

Section 1378, act Aug. 1, 1955, ch. 438, title III, §307, 69 Stat. 426, related to administration of revised agreement. See Codification note for section 1371 of this title.

Section 1379, act Aug. 1, 1955, ch. 438, title III, §301(a), 69 Stat. 426, related to effective date of revised agreement. See Codification note for section 1371 of this title.

SUBCHAPTER V—PROPERTY RETAINED BY THE UNITED STATES

§ 1381. Retention by United States of title to real and personal property

There shall remain vested in the Government of the United States or its agencies or instrumentalities all the right, title, and interest of the said Government or its agencies or instrumentalities to all real and personal property within the Philippine Islands as may now be vested in, or later be acquired by the Government of the United States or any of its agencies or instrumentalities.

(July 3, 1946, ch. 536, §2, 60 Stat. 418.)

SHORT TITLE

Act July 3, 1946, ch. 536, §1, 60 Stat. 418, provided that: "This Act [enacting this subchapter] may be cited as the 'Philippine Property Act of 1946'."

§ 1382. Administration of the Trading With the Enemy Act in Philippines

The Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, shall continue in force in the Philippines after July 4, 1946, and all powers and authority conferred upon the President of the United States or the Alien Property Custodian by the terms of the said Trading With the Enemy Act, as amended, with respect to the Philippines, shall continue thereafter to be exercised by the President of the United States, or such officer or agency as he may designate: *Provided*, That all property vested in or transferred to the President of the United States, the Alien Property Custodian, or any such officer or agency as the President of the United States may designate under the Trading With the Enemy Act, as amended, which was located in the Philippines at the time of such vesting, or the proceeds thereof, and which shall remain after the satisfaction of any claim payable under the Trading With the Enemy Act, as amended, and after the payment of such costs and expenses of administration as may by law be charged against such property or proceeds, shall be transferred by the President of the United States to the Republic of the Philippines: *Provided further*, That such property, or proceeds thereof, may be transferred by the President of the United States to the Republic of the Philippines upon indemnification acceptable to the President of the United States by the Republic of the Philippines for such claims, costs, and expenses of administration as may by law be charged against such property or proceeds thereof before final adjudication of such claims, costs, and expenses of administration: *Provided further*, That the courts of first instance of the Republic of the Philippines are given jurisdiction to make and enter all such rules as to notice or otherwise, and all such orders and de-

crees, and to issue such process as may be necessary and proper in the premises to enforce any orders, rules, and regulations issued by the President of the United States, the Alien Property Custodian, or such officer or agency designated by the President of the United States pursuant to the Trading With the Enemy Act, as amended, with such right of appeal therefrom as may be provided by law: *And provided further*, That any suit authorized under the Trading With the Enemy Act, as amended, with respect to property vested in or transferred to the President of the United States, the Alien Property Custodian, or any officer or agency designated by the President of the United States hereunder, which at the time of such vesting or transfer was located within the Philippines, shall after July 4, 1946, be brought, in the appropriate court of first instance of the Republic of the Philippines, against the officer or agency hereunder designated by the President of the United States with such right of appeal therefrom as may be provided by law, but suits with respect to such property shall after ninety days from December 21, 1950, be brought only in the courts of the United States.

(July 3, 1946, ch. 536, §3, 60 Stat. 418; Dec. 21, 1950, ch. 1144, 64 Stat. 1116.)

REFERENCES IN TEXT

The Trading With the Enemy Act of October 6, 1917, as amended, referred to in text, is act Oct. 6, 1917, ch. 106, 40 Stat. 411, which is classified generally to chapter 53 (§4301 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

AMENDMENTS

1950—Act Dec. 21, 1950, required that 90 days after Dec. 21, 1950, all suits against the Philippine Alien Property Administration be brought in United States courts instead of in Philippine courts.

TERMINATION OF PHILIPPINE ALIEN PROPERTY ADMINISTRATION; TRANSFER OF FUNCTIONS

Section 101 of act Sept. 6, 1950, ch. 896, Ch. VIII, title I, 64 Stat. 699, provided in part that the Philippine Alien Property Administration cease to exist after June 30, 1951, and all duties performed by such Administration as of that date be transferred to the Office of Alien Property Custodian, including all records, files, and other property.

EXECUTIVE ORDER NO. 9789

Ex. Ord. No. 9789, Oct. 14, 1946, 11 F.R. 11981, related to the establishment of the Philippine Alien Property Administration, and was superseded by Ex. Ord. No. 9818, formerly set out below.

EXECUTIVE ORDER NO. 9818

Ex. Ord. No. 9818, Jan. 7, 1947, 12 F.R. 133, amended Oct. 15, 1949, ch. 695, §5(a), 63 Stat. 880, related to the establishment of the Philippine Alien Property Administration, and was omitted under the authority of Ex. Ord. No. 10254, set out below, which terminated the Administration.

EXECUTIVE ORDER NO. 9876

Ex. Ord. No. 9876, July 24, 1947, 12 F.R. 4981, authorized the delegation of certain presidential functions to the Philippine Alien Property Administrator and was omitted in view of Ex. Ord. No. 10254, set out below, which terminated the Administration.

EXECUTIVE ORDER NO. 9921

Ex. Ord. No. 9921, Jan 10, 1948, 13 F.R. 171, authorized the Philippine Alien Property Administrator to trans-

fer certain property to the Republic of the Philippines, and was omitted under the authority of Ex. Ord. No. 10254, set out below, which terminated the Alien Property Administration.

EX. ORD. NO. 10254. TERMINATION OF PHILIPPINE ALIEN PROPERTY ADMINISTRATION AND TRANSFER OF FUNCTIONS TO DEPARTMENT OF JUSTICE

Ex. Ord. No. 10254, June 15, 1951, 16 F.R. 5829, provided:
1. The Philippine Alien Property Administration, established by Executive Order No. 9818 of January 7, 1947 [formerly set out as note under this section], is hereby terminated. All authority, rights, privileges, powers, duties, and functions vested in such Administration or in the Philippine Alien Property Administrator or transferred or delegated thereto are hereby vested in or transferred or delegated to the Attorney General, as the case may be, and shall be administered by him or under his direction and control by such officers and agencies of the Department of Justice as he may designate.

2. All property or interests vested in or transferred to the Philippine Alien Property Administration or the Administrator thereof, and all proceeds thereof, which are held or administered by the Philippine Alien Property Administration or the Administrator thereof are hereby transferred to the Attorney General of the United States.

3. All personnel, records, files, furniture, funds, authorizations, equipment, and supplies of the Philippine Alien Property Administration are hereby transferred to the Department of Justice.

4. All necessary expenses incurred in the administration or operation of the functions, duties, authority, rights, privileges, and powers hereby vested in or transferred or delegated to the Attorney General shall be paid, to the extent permitted and in the manner prescribed by law, from funds or property or interests vested in or transferred to the Attorney General by or pursuant to the authority contained in this order, so as to prevent diminution of funds otherwise available for the War Claims Fund under section 39 of the Trading with the Enemy Act, as amended by section 12 of the act of July 3, 1948, 62 Stat. 1246 [50 U.S.C. 4336].

This order shall become effective at the close of business in Washington, D.C., on June 29, 1951, and shall at that time supersede all prior Executive orders to the extent that they are in conflict with this order.

HARRY S TRUMAN.

§ 1383. Transfer of property by President of United States

In respect to property not transferable to the Republic of the Philippines under section 1382 of this title, the President of the United States is authorized, in his discretion and under such terms and conditions as he may deem appropriate, to transfer to the Republic of the Philippines any or all of the right, title, and interest of the Government of the United States or its agencies or instrumentalities to any or all real and personal property vested in such agencies or instrumentalities.

(July 3, 1946, ch. 536, § 4, 60 Stat. 419.)

EX. ORD. NO. 9937. DELEGATION OF PRESIDENT'S AUTHORITY TO AGENCIES PARTICIPATING IN THE PHILIPPINE RECOVERY PROGRAM

Ex. Ord. No. 9937, Mar. 20, 1948, 13 F.R. 1503 as amended by act June 30, 1949, ch. 288, title I, §103(a), 63 Stat. 380; 1949 Reorg. Plan No. 7, §2, eff. Aug. 19, 1949, 14 F.R. 5228, 63 Stat. 1070; 1950 Reorg. Plan No. 21, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1273, provided:

By virtue of the authority vested in me by the Constitution and the statutes, and as President of the United States, it is hereby ordered as follows:

The Commissioner of Public Roads of the Department of Commerce, the Chief of Engineers of the United States Army, the Philippine War Damage Commission, the Surgeon General of the Public Health Service of the Federal Security Agency [now the Department of Health and Human Services], the Maritime Administration, the Director of the Fish and Wildlife Service [now the United States Fish and Wildlife Service] of the Department of the Interior, and the Administrator of Civil Aeronautics, the Chief of the Weather Bureau [now the National Weather Service], and the Director of the Coast and Geodetic Survey [now the National Ocean Survey] of the Department of Commerce are hereby authorized, as to their respective agencies, to exercise the authority vested in the President by section 4 of the Philippine Property Act of 1946 (60 Stat. 419) [this section]; *Provided*, that this authority shall be exercised only with respect to property located in the Philippines in the possession and control of the respective agencies and utilized in carrying out the provisions of Title III of the Philippine Rehabilitation Act of 1946 (60 Stat. 135) [sections 1781 to 1789 of the former Appendix to Title 50, War and National Defense].

§ 1384. Transfer of shares of corporations owning agricultural lands; consideration; indemnification

Immediately upon passage of this subchapter the Alien Property Custodian of the United States shall enter into an agreement with the President of the Philippines to transfer to the Philippine Government for a nominal cash consideration all shares now vested or hereafter vested by the Alien Property Custodian of corporations owning in fee, leasing, or otherwise operating or controlling agricultural lands in the Philippines, other agricultural lands in the Philippines, vested or hereafter vested by the Alien Property Custodian not included in the foregoing, and improved property in Manila vested or hereafter vested by the Alien Property Custodian which in his judgment is urgently needed for the operation of an administrative agency of the Philippine Government: *Provided*, That in respect to property transferred under this section to the Philippine Government, it shall be made a part of the agreement that the Philippine Government shall fully indemnify the United States for all claims payable under the Trading With the Enemy Act, as amended [50 U.S.C. 4301 et seq.], and for all such costs and expenses of administration as may by law be charged against such property or proceeds thereof.

(July 3, 1946, ch. 536, § 5, 60 Stat. 419.)

REFERENCES IN TEXT

The Trading With the Enemy Act, as amended, referred to in text, is act Oct. 6, 1917, ch. 106, 40 Stat. 411, which is classified generally to chapter 53 (§ 4301 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Tables.

§ 1385. Ownership of naval reservations, diplomatic property, etc., unaffected

Nothing contained in this subchapter shall be construed as amending the provisions of the Act of March 24, 1934 (48 Stat. 456), as amended, respecting naval reservations and fueling stations, and diplomatic or consular property, and the property of the High Commissioner to the Philippine Islands, nor as amending the provisions of section 1392 of this title, respecting bases for the