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SENATE

} REPORT  
No. 669

## EXTENDING TIME FOR APPLICATION UNDER THE SETTLEMENT OF WAR CLAIMS ACT OF 1928

MAY 9, 1932.—Ordered to be printed

Mr. SMOOT, from the Committee on Finance, submitted the following

### REPORT

[To accompany S. J. Res. 97]

The Committee on Finance, to whom was referred the resolution (S. J. Res. 97) extending for one year the time within which American claimants may make application for payment, under the settlement of war claims act of 1928, of awards of the Mixed Claims Commission and of the Tripartite Claims Commission, having considered the same, report it back to the Senate and recommend that the bill do pass.

The report of the Secretary of the Treasury is as follows:

TREASURY DEPARTMENT,  
Washington, April 2, 1932.

HON. REED SMOOT,

*Chairman Committee on Finance, United States Senate.*

MY DEAR MR. CHAIRMAN: Under date of February 2, 1932, the Treasury addressed a letter to the President of the Senate recommending that the settlement of war claims act of 1928 be amended so that the time within which applications for payment on account of the awards of the Mixed Claims Commission, United States and Germany, may be filed, be extended for one year from March 10, 1932. The time within which applications could be filed under the present law expired on March 10 and there is now no authority to receive applications for payment on account of the awards of the Mixed Claims Commission. For your information there is inclosed a copy of the letter of February 2, referred to above. The draft of the amendment submitted with the department's letter was introduced in the Senate by you on February 5 as Senate Joint Resolution 97.

In view of the fact that the time of your committee will soon be fully occupied by the tax bill, I should appreciate it if favorable consideration could be given at this time to Senate Joint Resolution 97.

I expect to ask the chairman of the Ways and Means Committee also to consider the matter as soon as that committee has disposed of the tax bill.

Very truly yours,

OGDEN L. MILLS,  
*Secretary of the Treasury.*

TREASURY DEPARTMENT,  
Washington, February 2, 1932.

The honorable the PRESIDENT OF THE SENATE.

SIR: I have the honor to transmit herewith for consideration by the Congress a draft of a proposed joint resolution to amend the settlement of war claims act of 1928 for the purpose of extending for one additional year from March 10, 1932, the time within which American nationals, who have obtained awards from the Mixed Claims Commission, United States and Germany, or from the Tripartite Claims Commission, United States, Austria, and Hungary, may make application to the Treasury for payment of such awards.

The settlement of war claims act of 1928 originally required that an application for payment of such awards be made within two years from the date of the enactment of that act (March 10, 1928). Due principally to the so-called "late claims agreement" with Germany whereby American claimants were given an additional time within which to file claims against Germany with the Mixed Claims Commission, the act was amended by Public Resolution No. 48, Seventy-first Congress, approved March 10, 1930, providing that application for payment be made within four years from the date of the enactment of the settlement of war claims act. Thus the time limit for making application for payment of awards of the Mixed Claims Commission and the Tripartite Claims Commission will expire on March 10, 1932.

The proposed legislation is believed necessary for the following reasons:

(1) The Treasury holds 67 awards entered in favor of American nationals by the Mixed Claims Commission aggregating, with accrued interest to September 30, 1931, about \$300,000 for which no applications for payment have been received. Thus far the department has not been able to locate some of these claimants. In addition, the Mixed Claims Commission has not yet completed its work, and, in view of the untimely death of Hon. Roland W. Boyden, the umpire, it is not possible to estimate the time required to finish it, but it is almost certain to extend beyond March 10, 1932. The questions pending before the commission involve claims aggregating approximately \$40,000,000. If these claims are allowed it is essential that the American claimants concerned be given sufficient time within which to make application for payment.

(2) While practically all of the awards entered in favor of American nationals against Austria by the Tripartite Claims Commission have been paid, the awards entered by such commission against Hungary have not yet been certified to the Treasury for payment because of the provisions of the settlement of war claims act of 1928, requiring the commission at the same time to certify that the funds deposited by Hungary in the Hungarian special deposit account are sufficient to pay such awards. The Treasury has received from the Government of Hungary the sum of \$8,250 in partial satisfaction of these awards, but that Government can not make further payment until a waiver has been obtained from the Government of France of a "most-favored nation" clause contained in the debt agreement between that Government and Hungary. The matter is being actively kept before the Government of France but in view of the uncertainty when favorable action by that Government may be forthcoming, it is believed essential that the settlement of war claims act be amended as indicated in the inclosed draft, that is, by extending the time for making application for payment for one additional year.

Respectfully,

A. W. MELLON,  
*Secretary of the Treasury.*

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