

of Justice, as a separate agency, see section 1622a et seq. of Title 22, Foreign Relations and Intercourse.

#### § 4114. Philippines

##### (a) Losses by individual from sequestered credits; loss by banks or other financial institutions

(1) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by—

(A) any individual who—

(i) on or after December 7, 1941, was a member of the military or naval forces of the United States;

(ii) is the survivor of any deceased individual described in subparagraph (i);

(iii) was a national of the United States on December 7, 1941, and is a national of the United States on August 31, 1954; or

(iv) is the survivor of any deceased individual who was a national of the United States on December 7, 1941, and would be a national of the United States on August 31, 1954, if living; or

(B) any partnership, firm, corporation, or other legal entity, in which more than 50 per centum of the ownership was vested, directly or indirectly, both on December 7, 1941, and on August 31, 1954, in individuals referred to in subparagraph (A) of this paragraph;

for losses arising as a result of the sequestration of accounts, deposits, or other credits of such individual or legal entity in the Philippines by the Imperial Japanese Government.

(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any bank or other financial institution doing business in the Philippines which reestablished sequestered accounts, deposits, or other credits of—

(A) any individual referred to in subparagraph (A) of paragraph (1) of this subsection; or

(B) any partnership, firm, corporation, or other legal entity, in which more than 50 per centum of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of reestablishment of such sequestered credits, in individuals referred to in such subparagraph (A);

for reimbursement of the amounts of such sequestered credits paid by such bank or financial institution.

##### (b) Filing date for claims

Claims must be filed under this section within one year after August 31, 1954.

##### (c) Death or legal disability as affecting payments

Where any individual entitled to payment under this section is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of section 4104 of this title. In the case of the death of any individual entitled to payment of any claim under this section, payment of such claim shall be made to the individuals specified, and in the

order provided, in subsection (d) of section 4105 of this title; except that no payment shall be made under this section to any individual who voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

##### (d) Certification of claims for payment

Each claim allowed under this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established under section 4110 of this title. The Secretary of the Treasury shall pay such claims as follows:

(1) In the case of each claim allowed in an amount equal to or less than \$500, such claim shall be paid in full; and

(2) In the case of each claim allowed in an amount greater than \$500, such claim shall be paid in two installments. The first installment shall be paid in an amount equal to \$500 plus 66⅔ per centum of the amount of such claim allowed in excess of \$500. The last installment shall be computed as of September 1, 1956, under the next sentence of this paragraph, and, as so computed, shall be paid from the sums remaining in the War Claims Fund on that date. If the sums remaining in the War Claims Fund on September 1, 1956, are sufficient to satisfy all claims allowed under this section and not paid in full, the unpaid portion of each such claim shall be paid in full; if the sums remaining in the War Claims Fund on September 1, 1956, are not sufficient to satisfy all claims allowed under this section and not paid in full, the last installment payable on each such claim shall be reduced ratably, and, as so reduced, shall be paid from the War Claims Fund.

(July 3, 1948, ch. 826, title I, §17, as added Aug. 31, 1954, ch. 1162, title I, §103, 68 Stat. 1035; amended Pub. L. 87-846, title I, §102, Oct. 22, 1962, 76 Stat. 1107.)

#### CODIFICATION

Section was formerly classified to section 2016 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1962—Pub. L. 87-846 made technical amendment to reference in original act which appears in text of subsec. (c) as reference to section 4104 of this title and reference to section 4105 of this title and in subsec. (d) as reference to section 4110 of this title.

#### TRANSFER OF FUNCTIONS

For provisions transferring Foreign Claims Settlement Commission of the United States to Department of Justice, as a separate agency, see section 1622a et seq. of Title 22, Foreign Relations and Intercourse.

### SUBCHAPTER II—TITLE II OF WAR CLAIMS ACT OF 1948

#### CODIFICATION

Pub. L. 87-846, §103, Oct. 22, 1962, 76 Stat. 1107, added “title II” (§§201 to 217) to the War Claims Act of 1948 (act July 3, 1948, ch. 826) without supplying a name for such title, which for purposes of codification has been set out as this subchapter.

#### § 4131. Definitions

As used in this subchapter the term or terms—