

§ 1643k. Fees for services; limitation; penalty

No remuneration on account of any services rendered on behalf of any claimant in connection with any claim filed with the Commission under this subchapter shall exceed 10 per centum of so much of the total amount of such claim, as determined under this subchapter, as does not exceed \$20,000, plus 5 per centum of so much of such amount, if any, as exceeds \$20,000. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives on account of services so rendered, any remuneration in excess of the maximum permitted by this section, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both.

(Mar. 10, 1950, ch. 54, title V, §512, as added Pub. L. 88-666, Oct. 16, 1964, 78 Stat. 1113.)

§ 1643l. Determination of ownership of claims referred by district courts of the United States

Notwithstanding any other provision of this chapter and only for purposes of section 6082 of this title, a United State¹ district court, for fact-finding purposes, may refer to the Commission, and the Commission may determine, questions of the amount and ownership of a claim by a United States national (as defined in section 6023 of this title), resulting from the confiscation of property by the Government of Cuba described in section 1643b(a) of this title, whether or not the United States national qualified as a national of the United States (as defined in section 1643a(1) of this title) at the time of the action by the Government of Cuba.

(Mar. 10, 1950, ch. 54, title V, §514, as added Pub. L. 104-114, title III, §303(b), Mar. 12, 1996, 110 Stat. 820.)

EFFECTIVE DATE

Section effective Aug. 1, 1996, or date determined pursuant to suspension authority of President, see section 6085 of this title.

§ 1643m. Exclusivity of Foreign Claims Settlement Commission certification procedure

(a) Subject to subsection (b) of this section, neither any national of the United States who was eligible to file a claim under section 1643b of this title but did not timely file such claim under that section, nor any person who was ineligible to file a claim under section 1643b of this title, nor any national of Cuba, including any agency, instrumentality, subdivision, or enterprise of the Government of Cuba or any local government of Cuba, nor any successor thereto, whether or not recognized by the United States, shall have a claim to, participate in, or otherwise have an interest in, the compensation proceeds or nonmonetary compensation paid or allocated to a national of the United States by virtue of a claim certified by the Commission under section 1643f of this title, nor shall any district court of the United States have jurisdiction to adjudicate any such claim.

(b) Nothing in subsection (a) of this section shall be construed to detract from or otherwise

affect any rights in the shares of capital stock of nationals of the United States owning claims certified by the Commission under section 1643f of this title.

(Mar. 10, 1950, ch. 54, title V, §515, as added Pub. L. 104-114, title III, §304, Mar. 12, 1996, 110 Stat. 821.)

EFFECTIVE DATE

Section effective Aug. 1, 1996, or date determined pursuant to suspension authority of President, see section 6085 of this title.

SUBCHAPTER VI—CLAIMS AGAINST
GERMAN DEMOCRATIC REPUBLIC**§ 1644. Congressional declaration of purpose**

It is the purpose of this subchapter to provide for the determination of the validity and amounts of outstanding claims against the German Democratic Republic which arose out of the nationalization, expropriation, or other taking of (or special measures directed against) property interests of nationals of the United States. This subchapter shall not be construed as authorizing or as any intention to authorize an appropriation by the United States for the purpose of paying such claims.

(Mar. 10, 1950, ch. 54, title VI, §600, as added Pub. L. 94-542, Oct. 18, 1976, 90 Stat. 2509.)

SEPARABILITY

Act Mar. 10, 1950, ch. 54, title VI, §614, as added by Pub. L. 94-542, Oct. 18, 1976, 90 Stat. 2512, provided that: "If any provisions of this Act [enacting this subchapter] or the application thereof to any person or circumstances shall be held invalid, the remainder of the Act or the application of such provision to other persons or circumstances shall not be affected."

AUTHORITY OF FOREIGN CLAIMS SETTLEMENT
COMMISSION

Section 119 of H.R. 2076, One Hundred Fourth Congress, as passed by the House of Representatives on Dec. 6, 1995, and as enacted into law by Pub. L. 104-91, title I, §101(a), Jan. 6, 1996, 110 Stat. 11, as amended by Pub. L. 104-99, title II, §211, Jan. 26, 1996, 110 Stat. 37, provided that:

"(a) AUTHORITY OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION.—The Foreign Claims Settlement Commission of the United States (the 'Commission') is authorized to receive and determine the validity and amount of claims by nationals of the United States against the Federal Republic of Germany covered by Article 2(2) of the Agreement Between the Government of the Federal Republic of Germany and the Government of the United States of America Concerning Final Benefits to Certain United States Nationals Who Were Victims of National Socialist Measures of Persecution, entered into force September 19, 1995 (the 'Agreement'). In deciding such claims, the Commission shall be guided by the criteria applied by the Department of State in determining the validity and amount of the claims covered by and settled under Article 2(1) of the Agreement.

"(b) APPLICATION OF OTHER LAWS.—Except to the extent inconsistent with the provisions of this section, the provisions of title I of the International Claims Settlement Act of 1949 (22 U.S.C. 1621 et sec. [sic]), except for section 7(b) (22 U.S.C. 1626(b)), shall apply with respect to claims under this section. Any reference in such provisions to 'this title' ['this subchapter'] shall be deemed to refer to those provisions and to this section.

"(c) CERTIFICATION AND PAYMENT.—

"(1) Not later than two years after the entry into force of the Agreement, the Commission shall certify

¹So in original. Probably should be "States".