

section 202 [section 2017a of this Appendix] in an amount which shall be the same for each award or in the amount of the award, whichever is less. The total payment made pursuant to this paragraph on account of any award shall not exceed \$10,000.

(3) Thereafter, payments from time to time on account of the other awards made to individuals and corporations pursuant to section 202 [section 2017a of this Appendix] and not compensated in full under paragraph (1) or (2) of this subsection in an amount which shall be the same for each award or in the amount of the award, whichever is less. The total payment pursuant to this paragraph on account of any award shall not exceed \$35,000.

(4) Thereafter, payments from time to time on account of the unpaid balance of each remaining award made pursuant to section 202 [section 2017a of this Appendix] or recertified pursuant to subsection (b) of section 209 [section 2017h of this Appendix] which shall bear to such unpaid balance the same proportion as the total amount in the War Claims Fund and available for distribution at the time such payments are made bears to the aggregate unpaid balances of all such awards. No payment made pursuant to this paragraph on account of any award shall exceed the unpaid balance of such award. Payments heretofore made under section 310 of title III of the International Claims Settlement Act of 1949, as amended [22 U.S.C. 1641i], on awards made against the Government of Hungary under section 303(1) of title III of the International Claims Settlement Act of 1949, as amended [22 U.S.C. 1641b(1)], and recertified under subsection (b) of section 209 [section 2017h(b) of this Appendix], shall be considered as payments under this paragraph and no payment shall be made on any recertified award until the percentage of distribution on awards made under section 202 [section 2017a of this Appendix] exceeds the corresponding percentage of distribution on such recertified award: *Provided*, That no payment made on awards recertified under subsection (b) of section 209 [section 2017h(b) of this Appendix] shall exceed 40 per centum of the amount of the award recertified.

(b) Such payments, and applications for such payments, shall be made in accordance with such regulations as the Secretary of the Treasury shall prescribe.

(c) For the purpose of making any such payments, other than under section 213(a)(1) [subsec. (a)(1) of this section], an “award” shall be deemed to mean the aggregate of all awards certified for payment in favor of the same claimant.

(d) If any person to whom any payment is to be made pursuant to this title [sections 2017 to 2017p of this Appendix] is deceased or 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) Payment on account of any award pursuant to this title [sections 2017 to 2017p of this Appen-

dix] 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) 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 [sections 1751 to 1806 of this Appendix].

(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.)

#### REFERENCES IN TEXT

The Small Business Act, as amended, referred to in subsec. (a)(1), is Pub. L. 85-536, July 18, 1958, 72 Stat. 384, as amended, 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.

#### 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).

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

Notwithstanding the provisions of sections 2017i and 2017j of this Appendix receipt and consideration of filed and published protests relating to awards made by the Foreign Claims Settlement Commission which result in 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

Section 1(b) of Pub. L. 91-571 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) [sections 2017 to 2017p of this Appendix], 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.”

#### § 2017m. 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 title [sections 2017 to 2017p of this Appendix] 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 title [said sections] 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.)

#### § 2017n. Application of other laws

To the extent they are not inconsistent with the provisions of this title [sections 2017 to 2017p of this Appendix], the following provisions of title I of this Act [sections 2001 to 2016 of this Appendix] and title I of the International Claims Settlement Act of 1949, as amended [22 U.S.C. 1621 et seq.], shall apply to this title [sections 2017 to 2017p of this Appendix]: The first sentence of subsection (b) of section 2 [section 2001 of this Appendix], all of subsection (c) of section 2 [section 2001 of this Appendix] and section 11 [section 2010 of this Appendix] of title I of this Act, 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.)

#### REFERENCES IN TEXT

The International Claims Settlement Act of 1949, as amended, referred to in text, is act Mar. 10, 1950, ch. 54, 64 Stat. 12, as amended. Title I of that 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.

#### § 2017o. 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 title [sections 2017 to 2017p of this Appendix] as may be required by the Commission in carrying out its functions under this title [said sections].

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

#### § 2017p. 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 39 subsection (d)<sup>1</sup> of the Trading With the Enemy Act [section 39(d) of this Appendix]) to enable the Commission and the Treasury Department to pay their administrative expenses in carrying out their respective functions under this title [sections 2017 to 2017p of this Appendix].

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

<sup>1</sup> See References in Text note below.

#### REFERENCES IN TEXT

Section 39 subsection (d) of the Trading With the Enemy Act, referred to in text, was repealed by Pub. L. 100-418, title II, §2501(a)(1), Aug. 23, 1988, 102 Stat. 1371.

### MICRONESIAN WAR AND POSTWAR CLAIMS

PUB. L. 92-39, JULY 1, 1971, 85 STAT. 92

#### §§ 2018 to 2020b. Omitted

#### CODIFICATION

Sections 2018 to 2020b terminated Aug. 3, 1976, pursuant to section 2019b of this Appendix.

Section 2018, Pub. L. 92-39, §1, July 1, 1971, 85 Stat. 92, provided that sections 2018 to 2020b of this Appendix were to be cited as the Micronesian Claims Act of 1971.

Section 2019, Pub. L. 92-39, title I, §101, July 1, 1971, 85 Stat. 92; Pub. L. 93-131, §1, Oct. 19, 1973, 87 Stat. 460, related to purpose of sections 2019 to 2019e of this Appendix to implement an ex gratia contribution by the United States to meritorious Micronesian war claimants inhabiting the Trust Territory of Pacific Islands.

Section 2019a, Pub. L. 92-39, title I, §102, July 1, 1971, 85 Stat. 93, authorized appropriations for purposes of sections 2018 to 2020b of this Appendix and authorized the establishment and management of a Micronesian Claims Fund.

Section 2019b, Pub. L. 92-39, title I, §103, July 1, 1971, 85 Stat. 93, established Micronesian Claims Commission, provided for compensation and allowances of its members, authorized prescription of rules and regulations by Commission, and provided that Commission was to wind up its affairs no later than three years after expiration of time for filing claims under sections 2018 to 2020b of this Appendix. The Commission terminated on Aug. 3, 1976.

Section 2019c, Pub. L. 92-39, title I, §104, July 1, 1971, 85 Stat. 94; Pub. L. 93-131, §2, Oct. 19, 1973, 87 Stat. 461, related to powers of Commission.

Section 2019d, Pub. L. 92-39, title I, §105, July 1, 1971, 85 Stat. 95, authorized appropriations necessary for operational and administrative expenses of Foreign Claims Settlement Commission and Micronesian Claims Commission in carrying out the purposes of sections 2018 to 2020b of this Appendix.

Section 2019e, Pub. L. 92-39, title I, §106, July 1, 1971, 85 Stat. 95, related to remuneration limitation for filing services and prescribed penalties for violations of sections 2018 to 2020b of this Appendix.

Section 2020, Pub. L. 92-39, title II, §201, July 1, 1971, 85 Stat. 96, authorized Commission to determine personal or property loss claims against United States by Micronesian inhabitants and provided that administrative settlements by Commission were to be final and conclusive.

Section 2020a, Pub. L. 92-39, title II, §202, July 1, 1971, 85 Stat. 96, authorized appropriations for making payments to extent authorized by sections 2020 to 2020b of this Appendix.

Section 2020b, Pub. L. 92-39, title II, §203, July 1, 1971, 85 Stat. 96, authorized transfer of any funds remaining after settlement of claims under sections 2020 to 2020b of this Appendix to Treasury of United States.

### EXPORT CONTROLS

ACT FEB. 26, 1949, CH. 11, 63 STAT. 7

#### §§ 2021 to 2032. Omitted

#### CODIFICATION

Sections 2021 to 2032 terminated pursuant to section 2032 of this Appendix. See section 2401 et seq. of this Appendix.

Section 1, in part, of act Feb. 26, 1949, ch. 11, 63 Stat. 7, as amended, provided that act Feb. 26, 1949, may be cited as the Export Control Act of 1949.

Section 2021, acts Feb. 26, 1949, ch. 11, §1(a), (b), 63 Stat. 7; July 1, 1962, Pub. L. 87-515, §2, 76 Stat. 127, set out Congressional findings.