

Public Health and Welfare. For complete classification of this Act to the Code, see section 1305 of Title 42 and Tables.

CODIFICATION

Section was formerly classified to section 620 of this Appendix.

TRANSFER OF FUNCTIONS

Functions of Alien Property Custodian and Office of Alien Property Custodian, except those relating to property or interest in Philippines, vested in Attorney General. See notes set out under section 6 of this Appendix.

§ 37. Insurance of property

The Alien Property Custodian may procure insurance in such amounts, and from such insurers, as he believes will adequately protect him against loss in connection with property or interest or proceeds held by him.

(Oct. 6, 1917, ch. 106, § 37, as added Dec. 18, 1941, ch. 593, title III, § 305, as added Aug. 8, 1946, ch. 878, § 1, 60 Stat. 930.)

CODIFICATION

Section was formerly classified to section 620 of this Appendix.

TRANSFER OF FUNCTIONS

Functions of the Alien Property Custodian and the Office of Alien Property Custodian, except those relating to property or interest in the Philippines, vested in the Attorney General. See notes set out under section 6 of this Appendix.

§ 38. Shipment of relief supplies; definitions

(a) Notwithstanding any other provision of this Act [sections 1 to 6, 7 to 39, and 41 to 44 of this Appendix], it shall be lawful, at any time after the date of cessation of hostilities with any country with which the United States is at war, for any person in the United States to donate, or otherwise dispose of to, and to transport or deliver to, any person in such country any article or articles (including food, clothing, and medicine) intended to be used solely to relieve human suffering.

(b) As used in this section—

(1) the term “person” means any individual, partnership, association, company, or other unincorporated body of individuals, or corporation or body politic;

(2) with respect to any country with which the United States was at war on January 1, 1946, the term “date of cessation of hostilities” shall mean the date of enactment of this Act [May 16, 1946];

(3) with respect to any other war the term “date of cessation of hostilities” shall mean the date specified by proclamation of the President or by a concurrent resolution of the two Houses of Congress whichever is the earlier.

(Oct. 6, 1917, ch. 106, § 38, formerly §—, as added May 16, 1946, ch. 260, 60 Stat. 182, numbered Aug. 8, 1946, ch. 878, § 3, 60 Stat. 930.)

REFERENCES IN TEXT

The date of enactment of this Act, referred to in subsec. (b)(2), probably means May 16, 1946, the date of approval of act May 16, 1946, which added this section.

§ 39. Retention of properties or interests of Germany and Japan and their nationals; proceeds covered into Treasury; ex gratia payment to Switzerland

(a) No property or interest therein of Germany, Japan, or any national of either such country vested in or transferred to any officer or agency of the Government at any time after December 17, 1941, pursuant to the provisions of this Act [sections 1 to 6, 7 to 39, and 41 to 44 of this Appendix], shall be returned to former owners thereof or their successors in interest, and the United States shall not pay compensation for any such property or interest therein. The net proceeds remaining upon the completion of administration, liquidation, and disposition pursuant to the provisions of this Act [said sections] of any such property or interest therein shall be covered into the Treasury at the earliest practicable date. Nothing in this section shall be construed to repeal or otherwise affect the operation of the provisions of section 32, 40, 41, 42 or 43 of this Act [section 32, 40, 41, 42 or 43 of this Appendix] or of the Philippine Property Act of 1946 [22 U.S.C. 1381 et seq.].

(b) The Attorney General shall cover into the Treasury, to the credit of miscellaneous receipts, all sums from property vested in or transferred to the Attorney General under this Act [sections 1 to 6, 7 to 39, and 41 to 44 of this Appendix]—

(1) which the Attorney General receives after the date of the enactment of the Export Enhancement Act of 1988 [August 23, 1988], or

(2) which the Attorney General received before that date and which, as of that date, the Attorney General had not covered into the Treasury for deposit in the War Claims Fund, other than any such sums which the Attorney General determines in his or her discretion are the subject matter of any judicial action or proceeding.

(c) Notwithstanding any of the provisions of subsections (a) and (b) of this section, the Attorney General is authorized to pay from property vested in or transferred to the Attorney General under this Act [sections 1 to 6, 7 to 39, and 41 to 44 of this Appendix], the sum of \$20,000 as an ex gratia payment to the Government of Switzerland in accordance with the terms of the agreement entered into by that Government and the Government of the United States on March 12, 1980.

(Oct. 6, 1917, ch. 106, § 39, as added July 3, 1948, ch. 826, § 12, 62 Stat. 1246; amended Aug. 7, 1953, ch. 344, 67 Stat. 461; Pub. L. 85-884, Sept. 2, 1958, 72 Stat. 1708; Pub. L. 87-846, title II, §§ 202, 204(c), Oct. 22, 1962, 76 Stat. 1113, 1115; Pub. L. 87-861, § 1, Oct. 23, 1962, 76 Stat. 1139; Pub. L. 89-619, Oct. 4, 1966, 80 Stat. 871; Pub. L. 99-93, title VIII, § 803, Aug. 16, 1985, 99 Stat. 449; Pub. L. 100-418, title II, § 2501(a), Aug. 23, 1988, 102 Stat. 1370.)

REFERENCES IN TEXT

The Philippine Property Act of 1946, referred to in subsec. (a), is act July 3, 1946, ch. 536, 60 Stat. 418, as amended, which is classified generally to subchapter V (§ 1381 et seq.) of chapter 15 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 1381 of Title 22 and Tables.