

Public Law 744

CHAPTER 1162

AN ACT

August 31, 1954
[S. 541]

To extend benefits under the War Claims Act of 1948 to certain classes of persons, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "War Claims Act Amendments of 1954".

War Claims Act
Amendments of
1954.

TITLE I

SEC. 101. (a) Clause (2) of subsection (a) of section 5 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2004), is hereby amended by striking out "(A) a person within the purview of the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', approved September 7, 1916, as amended, and as extended; or (B) a person within the purview 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; or (C) a person within the purview of the Missing Persons Act of March 7, 1942 (56 Stat. 143), as amended; or (D)".

Detention bene-
fits.
62 Stat. 1242.39 Stat. 742.
5 USC 751 note.56 Stat. 1028.
42 USC 1701-
1717, 1651.
50 USC app. 1001
note.

(b) Paragraph (3) of subsection (f) of such section is hereby amended to read as follows:

"(3) The following provisions of such Act of December 2, 1942, as amended, shall not apply in the case of such civilian American citizens: The last sentence of section 101 (a), section 101 (b), section 101 (d), section 104, and section 105."

42 USC 1701,
1704, 1705.

(c) Such subsection (f) is hereby further amended by adding at the end thereof the following new paragraphs:

"(10) No benefits provided by this subsection for injury, disability, or death shall accrue to any person who, without regard to this subsection, is entitled to or has received benefits for the same injury, disability, or death under such Act of December 2, 1942, as amended.

"(11) No benefits provided by this subsection shall accrue to any person to whom benefits have been paid, or are payable, under the Federal Employees' Compensation Act, or any extension thereof, by reason of disability or death of an employee of the United States suffered after capture, detention, or other restraint by an enemy of the United States, when such disability or death is deemed, in the administration of the Federal Employees' Compensation Act, to have resulted from injury occurring while in the performance of duty, under subsection (b) of section 5 of the Act entitled 'An Act to amend the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", as amended', approved July 28, 1945, as amended."

39 Stat. 742.
5 USC 751 note.59 Stat. 505.
5 USC 801.

(d) The second proviso of subsection (b) of section 5 of the Act entitled "An Act to amend the Act entitled 'An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes', as amended", approved July 28, 1945, is hereby amended by inserting immediately after "gratuity from the United States" the following: "(other than detention benefits under section 5 of the War Claims Act of 1948)".

50 USC app.
2004.

(e) (1) Individuals entitled to benefits under subsections (b), (c), or (d) of section 5 of the War Claims Act of 1948, as amended, solely by reason of the amendments made by this Act, must file claim therefor within one year after the date of enactment of this Act.

Filing date.

(2) The time limitations applicable to the filing of claims for benefits extended and made applicable to any individual by subsection (f) of such section 5 shall not begin to run until the date of enactment of this Act with respect to any individual who is entitled to such benefits solely by reason of the amendments made by this Act. This paragraph 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 Act.

50 USC app. 2004.

Heirs.

62 Stat. 1242; 66 Stat. 47.
50 USC app. 2004, 2005.

SEC. 102. (a) (1) Subsection (d) of section 5 of the War Claims Act of 1948, as amended; subsection (c) of section 6 of such Act; and paragraph (4) of subsection (d) of such section 6, are each hereby amended by striking out "dependent" each time it occurs.

(2) Subsection (d) of section 5 of the War Claims Act of 1948, as amended, is amended by striking out "and" at the end of clause (2), striking out the period at the end of clause (3) and inserting in lieu thereof: "; and", and by adding at the end thereof the following new clause:

"(4) Parents (in equal shares) if there is no husband, or child."

(b) The amendments made by this section shall not apply with respect to benefits paid prior to the date of enactment of this Act.

(c) Individuals entitled to benefits solely by reason of the amendments made by this section must file claim therefor within one year after the date of enactment of this Act.

Filing date.

50 USC app. 2001 note.

U. S. citizens in allied forces.

SEC. 103. The War Claims Act of 1948, as amended, is hereby further amended by adding at the end thereof the following:

"SEC. 15. (a) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim for compensation filed by or on behalf of any individual who, being then an American citizen, served in the military or naval forces of any government allied with the United States during World War II who was held as a prisoner of war for any period of time subsequent to December 7, 1941, by any government of any nation with which such allied government has been at war subsequent to such date. Compensation shall be payable under this section in accordance with the standards established by, and at the rates prescribed in, subsection (b) of section 6 of this Act, and paragraphs (2) and (3) of subsection (d) of such section 6.

"(b) The amount payable under this section shall be reduced by such sum as the individual entitled to compensation under this section has received or is entitled to receive from any government by reason of the same detention.

"(c) In the event of death of the individual entitled to compensation under this section, payment may be made to the persons specified in paragraph (4) of subsection (d) of section 6 of this Act.

"(d) Claims for benefits under this section must be filed within one year after the date of enactment of this section.

"(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act.

50 USC app. 2005.
Filing date.

50 USC app. 2012.
Merchant seamen.

"SEC. 16. (a) As used in this section, the term 'merchant seaman' means any individual who was employed as a seaman or crew member on any vessel registered under the laws of the United States, or under the laws of any government friendly to the United States during World War II, and who was a citizen of the United States on and after December 7, 1941, to the date of his death or the date of filing claim under this section; except any such individual who is entitled to, or who has received, benefits under section 5 of this Act as a 'civilian American citizen'.

50 USC app. 2004.

“(b) The Commission is authorized to receive and determine, according to law, the amount and validity, and provide for the payment of any claim for detention benefits filed by or on behalf of any merchant seaman who, being then a merchant seaman, was captured or interned or held by the Government of Germany or the Imperial Japanese Government, its agents or instrumentalities in World War II for any period of time subsequent to December 7, 1941, during which he was held by either such government as a prisoner, internee, hostage, or in any other capacity. Detention benefits shall be paid under this section at the rates prescribed and in the manner provided in subsections (c) and (d) of section 5 of this Act.

“(c) Payment of any claim filed under this section shall not be made to any merchant seaman, or to any survivor or survivors thereof, who, voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.

“(d) Claims for benefits under this section must be filed within one year after the date of enactment of this section.

“(e) Any claim allowed under the provisions of this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established by section 13 of this Act.

“SEC. 17. (a) (1) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by—

“(A) any individual who—

“(i) on or after December 7, 1941, was a member of the military or naval forces of the United States;

“(ii) is the survivor of any deceased individual described in subparagraph (i);

“(iii) was a national of the United States on December 7, 1941, and is a national of the United States on the date of enactment of this section; or

“(iv) is the survivor of any deceased individual who was a national of the United States on December 7, 1941, and would be a national of the United States on the date of enactment of this section if living; or

“(B) any partnership, firm, corporation, or other legal entity, in which more than 50 per centum of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of enactment of this section, in individuals referred to in subparagraph (A) of this paragraph;

for losses arising as a result of the sequestration of accounts, deposits, or other credits of such individual or legal entity in the Philippines by the Imperial Japanese Government.

“(2) The Commission is authorized to receive and to determine, according to law, the amount and validity, and provide for the payment of any claim filed by any bank or other financial institution doing business in the Philippines which reestablished sequestered accounts, deposits, or other credits of—

“(A) any individual referred to in subparagraph (A) of paragraph (1) of this subsection; or

“(B) any partnership, firm, corporation, or other legal entity, in which more than 50 per centum of the ownership was vested, directly or indirectly, both on December 7, 1941, and on the date of reestablishment of such sequestered credits, in individuals referred to in such subparagraph (A);

for reimbursement of the amounts of such sequestered credits paid by such bank or financial institution.

50 USC app.
2004.

Filing date.

50 USC app.
2012.
Philippines.
Losses from
sequestered cred-
its.

- Filing date.** “(b) Claims must be filed under this section within one year after the date of enactment of this section.
- Legal disability or death.** “(c) Where any individual entitled to payment under this section is under any legal disability, payment may be made in accordance with the provisions of subsection (e) of section 5 of this Act. In the case of the death of any individual entitled to payment of any claim under this section, payment of such claim shall be made to the individuals specified, and in the order provided, in subsection (d) of section 6 of this Act; except that no payment shall be made under this section to any individual who voluntarily, knowingly, and without duress, gave aid to or collaborated with or in any manner served any government hostile to the United States during World War II.
- 50 USC app. 2004(e).**
- 50 USC app. 2005(d).**
- Payment of claims.** “(d) Each claim allowed under this section shall be certified to the Secretary of the Treasury for payment out of the War Claims Fund established under section 13 of this Act. The Secretary of the Treasury shall pay such claims as follows:
- 50 USC app. 2012.**
- “(1) In the case of each claim allowed in an amount equal to or less than \$500, such claim shall be paid in full; and
- “(2) In the case of each claim allowed in an amount greater than \$500, such claim shall be paid in two installments. The first installment shall be paid in an amount equal to \$500 plus 66⅔ per centum of the amount of such claim allowed in excess of \$500. The last installment shall be computed as of September 1, 1956, under the next sentence of this paragraph, and, as so computed, shall be paid from the sums remaining in the War Claims Fund on that date. If the sums remaining in the War Claims Fund on September 1, 1956, are sufficient to satisfy all claims allowed under this section and not paid in full, the unpaid portion of each such claim shall be paid in full; if the sums remaining in the War Claims Fund on September 1, 1956, are not sufficient to satisfy all claims allowed under this section and not paid in full, the last installment payable on each such claim shall be reduced ratably, and, as so reduced, shall be paid from the War Claims Fund.
- Estimates and transfers of funds.** SEC. 104. (a) Section 13 of the War Claims Act of 1948, as amended (50 App. U. S. C., sec. 2012), is hereby amended by striking out subsections (b) and (c) thereof, and by inserting immediately after subsection (a) thereof the following:
- 62 Stat. 1247.**
- “(b) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all benefits payable by reason of section 5 (f) of this Act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September 1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection.
- 50 USC app. 2004(f).**
- “(c) Before August 1, 1956, the Secretary of Labor shall estimate and report to the President the total amount which will be required to pay all additional benefits payable as a result of the enactment of section 4 (c) of this Act. If the President approves the amount so estimated as reasonably accurate, the total amount so estimated and approved shall be certified to the Secretary of the Treasury; if the President does not so approve, he shall determine such amount, and the amount so determined shall be certified to the Secretary of the Treasury. Such certification shall be made on or before September

1, 1956. The Secretary of the Treasury shall then transfer from the War Claims Fund to the general fund of the Treasury a sum equal to the total amount certified to him under this subsection."

(b) Subsection (d) of such section 13 is hereby amended by striking out "The Secretary of State" and inserting in lieu thereof the following: "On or before August 1, 1956, the Secretary of State".

SEC. 105. Within two years after the date of enactment of this Act, the Foreign Claims Settlement Commission of the United States shall wind up its affairs in connection with the settlement of all claims for benefits authorized by the amendments made by this Act.

Time limit for claims settlement.

TITLE II

SEC. 201. As used in this title—

Definitions.

(a) The term "prisoner of war" has the meaning assigned to it by section 6 of the War Claims Act of 1948, as amended; and

(b) The term "civilian American citizen" has the meaning assigned to it by subsection (a) of section 5 of such Act.

Study of effects of malnutrition, etc.

SEC. 202. The Secretary of Health, Education, and Welfare, in cooperation with, and with the assistance of, the Administrator of Veterans' Affairs, the Secretary of Labor, and the Secretary of Defense, shall conduct a study of—

(1) the mortality rates among prisoners of war and civilian American citizens, with a view to determining whether their abnormally high mortality rate is directly attributable to the malnutrition and other hardships suffered by them while held as prisoners of war, hostages, internees, or in any other capacity;

(2) the mental and physical consequences of the malnutrition and other hardships suffered by prisoners of war and civilian American citizens while so held; and

(3) the procedures and standards which should be applied in the diagnosis of the mental and physical condition of prisoners of war and civilian American citizens.

Report.

SEC. 203. Not later than one year after the date of enactment of this title, the Secretary of Health, Education, and Welfare shall report the results of such study to the President for transmittal to the Congress.

Approved August 31, 1954.

Public Law 745

CHAPTER 1163

AN ACT

To facilitate the acquisition of non-Federal land within the existing boundaries of any National Park, and for other purposes.

August 31, 1954 [H. R. 6814]

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That, in order to consolidate Federal land ownership within the existing boundaries of any National Park and to encourage the donation of funds for that purpose, the Secretary of the Interior is authorized to accept and to use in his discretion funds which may be donated subject to the condition that such donated funds are to be expended for purposes of this Act by the Secretary only if Federal funds in an amount equal to the amount of such donated funds are appropriated for the purposes of this Act. There are authorized to be appropriated such funds as may be necessary to match funds that may be donated for such purposes: *Provided*, That the amount which may be appropriated annually for purposes of this Act shall be limited to \$500,000.

National parks. Donated funds for land acquisition.

Appropriation.

Approved August 31, 1954.