HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3114(a)	40:258a (1st par.).	Feb. 26, 1931, ch. 307, §1, 46 Stat. 1421; Pub. L. 99–656, §1(1), Nov. 14, 1986, 100 Stat. 3668.
3114(b)	40:258a (2d par. 1st sentence words before 1st semicolon).	
3114(c)(1)	40:258a (2d par. 1st sentence words after 1st semicolon, last sentence).	
3114(c)(2), (3).	40:258a (3d par.).	
3114(d)	40:258a (last par.).	
3114(e)	40:258b.	Feb. 26, 1931, ch. 307, §2, 46 Stat. 1422.

In subsection (a), before clause (1), the words ''which has been or may be'' are omitted as unnecessary.

In subsection (b)(1), the words ''said lands in fee simple absolute, or such less'' are omitted as unnecessary.

In subsection (b)(2), the words ''deemed to be'' are omitted as unnecessary.

§ 3115. Irrevocable commitment of Federal Government to pay ultimate award when fixed

(a) REQUIREMENT FOR IRREVOCABLE COMMITMENT.—Action under section 3114 of this title irrevocably committing the Federal Government to the payment of the ultimate award shall not be taken unless the head of the executive department or agency or bureau of the Government empowered to acquire the land believes that the ultimate award probably will be within any limits Congress prescribes on the price to be paid.

(b) AUTHORIZED PURPOSES OF EXPENDITURES AFTER IRREVOCABLE COMMITMENT MADE.—When the Government has taken or may take title to real property during a condemnation proceeding and in advance of final judgment in the proceeding and has become irrevocably committed to pay the amount ultimately to be awarded as compensation, and the Attorney General believes that title to the property has been vested in the Government or that all persons having an interest in the property have been made parties to the proceeding and will be bound by the final judgment, the Government may expend amounts appropriated for that purpose to demolish existing structures on the property and to erect public buildings or public works on the property.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1146.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3115(a)	40:258c.	Feb. 26, 1931, ch. 307, §3, 46 Stat. 1422.
3115(b)	40:258e.	Feb. 26, 1931, ch. 307, §5, 46 Stat. 1422; Pub. L. 91–393, §4, Sept. 1, 1970, 84 Stat. 835.

In subsection (b), the words ''possession of'' are omitted as unnecessary.

§ 3116. Interest as part of just compensation

(a) CALCULATION.—The district court shall calculate interest required to be paid under this subchapter as follows:

(1) PERIOD OF NOT MORE THAN ONE YEAR.—Where the period for which interest is owed is not more than one year, interest shall be calculated from the date of taking at an annual rate equal to the weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of taking.

(2) PERIOD OF MORE THAN ONE YEAR.—Where the period for which interest is owed is more than one year, interest for the first year shall be calculated in accordance with paragraph (1) and interest for each additional year shall be calculated on the amount by which the award of compensation is more than the deposit referred to in section 3114 of this title, plus accrued interest, at an annual rate equal to the weekly average one-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the beginning of each additional year.

(b) DISTRIBUTION OF NOTICE OF RATES.—The Director of the Administrative Office of the United States Courts shall distribute to all federal courts notice of the rates described in paragraphs (1) and (2) of subsection (a).

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1146.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3116(a)	40:258e–1 (less last sentence).	Feb. 26, 1931, ch. 307, §6, as added Pub. L. 99–656, §1(2), Nov. 14, 1986, 100 Stat. 3668; Pub. L. 106–554, §1(a)(7) [§307(a)], Dec. 21, 2000, 114 Stat. 2763A–635.
3116(b)	40:258e–1 (last sentence).	

§ 3117. Exclusion of certain property by stipulation of Attorney General

In any condemnation proceeding brought by or on behalf of the Federal Government, the Attorney General may stipulate or agree on behalf of the Government to exclude any part of the property, or any interest in the property, taken by or on behalf of the Government by a declaration of taking or otherwise.

(Pub. L. 107–217, Aug. 21, 2002, 116 Stat. 1147.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
3117	40:258f.	Oct. 21, 1942, ch. 618, 56 Stat. 797.

The words ''that may have been, or may be'' are omitted as unnecessary.

§ 3118. Right of taking as addition to existing rights

The right to take possession and title in advance of final judgment in condemnation proceedings as provided by section 3114 of this title is in addition to any right, power, or authority conferred by the laws of the United States or of a State, territory, or possession of the United States under which the proceeding may be conducted, and does not abrogate, limit, or modify that right, power, or authority.