

DECISION

THE COMPTROLLER GENERAL
OF THE UNITED STATES
WASHINGTON, D. C. 20548

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FILE: B-201150**DATE:** January 18, 1983**MATTER OF:** Consideration of Claim to Proceeds of American Club, Inc. Award**DIGEST:** Claimant cannot be awarded part of the proceeds of a Foreign Claims Settlement Commission award to the American Club of Shanghai when supporting affidavits and assertions of former Club President and member of the Club's Board of Directors do not provide sufficient corroboration of claim.

The Treasury Department asks whether Mr. Theodore Okoune is entitled to a share of a Foreign Claims Settlement Commission award to the American Club, Inc. discussed in B-201150, May 13, 1981 and December 1, 1981. For the reasons given below we do not think Mr. Okoune entitled to a part of that award at this time.

Aside from his statement in support of his claim, Mr. Okoune has submitted to Treasury affidavits of Ms. Josephine Okoune, his wife, and Mr. Robert Saltzer, a friend. In his affidavit Mr. Okoune states that many years ago he had applied to the French Government for compensation for his losses in China, including those pertaining to American Club debentures in the amount of CN \$55,000 (CN: Chinese taels). The French Government refused to pay, however, and attempts to locate the documents pertaining to the debentures were unsuccessful. Mr. Okoune also states that the amount claimed by him was the same as that earlier claimed by his sister Ms. Isabelle Okoune Alcone. In B-201150, December 1, 1981, we found that an award could be made to Ms. Alcone in an amount proportionate to her debenture holdings of CN \$55,000.

In support of her husband's claim, Ms. Josephine Okoune asserts that she recalls her father-in-law disappointing her by giving her husband some American bonds as a wedding anniversary gift instead of money or jewelry. She remembers her husband commenting at the time that \$55,000 was not a bad present. Mr. Saltzer states that he recalls Mr. Okoune mentioning that he had sent the French Government "documents (bonds)" for the American Club for which he never was reimbursed and that he was upset after making several unsuccessful attempts to get them back. He also remembers Mr. Okoune mentioning that Ms. Alcone had the same amount of bonds.

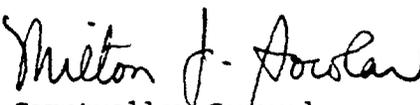
To corroborate Mr. Okoune's assertions we communicated with Mr. Norwood F. Allman, former President and member of the Board of Directors of the American Club, and both trustee on all American Club debentures submitted to Treasury and for the Club before the Foreign Claims Settlement Commission. Mr. Allman informed us that (1) both

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the names of the firm Okoune, Alcone & Co. and Mr. T. Okoune appeared on a list of American firms and Americans in China published in Shanghai in 1946; (2) that the American Club was a favorite gathering place for Americans in Shanghai and that practically all Americans there were members; and (3) that it was an unwritten rule that members buy debentures. Although Mr. Allman apparently did not know Mr. Okoune, based on these facts he assumes Mr. Okoune had debentures but is uncertain of the quantity.

In B-201150, May 13, 1981, we recognized the difficulty in providing supporting evidence in China Claims Program cases, and indicated we would consider secondary evidence or other pertinent data; however, we also stated that uncorroborated statements or affidavits of claimants were not sufficient to support claims. Applying these considerations to the facts described, we do not think the statements Mr. Okoune has submitted to the Treasury Department sufficiently corroborate his claim to a part of the Foreign Claims Settlement Commission award to the American Club. The affidavits of Mr. Okoune's wife and friend are not particularly probative. Aside from the affiants' close personal relationship to the claimant and their not appearing to have any direct connection with the American Club, their statements provide only sketchy supporting information.

Nor do we think Mr. Allman's statements provide sufficient corroboration. We cannot assume that the appearance of the name T. Okoune and the firm name Okoune, Alcone & Co. on a list of Americans and American firms in China published in Shanghai in 1946 together with the other information described by Mr. Allman show that Mr. Okoune held \$55,000 worth of American Club debentures. The corroboration we require must demonstrate a more direct connection between Mr. Okoune and his asserted debenture holdings. If Mr. Okoune should present additional corroboration in the future, we will again consider his claim.

for 
Comptroller General
of the United States