

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

IN THE MATTER OF THE CLAIM OF

BERTHA ZWEBEN

Under the International Claims Settlement  
Act of 1949, as amended

Claim No. G-0019

Decision No. G-0002

PROPOSED DECISION

This claim in an unstated amount against the Government of the German Democratic Republic, under Title VI of the International Claims Settlement Act of 1949, as amended, is based upon the death of claimant's husband, an American soldier during World War II.

Under section 602, Title VI of the International Claims Settlement Act of 1949, as amended by Public Law 94-542 (90 Stat. 2509), the Commission is given jurisdiction as follows:

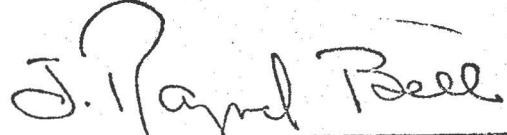
"The Commission shall receive and determine in accordance with applicable substantive law, including international law, the validity and amounts of claims by nationals of the United States against the German Democratic Republic for losses arising as a result of the nationalization, expropriation, or 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 whether such losses occurred in the German Democratic Republic or in East Berlin. . ."


Therefore, the only losses for which the Commission is authorized to award compensation under this statute are losses arising from the nationalization, expropriation or other taking of property. Claims for the death of an individual, as asserted herein, are not included as a type of loss for which the Commission is authorized to make an award. The claim therefore must be and it hereby is denied.

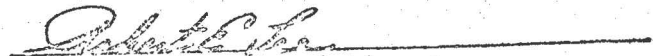
The Commission finds it unnecessary to make determinations concerning any other elements of this claim.

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

AUG 17 1977

  
\_\_\_\_\_  
J. Raymond Bell, Chairman

  
\_\_\_\_\_  
Wilfred J. Smith, Commissioner

  
\_\_\_\_\_  
Robert E. Lee, Commissioner

This is a true and correct copy of the decision  
of the Commission which was entered as the final  
decision on 21 SEP 1977

  
\_\_\_\_\_  
Executive Director

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.)