

is under a legal disability, payment shall be made to his legal representative, except that if any payment to be made is not over \$1,000 and there is no qualified executor or administrator, payment may be made to the person or persons found by the Secretary of the Treasury to be entitled thereto, without the necessity of compliance with the requirements of law with respect to the administration of estates.

(e) Partial payment; extinguishment of rights

Payment on account of any award pursuant to this subchapter shall not, unless such payment is for the full amount of the award, extinguish any rights against any foreign government for the unpaid balance of the award.

(f) Losses occurring in Commonwealth of the Philippines

Payments made under this section on account of any award for loss, damage, or destruction occurring in the Commonwealth of the Philippines shall not exceed the amount paid on account of awards in the same amount under the Philippine Rehabilitation Act of 1946.¹

(July 3, 1948, ch. 826, title II, §213, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1111; amended Pub. L. 91-571, §1(a), Dec. 24, 1970, 84 Stat. 1503; Pub. L. 104-316, title I, §128(b), Oct. 19, 1996, 110 Stat. 3841.)

Editorial Notes

REFERENCES IN TEXT

The Small Business Act, as amended, referred to in subsec. (a)(1), is Pub. L. 85-536, §2(1 et seq.), July 18, 1958, 72 Stat. 384, which is classified generally to chapter 14A (§631 et seq.) of Title 15, Commerce and Trade. For complete classification of this Act to the Code, see Short Title note set out under section 631 of Title 15 and Tables.

The Philippine Rehabilitation Act of 1946, referred to in subsec. (f), 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 2017 of the former Appendix to this title prior to editorial reclassification and renumbering as this section.

AMENDMENTS

1996—Subsec. (d). Pub. L. 104-316 substituted “Secretary of the Treasury” for “Comptroller General”.

1970—Subsec. (a)(1). Pub. L. 91-571, §1(a)(1), included payment to any claimant determined by Commission to have been, on date of loss, damage, or destruction, a nonprofit organization operated exclusively for promotion of social welfare, religious, charitable, or educational purposes.

Subsec. (a)(3), (4). Pub. L. 91-571, §1(a)(2), added par. (3) and redesignated former par. (3) as (4).

Statutory Notes and Related Subsidiaries

PROTEST RELATING TO AWARDS BY COMMISSION; NOTICE BY PUBLICATION IN FEDERAL REGISTER

Notwithstanding the provisions of sections 4140 and 4141 of this title receipt and consideration of filed and published protests relating to awards made by the Foreign Claims Settlement Commission which result in

¹ See References in Text note below.

modification of such awards shall be certified and paid by the Secretary of the Treasury out of the War Claims Fund in accordance with this section. See section 615 of Act Mar. 10, 1950, ch. 54, as added by Pub. L. 94-542, Oct. 18, 1976, 90 Stat. 2512, set out as a note under section 1623 of Title 22, Foreign Relations and Intercourse.

RECERTIFICATION OF CERTAIN AWARDS

Pub. L. 91-571, §1(b), Dec. 24, 1970, 84 Stat. 1503, provided that: “The Foreign Claims Settlement Commission is authorized to recertify to the Secretary of the Treasury each award which has been certified before the date of enactment of this Act [Dec. 24, 1970] pursuant to title II of the War Claims Act of 1948, as added by the Act of October 22, 1962 (76 Stat. 1107) [50 U.S.C. 4131 et seq.], but which as of the date of enactment of this Act has not been paid in full, in such manner as it may determine to be required to give effect to the amendments made by this Act [amending this section] to the same extent and with the same effect as if such amendments had taken effect on October 22, 1962.”

§ 4144. Fees of attorneys and agents

No remuneration on account of services rendered on behalf of any claimant in connection with any claim filed with the Commission under this subchapter shall exceed 10 per centum (or such lesser per centum as may be fixed by the Commission with respect to any class of claims) of the total amount paid pursuant to any award certified under the provisions of this subchapter on account of such claim. Any agreement to the contrary shall be unlawful and void. Whoever, in the United States or elsewhere, demands or receives, on account of services so rendered, any remuneration in excess of the maximum permitted by this section shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$5,000 or imprisoned not more than twelve months, or both.

(July 3, 1948, ch. 826, title II, §214, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1112.)

Editorial Notes

CODIFICATION

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

§ 4145. Application of other laws

To the extent they are not inconsistent with the provisions of this subchapter, the following provisions of subchapter I and title I of the International Claims Settlement Act of 1949, as amended [22 U.S.C. 1621 et seq.], shall apply to this subchapter: The first sentence of subsection (b) of section 4101 of this title, all of subsection (c) of section 4101 of this title and section 4109 of this title, and subsections (c), (d), (e), and (f) of section 7 of the International Claims Settlement Act of 1949, as amended [22 U.S.C. 1626].

(July 3, 1948, ch. 826, title II, §215, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1112.)

Editorial Notes

REFERENCES IN TEXT

Subchapter I, referred to in text, was in the original “title I of this Act”, meaning title I of act July 3, 1948, ch. 826, 62 Stat. 1240, which is classified principally to subchapter I (§4101 et seq.) of this chapter. For complete classification of title I to the Code, see Tables.

The International Claims Settlement Act of 1949, referred to in text, is act Mar. 10, 1950, ch. 54, 64 Stat. 12. Title I of the Act is classified generally to subchapter I (§1621 et seq.) of chapter 21 of Title 22, Foreign Relations and Intercourse. For complete classification of this Act to the Code, see Short Title note set out under section 1621 of Title 22 and Tables.

CODIFICATION

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

§ 4146. Transfer of records

The Secretary of State is authorized and directed to transfer or otherwise make available to the Commission such records and documents relating to claims authorized by this subchapter as may be required by the Commission in carrying out its functions under this subchapter.

(July 3, 1948, ch. 826, title II, §216, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1113.)

Editorial Notes

CODIFICATION

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

§ 4147. Administrative expenses

There are authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated such sums as may be necessary (but not to exceed the total covered into the Treasury to the credit of miscellaneous receipts under section 4336(d)¹ of this title) to enable the Commission and the Treasury Department to pay their administrative expenses in carrying out their respective functions under this subchapter.

(July 3, 1948, ch. 826, title II, §217, as added Pub. L. 87-846, title I, §103, Oct. 22, 1962, 76 Stat. 1113.)

Editorial Notes

REFERENCES IN TEXT

Section 4336(d) of this title, referred to in text, authorized Attorney General to cover into the Treasury certain sums for deposit into War Claims Fund, prior to repeal by Pub. L. 100-418, title II, §2501(a)(1), Aug. 23, 1988, 102 Stat. 1371. See section 4336(b) of this title.

CODIFICATION

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

CHAPTER 52—RESTITUTION FOR WORLD WAR II INTERNMENT OF JAPANESE-AMERICANS AND ALEUTS

Sec.

4201. Purposes.
4202. Statement of the Congress.

SUBCHAPTER I—UNITED STATES CITIZENS OF JAPANESE ANCESTRY AND RESIDENT JAPANESE ALIENS

4211. Short title.
4212. Remedies with respect to criminal convictions.

Sec.

4213. Consideration of Commission findings by departments and agencies.
4214. Trust Fund.
4215. Restitution.
4216. Board of Directors of the Fund.
4217. Documents relating to the internment.
4218. Definitions.
4219. Compliance with Budget Act.
4220. Entitlements to eligible individuals.

SUBCHAPTER II—ALEUTIAN AND PRIBILOF ISLANDS RESTITUTION

4231. Short title.
4232. Definitions.
4233. Aleutian and Pribilof Islands Restitution Fund.
4234. Appointment of Administrator.
4235. Compensation for community losses.
4236. Individual compensation of eligible Aleuts.
4237. Attu Island restitution program.
4238. Compliance with Budget Act.
4239. Severability.

SUBCHAPTER III—TERRITORY OR PROPERTY CLAIMS AGAINST UNITED STATES

4251. Exclusion of claims.

Editorial Notes

CODIFICATION

Pub. L. 100-383, Aug. 10, 1988, 102 Stat. 903, 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.

§ 4201. Purposes

The purposes of this chapter are to—

(1) acknowledge the fundamental injustice of the evacuation, relocation, and internment of United States citizens and permanent resident aliens of Japanese ancestry during World War II;

(2) apologize on behalf of the people of the United States for the evacuation, relocation, and internment of such citizens and permanent resident aliens;

(3) provide for a public education fund to finance efforts to inform the public about the internment of such individuals so as to prevent the recurrence of any similar event;

(4) make restitution to those individuals of Japanese ancestry who were interned;

(5) make restitution to Aleut residents of the Pribilof Islands and the Aleutian Islands west of Unimak Island, in settlement of United States obligations in equity and at law, for—

(A) injustices suffered and unreasonable hardships endured while those Aleut residents were under United States control during World War II;

(B) personal property taken or destroyed by United States forces during World War II;

(C) community property, including community church property, taken or destroyed by United States forces during World War II; and

(D) traditional village lands on Attu Island not rehabilitated after World War II for Aleut occupation or other productive use;

(6) discourage the occurrence of similar injustices and violations of civil liberties in the future; and

¹ See References in Text note below.