

TRANSFER OF FUNCTIONS

Functions vested by law in Alien Property Custodian and Office of Alien Property Custodian transferred to Attorney General by Reorg. Plan No. 1 of 1947, §101, eff. July 1, 1947, 12 F.R. 4534, 61 Stat. 951, set out in the Appendix to Title 5, Government Organization and Employees.

§ 4335. Shipment of relief supplies; definitions

(a) Notwithstanding any other provision of this chapter, 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;

(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

This chapter, referred to in subsec. (a), was in the original “this Act”, meaning act Oct. 6, 1917, ch. 106, 40 Stat. 411, known as the Trading with the enemy Act, also known as the Trading with the Enemy Act, which is classified principally to this chapter. For complete classification of this Act to the Code, see section 4301 of this title and Tables.

The date of enactment of this Act, referred to in subsec. (b)(2), probably means the date of enactment of act May 16, 1946, ch. 260, which was approved May 16, 1946.

CODIFICATION

Section was formerly classified to section 38 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

§ 4336. Retention of properties or interests of Germany and Japan and their nationals; proceeds covered into Treasury; ex gratia payment to Switzerland**(a) Retention of properties or interests of Germany and Japan and their nationals**

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 chapter, 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 chapter 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 4329, 4337, 4338, 4339 or 4340 of this title or of the Philippine Property Act of 1946 [22 U.S.C. 1381 et seq.].

(b) Cover into Treasury of sums received by Attorney General

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 chapter—

(1) which the Attorney General receives after 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) Ex gratia payment to Government of Switzerland

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 chapter, 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

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The Philippine Property Act of 1946, referred to in subsec. (a), is act July 3, 1946, ch. 536, 60 Stat. 418, 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.

CODIFICATION

Section was formerly classified to section 39 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1988—Subsecs. (b) to (f). Pub. L. 100-418 added subsec. (b), redesignated subsec. (f) as (c) and substituted “and