

a notice of appeal with the clerk of the Court of International Trade within the time and in the manner prescribed for appeals to United States courts of appeals from the United States district courts” for “is taken to the Court of Customs and Patent Appeals within the time and in the manner provided in section 2601 of this title”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1982 AMENDMENT

Amendment by Pub. L. 97-164 effective Oct. 1, 1982, see section 402 of Pub. L. 97-164, set out as a note under section 171 of this title.

§ 2646. Retrial or rehearing

After the Court of International Trade has rendered a judgment or order, the court may, upon the motion of a party or upon its own motion, grant a retrial or rehearing, as the case may be. A motion of a party or the court shall be made not later than thirty days after the date of entry of the judgment or order.

(Added Pub. L. 96-417, title III, § 301, Oct. 10, 1980, 94 Stat. 1739.)

[§ 2647. Repealed. Pub. L. 98-620, title IV, § 402(29)(G), Nov. 8, 1984, 98 Stat. 3359]

Section, added Pub. L. 96-417, title III, § 301, Oct. 10, 1980, 94 Stat. 1739; amended Pub. L. 98-573, title VI, § 623(b)(2), Oct. 30, 1984, 98 Stat. 3041, related to precedence of cases.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

Repeal not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as an Effective Date note under section 1657 of this title.

CHAPTER 171—TORT CLAIMS PROCEDURE

Sec.	
2671.	Definitions.
2672.	Administrative adjustment of claims.
2673.	Reports to Congress.
2674.	Liability of United States.
2675.	Disposition by federal agency as prerequisite; evidence.
2676.	Judgment as bar.
2677.	Compromise.
2678.	Attorney fees; penalty.
2679.	Exclusiveness of remedy.
2680.	Exceptions.

SENATE REVISION AMENDMENT

As printed in this report, this chapter should have read “173” and not “171”. It was properly numbered “173” in the bill. However, the chapter was renumbered “171”, without change in its section numbers, by Senate amendment. See 80th Congress Senate Report No. 1559.

Editorial Notes

AMENDMENTS

1966—Pub. L. 89-506, § 9(b), July 18, 1966, 80 Stat. 308, substituted “claims” for “claims of \$2,500 or less” in item 2672.

1959—Pub. L. 86-238, § 1(2), Sept. 8, 1959, 73 Stat. 472, substituted “\$2,500” for “\$1,000” in item 2672.

Statutory Notes and Related Subsidiaries

FEDERAL CAUSE OF ACTION RELATING TO WATER AT CAMP LEJEUNE, NORTH CAROLINA

Pub. L. 117-168, title VIII, § 804, Aug. 10, 2022, 136 Stat. 1802, provided that:

“(a) SHORT TITLE.—This section may be cited as the ‘Camp Lejeune Justice Act of 2022’.

“(b) IN GENERAL.—An individual, including a veteran (as defined in section 101 of title 38, United States Code), or the legal representative of such an individual, who resided, worked, or was otherwise exposed (including in utero exposure) for not less than 30 days during the period beginning on August 1, 1953, and ending on December 31, 1987, to water at Camp Lejeune, North Carolina, that was supplied by, or on behalf of, the United States may bring an action in the United States District Court for the Eastern District of North Carolina to obtain appropriate relief for harm that was caused by exposure to the water at Camp Lejeune.

“(c) BURDENS AND STANDARD OF PROOF.—

“(1) IN GENERAL.—The burden of proof shall be on the party filing the action to show one or more relationships between the water at Camp Lejeune and the harm.

“(2) STANDARDS.—To meet the burden of proof described in paragraph (1), a party shall produce evidence showing that the relationship between exposure to the water at Camp Lejeune and the harm is—

“(A) sufficient to conclude that a causal relationship exists; or

“(B) sufficient to conclude that a causal relationship is at least as likely as not.

“(d) EXCLUSIVE JURISDICTION AND VENUE.—The United States District Court for the Eastern District of North Carolina shall have exclusive jurisdiction over any action filed under subsection (b), and shall be the exclusive venue for such an action. Nothing in this subsection shall impair the right of any party to a trial by jury.

“(e) EXCLUSIVE REMEDY.—

“(1) IN GENERAL.—An individual, or legal representative of an individual, who brings an action under this section for a harm described in subsection (b), including a latent disease, may not thereafter bring a tort action against the United States for such harm pursuant to any other law.

“(2) HEALTH AND DISABILITY BENEFITS RELATING TO WATER EXPOSURE.—Any award made to an individual, or legal representative of an individual, under this section shall be offset by the amount of any disability award, payment, or benefit provided to the individual, or legal representative—

“(A) under—

“(i) any program under the laws administered by the Secretary of Veterans Affairs;

“(ii) the Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.); or

“(iii) the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

“(B) in connection with health care or a disability relating to exposure to the water at Camp Lejeune.

“(f) IMMUNITY LIMITATION.—The United States may not assert any claim to immunity in an action under this section that would otherwise be available under section 2680(a) of title 28, United States Code.

“(g) NO PUNITIVE DAMAGES.—Punitive damages may not be awarded in any action under this section.

“(h) DISPOSITION BY FEDERAL AGENCY REQUIRED.—An individual may not bring an action under this section before complying with section 2675 of title 28, United States Code.

“(i) EXCEPTION FOR COMBATANT ACTIVITIES.—This section does not apply to any claim or action arising out of the combatant activities of the Armed Forces.

“(j) APPLICABILITY; PERIOD FOR FILING.—

“(1) APPLICABILITY.—This section shall apply only to a claim accruing before the date of enactment of this Act [Aug. 10, 2022].

“(2) STATUTE OF LIMITATIONS.—A claim in an action under this section may not be commenced after the later of—

“(A) the date that is two years after the date of enactment of this Act; or