

Public Law 98-564
98th Congress

An Act

Oct. 30, 1984

[H.R. 597]

To amend sections 2733, 2734, and 2736 of title 10, United States Code, and section 715 of title 32, United States Code, to increase the maximum amount of a claim against the United States that may be paid administratively under those sections and to allow increased delegation of authority to settle and pay certain of those claims, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 2733 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended by striking out "chief legal officer" and "\$25,000" and inserting in lieu thereof "Chief Counsel" and "\$100,000", respectively.

(2) Subsection (d) is amended to read as follows:

"(d) If the Secretary concerned considers that a claim in excess of \$100,000 is meritorious, and the claim otherwise is payable under this section, the Secretary may pay the claimant \$100,000 and report any meritorious amount in excess of \$100,000 to the Comptroller General for payment under section 1304 of title 31."

31 USC 1304.

(3) Subsection (g) is amended to read as follows:

"(g) Under regulations prescribed by the Secretary concerned, an officer or employee under the jurisdiction of the Secretary may settle a claim that otherwise would be payable under this section in an amount not to exceed \$25,000. A decision of the officer or employee who makes a final settlement decision under this section may be appealed by the claimant to the Secretary concerned or an officer or employee designated by the Secretary for that purpose."

SEC. 2. Section 2734 of title 10, United States Code, is amended as follows:

(1) Subsection (a) is amended by amending that part of the subsection that precedes paragraph (1) to read as follows:

"(a) To promote and to maintain friendly relations through the prompt settlement of meritorious claims, the Secretary concerned, or an officer or employee designated by the Secretary, may appoint, under such regulations as the Secretary may prescribe, one or more claims commissions, each composed of one or more officers or employees or combination of officers or employees of the armed forces, to settle and pay in an amount not more than \$100,000, a claim against the United States for—"

(2) Subsection (a) is further amended in the last sentence by inserting "or employee" after "An officer".

(3) Subsection (c) is amended to read as follows:

"(c) The Secretary concerned may appoint any officer or employee under the jurisdiction of the Secretary to act as an approval authority for claims determined to be allowable under subsection (a) in an amount in excess of \$10,000."

(4) Subsection (d) is amended to read as follows:

"(d) If the Secretary concerned considers that a claim in excess of \$100,000 is meritorious, and the claim otherwise is payable under this section, the Secretary may pay the claimant \$100,000 and report

any meritorious amount in excess of \$100,000 to the Comptroller General for payment under section 1304 of title 31.”

31 USC 1304.

SEC. 3. Section 2736(a) of title 10, United States Code, is amended by striking out “\$1,000” and inserting in lieu thereof “\$10,000”.

SEC. 4. Section 715 of title 32, United States Code, is amended as follows:

(1) Subsection (a) is amended by striking out “\$25,000” and inserting in lieu thereof “\$100,000”.

(2) Subsection (d) is amended to read as follows:

“(d) If the Secretary concerned considers that a claim in excess of \$100,000 is meritorious, and the claim otherwise is payable under this section, the Secretary may pay the claimant \$100,000 and report any meritorious amount in excess of \$100,000 to the Comptroller General for payment under section 1304 of title 31.”

31 USC 1304.

(3) Subsection (f) is amended to read as follows:

“(f) Under regulations prescribed by the Secretary concerned, an officer or employee under the jurisdiction of the Secretary may settle a claim that otherwise would be payable under this section in an amount not to exceed \$25,000. A decision of the officer or employee who makes a final settlement decision under this section may be appealed by the claimant to the Secretary concerned or an officer or employee designated by the Secretary for that purpose.”

Approved October 30, 1984.

LEGISLATIVE HISTORY—H.R. 597:

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CONGRESSIONAL RECORD:

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Vol. 130 (1984): Oct. 11, considered and passed Senate.