

1, 1954, 19 F.R. 3985, 68 Stat. 1279; Aug. 21, 1954, ch. 784, §3, 68 Stat. 762; Pub. L. 87-846, title I, §§102, 104(a), Oct. 22, 1962, 76 Stat. 1107, 1113; Pub. L. 96-209, title I, §108, Mar. 14, 1980, 94 Stat. 97.)

Editorial Notes

REFERENCES IN TEXT

This subchapter, referred to in subsecs. (b) and (c)(1), 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

In subsec. (a), “chapter 51 and subchapter III of chapter 53 of title 5” was substituted for “the Classification Act of 1949, as amended” on authority of Pub. L. 89-554, §7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

Section was formerly classified to section 2001 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1980—Subsec. (d). Pub. L. 96-209 struck out subsec. (d) which provided for terms of office of Chairman and members of Foreign Claims Settlement Commission of United States. See section 1622c(c) of Title 22, Foreign Relations and Intercourse.

1962—Subsecs. (b), (c)(1). Pub. L. 87-846, §102, made technical amendment to reference in original act which appears in text as reference to this subchapter.

Subsec. (d). Pub. L. 87-846, §104(a), added subsec. (d).

1954—Subsec. (a). Act Aug. 21, 1954, struck out subsec. (a) which related to establishment and composition of the former War Claims Commission, and which had been affected by Reorg. Plan No. 1 of 1954 (see Transfer of Functions note below), redesignated subsec. (b) as (a) and substituted “The Foreign Claims Settlement Commission of the United States (hereinafter referred to as the ‘Commission’)” for “The Commission”, meaning the former War Claims Commission.

Subsecs. (b) to (d). Act Aug. 21, 1954, §3(a), designated subsecs. (b) to (d) as (a) to (c), respectively.

Former subsec. (e). Act Aug. 21, 1954, §3(a), repealed subsec. (e) which related to termination of former War Claims Commission.

1951—Subsec. (c). Act Apr. 5, 1951, extended time limit on filing of claims from Mar. 1, 1951 to Mar. 31, 1952, and authorized Commission to advise claimants of their rights.

1950—Subsecs. (d), (e). Act Aug. 16, 1950, added subsec. (d) and redesignated former subsec. (d) as (e).

1949—Subsec. (b). Act Oct. 28, 1949, substituted “Classification Act of 1949” for “Classification Act of 1923”.

Subsec. (c). Act May 27, 1949, extended time within which persons may file claims until Mar. 1, 1951.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-209 effective Mar. 14, 1980, see title VI of Pub. L. 96-209, set out as an Effective Date note under section 1622a of Title 22, Foreign Relations and Intercourse.

EFFECTIVE DATE OF 1951 AMENDMENT

Act Apr. 5, 1951, ch. 27, 65 Stat. 28, provided that the amendment made by that Act is effective as of Mar. 1, 1951.

SHORT TITLE OF 1954 AMENDMENT

Act Aug. 31, 1954, ch. 1162, title I, §1, 68 Stat. 1033, provided: “That this Act [see Tables for classification] may be cited as the ‘War Claims Act Amendments of 1954.’”

SHORT TITLE

Act July 3, 1948, ch. 826, title I, §1, 62 Stat. 1240, provided that: “This Act [enacting this chapter] may be cited as the ‘War Claims Act of 1948.’”

REPEALS

Act Oct. 28, 1949, ch. 782, cited as a credit to this section, was repealed (subject to a savings clause) by Pub. L. 89-554, Sept. 6, 1966, §8, 80 Stat. 632, 655.

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.

Executive Documents

TRANSFER OF FUNCTIONS

“Foreign Claims Settlement Commission” substituted in text for “War Claims Commission” pursuant to 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, which abolished War Claims Commission, including offices of its members, and transferred functions of Commission and members, officers, and employees thereof to Foreign Claims Settlement Commission of the United States.

§ 4102. Jurisdiction of Commission

The Commission shall have jurisdiction to receive and adjudicate according to law claims as hereinafter provided.

(July 3, 1948, ch. 826, title I, §3, 62 Stat. 1241.)

Editorial Notes

CODIFICATION

Section was formerly classified to section 2002 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

Statutory Notes and Related Subsidiaries

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.

Executive Documents

TRANSFER OF FUNCTIONS

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.

§ 4103. Claims of employees of contractors

(a) Payment by Secretary of Labor of certain claims; execution of releases

The Secretary of Labor is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by any person specified in section 101(a) of the Act entitled “An Act to provide benefits for the injury, disability, death, or enemy detention of employees of contractors with the United States, and for

other purposes", approved December 2, 1942, as amended [42 U.S.C. 1701(a)], or by the legal representative of any such person who may have died, for the amount by which (1) the total sum which would have been payable to such person by his employer (not including any payments for overtime), if such person's contract of employment had been in effect and he had been paid under it for the entire period during which he was entitled to receive benefits under section 101(b) of such Act [42 U.S.C. 1701(b)], exceeds (2) the entire amount creditable to such person's account for such period under the provisions of such section plus any amounts paid to such person by such employer for such period or recovered by such person in any legal action against such employer based upon such person's right against such employer for such period under the contract of employment, including payments in settlement of the liability of the employer arising under or out of such contract. No claim shall be allowed to any person under the provisions of this section unless such person executes a full release to the employer and to the United States in respect to the liability of the employer arising under or out of the contract of employment, except liability for workmen's compensation benefits under the Act of August 16, 1941, as amended [42 U.S.C. 1651 et seq.] or detention or other benefits paid under the Act of December 2, 1942, as amended [42 U.S.C. 1701 et seq.]. Any claim allowed under the provisions of this section shall be certified by the Secretary of Labor to the Secretary of the Treasury for payment out of the War Claims Fund established by section 4110 of this title.

(b) Cancellation of employees' obligations; repayment to employees

(1) The Secretary of State is authorized and directed to cancel any obligation to the United States of any person specified in section 101(a) of such Act of December 2, 1942 [42 U.S.C. 1701(a)], to pay any sum which may have been advanced to or on behalf of any such person by the Department of State for the purpose of paying the costs of food and medical services furnished to such person during his period of internment by the Imperial Japanese Government or for the purpose of paying transportation or other expenses of repatriation.

(2) The Secretary of Labor is authorized to receive, adjudicate according to law, and provide for the payment of any claim filed by any person specified in section 101(a) of such Act of December 2, 1942 [42 U.S.C. 1701(a)], for the repayment of any sum which may have been paid by such person to the Department of State in settlement of any obligation of the type referred to in paragraph (1) of this subsection. Any claim allowed under the provisions of this paragraph shall be certified by the Secretary of Labor to the Secretary of the Treasury for payment out of the War Claims Fund established by section 4110 of this title.

(c) Omitted

(July 3, 1948, ch. 826, title I, § 4, 62 Stat. 1241; 1950 Reorg. Plan No. 19, § 1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1271; Pub. L. 87-846, title I, § 102, Oct. 22, 1962, 76 Stat. 1107.)

Editorial Notes

REFERENCES IN TEXT

Act of August 16, 1941, referred to in subsec. (a), is act Aug. 16, 1941, ch. 357, 55 Stat. 622, known as the Defense Base Act, which is classified generally to chapter 11 (§1651 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 1651 of Title 42 and Tables.

Act of December 2, 1942, referred to in subsec. (a), is act Dec. 2, 1942, ch. 668, 56 Stat. 1028, which is classified principally to chapter 12 (§1701 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section is comprised of section 4 of act July 3, 1948. Subsec. (c) of section 4 of act July 3, 1948, amended section 1702 of Title 42, The Public Health and Welfare.

Section was formerly classified to section 2003 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1962—Subsecs. (a), (b)(2). Pub. L. 87-846 made technical amendment to reference in original act which appears in text as reference to section 4110 of this title.

Statutory Notes and Related Subsidiaries

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.

Executive Documents

TRANSFER OF FUNCTIONS

"Secretary of Labor" substituted in subsecs. (a) and (b) for "Federal Security Administrator" and "Administrator" pursuant to Reorg. Plan No. 19 of 1950, §1, eff. May 24, 1950, 15 F.R. 3178, 64 Stat. 1271, which transferred functions of Federal Security Administrator and Federal Security Agency under this section to Secretary of Labor, with power to delegate, prior to repeal by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 662. See section 8145 of Title 5, Government Organization and Employees.

War Claims Commission, including offices of its members, abolished and functions and funds transferred to Foreign Claims Settlement Commission of the United States by Reorg. Plan No. 1 of 1954, §§2, 4, 6(c), 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.

§ 4104. Internees

(a) "Civilian American citizen" defined

As used in subsections (b) and (f) of this section, the term "civilian American citizen" means any person who, being then a citizen of the United States, was captured by the Imperial Japanese Government on or after December 7, 1941, at Midway, Guam, Wake Island, the Philippine Islands, or any Territory or possession of the United States attacked or invaded by such government, or while in transit to or from any such place, or who went into hiding at any such place in order to avoid capture or internment by such government; except (1) a person who at any time voluntarily gave aid to, collaborated with, or in any manner served such government, or (2)