

best available information, including information that may be submitted by representatives of the Aleut people, identify any such additional acreage on Attu Island that was subject to such use. The combination of such base acreage and such additional acreage shall constitute the acreage determination upon which payment to the Corporation under this section is based. The Secretary shall promptly notify the Corporation of the results of the acreage determination made under this subsection.

**(c) Valuation**

**(1) Determination of value**

Not later than 120 days after August 10, 1988, the Secretary shall determine the value of the Attu Island acreage determined under subsection (b), except that—

(A) such acreage may not be valued at less than \$350 per acre nor more than \$500 per acre; and

(B) the total valuation of all such acreage may not exceed \$15,000,000.

**(2) Factors in making determination**

In determining the value of the acreage under paragraph (1), the Secretary shall take into consideration such factors as the Secretary considers appropriate, including—

(A) fair market value;

(B) environmental and public interest value; and

(C) established precedents for valuation of comparable wilderness lands in the State of Alaska.

**(3) Notification of determination; appeal**

The Secretary shall promptly notify the Corporation of the determination of value made under this subsection, and such determination shall constitute the final determination of value unless the Corporation, within 30 days after the determination is made, appeals the determination to the Secretary. If such appeal is made, the Secretary shall, within 30 days after the appeal is made, review the determination in light of the appeal, and issue a final determination of the value of that acreage determined to be subject to traditional use under subsection (b).

**(d) In lieu compensation payment**

**(1) Payment**

The Secretary shall pay, subject to the availability of funds appropriated for such purpose, to the Corporation, as compensation for the Aleuts' loss of lands on Attu Island, the full amount of the value of the acreage determined under subsection (c), less the value (as determined under subsection (c)) of any land conveyed under subsection (e).

**(2) Payment in full settlement of claims against the United States**

The payment made under paragraph (1) shall be in full satisfaction of any claim against the United States for the loss of traditional Aleut lands and village properties on Attu Island.

**(e) Village site conveyance**

The Secretary may convey to the Corporation all right, title, and interest of the United States

to the surface estate of the traditional Aleut village site on Attu Island, Alaska (consisting of approximately 10 acres) and to the surface estate of a parcel of land consisting of all land outside such village that is within 660 feet of any point on the boundary of such village. The conveyance may be made under the authority contained in section 1613(h)(1) of title 43, except that after August 10, 1988, no site on Attu Island, Alaska, other than such traditional Aleut village site and such parcel of land, may be conveyed to the Corporation under such section 1613(h)(1).

**(f) Authorization of appropriations**

There are authorized to be appropriated \$15,000,000 to the Secretary to carry out this section.

(Pub. L. 100-383, title II, §207, Aug. 10, 1988, 102 Stat. 914.)

REFERENCES IN TEXT

Section 1132(c) of title 16, referred to in subsec. (a), was in the original "section (3)(c) of the Wilderness Act (78 Stat. 892; 16 U.S.C. 1132(c))" and was translated as meaning section 3(c) of Pub. L. 88-577 to reflect the probable intent of Congress.

Section 702(1) of the Alaska National Interest Lands Conservation Act, referred to in subsec. (a), is section 702(1) of Pub. L. 96-487, title VII, Dec. 2, 1980, 94 Stat. 2417, which is listed in a table of wilderness areas set out under section 1132 of Title 16, Conservation.

CODIFICATION

Section was formerly classified to section 1989c-6 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

**§ 4238. Compliance with Budget Act**

No authority under this subchapter to enter into contracts or to make payments shall be effective in any fiscal year except to such extent and in such amounts as are provided in advance in appropriations Acts. In any fiscal year, the Secretary, with respect to—

(1) the Fund established under section 4233 of this title,

(2) the trust established under section 4235(b) of this title, and

(3) the provisions of sections 4236 and 4237 of this title,

shall limit the total benefits conferred to an amount not in excess of the appropriations for such fiscal year. Any provision of this subchapter which, directly or indirectly, authorizes the enactment of new budget authority shall be effective only for fiscal year 1989 and thereafter.

(Pub. L. 100-383, title II, §208, Aug. 10, 1988, 102 Stat. 916.)

REFERENCES IN TEXT

The Budget Act, referred to in section catchline, probably means the Congressional Budget Act of 1974, titles I through IX of Pub. L. 93-344, July 12, 1974, 88 Stat. 297. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2, The Congress, and Tables.

CODIFICATION

Section was formerly classified to section 1989c-7 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

**§ 4239. Severability**

If any provision of this subchapter, or the application of such provision to any person or circumstance, is held invalid, the remainder of this subchapter and the application of such provision to other persons not similarly situated or to other circumstances shall not be affected by such invalidation.

(Pub. L. 100-383, title II, §209, Aug. 10, 1988, 102 Stat. 916.)

## CODIFICATION

Section was formerly classified to section 1989c-8 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

**SUBCHAPTER III—TERRITORY OR PROPERTY CLAIMS AGAINST UNITED STATES****§ 4251. Exclusion of claims**

Notwithstanding any other provision of law or of this chapter, nothing in this chapter shall be construed as recognition of any claim of Mexico or any other country or any Indian tribe (except as expressly provided in this chapter with respect to the Aleut tribe of Alaska) to any territory or other property of the United States, nor shall this chapter be construed as providing any basis for compensation in connection with any such claim.

(Pub. L. 100-383, title III, §301, Aug. 10, 1988, 102 Stat. 916.)

## CODIFICATION

Section was formerly classified to section 1989d of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

**CHAPTER 53—TRADING WITH THE ENEMY**

Sec.	
4301.	Designation of chapter.
4302.	Definitions.
4303.	Acts prohibited.
4304.	Licenses to enemy or ally of enemy insurance or reinsurance companies; change of name; doing business in United States.
4305.	Suspension of provisions relating to ally of enemy; regulation of transactions in foreign exchange of gold or silver, property transfers, vested interests, enforcement and penalties.
4306.	Alien Property Custodian; general powers and duties.
4307.	Lists of enemy or ally of enemy officers, directors or stockholders of corporations in United States; acts constituting trade with enemy prior to October 6, 1917; conveyance of property to custodian; voluntary payment to custodian by holder; acts under order, rule, or regulation.
4308.	Contracts, mortgages, or pledges against or with enemy or ally of enemy; abrogation of contracts; suspension of limitations.
4309.	Claims to property transferred to custodian; notice of claim; filing; return of property; suits to recover; sale of claimed property in time of war or during national emergency.
4310.	Acts permitted; applications for patents, or registration of trade-marks or copyrights; payment of tax in relation thereto; licenses under enemy owned patent or copyright; statements by licensees; term and cancellation; suits against licensees; restraining infringements; powers of attorney; keeping secret inventions.

Sec.	
4311.	Importations prohibited.
4312.	Property transferred to Alien Property Custodian.
4313.	Statements by masters of vessels and owners of cargoes before granting clearances.
4314.	False manifest; refusal of clearance; reports of gold or silver coin in cargoes for export.
4315.	Offenses; punishment; forfeitures of property.
4316.	Rules by district courts; appeals.
4317.	Fees of agents, attorneys, or representatives.
4318.	Claims of naturalized citizens as affected by expatriation.
4319.	Fugitives from justice barred from recovery.
4320.	Payment of income, etc., by Alien Property Custodian.
4321.	Payment of taxes and expenses by Alien Property Custodian.
4322.	Investments by Custodian in participating certificates issued by Secretary of the Treasury; transfers to and payments from German, Austrian or Hungarian special deposit accounts; allocation of payments.
4323.	Allocation of "unallocated interest fund".
4324.	Return by Custodian, to United States, of payments under licenses, assignments or sales of patents.
4325.	"Unallocated interest fund" defined.
4326.	Waiver by Custodian of demand for property; acceptance of less amount; approval of Attorney General.
4327.	Attachment or garnishment of funds or property held by Custodian.
4328.	"Member of the former ruling family" defined.
4329.	Return of property.
4330.	Notice of claim; institution of suits; computation of time.
4331.	Payment of debts.
4332.	Hearings on claims; rules and regulations; delegation of powers.
4333.	Taxes.
4334.	Insurance of property.
4335.	Shipment of relief supplies; definitions.
4336.	Retention of properties or interests of Germany and Japan and their nationals; proceeds covered into Treasury; ex gratia payment to Switzerland.
4337.	Intercustodial conflicts involving enemy property; authority of President to conclude; delegation of authority.
4338.	Divestment of estates, trusts, insurance policies, annuities, remainders, pensions, workmen's compensation and veterans' benefits; exceptions; notice of divestment.
4339.	Claims for proceeds from sale of certain certificates: jurisdiction, limitations; divestment of copyrights: "copyrights" defined, rights of licensees and assignees, reproduction rights of United States, transfer of interests, payment of royalties to Attorney General, suits for infringement.
4340.	Divestment of trademarks.
4341.	Motion picture prints, transfer of title.

## CODIFICATION

Act Oct. 6, 1917, ch. 106, 40 Stat. 411, comprising this chapter, was formerly set out in the Appendix to this title, prior to the elimination of the Appendix to this title and the editorial reclassification of the Act as this chapter. For disposition of sections of the former Appendix to this title, see Table II, set out preceding section 1 of this title.

## TERMINATION OF WORLD WAR AND EMERGENCY

Act Oct. 6, 1917, ch. 106, 40 Stat. 411, comprising this chapter, was expressly excepted from the operation and effect of Joint Res. Mar. 3, 1921, ch. 136, 41 Stat. 1359, declaring that certain Acts of Congress, joint resolu-