

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

IN THE MATTER OF THE CLAIM OF

CAMILLE CAM-VAN VECCHI

Claim No. V-0444

Decision No. V-0302

Counsel for Claimant:

Sesto E. Vecchi, Esquire
Kaplan Russin Vecchi & Kirkwood

PROPOSED DECISION

This claim in the amount of \$30,000.00 against the Government of the Socialist Republic of Vietnam under Title VII of the International Claims Settlement Act of 1949, as amended by Public Law 96-606 (94 Stat. 3534), is based upon the loss of real property, personal property and business interests in Vietnam.

The claimant stated at the time of filing that she acquired United States citizenship by marriage.

Under section 703 of Title VII of the International Claims Settlement Act of 1949, as amended, the Commission is given the following jurisdiction:

"The Commission shall receive and determine in accordance with applicable substantive law, including international law, the validity and amounts of claims by nationals of the United States against Vietnam arising on or after April 29, 1975, for losses incurred as a result of the nationalization, expropriation, or other taking of (or special measures directed against) property which, at the time of such nationalization, expropriation, or other taking, was owned wholly or partially, directly or indirectly, by nationals of the United States to whom no restoration or adequate compensation for such property has been made... ."

The Act further states in section 702 that:

"(1) The term 'national of the United States' means-
(A) a natural person who is a citizen of the United States; . . ."

In the instructions for filing a claim under Public law 96-606 claimants are advised to submit evidence to establish the date and manner by which they acquired United States citizenship. No such evidence having been received, by letter dated July 30, 1984, claimant was specifically advised, through counsel, to submit evidence to establish her United States citizenship as well as evidence of her ownership interest in the properties claimed. Claimant was further advised that all evidence requested by the Commission should be submitted no later than 60 days after July 30, 1984. To date, no evidence has been submitted nor has any further communication been received from the claimant.

Subsection 531.6(d) of the Commission's regulations provides:

"The claimant shall be the moving party and shall have the burden of proof on all issues involved in the determination of his claim."

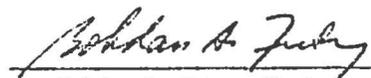
Based upon the foregoing, the Commission has no alternative but to conclude that the record in this claim is devoid of evidence to establish that any property involved was owned by a United States national on the date of loss as required for compensation under section 703 of the Act, above. Accordingly, the Commission finds that this claim must be and it is hereby denied.

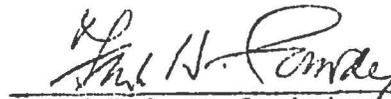
The Commission finds it unnecessary to make determinations with respect to other aspects of this claim.

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

APR 22 1985

This is a true and correct copy of the decision of the Commission which was entered as the final decision.


Bohdan A. Futey, Chairman


Frank H. Conway, Commissioner


Joseph W. Brown, Commissioner

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.)