

- (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"in the manner provided by sections 41(20) and 250 of Title 28" are omitted as surplusage, since those sections were repealed in 1948 and replaced by sections 1346, 1491, 1496, 1501, 1503, 2401, 2402, and 2501 of that title.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	Repealed.]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

par. (1), struck out requirement that the Secretary of the Army discharge his functions under the direction of the Secretary of Defense, in par. (1) inserted “or by other property under the jurisdiction of the Department of the Army,” in par. (2) inserted “or to other property under the jurisdiction of the Department of the Army; or,” and added par. (3).

1965—Subsec. (c). Pub. L. 89-67 substituted “\$10,000” for “\$1,000”.

§ 4803. Admiralty claims by United States

(a) Under the direction of the Secretary of Defense, the Secretary of the Army may settle, or compromise, and receive payment of a claim by the United States for damage to property under the jurisdiction of the Department of the Army or property for which the Department has assumed an obligation to respond for damage, if—

(1) the claim is—

(A) of a kind that is within the admiralty jurisdiction of a district court of the United States; or

(B) for damage caused by a vessel or floating object; and

(2) the amount to be received by the United States is not more than \$500,000.

(b) In exchange for payment of an amount found to be due the United States under subsection (a), the Secretary of the Army may execute a release of the claim on behalf of the United States. Amounts received under this section shall be covered into the Treasury.

(c) In any case where the amount to be received by the United States is not more than \$100,000, the Secretary of the Army may delegate his authority under subsections (a) and (b) 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. 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)
4803(a)	10:1862 (1st sentence; 2d sentence, less last 32 words; and provisos of last sentence).	Oct. 20, 1951, ch. 524, §§ 2 (less last 32 words of 2d sentence), 6 (less applicability to §1), 65 Stat. 572, 573.
4803(b)	10:1862 (3d sentence; and last sentence, less provisos).	
4803(c)	10:1866 less applicability 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. The words “receive payment” are substituted for 10:1862 (2d sentence, less last 32 words). The words “of a kind that is within the admiralty jurisdiction” are substituted for the words “cognizable in admiralty”. Clause (2) is substituted for 10:1862 (last proviso of last sentence). 10:1862 (1st proviso of last sentence) is omitted as unnecessary, since other applicable claims laws are restated in this title. The words “by contract or otherwise” are omitted as surplusage.

In subsection (b), the words “of the United States as miscellaneous receipts” and “to deliver” are omitted as surplusage.

AMENDMENTS

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

1965—Subsec. (c). Pub. L. 89-67 substituted “\$10,000” for “\$1,000”.

§ 4804. Salvage claims by United States

(a) The Secretary of the Army may settle, or compromise, and receive payment of a claim by the United States for salvage services performed by the Department of the Army. Amounts received under this section shall be covered into the Treasury.

(b) In any case where the amount to be received by the United States is not more than \$10,000, the Secretary of the Army may delegate his authority under subsection (a) to any person designated by him.

(Aug. 10, 1956, ch. 1041, 70A Stat. 271; Pub. L. 92-417, §1(3), Aug. 29, 1972, 86 Stat. 654.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4804	10:1863.	Oct. 20, 1951, ch. 524, §3, 65 Stat. 573.

The words “under this section” are substituted for the words “for salvage services rendered”. The words “consider, ascertain, adjust, determine” are omitted as covered by the word “settle”, as defined in section 4801 of this title. The words “and receive payment of” are inserted for clarity and to conform to section 4803 of this title. The words “as miscellaneous receipts” are omitted as surplusage.

AMENDMENTS

1972—Pub. L. 92-417 designated existing provisions as subsec. (a), struck out requirement that the Secretary of the Army discharge his functions under the direction of the Secretary of Defense, and added subsec. (b).

[§ 4805. Repealed. Pub. L. 86-533, § 1(8)(A), June 29, 1960, 74 Stat. 247]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 271, related to reports to Congress with respect to claims under sections 4802, 4803, and 4804 of this title.

§ 4806. Settlement or compromise: final and conclusive

Notwithstanding any other provision of law, upon acceptance of payment the settlement or compromise of a claim under section 4802 or 4803 of this title is final and conclusive.

(Aug. 10, 1956, ch. 1041, 70A Stat. 272.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
4806	10:1861 (35 words before 1st proviso). 10:1862 (last 32 words of 2d sentence).	Oct. 20, 1951, ch. 524, §§ 1 (35 words before 1st proviso), 2 (last 32 words of 2d sentence), 65 Stat. 572, 573.

The words “for all purposes” and “to the contrary”, in 10:1861 and 1862; “by the claimant and not until then”, in 10:1861; and “but not until then”, in 10:1862; are omitted as surplusage.

CHAPTER 453—ACCOUNTABILITY AND RESPONSIBILITY

Sec.

4831. Custody of departmental records and property.

[4832 to 4836. Repealed.]