

- (2) a building occupied by any other agency of the United States; or
- (3) space in such a dwelling house or building.

The Secretary shall determine, and pay out of funds appropriated for the payment of rent by the Department of the Army, just compensation for that use. If the amount of the compensation is not satisfactory to the person entitled to it, the Secretary shall pay 75 percent of it to that person, and the claimant is entitled to recover by action against the United States an additional amount that, when added to the amount paid by the Secretary, is determined by the court to be just compensation for that use.

(Added Pub. L. 85-861, §1(105)(A), Sept. 2, 1958, 72 Stat. 1489.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large)  |
|-----------------|--------------------|---|
| 4780(a) .....   | 40:37.             | July 9, 1918, ch. 143 (3d proviso under "Barracks and Quarters"), 40 Stat. 861. |
| 4780(b) .....   | 40:41.             | July 8, 1918, ch. 139 (2d par. under "War Department"), 40 Stat. 826.           |

In subsection (a), the words "may acquire by lease" are substituted for the words "is authorized, in his discretion, to rent or lease". The word "needed" is substituted for the word "required".

In subsection (b), the words "At any time" are inserted for clarity. The word "may" is substituted for the words "is authorized". The word "agency" is substituted for the word "branch". Clause (3) is inserted for clarity. The word "determine" is substituted for the word "ascertain". The words "out of funds appropriated for the payment of rent by" are substituted for the words "within the limits of the appropriations for rent made by any act making appropriations for". The word "is" is substituted for the word "be". The words "so ascertained" and "in the manner provided by sections 41(20) and 250 of Title 28" are omitted as surplusage, since those sections were repealed in 1948 and replaced by sections 1346, 1491, 1496, 1501, 1503, 2401, 2402, and 2501 of that title.

CHAPTER 451—MILITARY CLAIMS

|        |   |
|--------|---|
| Sec.   |   |
| 4801.  | Definition.                                     |
| 4802.  | Admiralty claims against the United States.     |
| 4803.  | Admiralty claims by United States.              |
| 4804.  | Salvage claims by United States.                |
| [4805. | Repealed.]                                      |
| 4806.  | Settlement or compromise: final and conclusive. |

AMENDMENTS

1972—Pub. L. 92-417, §1(2), Aug. 29, 1972, 86 Stat. 654, substituted "Admiralty claims against the United States" for "Damage by United States vessels; towage and salvage of United States vessels" in item 4802.

1960—Pub. L. 86-533, §1(8)(B), June 29, 1960, 74 Stat. 247, struck out item 4805 "Reports to Congress".

§ 4801. Definition

In this chapter, the term "settle" means consider, ascertain, adjust, determine, and dispose of a claim, whether by full or partial allowance or by disallowance.

(Aug. 10, 1956, ch. 1041, 70A Stat. 270; Pub. L. 100-180, div. A, title XII, § 1231(19)(B), Dec. 4, 1987, 101 Stat. 1161.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code) | Source (Statutes at Large) |
|-----------------|--------------------|----------------------------|
| 4801 .....      | [No source].       | [No source].               |

The revised section is inserted for clarity, and is based on usage in the source laws for this revised chapter.

AMENDMENTS

1987—Pub. L. 100-180 inserted "the term" after "In this chapter,".

§ 4802. Admiralty claims against the United States

(a) The Secretary of the Army may settle or compromise an admiralty claim against the United States for—

(1) damage caused by a vessel of, or in the service of, the Department of the Army or by other property under the jurisdiction of the Department of the Army;

(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel of, or in the service of, the Department of the Army or to other property under the jurisdiction of the Department of the Army; or

(3) damage caused by a maritime tort committed by any agent or employee of the Department of the Army or by property under the jurisdiction of the Department of the Army.

(b) If a claim under subsection (a) is settled or compromised for \$500,000 or less, the Secretary of the Army may pay it. If it is settled or compromised for more than \$500,000, he shall certify it to Congress.

(c) In any case where the amount to be paid is not more than \$100,000, the Secretary of the Army may delegate his authority under subsection (a) to any person in the Department of the Army designated by him.

(Aug. 10, 1956, ch. 1041, 70A Stat. 271; Pub. L. 89-67, July 7, 1965, 79 Stat. 212; Pub. L. 92-417, §1(1), Aug. 29, 1972, 86 Stat. 654; Pub. L. 101-189, div. A, title XVI, §1633, Nov. 29, 1989, 103 Stat. 1608.)

HISTORICAL AND REVISION NOTES

| Revised section | Source (U.S. Code)   | Source (Statutes at Large)   |
|-----------------|--|--|
| 4802(a) .....   | 10:1861 (less 35 words before 1st proviso, and less last proviso). | Oct. 20, 1951, ch. 524, §1 (less 35 words before 1st proviso), 6 (as applicable to §1), 65 Stat. 572, 573. |
| 4802(b) .....   | 10:1861 (last proviso).  |  |
| 4802(c) .....   | 10:1866 (as applicable to 10:1861).                                |  |

In subsection (a), the words "consider, ascertain, adjust, determine" are omitted as covered by the word "settle", as defined in section 4801 of this title. 10:1861 (1st proviso) is omitted as unnecessary, since other applicable claims laws are restated in this title. 10:1861 (2d proviso) is omitted as surplusage.

AMENDMENTS

1989—Subsec. (c). Pub. L. 101-189 substituted "\$100,000" for "\$10,000".

1972—Subsec. (a). Pub. L. 92-417 substituted "Admiralty claims against the United States" for "Damage by United States vessels, towage and salvage of United States vessels" in section catchline, in text preceding