

changed or eliminated from a later appropriation law.

(Pub. L. 97-258, Sept. 13, 1982, 96 Stat. 917.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
1303 .....	31:581(note).	Sept. 12, 1950, ch. 946, §302(b), 64 Stat. 844.

### § 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, 2733a, 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 2518<sup>1</sup> 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.

<sup>1</sup> See References in Text note below.

(d) Beginning not later than the date that is 60 days after the date of enactment of the John D. Dingell, Jr. Conservation, Management, and Recreation Act, and unless the disclosure of such information is otherwise prohibited by law or a court order, the Secretary of the Treasury shall make available to the public on a website, as soon as practicable, but not later than 30 days after the date on which a payment under this section is tendered, the following information with regard to that payment:

- (1) The name of the specific agency or entity whose actions gave rise to the claim or judgment.
- (2) The name of the plaintiff or claimant.
- (3) The name of counsel for the plaintiff or claimant.
- (4) The amount paid representing principal liability, and any amounts paid representing any ancillary liability, including attorney fees, costs, and interest.
- (5) A brief description of the facts that gave rise to the claim.
- (6) The name of the agency that submitted the claim.

(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; Pub. L. 116-9, title IV, §4201(b), Mar. 12, 2019, 133 Stat. 764; Pub. L. 116-92, div. A, title VII, §731(c)(2), Dec. 20, 2019, 133 Stat. 1460.)

#### HISTORICAL AND REVISION NOTES

<i>Revised Section</i>	<i>Source (U.S. Code)</i>	<i>Source (Statutes at Large)</i>
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.

**Editorial Notes**

## 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.

The date of enactment of the John D. Dingell, Jr. Conservation, Management, and Recreation Act, referred to in subsec. (d), is the date of enactment of Pub. L. 116-9, which was approved Mar. 12, 2019.

## AMENDMENTS

2019—Subsec. (a)(3)(D). Pub. L. 116-92, which directed substitution of “2733, 2733a,” for “2733,” was executed by making the substitution for “2733” to reflect the probable intent of Congress.

Subsec. (d). Pub. L. 116-9 added subsec. (d).

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”.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE OF 2019 AMENDMENT

Amendment by Pub. L. 116-92 applicable to any claim filed under section 2733a of Title 10, Armed Forces, on or after Jan. 1, 2020, and any claim filed in calendar year 2020 deemed to be filed within the time period specified in section 2733a(b)(4) of Title 10 if filed within three years after it accrues, see section 731(d) of Pub. L. 116-92, set out as an Effective Date note under section 2733a of Title 10.

## 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

Pub. L. 97-258, § 2(m), Sept. 13, 1982, 96 Stat. 1062, 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 relating 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.)