

section 3624(b) of title 18, United States Code, that has not yet vested, if, on its own motion or the motion of any party, the court finds that—

- (1) the claim was filed for a malicious purpose;
- (2) the claim was filed solely to harass the party against which it was filed; or
- (3) the claimant testifies falsely or otherwise knowingly presents false evidence or information to the court.

(Added Pub. L. 104-134, title I, §101[(a)] [title VIII, §809(a)], Apr. 26, 1996, 110 Stat. 1321, 1321-76; renumbered title I, Pub. L. 104-140, §1(a), May 2, 1996, 110 Stat. 1327.)

#### CHAPTER 125—PENDING ACTIONS AND JUDGMENTS

Sec.	
1961.	Interest.
1962.	Lien.
1963.	Registration of judgments for enforcement in other districts.
[1963A.	Repealed.]
1964.	Constructive notice of pending actions.

##### AMENDMENTS

1996—Pub. L. 104-317, title II, §203(b), Oct. 19, 1996, 110 Stat. 3850, substituted “for enforcement in other districts” for “of the district courts and the Court of International Trade” in item 1963.

1988—Pub. L. 100-702, title X, §1002(b)(3), Nov. 19, 1988, 102 Stat. 4664, substituted “Registration of judgments of the district courts and the Court of International Trade” for “Registration in other districts” in item 1963 and repealed item 1963A “Registration of judgments of the Court of International Trade”.

1980—Pub. L. 96-417, title V, §511(b), Oct. 10, 1980, 94 Stat. 1743, added item 1963A.

1958—Pub. L. 85-689, §1(b), (c), Aug. 20, 1958, 72 Stat. 683, substituted “CHAPTER 125—PENDING ACTIONS AND JUDGMENTS” for “CHAPTER 125—JUDGMENTS” in chapter heading and added item 1964.

#### § 1961. Interest

(a) Interest shall be allowed on any money judgment in a civil case recovered in a district court. Execution therefor may be levied by the marshal, in any case where, by the law of the State in which such court is held, execution may be levied for interest on judgments recovered in the courts of the State. Such interest shall be calculated from the date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding<sup>1</sup> the date of the judgment. The Director of the Administrative Office of the United States Courts shall distribute notice of that rate and any changes in it to all Federal judges.

(b) Interest shall be computed daily to the date of payment except as provided in section 2516(b) of this title and section 1304(b) of title 31, and shall be compounded annually.

(c)(1) This section shall not apply in any judgment of any court with respect to any internal revenue tax case. Interest shall be allowed in such cases at the underpayment rate or overpayment rate (whichever is appropriate) established under section 6621 of the Internal Revenue Code of 1986.

<sup>1</sup> So in original. The period probably should not appear.

(2) Except as otherwise provided in paragraph (1) of this subsection, interest shall be allowed on all final judgments against the United States in the United States Court of Appeals for the Federal circuit,<sup>2</sup> at the rate provided in subsection (a) and as provided in subsection (b).

(3) Interest shall be allowed, computed, and paid on judgments of the United States Court of Federal Claims only as provided in paragraph (1) of this subsection or in any other provision of law.

(4) This section shall not be construed to affect the interest on any judgment of any court not specified in this section.

(June 25, 1948, ch. 646, 62 Stat. 957; Pub. L. 97-164, title III, §302(a), Apr. 2, 1982, 96 Stat. 55; Pub. L. 97-258, §2(m)(1), Sept. 13, 1982, 96 Stat. 1062; Pub. L. 97-452, §2(d)(1), Jan. 12, 1983, 96 Stat. 2478; Pub. L. 99-514, §2, title XV, §1511(c)(17), Oct. 22, 1986, 100 Stat. 2095, 2745; Pub. L. 102-572, title IX, §902(b)(1), Oct. 29, 1992, 106 Stat. 4516; Pub. L. 106-554, §1(a)(7) [title III, §307(d)(1)], Dec. 21, 2000, 114 Stat. 2763, 2763A-636.)

##### HISTORICAL AND REVISION NOTES

Based on title 28, U.S.C., 1940 ed., §811 (R.S. §966; Mar. 3, 1911, ch. 231, §291, 36 Stat. 1167).

Changes were made in phraseology.

##### REFERENCES IN TEXT

Section 6621 of the Internal Revenue Code of 1986, referred to in subsec. (c)(1), is classified to section 6621 of Title 26, Internal Revenue Code.

##### AMENDMENTS

2000—Subsec. (a). Pub. L. 106-554 substituted “the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding.” for “the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to”.

1992—Subsec. (c)(3). Pub. L. 102-572 substituted “United States Court of Federal Claims” for “United States Claims Court”.

1986—Subsec. (c)(1). Pub. L. 99-514, §1511(c)(17), substituted “the underpayment rate or overpayment rate (whichever is appropriate) established” for “a rate established”.

Pub. L. 99-514, §2, substituted “Internal Revenue Code of 1986” for “Internal Revenue Code of 1954”.

1983—Subsec. (b). Pub. L. 97-452 substituted “section 1304(b) of title 31” for “section 1302 of the Act of July 27, 1956 (31 U.S.C. 724a)”.

1982—Subsec. (a). Pub. L. 97-164, §302(a)(1), (2), designated existing provisions as subsec. (a), substituted “at a rate equal to the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of fifty-two week United States Treasury bills settled immediately prior to the date of the judgment” for “at the rate allowed by State law”, and inserted provision that the Director of the Administrative Office of the United States Courts distribute notice of the rate and any changes in it to all Federal judges.

Subsec. (b). Pub. L. 97-258 substituted “this title and section 1304(b)(1) of title 31” for “title 28, United States Code, and section 1302 of the Act of July 27, 1956 (31 U.S.C. 724a)”.

Subsecs. (b), (c). Pub. L. 97-164, §302(a)(3), added subsecs. (b) and (c).

<sup>2</sup> So in original. Probably should be capitalized.