

including an order limiting the liability of the persons indemnified, orders staying the payment of claims and the execution of court judgments, orders apportioning the payments to be made to claimants, orders permitting partial payments to be made before final determination of the total claims, and an order setting aside a part of the funds available for possible latent injuries not discovered until a later time."

SEC. 8. Section 261 of the Atomic Energy Act of 1954 is amended by adding thereto the following new subsections:

"c. Funds are hereby authorized to be appropriated for advance planning, construction design, and architectural services in connection with any plant or facility not otherwise authorized, and for the restoration or replacement of any plant or facility destroyed or otherwise seriously damaged, and the Commission is authorized to use available funds for such purposes.

"d. Funds hereafter authorized to be appropriated for any project to be used in connection with the development or production of special nuclear material or atomic weapons may be used to start another project not otherwise authorized if the substituted project is within the limit of cost of the project for which substitution is to be made, and the Commission certifies that—

"(1) the substituted project is essential to the common defense and security;

"(2) the substituted project is required by changes in weapon characteristics or weapon logistic operations; and

"(3) the Commission is unable to enter into a contract with any person on terms satisfactory to it to furnish from a privately owned plant or facility the product or services to be provided by the new project."

SEC. 9. Section 109 of the Atomic Energy Act of 1954 is amended by striking out the words "11p.(2) or 11v.(2)" and substituting therefor the words "11t.(2) or 11aa.(2)".

SEC. 10. Subsection 145f. of the Atomic Energy Act of 1954 is amended by striking out the comma after the word "investigation".

SEC. 11. Section 152 of the Atomic Energy Act of 1954 is amended by striking out the word "allowances" in the first paragraph thereof and substituting therefor the word "allowance".

SEC. 12. Subsection 161n. of the Atomic Energy Act of 1954 is amended by striking out the words "145e." and substituting therefor the words "145f."

Approved August 29, 1962.

71 Stat. 274.
42 USC 2017.

Appropriation.

68 Stat. 939.
42 USC 2139.

75 Stat. 476.
42 USC 2165.

72 Stat. 337.
42 USC 2201.

Public Law 87-616

AN ACT

To authorize the payment of the balance of awards for war damage compensation made by the Philippine War Damage Commission under the terms of the Philippine Rehabilitation Act of April 30, 1946, and to authorize the appropriation of \$73,000,000 for that purpose.

August 30, 1962
[H. R. 11721]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Foreign Claims Settlement Commission (hereafter in this Act referred to as the "Commission") shall provide, out of funds appropriated pursuant to this Act, for the payment of the unpaid balance of awards heretofore made by the Philippine War Damage Commission under title I of the Philippine Rehabilitation Act of 1946. No payment shall be made under this Act to any person, or to his successors in interest, on account of any award unless payment was made on such award under the Philippine Rehabilitation Act of 1946, and the maximum amount paid under this Act, when added to amounts paid under the Philippine

Foreign Claims
Settlement Com-
mission.

Payment of bal-
ance of awards
to Philippines.

60 Stat. 128.
50 USC app.
1751 note.

62 Stat. 1245;
66 Stat. 48;
70 Stat. 1063.
50 USC app.
2006.

Publication in
F. R.

Rehabilitation Act of 1946 and section 7 of the War Claims Act of 1948 on account of any claim shall not exceed the aggregate amount of claims approved in favor of such claimant after reduction under the last proviso of section 102(a) of the Philippine Rehabilitation Act of 1946. All payments under this Act in amounts over 25,000 pesos or equivalent value in dollars shall be subject to the provisions of section 104(c) of the Philippine Rehabilitation Act of 1946.

SEC. 2. Within sixty days after the enactment of this Act, or of legislation appropriating for administration expenses incurred in carrying out this Act, whichever is later, the Commission shall prescribe and publish in the Federal Register and give appropriate publicity in the Republic of the Philippines concerning the period, not in excess of twelve additional months, within which application must be filed under this Act. The Commission shall complete its determination and take final action with respect to applications filed under this Act not later than one year after the last date on which applications may be filed.

SEC. 3. The Commission shall give maximum publicity in the Republic of the Philippines to the provisions of this Act, and through utilization of the records of the former Philippine War Damage Commission shall attempt to notify individual claimants of their right to file applications for payment under this Act, by mailing notice thereof to the last known address of such claimants as shown by such records.

SEC. 4. The Commission shall notify all applicants of the approval or denial of their applications and, if approved, shall notify such applicants of the amount for which such applications are approved. Any applicant whose application is denied, or is approved for less than the amount of such application, shall be entitled, under such regulations as the Commission may prescribe, to a hearing before the Commission or its representative with respect to such application. Upon such hearing, the Commission may affirm, modify, or reverse its former action with respect to such application, including a denial or reduction in the amount of award theretofore approved. All findings of the Commission concerning the persons to whom compensation pursuant to this Act is payable, and the amounts thereof, shall be conclusive and not be reviewable by any court.

SEC. 5. (a) Each award made under this Act shall be certified to the Secretary of the Treasury in terms of United States currency on the basis of the rate of exchange (that is, P/2 equals \$1) which was applied in the Philippine Rehabilitation Act of 1946, for payment out of sums appropriated pursuant to section 8 of this Act. Such payments shall be made in accordance with such regulations as the Secretary of the Treasury may prescribe. Payments authorized under this Act shall be made in United States dollars or in Philippine pesos at the option of the Secretary of the Treasury; however, notwithstanding the last sentence of the first section of this Act, payment shall not be made outside of the Republic of the Philippines to any claimant residing outside the Republic of the Philippines unless he establishes to the satisfaction of the Commission that since the date of the loss or damage on account of which the original award was made he has heretofore invested in such manner as furthered the rehabilitation or economic development of the Philippines an amount not less than the claims approved in his favor after reduction under the last proviso of section 102(a) of the Philippine Rehabilitation Act of 1946. After all approved claims have been paid up to the maximum permitted, the balance of the appropriation shall revert to the United States Treasury. Payment shall not be made under this Act on any claim filed under the Philippine Rehabilitation Act of 1946 or under this Act which was acquired from a predecessor in interest by purchase,

60 Stat. 129.
50 USC app.
1751 note.

except where such purchase was in the ordinary course of business in connection with the acquisition of all assets of a business firm.

(b) Such of the records of the Philippine War Damage Commission as the Foreign Claims Settlement Commission may deem necessary for carrying out its functions under this Act shall be transferred to the Foreign Claims Settlement Commission.

SEC. 6. The total remuneration on account of services rendered or to be rendered to or on behalf of any applicant in connection with any application filed under this Act shall not exceed 5 per centum of the amount paid by the Commission on account of such application. Any agreement to the contrary shall be unlawful and void. Whoever, subject to the jurisdiction of the United States, violates this section shall be fined not more than \$5,000 or imprisoned for not more than one year, or both. Where any payment is made in violation of this section, the Commission shall take such action as may be appropriate to recover the same.

SEC. 7. For the purposes of carrying out this Act, the following provisions of the International Claims Settlement Act of 1949 shall, to the extent not inconsistent with this Act, be applicable in the administration of this Act: Subsections (c), (d), (e), and (i) of section 4; subsections (d) and (e) of section 7; and subsection (c) of section 7 except that with respect to applicants not subject to the jurisdiction of the United States, references in such subsection (c) to the Comptroller General of the United States shall be deemed to refer to the Secretary of the Treasury.

64 Stat. 13.
22 USC 1623.
22 USC 1626.

SEC. 8. There is authorized to be appropriated not more than \$73,000,000 to make payments on awards certified pursuant to this Act, plus such additional sums as may be necessary for the administrative expenses of the Commission and of the Secretary of the Treasury in carrying out this Act.

Appropriation.

Approved August 30, 1962, 9:50 a.m.

Public Law 87-617

AN ACT

To amend section 5 of the War Claims Act of 1948 to provide detention and other benefits thereunder to certain Guamanians killed or captured by the Japanese at Wake Island.

August 31, 1962
[S. 2256]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 5 of the War Claims Act of 1948 is amended by adding at the end thereof the following new subsection:

“(h) In the case of any Guamanian killed or captured by the Imperial Japanese Government on or after December 7, 1941, at Wake Island, benefits shall be granted under subsections (a) through (f) of this section in the same manner and to the same extent as apply in the case of civilian American citizens so killed or captured. Claims for benefits under subsections (a) through (e) of this section must be filed within six months after the date of enactment of this subsection, and the time limitation applicable to any individual by subsection (f) shall not begin to run until the date of enactment of this subsection, with respect to any individual who is entitled to such benefits solely by reason of this subsection. The preceding sentence shall not be construed to affect the right of any individual to receive such benefits with respect to any period prior to the date of enactment of this subsection.”

Guamanians.
Benefits under
War Claims Act of
1948.
62 Stat. 1242;
68 Stat. 759.
50 USC app.
2004.

Approved August 31, 1962.