

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON 25, D. C.

IN THE MATTER OF THE CLAIM OF

ANNA IDE
82 Kaye Road
West Haven, Connecticut

Claim No. RUM-30,441

Decision No. RUM- 375

Under the International Claims Settlement
Act of 1949, as amended

GPO 16-72126-1

PROPOSED DECISION

This is a claim against the Government of Rumania under Section 303 of the International Claims Settlement Act of 1949, as amended, by ANNA IDE, for compensation for loss of earnings.

Claimant states that in January 1938, the Government of Rumania issued a decree which had the effect of rendering citizens of the United States ineligible for employment in Rumania and that by reason of such decree and her residence in Rumania she "was not allowed to hold employment until return to the United States on January 23, 1946." Claimant asserts this claim in the amount of \$28,800 which, she states, represents her loss of wages for a period of eight years computed at the rate of \$300 per month.

Section 303 of the Act provides as follows:

The Commission shall receive and determine in accordance with applicable substantive law, including international law, the validity and amounts of claims of nationals of the United States against the Governments of Bulgaria, Hungary, and Rumania, or any of them, arising out of the failure to--

(1) restore or pay compensation for property of nationals of the United States as required by article 23 of the treaty of peace with Bulgaria, articles 26 and 27 of the treaty of peace with Hungary, and articles 24 and 25 of the treaty of peace with Rumania. Awards under this paragraph shall be in amounts not to exceed two-thirds of the loss or damage actually sustained;

(2) pay effective compensation for the nationalization, compulsory liquidation, or other taking, prior to the effective date of this title, of property of nationals of the United States in Bulgaria, Hungary, and Rumania; and

(3) meet obligations expressed in currency of the United States arising out of contractual or other rights acquired by nationals of the United States prior to April 24, 1941, in the case of Bulgaria, and prior to September 1, 1939, in the case of Hungary and Rumania, and which became payable prior to September 15, 1947.

The Commission finds that this claim does not fall within any of the three categories of claims described in Section 303, and that it is not, therefore, compensable under the Act.

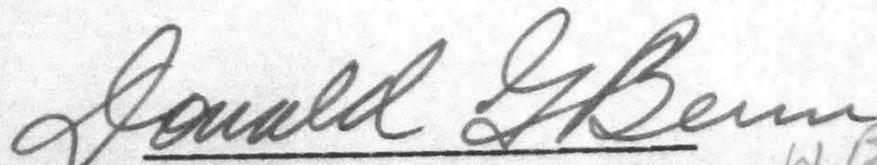
The instant claim being based on a deprivation of the ability to earn wages does not involve the loss of or damage to property belonging to claimant. Accordingly, such claim is not within the purview of either Section 303(1) or Section 303(2), both of which require, as a prerequisite to an award, that there have been loss of or damage to property belonging to a claimant or a predecessor in interest. Similarly, the claim does not fall within Section 303(3) of the Act since it is not based on a contractual or other obligation of the Government of Rumania which is expressed in currency of the United States.

For the foregoing reasons, this claim is denied.

Dated at Washington, D. C.

MAR 26 1958

FOR THE COMMISSION:


Donald G. Benn, Director
Balkan Claims Division

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FINAL DECISION

The Commission issued its Proposed Decision on this claim on March 26, 1958 , a copy of which was duly served upon the claimant(~~SA~~). No objections or request for a hearing having been filed within twenty days after such service and general notice of the Proposed Decision having been given by posting for thirty days, it is

ORDERED that such Proposed Decision be and the same is hereby entered as the Final Decision on this claim.

Dated at Washington, D. C.

Whitney Hilliland

Pearl Pace

Henry S. Clay

COMMISSIONERS

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