

beginning September 1, 1939, and ending September 2, 1945; no award shall be made under this subsection in favor of any insurer or reinsurer as assignee or otherwise as successor in interest to the right of the insured;

(c) net losses under war-risk insurance or reinsurance policies or contracts, incurred in the settlement of claims for insured losses of ships directly or indirectly owned by a national of the United States at the time of the loss, damage, or destruction of such ships and at the time of the settlement of such claims, which insured losses were a direct consequence of military action by Germany or Japan during the period beginning September 1, 1939, and ending September 2, 1945; such net losses shall be determined by deducting from the aggregate of all payments made in the settlement of such insured losses the aggregate of the net amounts received by any such insurance companies on all policies of contracts of war-risk insurance or reinsurance on ships under which the insured was a national of the United States, after deducting expenses; and

(d) loss or damage on account of—

(1) the death of any person who, being then a civilian national of the United States and a passenger on any vessel engaged in commerce on the high seas, died or was killed as a result of military action by Germany or Japan which occurred during the period beginning September 1, 1939, and ending December 11, 1941; awards under this paragraph shall be made only to or for the benefit of the following persons in the order of priority named:

(A) widow or husband if there is no child or children of the deceased;

(B) widow or husband and child or children of the deceased, one-half to the widow or husband and the other half to the child or children of the deceased in equal shares;

(C) child or children of the deceased (in equal shares) if there is no widow or husband; and

(D) parents of the deceased (in equal shares) if there is no widow, husband, or child;

(2) injury or permanent disability sustained by any person, who being then a civilian national of the United States and a passenger on any vessel engaged in commerce on the high seas, was injured or permanently disabled as a result of military action by Germany or Japan which occurred during the period beginning September 1, 1939, and ending December 11, 1941; awards under this paragraph shall be payable solely to the person so injured or disabled;

(3) the loss or destruction, as a result of such action, of property on such vessel, as determined by the Commission to be reasonable, useful, necessary, or proper under the circumstances, which property was owned by any civilian national of the United States who was then a passenger on such vessel; and in the case of the death of any person suffering such loss, awards under this paragraph shall be made only to or for the benefit of the persons designated in paragraph (1) of this subsection and in the order of priority named therein.

(July 3, 1948, ch. 826, title II, §202, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1107.)

REFERENCES IN TEXT

The Philippine Rehabilitation Act of 1946, referred to in subsec. (a), is act Apr. 30, 1946, ch. 243, 60 Stat. 128, which was classified to sections 1751 to 1806 of the former Appendix to this title, prior to omission from the Code as terminated.

CODIFICATION

Section was formerly classified to section 2017a of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

§ 4133. Transfers and assignments

The transfer or assignment for value of any property forming the subject matter of a claim under subsection (a) or (b) of section 4132 of this title subsequent to its damage, loss, or destruction shall not operate to extinguish any claim of the transferor otherwise compensable under either of such subsections. If a claim which could otherwise be allowed under subsection (a) or (b) of section 4132 of this title has been assigned for value prior to October 22, 1962, the assignee shall be the party entitled to claim thereunder.

(July 3, 1948, ch. 826, title II, §203, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1109.)

CODIFICATION

Section was formerly classified to section 2017b of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

§ 4134. Nationality of claimants

No claim shall be allowed under subsection (a), (b), or (c) of section 4132 of this title unless the property upon which it is based was owned by a national or nationals of the United States on the date of loss, damage, or destruction and unless the claim was owned by a national or nationals of the United States continuously thereafter until the date of filing with the Commission pursuant to this subchapter. Where any person who lost United States citizenship solely by reason of marriage to a citizen or subject of a foreign country reacquired such citizenship before October 22, 1962, then if such individual, but for such marriage would have been a national of the United States at all times on and after the date of such loss, damage, or destruction until the filing of the claim, such individual shall be treated for all purposes of this subchapter as having been a national of the United States at all such times.

(July 3, 1948, ch. 826, title II, §204, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1109.)

CODIFICATION

Section was formerly classified to section 2017c of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

§ 4135. Claims of stockholders

(a) Ownership interest in entity which is a national of the United States

A claim under section 4132 of this title based upon an ownership interest in any corporation, association, or other entity which is a national of the United States shall be denied.