

**§ 4107. Reports to Congress**

Not later than six months after its organization, and every six months<sup>1</sup> thereafter, the Commission shall make a report to the Congress concerning its operations under this subchapter. (July 3, 1948, ch. 826, title I, § 9, 62 Stat. 1246; Pub. L. 87-846, title I, § 102, Oct. 22, 1962, 76 Stat. 1107.)

## ANNUAL SUBMISSION OF REPORTS

*Pub. L. 89-348, § 2(6), Nov. 8, 1965, 79 Stat. 1312, modified the provisions of this section, beginning Jan. 1, 1967, to require annual instead of semiannual submission to Congress by Foreign Claims Settlement Commission of report concerning its operations under War Claims Act of 1948.*

## REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this title", meaning title I of act July 3, 1948, ch. 826, 62 Stat. 1240, which is classified principally to this subchapter. For complete classification of title I to the Code, see Tables.

## CODIFICATION

Section was formerly classified to section 2008 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 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.

## MODIFICATION OF REPORTING REQUIREMENTS

Pub. L. 89-348, § 2(6), Nov. 8, 1965, 79 Stat. 1312, modified the reporting requirements of this section as follows: "Beginning January 1, 1967, from semiannual to annual submission to the Congress by the Foreign Claims Settlement Commission of the United States of a report concerning its operations under the War Claims Act of 1948 (62 Stat. 1246; 50 U.S.C. App. 2008 [now 50 U.S.C. 4107])."

**§ 4108. Fee limitation for representing claimants; penalties**

No remuneration on account of services rendered or to be rendered to or on behalf of any claimant in connection with any claim filed with the administering agency under this subchapter shall exceed 10 per centum (or such lesser per centum as may be fixed by the administering agency with respect to any class of claims) of the amount allowed by the administering agency on account of such claim. Any agreement to the contrary shall be unlawful and

void. Whoever, in the United States or elsewhere, pays or offers to pay, or promises, to pay, or receives, on account of services rendered or to be rendered in connection with any such claim, any remuneration in excess of the maximum permitted by this section, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both, and, if any such payment shall have been made or granted, the administering agency shall take such action as may be necessary to recover the same, and, in addition thereto any such claimant shall forfeit all rights under this subchapter.

(July 3, 1948, ch. 826, title I, § 10, 62 Stat. 1246; Pub. L. 87-846, title I, § 102, Oct. 22, 1962, 76 Stat. 1107.)

## REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this title", meaning title I of act July 3, 1948, ch. 826, 62 Stat. 1240, which is classified principally to this subchapter. For complete classification of title I to the Code, see Tables.

## CODIFICATION

Section was formerly classified to section 2009 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 in two places 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 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.

**§ 4109. Hearings on claims; finality of decision**

The Commission shall notify all claimants of the approval or denial of their claims, and, if approved, shall notify such claimants of the amount for which such claims are approved. Any claimant whose claim is denied, or is approved for less than the full allowable amount of such claim, shall be entitled, under such regulations as the Commission may prescribe, to a hearing before the Commission or its representatives with respect to such claim. Upon such hearing, the Commission may affirm, modify, or revise its former action with respect to such claim, including a denial or reduction in the amount theretofore allowed with respect to such claim. The action of the Commission in allowing or denying any claim under this subchapter shall be final and conclusive on all questions of law and fact and not subject to review by any other official of the United States or by any court by mandamus or otherwise, and the Comptroller General is authorized and directed to allow credit in the accounts of any certifying or disbursing

<sup>1</sup> See Modification of Reporting Requirements note below.

officer for payments in accordance with such action.

(July 3, 1948, ch. 826, title I, §11, 62 Stat. 1246; Pub. L. 87-846, title I, §102, Oct. 22, 1962, 76 Stat. 1107.)

#### REFERENCES IN TEXT

This subchapter, referred to in text, was in the original "this title", meaning title I of act July 3, 1948, ch. 826, 62 Stat. 1240, which is classified principally to this subchapter. For complete classification of title I to the Code, see Tables.

#### CODIFICATION

Section was formerly classified to section 2010 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 transferred to Foreign Claims Settlement Commission of the United States by 68 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.

### § 4110. War Claims Fund

#### (a) Composition; expenditure

There is hereby created on the books of the Treasury of the United States a trust fund to be known as the War Claims Fund. The War Claims Fund shall consist of all sums covered into the Treasury pursuant to the provisions of section 4336 of this title. The moneys in such fund shall be available for expenditure only as provided in this chapter or as may be provided hereafter by the Congress.

#### (b) Estimation and certification to Treasury of total amount necessary under section 4104(f)

Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all benefits payable by reason of section 4104(f) of this title. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection.

#### (c) Estimation and certification to Treasury of total amount necessary under section 4103(c)

Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the

total amount which will be required to pay all additional benefits payable as a result of the enactment of section 4103(c) of this title. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve, he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection.

#### (d) Certification to Treasury of total canceled obligations under section 4103(b)(1)

On or before August 1, 1956, the Secretary of State is authorized and directed to certify to the Secretary of the Treasury the total amount of all obligations canceled pursuant to the provisions of section 4103(b)(1) of this title. The Secretary of the Treasury shall transfer from the war claims fund to the general fund of the Treasury an amount equal to the total amount so certified.

#### (e) Authorization of appropriations for Commission's work

There are hereby authorized to be appropriated, out of any money in the war claims fund, such sums as may be necessary to enable the Commission to carry out its functions under this subchapter.

(July 3, 1948, ch. 826, title I, §13, 62 Stat. 1247; 1950 Reorg. Plan No. 19, §1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1271; Aug. 31, 1954, ch. 1162, title I, §104, 68 Stat. 1036; Pub. L. 87-846, title I, §102, Oct. 22, 1962, 76 Stat. 1107.)

#### REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original "this Act", meaning act July 3, 1948, ch. 826, 62 Stat. 1240, known as the War Claims Act of 1948, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note set out under section 4101 of this title and Tables.

Section 4103(c) of this title, referred to in subsec. (c), was in the original "section 4(c) of this title", meaning section 4(c) of title I of act July 3, 1948, ch. 826, which amended section 1702 of Title 42, The Public Health and Welfare, and was classified to section 4103(c) of this title and omitted from the Code.

This subchapter, referred to in subsec. (e), was in the original "this title", meaning title I of act July 3, 1948, ch. 826, 62 Stat. 1240, which is classified principally to this subchapter. For complete classification of title I to the Code, see Tables.

#### CODIFICATION

Section was formerly classified to section 2012 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

#### AMENDMENTS

1962—Subsecs. (b) to (e). Pub. L. 87-846 made technical amendment to reference in original act which appears in text of subsec. (b) as reference to section 4104(f) of this title, in subsec. (c) as reference to section 4103(c) of this title, in subsec. (d) as reference to section 4103(b)(1) of this title, and in subsec. (e) as reference to this subchapter.