

§ 1645d. Claims based on ownership interest in or debt or other obligation owing by corporations or other legal entities

(a) Nationals of United States; charge on property

A claim under section 1645b of this title based upon an ownership interest in any corporation, association, or other entity which is a national of the United States may not be considered. A claim under section 1645b of this title based upon a debt or other obligation owing by any corporation, association, or other entity organized under the laws of the United States, or of any State, the District of Columbia, or the Commonwealth of Puerto Rico may be considered only if such debt or other obligation is a charge on property which has been nationalized, expropriated, or otherwise taken by Vietnam.

(b) Direct ownership

A claim under section 1645b of this title based upon a direct ownership interest in a corporation, association, or other entity may be considered, subject to the other provisions of this subchapter, if such corporation, association, or other entity on the date of the loss was not a national of the United States, without regard to the per centum of ownership vested in the claimant.

(c) Indirect ownership

A claim under section 1645b of this title based upon an indirect ownership interest in a corporation, association, or other entity may be considered, subject to the other provisions of this subchapter, only if at least 25 per centum of the entire ownership interest thereof, at the time of such loss, was vested in nationals of the United States or if, at the time of the loss, nationals of the United States in fact controlled the corporation, association, or entity, as determined by the Commission.

(d) Computation of award

The amount of any claim covered by subsection (b) or (c) of this section shall be calculated on the basis of the total loss suffered by the corporation, association, or other entity, with respect to which the claim is made, and shall bear the same proportion to such loss as the ownership interest of the claimant at the time of loss bears to the entire ownership interest thereof.

(Mar. 10, 1950, ch. 54, title VII, §705, as added Pub. L. 96-606, Dec. 28, 1980, 94 Stat. 3535.)

§ 1645e. Offsets

In determining the amount of any claim under this subchapter, the Commission shall deduct all amounts the claimant has received from any source on account of the same loss or losses for which the claim is filed.

(Mar. 10, 1950, ch. 54, title VII, §706, as added Pub. L. 96-606, Dec. 28, 1980, 94 Stat. 3536.)

§ 1645f. Certifications; assigned claims

(a) The Commission shall certify to each claimant who files a claim under this subchapter the amount determined by the Commission to be the loss suffered by the claimant

which is covered by this subchapter. The Commission shall certify to the Secretary of State such amount and the basic information underlying that amount, together with a statement of the evidence relied upon and the reasoning employed in making that determination.

(b) In any case in which a claim under this subchapter is assigned by purchase before the Commission determines the amount due on that claim, the amount so determined shall not exceed the amount of actual consideration paid by the last such assignee.

(Mar. 10, 1950, ch. 54, title VII, §707, as added Pub. L. 96-606, Dec. 28, 1980, 94 Stat. 3536.)

§ 1645g. Consolidated awards

With respect to any claim under section 1645b of this title which, at the time of the award, is vested in persons other than the person by whom the original loss was sustained, the Commission shall issue a consolidated award in favor of all claimants then entitled to the award, which award shall indicate the respective interests of such claimants in the award, and all such claimants shall participate, in proportion to their indicated interests, in any payments that may be made under this subchapter in all respects as if the award had been in favor of a single person.

(Mar. 10, 1950, ch. 54, title VII, §708, as added Pub. L. 96-606, Dec. 28, 1980, 94 Stat. 3536.)

§ 1645h. Claims Fund; establishment; deductions

(a) The Secretary of the Treasury may establish in the Treasury of the United States the Claims Fund for the payment of unsatisfied claims of nationals of the United States against Vietnam, as authorized by this subchapter.

(b) The Secretary of the Treasury shall deduct from any amounts covered into the Claims Fund an amount equal to 5 per centum thereof as reimbursement to the Government of the United States for expenses incurred by the Commission and by the Treasury Department in the administration of this subchapter. The amounts so deducted shall be covered into the Treasury as miscellaneous receipts.

(Mar. 10, 1950, ch. 54, title VII, §709, as added Pub. L. 96-606, Dec. 28, 1980, 94 Stat. 3536.)

§ 1645i. Award payment procedures

(a) Certification of amounts

The Commission shall certify to the Secretary of the Treasury, in terms of United States currency, each award made pursuant to section 1645b of this title.

(b) Priority of payments

(1) Upon certification of each award made pursuant to section 1645b of this title, the Secretary of the Treasury shall, out of the sums covered into the Claims Fund, make payments on account of such awards as follows, and in the following order of priority:

(A) Payment in the amount of \$2,500 or the principal amount of the award, whichever is less.

(B) Thereafter, payments from time to time, in ratable proportions, on account of the un-