repeatedly presented in the last few years to show that the policy to which the Department of State so strongly adheres is obsolete and that there is no principle of international law which could be applied to the question of distributing funds located in this country, distribution of which is a matter of domestic legislation.

Many years ago, a petition prepared by the National Conference was submitted by the Conference of Americans of Central-Eastern European Descent to correct these inequities and to have a hearing in Congress on this question, which is also a question of constitutional rights. The State Department sent a reply, to which a counterargument was submitted by the attorney for the Conference, Samuel Herman, Esq.; but no hearing was held and no action was taken.

The National Conference for Equality under Claims Legislation considers that the policy which the State Department has consistently pursued in the past is one involving the constitutional rights of American citizens. It is question of the principle enunciated in the United States Supreme Court decision in the matter of *Schneider v. Rusk* of May 18, 1964, *U.S. 845 Ct.*, which stated:

"We start from the premise that the rights of citizenship of the native born and of the naturalized persons are of the same dignity and are coextensive."

One of the member organizations of our National Conference, the Conference of Americans of Central-Eastern European Descent, asked us to submit to this Honorable Sub-Committee, a compilation of the arguments and citations which refer to the afore-mentioned problem. I am therefore attaching it to my statement for your kind perusal.

The policy followed by the State Department has been one of continuously proposing that the balance of the Italian Claims Fund of \$1,088,000, be turned over to the War Claims Fund, although this sum is negligible and of no use to this Fund, especially in view of the fact that the War Claims Fund itself amounts to much more than 250 million dollars which is in the process of being distributed to awardees of the War Claims Program.

It is really difficult to understand why this restrictive and discriminatory policy should be accepted with respect to the balance of the Italian Claims Fund, except that the State Department wishes to annul the rights given to claimants by Public Law 604-85, in which Congress clearly stated why it considers that the eligibility