

(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.

(b) Ownership interest in entity which was not a national of the United States on date of loss

A claim under section 4132 of this title, based upon a direct ownership interest in a corporation, association, or other entity which suffered a loss within the meaning of said section, shall be allowed, subject to other provisions of this subchapter, if such corporation, association, or other entity on the date of the loss was not a national of the United States, without regard to the per centum of ownership vested in the claimant in any such claim.

(c) Indirect ownership interest; minimum requirement

A claim under section 4132 of this title, based upon an indirect ownership interest in a corporation, association, or other entity which suffered a loss within the meaning of said section, shall be allowed, subject to other provisions of this subchapter, only if at least 25 per centum of the entire ownership interest thereof at the time of such loss was vested in nationals of the United States.

(d) Calculation of award

Any award on a claim under subsection (b) or (c) of this section shall be calculated on the basis of the total loss suffered by such corporation, association, or other entity, and shall bear the same proportion to such loss as the ownership interest of the claimant bears to the entire ownership interest thereof.

(July 3, 1948, ch. 826, title II, §205, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1109.)

CODIFICATION

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

§ 4136. Deductions in making awards

(a) In determining the amount of any award there shall be deducted all amounts the claimant has received on account of the same loss or losses with respect to which an award is made under this subchapter.