

**FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579**

**IN THE MATTER OF THE CLAIM OF**

FLORENCE LANE  
DORIS GARCIA  
RICHARD E. LANE  
JOHN D. BORIE and  
ROBERT L. BORIE

Claim No.CU-2115  
Claim No.CU-2120  
Claim No.CU-2121  
**Claim No.CU-2206**  
Claim No.CU-3033

**Decision No.CU-4657**

**Under the International Claims Settlement  
Act of 1949, as amended**

Appeal and objections from a Proposed Decision dated and entered March 25, 1970.

Hearing on the record held on March 11, 1970

**FINAL DECISION**

Under date of March 25, 1970, the Commission issued its Proposed Decision certifying losses in the principal amounts as follows based upon certain real and personal properties that were taken by the Government of Cuba on December 6, 1961:

FLORENCE LANE (CU-2115)	\$23,070.00
DORIS GARCIA (CU-2120)	5,767.50
RICHARD E. LANE (CU-2121)	5,767.50

Portions of these claims and the claim of the other two claimants based upon mining concessions in Camaguey Province, Cuba were denied for lack of proof.

Claimants' objections were based on two principal grounds; namely: (1) that the Commission determined the values of the properties allowed by applying higher rates of depreciation than the circumstances warranted; and (2) that the Commission should have allowed the claims for the loss of certain land in Camaguey Province, Cuba, having an area of 1/2 caballeria, equivalent to 16.581 acres. No evidence was submitted in support of these objections.

Claimants' objections as to depreciation rates, were in substance as follows:

a) that a concentration plant building depreciated at the rate of 5% per year for 20 years to \$9,000.00 could not be replaced in 1961 for \$9,000.00;

b) that the concentration plant equipment depreciated at the rate of 5% per year for 17 years to \$2,550.00 was used for a short while, lying idle thereafter, and therefore did not suffer deterioration due to use;

c) that the hoist and headframe depreciated at the rate of 5% per year for 9 years to \$1,650.00 was made of Cuban hardwood which would not depreciate at the rate of 5% per year;

d) that with respect to the hoists, mining tools, compressor and house furniture and furnishings depreciated at the rate of 5% per year for 17 years to \$705.00, the hoists were never used but were stored in 1952 for future use; and the compressor had been loaned to a friend who had offered to buy it for \$1,500.00,

Upon consideration of the foregoing objections in light of the entire record, the Commission finds no valid basis for modifying the Proposed Decision in these respects. The Commission has customarily in the absence of evidence to the contrary, applied depreciation rates of 2% per year to structures such as those in question and 5% per year to furniture, machinery and equipment. Claimants have not submitted appraisals or other such evidence to establish that the values of the properties herein were higher than those found in the Proposed Decision.

However, the Commission finds merit in claimants' second objection relating to certain land in Camaguey Province, Cuba. Upon review of the entire record, including claimants' statements and supporting affidavits, the Commission now finds that FLORENCE LANE and her late husband jointly owned certain land in Camaguey Province, Cuba, having an area of 1/2 caballeria. The Commission further finds that said land was taken by Cuba

on December 6, 1961, and that the interests therein of FLORENCE LANE, DORIS GARCIA and RICHARD E. LANE were  $\frac{2}{3}$ ,  $\frac{1}{6}$  and  $\frac{1}{6}$ , respectively.

Claimants assert that the land had a value of \$1,500.00. However, no evidence has been submitted to support that assertion. Upon consideration of the entire record, including the values of similar properties in the same area, the Commission finds that the land had a value of \$500.00 on December 6, 1961. Therefore FLORENCE LANE sustained a loss in the amount of \$333.34, and DORIS GARCIA and RICHARD E. LANE each sustained a loss in the amount of \$83.33.

Accordingly, the Certifications of Loss in the Proposed Decision are set aside and the following Certifications of Loss will be entered, and the Proposed Decision is affirmed in all other respects.

CERTIFICATIONS OF LOSS

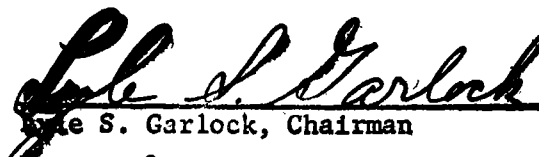
The Commission certifies that FLORENCE LANE succeeded to and suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Twenty-Three Thousand Four Hundred Three Dollars and Thirty-Four Cents (\$23,403.34) with interest thereon at 6% per annum from December 6, 1961, to the date of settlement;

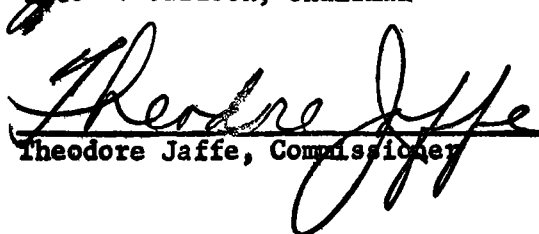
The Commission certifies that DORIS GARCIA succeeded to and suffered a loss as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Five Thousand Eight Hundred Fifty Dollars and Eighty-Three Cents (\$5,850.83) with interest at 6% per annum from December 6, 1961, to the date of settlement; and

The Commission certifies that RICHARD E. LANE succeeded to and suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Five Thousand Eight Hundred Fifty Dollars and Eighty-Three Cents (\$5,850.83) with interest at 6% per annum from December 6, 1961, to the date of settlement.

Dated at Washington, D.C.,  
and entered as the Final  
Decision of the Commission

**MAR 24 1971**

  
E. S. Garlock, Chairman

  
Theodore Jaffe, Commissioner

**FOREIGN CLAIMS SETTLEMENT COMMISSION  
OF THE UNITED STATES  
WASHINGTON, D.C. 20579**

**IN THE MATTER OF THE CLAIM OF**

FLORENCE LANE  
DORIS GARCIA  
RICHARD E. LANE  
JOHN D. BORIE and  
ROBERT L. BORIE

Claim No.CU-2115  
Claim No.CU-2120  
Claim No.CU-2121  
**Claim No.CU -2206**  
Claim No.CU-3033

**Decision No.CU- 4657**

**Under the International Claims Settlement  
Act of 1949, as amended**

PROPOSED DECISION

These claims against the Government of Cuba, under Title V of the International Claims Settlement Act of 1949, as amended, in the aggregate amount of \$1,946,200.00, were presented by FLORENCE LANE, DORIS GARCIA, RICHARD E. LANE, JOHN D. BORIE and ROBERT L. BORIE, based upon the asserted losses of interests in certain real and personal property pertaining to mining concessions in Guaimaro, Camaguey Province, Cuba. All claimants have been nationals of the United States since birth.

Under Title V of the International Claims Settlement Act of 1949 [78 Stat. 1110 (1964), 22 U.S.C. §§1643-1643k (1964), as amended, 79 Stat. 988 (1965)], the Commission is given jurisdiction over claims of nationals of the United States against the Government of Cuba. Section 503(a) of the Act provides that the Commission shall receive and determine in accordance with applicable substantive law, including international law, the amount and validity of claims by nationals of the United States against the Government of Cuba arising since January 1, 1959 for

losses resulting from the nationalization, expropriation, intervention or other taking of, or special measures directed against, property including any rights or interests therein owned wholly or partially, directly or indirectly at the time by nationals of the United States.

Section 502(3) of the Act provides:

The term 'property' means any property, right, or interest including any leasehold interest, and

debts owed by the Government of Cuba or by enterprises which have been nationalized, expropriated, intervened, or taken by the Government of Cuba and debts which are a charge on property which has been nationalized, expropriated, intervened, or taken by the Government of Cuba.

It is asserted that Louis R. Lane, a national of the United States from birth until his death on August 17, 1963, and his sister, Elizabeth Lane Borie, a national of the United States from birth until her death on November 26, 1959, owned interests in the properties claimed herein. The following property losses have been asserted by claimants:

Land consisting of 17 mining properties as follows:

Florencia	\$850,000.00	
-----------	--------------	--

Landers, Zoila, Segunda Zoila, Flores del Monte, Whit, Taoro, Charlotte, Delsa, and Las Animas	301,000.00	
---	------------	--

One-half interest in:

Borie	\$400,000.00	
Tuckahoe	250,000.00	
Dolly B	<u>100,000.00</u>	
	\$750,000.00	375,000.00

3 chrome mines in Minas	12,000.00	
-------------------------	-----------	--

Elena claim	10,000.00	
-------------	-----------	--

One-half caballeria of land in which Cuadrado shaft is located

<u>1,500.00</u>	\$1,549,500.00
-----------------	----------------

Buildings:

Concentration plant	\$ 15,000.00	
Assay laboratory	<u>8,000.00</u>	23,000.00

Personal property:

Concentration plant equipment	\$ 17,000.00	
Hoist and new headframe at Cuadrado (1952)	3,000.00	
2 hoists	700.00	
Mining tools	500.00	
Compressor	1,500.00	
Assay laboratory equipment	15,000.00	
House furnishings	<u>2,000.00</u>	<u>39,700.00</u>

Total	\$1,612,200.00
-------	----------------

FLORENCE LANE (Claim No. CU-2115), widow of the late Louis R. Lane, claims:

CU-2115, CU-2120, CU-2121,  
CU-2206 and CU-3033

One-half interest in the fore-  
going properties pursuant to  
the community property laws  
of Cuba

\$ 806,100.00

One-fourth interest therein as heir

403,050.00

Loss of support (income) for  
7 years at \$12,000.00 per year

84,000.00

\$1,293,150.00

DORIS GARCIA (Claim No. CU-2120) and RICHARD E. LANE (Claim No. CU-2121),  
children of the late Louis R. Lane and FLORENCE LANE, each claims:

One-eighth interest in the properties  
valued at \$1,612,200.00

\$ 201,525.00

JOHN D. BORIE (Claim No. CU-2206) and ROBERT L. BORIE (Claim No. CU-3033),  
two of the three children of the late Elizabeth Lane Borie, each claims:

One-third share of the one-half interest  
in Borie, Tuckahoe and Dolly B, valued  
at \$375,000.00

\$ 125,000.00

According to claimants' statements, the late Louis R. Lane had been engaged in developing the mines in question since 1936, and had spent \$35,000.00 in those endeavors. It further appears from Mrs. Lane's statements that in 1941 the deceased invested \$15,000.00 for the construction of a concentration plant, and made further investments in 1952.

The record shows that the Freeport Exploration Company of New York became interested in these mining properties and considered the idea of leasing them from the deceased. A letter from that company, dated September 30, 1968, indicates that it expended \$40,710.47 in 1946, 1947 and 1948 in exploring the mining claims. In 1947, the Freeport Sulphur Company, affiliated with the Freeport Exploration Company, engaged counsel in Cuba to study the mining titles covering the claims in which it was then interested. A report from that counsel, dated May 16, 1947, discloses that the late Mr. Lane owned concessions with respect to the following mines: Florencia, Borie, Las Animas, Landers, Taoro, Zoila, Flores del Monte and Tuckahoe. However, the

deceased's title to other concessions; namely, Delsa, Whit, Segunda Zoila, Dolly B and Charlotte, had not yet been perfected. In a letter to the Department of State, dated May 28, 1960, the late Mr. Lane stated that he owned concessions with respect to all of the above 13 mines, as well as 4 other mining claims, and certain equipment as follows:

One water well with electric pump and pipe lines.

One water tank, hardwood tower and pipe lines.

One mine laboratory (assay office).

One small warehouse.

One small dwelling house with two bedrooms.

One small ore milling plant (amalgamation).

While the deceased gave general descriptions of each of the concessions, he failed to indicate either the type or amount of minerals in any of the mines, or the valuations thereof. Moreover, the deceased stated that the properties had not been taken as of the date of his letter.

The Commission has considered other evidence of record which tends to show the deceased's activities in Cuba and indicates that he did own mining concessions there. The record includes letters from the late Mr. Lane to his late sister, Mrs. Borie, whom he called "Dolly" and in whose honor one of the mines was named. The letters were written in 1936, 1937 and 1938 and speak of the deceased's hopes and aspirations in the development work in which he was then engaged. In one of the letters, he indicated the gold and silver content of samples that were assayed. However, while the deceased mentioned some of his expenditures in these operations, he did not at any time set forth the amount of the minerals that existed in any of the mines. There are also letters written by his widow, Mrs. FLORENCE LANE.

At the instance of the Freeport Sulphur Company, a geological report of the mines was made under date of January 20, 1949, apparently in connection with that company's interest in leasing the mines for commercial exploitation. A copy of that report contains the following conclusions:

CU-2115, CU-2120, CU-2121,  
CU-2206 and CU-3033



As a result of a brief geological examination and a study of the development and assay plans on the Lane property, it is concluded that the property has considerable merit.

Where observed at the Cuadrado shaft, the mineralized zone or structure is strongly developed and without reservation can be expected to persist horizontally and vertically for a considerable distance.

Other mineralized sections are present, notably at the Queso and Siboney shafts, indicating, at least that mineralized structures occur over a length of 2,500 feet.

The relationships of the known mineralized structures is not entirely clear from the development work to date but it is concluded that two sets of mineralized fractures exist. It should be kept in mind that undiscovered zones containing gold values may be present in the vicinity of the granodiorite tongue and particularly along the belt from the Cuadrado to Siboney shafts, as well as in close association with granodiorite apophyses occurring over the property area.

Commercial gold values across mining widths have been shown to exist by sampling in the Cuadrado, Queso and Siboney shafts, as well as at other points on the property. In other words, the first requirement, that of having commercial gold values present, is fulfilled on the Lane property. It remains to be determined whether or not the values have sufficient continuity, both horizontally and vertically to support a mining operation.

Mrs. FLORENCE LANE, widow of the late Louis R. Lane, states that he customarily discussed the details of his mining operations with her, and that she had accompanied him on trips in which he engaged in exploring the mines, and had assisted in testing the ore samples. Apparently, she also assisted her late husband in maintaining records, all of which were left in Cuba. Her statements are based upon her best recollections.

On the basis of the entire record, the Commission finds that the late Mr. Lane and his late sister, Mrs. Borie, owned mining concessions in Cuba, and that Mr. Lane also owned certain equipment appurtenant to his mining operations, and that he made certain related improvements to the land in which his mines were situated.

The Commission finds that FLORENCE LANE acquired a one-half interest in all of the properties owned by her late husband pursuant to the community

property laws of Cuba. (See Claim of Robert L. Cheaney and Marjorie L. Cheaney, Claim No. CU-0915.) Upon the intestate death of Louis R. Lane in Georgia on August 17, 1963, FLORENCE LANE, DORIS GARCIA and RICHARD E. LANE each inherited equal shares in the other one-half interest owned by the deceased. Therefore, FLORENCE LANE owned a two-thirds interest in said properties, and DORIS GARCIA and RICHARD E. LANE each owned a one-sixth interest therein.

On the basis of the evidence of record and in the absence of evidence to the contrary, the Commission finds that the late Elizabeth Lane Borie owned no interest either in any of the said personal property appurtenant to the mining operations or in the improvements made to the land in which the Borie, Tuckahoe and Dolly B mines were situated. Upon the testate death of Mrs. Borie on November 26, 1959, her one-half interest in these three mines was inherited in equal shares by her three children, two of whom, JOHN D. BORIE and ROBERT L. BORIE, have filed claims with the Commission. The record shows that her husband predeceased her. A Commission communication to her third son, William Henry Borie, Jr., concerning the filing of a claim was never answered.

As indicated above, Louis R. Lane had reported to the Department of State as of May 28, 1960 that his properties in Cuba had not been taken.

On December 6, 1961, the Cuban Government published Law 989, which effected the confiscation of all real property, personal property, rights, shares, stocks, bonds, securities and bank accounts of persons who had left the country. The Commission finds that this law applied to claimants and their predecessors in interest who had left Cuba prior to that date, and that their interests in all of the properties claimed were taken by the Government of Cuba on December 6, 1961 pursuant to Law 989. The Commission further finds that as a result of said action they succeeded to and sustained losses of property within the meaning of Title V of the Act. (See Claim of Wallace Tabor and Catherine Tabor, Claim No. CU-0109, 25 FCSC Semiann. Rep. 53 [July-Dec. 1966].)

The remaining issue presented by these claims is the values of the properties in question on December 6, 1961, the date of loss.

Appurtenant Personal Property and Improvements

The record includes numerous affidavits from individuals with personal knowledge of the facts, attesting to the fact that the late Mr. Lane owned various mining properties in Cuba and that he had installed machinery, equipment and buildings in connection with his mining operations. However, none of the affidavits sets forth either the specific items of property or any of their values.

Insofar as the values of the appurtenant personal property and improvements are concerned, the only statements having any probative value are those of Mrs. FLORENCE LANE who participated in the operations, had discussions with her late husband and had maintained records of the transactions relating to those operations. She states that her evaluations are not precise but based on her best recollection.

Based upon the entire record, the Commission makes the following findings with respect to said personalty and improvements:

1. Concentration plant building  
constructed in 1941 for \$15,000.00

It appears that the late Mr. Lane made no further improvements after 1952. Applying a depreciation factor (for 20 years) of 2% per year, customarily employed by the Commission with respect to such property, the Commission finds in the absence of evidence to the contrary that the value of the building on December 6, 1961, was \$9,000.00.

2. Assay laboratory building \$ 8,000.00

Mrs. Lane has stated that the 13 mining properties, other than the Borie, Tuckahoe and Dolly B mines, had been leased to Rimosa Mines of Cuba in 1956. This fact is corroborated by statements of the late Mr. Lane to the Department of State in which he indicated that the lease was still in effect as of May 28, 1960. It appears that the assay laboratory building had been constructed by the lessee pursuant to its lease with Mr. Lane, and that one of the terms of the lease was that upon termination thereof all improvements were to become the property of Mr. Lane.

On the basis of the entire record, the Commission finds that title to the assay laboratory building vested in the lessor. Applying a depreciation factor of 2% per year for 5 years, the Commission finds that the value of the building on December 6, 1961, was \$7,200.00.

3. Concentration plant equipment  
at a cost of

\$17,000.00

This equipment included a jig, ball mills, engine, classifiers, ore feeder and conveyor systems. The record fails to establish the precise date or dates when said equipment was acquired and installed. It appears to have occurred at some time between 1936 and 1952, according to Mrs. Lane's statements. Applying a depreciation factor (for 17 years) of 5% per year, customarily employed by the Commission with respect to such property, the Commission finds in the absence of evidence to the contrary that the value of the equipment on December 6, 1961, was \$2,550.00.

4. Hoist and headframe at a cost of

\$ 3,000.00

It appears that the hoist and headframe were acquired and installed in 1952. Applying a depreciation factor of 5% per year for 9 years, the Commission finds that the value of the property on December 6, 1961, was \$1,650.00.

5. Hoists, mining tools, compressor and  
house furniture and furnishings at  
an aggregate cost of

\$ 4,700.00

The record indicates that all of the above property was acquired between 1936 and 1952. Applying a depreciation factor of 5% per year for 17 years, the Commission finds in the absence of evidence to the contrary that the aggregate value of said property on December 6, 1961, was \$705.00.

6. Assay laboratory equipment

\$15,000.00

It appears that the assay laboratory equipment was installed apparently in 1956 by the lessee, Rimosa Mines of Cuba, as in the case with respect to the assay laboratory building. The Commission finds that title to said equipment vested in the lessor. Applying a depreciation factor of 5% per year for 5 years, the Commission finds that the value of the equipment on December 6, 1961, was \$13,500.00.

Accordingly, FLORENCE LANE and her two children, DORIS GARCIA and RICHARD E. LANE, succeeded to and sustained the following losses of appurtenant personal property and improvements to real property within the meaning of Title V of the Act:

Concentration plant building	\$ 9,000.00
Assay laboratory building	7,200.00
Concentration plant equipment	2,550.00
Hoist and headframe	1,650.00
Hoists, tools, compressor and home furnishings	705.00
Assay laboratory equipment	<u>13,500.00</u>
Total	<u>\$34,605.00</u>

The Commission therefore finds that FLORENCE LANE's (Claim No. CU-2115) two-thirds interest in the above property had a value of \$23,070.00, and the one-sixth interests of DORIS GARCIA (Claim No. CU-2120) and RICHARD E. LANE (Claim No. CU-2121) each had a value of \$5,767.50.

#### 7. Mining properties

The record includes no evidence upon which to determine either the amount of minerals contained in the 17 mines claimed herein or the values thereof.

On numerous occasions, all of the claimants were advised of the fact that supporting evidence in these respects was lacking, and suggestions were made concerning the submission of such evidence.

Claimants submitted the said affidavits from the individuals who had personal knowledge of the facts. However, the affidavits contain no details with respect to the mines. The assay and geological reports likewise fail to provide an adequate basis for evaluating the mining concessions. Similarly, the evidence includes a report from abroad which states merely that a mine had been registered in the name of the late Louis R. Lane, but contains no further information.

Mrs. FLORENCE LANE has set forth values for each of the mines based upon best recollection. She stated that her late husband had estimated that

the aggregate value of the mines was at least \$1,500,000.00. It appears, however, from her further statements that no ore was ever extracted on a commercial basis, and that the mines were still in stages of development on the date of loss. Apparently, it was hoped that after Rimosa Mines of Cuba had completed its exploratory operations exploitation of the mines would begin.

In response to Commission inquiries concerning the extent and value of the mines, the Freeport Sulphur Company states as follows under date of March 25, 1969:

We regret that we do not have evidence with respect to the extent and value of ore in the Lane properties as our work on the properties never proceeded beyond the initial exploration stage. As a consequence, we are not in a position to give you information with respect to their value.

We did conduct systematic sampling of ore values, but we were unable to come to terms with Mr. Lane or the landowner with respect to a diamond drilling program. As a consequence, we abandoned this prospect before conducting a full fledged exploration program.

No accounting statements or company records were issued to Mr. Lane by this company, nor did our annual reports mention the properties. We did, of course, have internal reports and other data with respect to the cost of the work, and data with respect to the samples that were taken from the properties. If this information would be helpful to you, and provided Mrs. Lane consents to its being made available, we would be pleased to do so.

The costs incurred by Freeport Sulphur Company and the substance of its geological report have already been noted above. Nothing in the record provides an adequate or proper basis for evaluating the mining properties.

The Regulations of the Commission provide:

The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim. (FCSC Reg., 45 C.F.R. §531.6(d) (Supp. 1967).)

The Commission finds the evidence insufficient to warrant favorable action on the claims for the loss of the mines in question. It is therefore

CU-2115, CU-2120, CU-2121,  
CU-2206 and CU-3033

concluded that claimants have failed to meet the burden of proof in these respects. Accordingly, the portions of the claims of FLORENCE LANE, DORIS GARCIA and RICHARD E. LANE, and the entire claims of JOHN D. BORIE and ROBERT L. BORIE, based upon interests in said mines are denied.

8. Loss of income

FLORENCE LANE asserts a loss on her own behalf of income in the amount of \$84,000.00. She states that Rimosa Mines of Cuba had paid her and her late husband the sum of \$12,000.00 per year from 1956 through 1960 for the purpose of exploring the mines. Her late husband stated to the Department of State that this lessee had leased thirteen of the mines.

Claim is made for the loss of income for 7 years after 1960 at the rate of \$12,000.00 per year. No evidence has been submitted to support this portion of Mrs. Lane's claim.

Inasmuch as the Commission has found herein that the mines were taken on December 6, 1961, the Commission finds that all income derived from the mines after that date belonged to Cuba. Moreover, there is no evidence to establish that any income belonging to Mrs. Lane was taken by the Government of Cuba.

Accordingly, the portion of Mrs. Lane's claim based upon the loss of income is denied.

The Commission has decided that in certification of losses on claims determined pursuant to Title V of the International Claims Settlement Act of 1949, as amended, interest should be included at the rate of 6% per annum from the date of loss to the date of settlement (see Claim of Lisle Corporation, Claim No. CU-0644), and in the instant case it is so ordered.

CERTIFICATION OF LOSS

The Commission certifies that FLORENCE LANE succeeded to and suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in

the amount of Twenty-three Thousand Seventy Dollars (\$23,070.00) with interest thereon at 6% per annum from December 6, 1961, to the date of settlement;

The Commission certifies that DORIS GARCIA succeeded to and suffered a loss as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Five Thousand Seven Hundred Sixty-seven Dollars and Fifty Cents (\$5,767.50) with interest at 6% per annum from December 6, 1961, to the date of settlement; and

The Commission certifies that RICHARD E. LANE succeeded to and suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Five Thousand Seven Hundred Sixty-seven Dollars and Fifty Cents (\$5,767.50) with interest at 6% per annum from December 6, 1961, to the date of settlement.

Dated at Washington, D. C.,  
and entered as the Proposed  
Decision of the Commission

**MAR 25 1970**

  
Lytle S. Garlock, Chairman

  
Theodore Jaffe, Commissioner

  
Sidney Freidberg, Commissioner

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 531.5(e) and (g), as amended, 32 Fed. Reg. 412-13 (1967).)

CU-2115, CU-2120, CU-2121,  
CU-2206 and CU-3033