

§ 1304. Judgments, awards, and compromise settlements

(a) Necessary amounts are appropriated to pay final judgments, awards, compromise settlements, and interest and costs specified in the judgments or otherwise authorized by law when—

- (1) payment is not otherwise provided for;
- (2) payment is certified by the Secretary of the Treasury; and
- (3) the judgment, award, or settlement is payable—

(A) under section 2414, 2517, 2672, or 2677 of title 28;

(B) under section 3723 of this title;

(C) under a decision of a board of contract appeals; or

(D) in excess of an amount payable from the appropriations of an agency for a meritorious claim under section 2733 or 2734 of title 10, section 715 of title 32, or section 20113 of title 51.

(b)(1) Interest may be paid from the appropriation made by this section—

(A) on a judgment of a district court, only when the judgment becomes final after review on appeal or petition by the United States Government, and then only from the date of filing of the transcript of the judgment with the Secretary of the Treasury through the day before the date of the mandate of affirmance; or

(B) on a judgment of the Court of Appeals for the Federal Circuit or the United States Court of Federal Claims under section 2516(b) of title 28, only from the date of filing of the transcript of the judgment with the Secretary of the Treasury through the day before the date of the mandate of affirmance.

(2) Interest payable under this subsection in a proceeding reviewed by the Supreme Court is not allowed after the end of the term in which the judgment is affirmed.

(c)(1) A judgment or compromise settlement against the Government shall be paid under this section and sections 2414, 2517, and 2518¹ of title 28 when the judgment or settlement arises out of an express or implied contract made by—

- (A) the Army and Air Force Exchange Service;
- (B) the Navy Exchanges;
- (C) the Marine Corps Exchanges;
- (D) the Coast Guard Exchanges; or
- (E) the Exchange Councils of the National Aeronautics and Space Administration.

(2) The Exchange making the contract shall reimburse the Government for the amount paid by the Government.

(Pub. L. 97-258, §§1, 2(m)(2), Sept. 13, 1982, 96 Stat. 917, 1062; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 104-316, title II, §202(m), Oct. 19, 1996, 110 Stat. 3843; Pub. L. 111-314, §4(b), Dec. 18, 2010, 124 Stat. 3440.)

¹ See References in Text note below.

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1304(a)	31:724a(1st sentence words before 1st proviso).	July 27, 1956, ch. 748, §1302(1st sentence), 70 Stat. 694; Aug. 30, 1961, Pub. L. 87-187, §3, 75 Stat. 416; July 18, 1966, Pub. L. 89-506, §6, 80 Stat. 307; July 23, 1970, Pub. L. 91-350, §1(c), 84 Stat. 449; restated May 4, 1977, Pub. L. 95-26, §101(2d par. under heading "Claims and Judgments"), 91 Stat. 96; Mar. 7, 1978, Pub. L. 95-240, §201, 92 Stat. 116; Nov. 1, 1978, Pub. L. 95-563, §14(c), 92 Stat. 2390; Apr. 2, 1982, Pub. L. 97-164, title I, §155, title III, §302(c), 96 Stat. 47, 56.
1304(b)	28:2516(b)(less 1st sentence words after last comma). 31:724a(1st sentence 1st, 2d provisos).	
1304(c)	31:724a(1st sentence last proviso)	

In subsection (a), before clause (1), the words "out of any money in the Treasury not otherwise appropriated" are omitted as surplus. The words "awards rendered by the Indian Claims Commission" are omitted as executed because under 25:70v the Commission was dissolved and all of its outstanding cases were transferred to the Court of Claims. Under 25:70v-3, judgments on cases transferred to the Court of Claims are judgments under 28:2517 and 2518 and are therefore included under clause (3)(A) of the subsection.

In subsection (b), the text of 28:2516(b)(less 1st sentence words after last comma) is omitted as superseded by 31:724a.

In subsection (b)(1)(A), the words "through the day before the date" are substituted for "to the date" as being more precise.

REFERENCES IN TEXT

Section 2518 of title 28, referred to in subsec. (c)(1), was repealed by Pub. L. 97-164, title I, §139(l), Apr. 2, 1982, 96 Stat. 43.

AMENDMENTS

2010—Subsec. (a)(3)(D). Pub. L. 111-314 substituted "section 20113 of title 51" for "section 203 of the National Aeronautics and Space Act of 1958 (42 U.S.C. 2473)".

1996—Subsecs. (a)(2), (b)(1)(A), (B). Pub. L. 104-316 substituted "Secretary of the Treasury" for "Comptroller General".

1992—Subsec. (b)(1)(B). Pub. L. 102-572 substituted "United States Court of Federal Claims" for "United States Claims Court".

1982—Subsec. (b)(1)(A). Pub. L. 97-258, §2(m)(2)(A), struck out "under section 2411(b) of title 28" after "district court".

Subsec. (b)(1)(B). Pub. L. 97-258, §2(m)(2)(B), substituted "Court of Appeals for the Federal Circuit or the United States Claims Court" for "Court of Claims".

EFFECTIVE DATE OF 1992 AMENDMENT

Amendment by Pub. L. 102-572 effective Oct. 29, 1992, see section 911 of Pub. L. 102-572, set out as a note under section 171 of Title 28, Judiciary and Judicial Procedure.

EFFECTIVE DATE OF 1982 AMENDMENT

Section 2(m) of Pub. L. 97-258 provided that the amendment made by that section is effective Oct. 1, 1982.

TRANSFER OF FUNCTIONS

For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relat-

ing thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.

§ 1305. Miscellaneous permanent appropriations

Necessary amounts are appropriated for the following:

(1) to pay the proceeds of the personal estate of a United States citizen dying abroad to the legal representative of the deceased on proper demand and proof.

(2) to pay interest on the public debt under laws authorizing payment.

(3) to pay proceeds from derelict and salvage cases adjudged by the courts of the United States to salvors.

(4) to make payments required under contracts made under section 108 of the Housing and Community Development Act of 1974 (42 U.S.C. 5308) for the payment of interest on obligations guaranteed by the Secretary of Housing and Urban Development under section 108.

(5) to make payments required under contracts made under section 103(b) of the Housing Act of 1949 (42 U.S.C. 1453(b)) for projects or programs for which amounts had been committed before January 1, 1975, and for which amounts have not been appropriated.

(6) to pay the interest on the fund derived from the bequest of James Smithson, for the construction of buildings and expenses of the Smithsonian Institution, at the rates determined under section 5590 of the Revised Statutes (20 U.S.C. 54).

ANNUAL CONTRIBUTIONS FOR ASSISTED HOUSING

(7) to make payments required under contracts made under section 5 of the United States Housing Act of 1937, as amended (42 U.S.C. 1437c).

COLLEGE HOUSING GRANTS

(8) to make payments required under contracts made under title IV of the Housing Act of 1950, as amended (12 U.S.C. 1749 et seq.).

RENT SUPPLEMENT PROGRAM

(9) to make payments required under contracts under section 101 of the Housing and Urban Development Act of 1965, as amended (12 U.S.C. 1701s).

HOMEOWNERSHIP AND RENTAL HOUSING ASSISTANCE

(10) to make payments required under contracts under sections 235 and 236, respectively, of the National Housing Act, as amended (12 U.S.C. 1715z, 1715z-1).

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 918; Pub. L. 97-452, §1(4), Jan. 12, 1983, 96 Stat. 2467; Pub. L. 98-371, title I, §101, July 18, 1984, 98 Stat. 1220.)

HISTORICAL AND REVISION NOTES 1982 ACT

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
1305	31:711(1)-(3), (11a)-(23).	R.S. §3689(less last 3 pars. on p. 725 related to redemption of stamps, debentures and other charges, and debentures and drawbacks, 2d par. on p. 726 related to repayment of excess of deposits, 3d-7th pars. on p. 726 related to refunding duties on goods destroyed, marine hospital establishment, refunding duties, refunding proceeds of goods seized and sold, and refunding proceeds of unclaimed merchandise); June 20, 1874, ch. 328, §4(less words between 1st and 2d semicolons), 18 Stat. 109; Mar. 3, 1875, ch. 129, §1(6th par. 3d sentence under heading "War Department"), 18 Stat. 359; June 19, 1878, ch. 329, §1(par. immediately before heading "Office of the Attorney General"), 20 Stat. 205; May 26, 1908, ch. 198, §1(last par. on p. 295), 35 Stat. 295; June 25, 1910, ch. 384, §8(words before semicolon), 36 Stat. 773; Oct. 18, 1972, Pub. L. 92-500, §12(p), 86 Stat. 902; Aug. 22, 1974, Pub. L. 93-383, §§108(i), 117(a), 88 Stat. 649, 653; Oct. 12, 1977, Pub. L. 95-128, §108(2), 91 Stat. 1123.

In the section, the words "out of any moneys in the Treasury not otherwise appropriated" and "and such appropriations shall be deemed permanent annual appropriations" are omitted as surplus.

In clause (2), the text of section 4(words after 2d semicolon) of the Act of June 20, 1874 (ch. 328, 18 Stat. 109), is omitted as expired.

The text of 31:711(3) is omitted as superseded by the source provisions restated in section 1322 of the revised title.

The text of 31:711(11a) is omitted because the Environmental Financing Authority expired on June 30, 1975.

The text of 31:711(12) is omitted as superseded by 31:725s(a)(1st proviso) and 31:725s(a)(59).

The text of 31:711(13) is omitted as obsolete because provisions relating to horses and property lost in military service were repealed by section 1 of the Act of December 16, 1930 (ch. 14, 46 Stat. 1028), and section 3 of the Act of May 29, 1945 (ch. 135, 59 Stat. 225).

The text of 31:711(14) is omitted as superseded by 31:240-243.

The text of 31:711(16) is omitted as obsolete because of the repeal of the permanent appropriation for surveying within land grants (reimbursable) by 31:725(a) and (b)(13).

The text of 31:711(17) is omitted as superseded by the repeal of the appropriation account "Five Percent Funds to States" by 31:725c(a) and (b)(34).

The text of 31:711(18) is omitted as superseded by 31:725b(a) and (b)(8).

The text of 31:711(19) is omitted as superseded by 31:725q(a) and (b)(14).

The text of 31:711(20) is omitted as superseded by section 1(1st par. on p. 447) of the Act of March 3, 1875 (ch. 132, 18 Stat. 447), and section 1(last par. on p. 197) of the Act of August 15, 1876 (ch. 289, 19 Stat. 197).

1983 ACT

This amends 31:1305(6) to conform to the Smithsonian Institution charter as amended by section 1 of the Act of June 22, 1982 (Pub. L. 97-199, 96 Stat. 121).

REFERENCES IN TEXT

Section 103(b) of the Housing Act of 1949 (42 U.S.C. 1453(b)), referred to in par. (5), was omitted from the