

CODIFICATION

Section was formerly classified to section 2013 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 as reference to this subchapter.

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.

War Claims Commission, including offices of its members, abolished and functions of Commission and of members, officers, and employees thereof transferred to Foreign Claims Settlement Commission of the United States by Reorg. Plan No. 1 of 1954, §§2, 4, eff. July 1, 1954, 19 F.R. 3985, 68 Stat. 1279, set out in the Appendix to Title 5, Government Organization and Employees. See, also, section 4101 of this title and notes thereunder.

§ 4112. United States citizens serving in allied forces

(a) Right to compensation

The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim for compensation filed by or on behalf of any individual who, being then an American citizen, served in the military or naval forces of any government allied with the United States during World War II who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which such allied government has been at war subsequent to such date. Compensation shall be payable under this section in accordance with the standards established by, and at the rates prescribed in, subsection (b) of section 4105 of this title, and paragraphs (2) and (3) of subsection (d) of such section 4105.

(b) Deductions

The amount payable under this section shall be reduced by such sum as the individual entitled to compensation under this section has received or is entitled to receive from any government by reason of the same detention.

(c) Payments on death

In the event of death of the individual entitled to compensation under this section, payment may be made to the persons specified in paragraph (4) of subsection (d) of section 4105 of this title.

(d) Filing date for claims

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

(e) Certification of claim for payment

Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 4110 of this title.

(July 3, 1948, ch. 826, title I, §15, as added Aug. 31, 1954, ch. 1162, title I, §103, 68 Stat. 1034; amended Pub. L. 87-846, title I, §102, Oct. 22, 1962, 76 Stat. 1107.)

CODIFICATION

Section was formerly classified to section 2014 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 subsecs. (a) and (c) as reference to section 4105 of this title and in subsec. (e) 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.

§ 4113. Detention benefits to merchant seamen

(a) "Merchant seaman" defined

As used in this section, the term "merchant seaman" means any individual who was employed as a seaman or crew member on any vessel registered under the laws of the United States, or under the laws of any government friendly to the United States during World War II, and who was a citizen of the United States on and after December 7, 1941, to the date of his death or the date of filing claim under this section; except any such individual who is entitled to, or who has received, benefits under section 4104 of this title as a "civilian American citizen".

(b) Determination of claim; rate of payment

The Commission is authorized to receive and determine, according to law, the amount and validity, and provide for the payment of any claim for detention benefits filed by or on behalf of any merchant seaman who, being then a merchant seaman, was captured or interned or held by the Government of Germany or the Imperial Japanese Government, its agents or instrumentalities in World War II for any period of time subsequent to December 7, 1941, during which he was held by either such government as a prisoner, internee, hostage, or in any other capacity. Detention benefits shall be paid under this section at the rates prescribed and in the manner provided in subsections (c) and (d) of section 4104 of this title.

(c) Collaborationists excluded

Payment of any claim filed under this section shall not be made to any merchant seaman, or to any survivor or survivors thereof, 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) Time of filing claim

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

(e) Certification of claim for payment

Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 4110 of this title.

(July 3, 1948, ch. 826, title I, §16, as added Aug. 31, 1954, ch. 1162, title I, §103, 68 Stat. 1034;

amended Pub. L. 87-846, title I, § 102, Oct. 22, 1962, 76 Stat. 1107.)

CODIFICATION

Section was formerly classified to section 2015 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 subsecs. (a) and (b) as reference to section 4104 of this title and in subsec. (e) 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.

§ 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