

(c) The Secretary may sell serviceable supplies, other than subsistence supplies, to members of other armed forces for the buyers' use in the service. The prices at which the supplies are sold shall be the same prices at which like property is sold to members of the Navy and Marine Corps.

(d) A person who has been discharged honorably or under honorable conditions from the Army, Navy, Air Force or Marine Corps and who is receiving care and medical treatment from the Public Health Service or the Department of Veterans Affairs may buy subsistence supplies and other supplies, except articles of uniform, at the prices at which like property is sold to members of the Navy and Marine Corps.

(e) Under such conditions as the Secretary may prescribe, exterior articles of uniform may be sold to a person who has been discharged honorably or under honorable conditions from the Navy or Marine Corps, at the prices at which like articles are sold to members of the Navy or Marine Corps. This subsection does not modify section 772 or 773 of this title.

(f) Under regulations prescribed by the Secretary, payment for subsistence supplies shall be made in cash or by commercial credit.

(g)(1) The Secretary may provide for the procurement and sale of stores designated by the Secretary to such civilian officers and employees of the United States, and such other persons, as the Secretary considers proper—

(A) at military installations outside the United States; and

(B) subject to paragraph (2), at military installations inside the United States where the Secretary determines that it is impracticable for those civilian officers, employees, and persons to obtain such stores from commercial enterprises without impairing the efficient operation of military activities.

(2) Sales to civilian officers and employees inside the United States may be made under paragraph (1) only to civilian officers and employees residing within military installations.

(h) Appropriations for subsistence of the Navy or Marine Corps may be applied to the purchase of subsistence supplies for sale to members of the Navy and Marine Corps on active duty for the use of such members and their families.

(Added Pub. L. 104-106, div. A, title III, §375(a)(1), Feb. 10, 1996, 110 Stat. 281; amended Pub. L. 105-85, div. A, title X, §1073(a)(63), Nov. 18, 1997, 111 Stat. 1903.)

#### AMENDMENTS

1997—Subsec. (e). Pub. L. 105-85 substituted “section” for “sections”.

### CHAPTER 653—CLAIMS

Sec.	
7621.	Definitions.
7622.	Admiralty claims against the United States.
7623.	Admiralty claims by the United States.
[7624, 7625.	Repealed.]

#### AMENDMENTS

1962—Pub. L. 87-769, §1(2)(B), Oct. 9, 1962, 76 Stat. 768, struck out item 7625 “Claims against the United States: private property; loss or damage”.

1960—Pub. L. 86-533, §1(10)(B), June 29, 1960, 74 Stat. 247, struck out item 7624 “Reports to Congress”.

### § 7621. Definitions

(a) In this chapter “vessel in the naval service” means—

(1) any vessel of the Navy, manned by the Navy, or chartered on bareboat charter to the Navy; or

(2) when the Coast Guard is operating as a service in the Navy, any vessel of the Coast Guard, manned by the Coast Guard, or chartered on bareboat charter to the Coast Guard.

(b) In this chapter “settle” means consider, ascertain, adjust, determine, and dispose of a claim, whether by full or partial allowance or by disallowance.

(Aug. 10, 1956, ch. 1041, 70A Stat. 472.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7621 .....	46 U.S.C. 793.	July 3, 1944, ch. 399, §3, 58 Stat. 724.

In subsection (a) the words “vessel in the naval service” are substituted for the words “vessels of the Navy or in the naval service”. The defined term is used throughout the chapter, and by definition includes vessels of the Navy. The words “when the Coast Guard is operating as a service in the Navy” are substituted for the words “the Coast Guard when operating as a part of the Navy” to conform to the terminology of 14 U.S.C. 3.

Subsection (b) is inserted for clarity, and is based on the source laws for this revised chapter.

#### 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.

### § 7622. Admiralty claims against the United States

(a) The Secretary of the Navy may settle, or compromise, and pay in an amount not more than \$15,000,000 an admiralty claim against the United States for—

(1) damage caused by a vessel in the naval service or by other property under the jurisdiction of the Department of the Navy;

(2) compensation for towage and salvage service, including contract salvage, rendered to a vessel in the naval service or to other property under the jurisdiction of the Department of the Navy; or

(3) damage caused by a maritime tort committed by any agent or employee of the Department of the Navy or by property under the jurisdiction of the Department of the Navy.

(b) If a claim under this section is settled or compromised for more than \$15,000,000, the Secretary shall certify it to Congress.

(c) In any case where the amount to be paid is not more than \$1,000,000, the Secretary may delegate his authority under this section to any person designated by him.

(d) Upon acceptance of payment by the claimant, the settlement or compromise of a claim

under this section is final and conclusive notwithstanding any other provision of law.

(Aug. 10, 1956, ch. 1041, 70A Stat. 472; Pub. L. 89-67, July 7, 1965, 79 Stat. 212; Pub. L. 92-417, §1(5), Aug. 29, 1972, 86 Stat. 654; Pub. L. 101-189, div. A, title XVI, §1633, Nov. 29, 1989, 103 Stat. 1608; Pub. L. 107-107, div. A, title X, §1014(a), Dec. 28, 2001, 115 Stat. 1212.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7622 .....	46 U.S.C. 797. 46 U.S.C. 799.	July 3, 1944, ch. 399, § 7, 58 Stat. 726. July 3, 1944, ch. 399, § 9; added Aug. 2, 1946, ch. 739, 60 Stat. 803.

In subsection (a) the words “consider, ascertain, adjust, determine” are omitted as covered by the word “settle”, as defined in §7621(b) of this title. The words “vessel in the naval service” are substituted for the words “vessels of the Navy or in the naval service”, in view of the definition in §7621(a) of this title. The words “pay in an amount not more than \$1,000,000, a claim” are substituted for the words “pay the amount of any claim, so determined, compromised, or settled” and for the words “the payment of any claim on which a net amount exceeding \$1,000,000 is determined to be due from the United States, or which is compromised or settled at a net amount exceeding \$1,000,000 payable by the United States, shall not be authorized by this section”.

In subsection (c) the words “In any case where the amount to be paid is not more than” are substituted for the words “When the net amount paid in settlement does not exceed” for clarity, since the delegation necessarily precedes payment. The words “the Secretary may delegate his authority” are substituted for the words “the authority of the Secretary of the Navy \* \* \* may be exercised by” for clarity.

In subsection (d) the words “but not until then”, “for all purposes”, and “to the contrary” are omitted as surplusage.

The first proviso in 46 U.S.C. 797, stating that this section is supplementary to, and not in lieu of, other laws authorizing the settlement of claims, is omitted as unnecessary, since the other applicable claims laws are restated in this title. The second proviso, forbidding consideration of claims for more than \$3,000 if they accrued before Sept. 8, 1939, is omitted as obsolete. It was designed to avoid reviving stale claims upon enactment of the source law on July 3, 1944. However, as a matter of practice, no claims are settled under this authority which are more than two years old, in line with the two-year statute of limitations contained in the Suits in Admiralty Act and the Public Vessels Act. This limitation has been officially publicized in the Federal Register for May 22, 1947, p. 3296, and in 32 C.F.R. 752. The third proviso in 46 U.S.C. 797 is omitted as unnecessary, since the appropriation named therein no longer exists, and the payments are now made from appropriations for the Department of Defense.

AMENDMENTS

2001—Subsecs. (a), (b). Pub. L. 107-107, §1014(a)(1), substituted “\$15,000,000” for “\$1,000,000”.

Subsec. (c). Pub. L. 107-107, §1014(a)(2), substituted “\$1,000,000” for “\$100,000”.

1989—Subsec. (c). Pub. L. 101-189 substituted “\$100,000” for “\$10,000”.

1972—Subsec. (a). Pub. L. 92-417 substituted “an admiralty claim against the United States” for “a claim against the United States” in text preceding par. (1), in par. (1) inserted “or by other property under the jurisdiction of the Department of the Navy”, in par. (2) inserted “or to other property under the jurisdiction of the Department of the Navy”, and added par. (3).

1965—Subsec. (c). Pub. L. 89-67 substituted “\$10,000” for “\$1,000”.

EFFECTIVE DATE OF 2001 AMENDMENT

Pub. L. 107-107, div. A, title X, §1014(c), Dec. 28, 2001, 115 Stat. 1212, provided that: “The amendments made by this section [amending this section and section 7623 of this title] shall apply with respect to any claim accruing on or after February 1, 2001.”

§ 7623. Admiralty claims by the United States

(a) The Secretary of the Navy may settle, or compromise, and receive payment of a claim by the United States for damage to property under the jurisdiction of the Department of the Navy or property for which the Department has assumed an obligation to respond for damage, if—

- (1) the claim is—
  - (A) of a kind that is within the admiralty jurisdiction of a district court of the United States; or
  - (B) for damage caused by a vessel or floating object; and
- (2) the net amount to be received by the United States is not more than \$15,000,000.

(b)(1) In exchange for payment of an amount found to be due the United States under this section, the Secretary may execute a release of the claim on behalf of the United States.

(2)(A) Except as provided in subparagraph (B), amounts received under this section shall be covered into the Treasury as miscellaneous receipts.

(B) Amounts received under this section for damage or loss to property operated and maintained with funds from a Department of Defense working capital fund or account shall be credited to that fund or account.

(c) In any case where the amount to be received by the United States is not more than \$1,000,000, the Secretary may delegate his authority under this section to any person designated by him.

(d) Upon acceptance of payment by the Secretary, the settlement or compromise of a claim under this section is final and conclusive notwithstanding any other provision of law.

(e) This section does not apply to any claim while there is pending as to that claim a suit filed by or against the United States.

(Aug. 10, 1956, ch. 1041, 70A Stat. 472; Pub. L. 89-67, July 7, 1965, 79 Stat. 212; Pub. L. 101-189, div. A, title XVI, §1633, Nov. 29, 1989, 103 Stat. 1608; Pub. L. 107-107, div. A, title X, §1014(b), Dec. 28, 2001, 115 Stat. 1212; Pub. L. 110-417, [div. A], title X, §1032, Oct. 14, 2008, 122 Stat. 4591.)

HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7623 .....	34 U.S.C. 600a. 34 U.S.C. 600d. 34 U.S.C. 600c.	Dec. 5, 1945, ch. 555, § 1, 59 Stat. 596. Dec. 5, 1945, ch. 555, § 4; added Aug. 2, 1946, ch. 742, 60 Stat. 806. Dec. 5, 1945, ch. 555, § 3, 59 Stat. 596.

In subsection (a) the words “consider, ascertain, adjust, determine” are omitted as covered by the word “settle”, as defined in section 7621(b) of this title. The words “of the United States” (following the word “property”), “by contract or otherwise”, and “thereto”

are omitted as surplusage. The words “of a kind that is within the admiralty jurisdiction of” are substituted for the words “cognizable in admiralty in”. The words “receive payment of a claim \* \* \* if the net amount to be received by the United States is not more than \$1,000,000” are substituted for the words “receive in payment of any such claim the amount due the United States pursuant to determination, compromise, or settlement as herein authorized \* \* \* *Provided, further,* That no settlement or compromise where there is involved a payment in the net amount of over \$1,000,000 shall be authorized by this Act”.

In subsection (b) the words “and to deliver” are omitted as covered by the word “execute”. The words “Amounts received under this section” are substituted for the words “All such payments” for clarity and uniformity. The words “of the United States as miscellaneous receipts” are omitted as surplusage.

In subsection (c) the words “In any case where the amount to be received by the United States is not more than” are substituted for the words “Where the net amount received in settlement does not exceed” for clarity, since the delegation of authority necessarily precedes receipt of payment. The words “the Secretary may delegate his authority” are substituted for the words “the authority of the Secretary of the Navy \* \* \* may be exercised” for clarity.

In subsection (d) the words “but not until then”, “for all purposes”, and “to the contrary” are omitted as surplusage.

Subsection (e) is worded to insure that the effect of a suit pending at any time is preserved and that the provision is not interpreted to apply only to suits that are pending on the date of enactment of this title.

The first proviso of 34 U.S.C. 600a, stating that this section is supplementary to, and not in lieu of, other laws authorizing the settlement of claims, is omitted as unnecessary, since the other applicable claims laws are restated in this title.

#### AMENDMENTS

2008—Subsec. (b). Pub. L. 110-417 designated existing provisions as par. (1), struck out last sentence which read “Amounts received under this section shall be covered into the Treasury.”, and added par. (2).

2001—Subsec. (a)(2). Pub. L. 107-107, §1014(b)(1), substituted “\$15,000,000” for “\$1,000,000”.

Subsec. (c). Pub. L. 107-107, §1014(b)(2), substituted “\$1,000,000” for “\$100,000”.

1989—Subsec. (c). Pub. L. 101-189 substituted “\$100,000” for “\$10,000”.

1965—Subsec. (c). Pub. L. 89-67 substituted “\$10,000” for “\$1,000”.

#### EFFECTIVE DATE OF 2001 AMENDMENT

Amendment by Pub. L. 107-107 applicable with respect to any claim accruing on or after Feb. 1, 2001, see section 1014(c) of Pub. L. 107-107, set out as a note under section 7622 of this title.

#### [§ 7624. Repealed. Pub. L. 86-533, § 1(10)(A), June 29, 1960, 74 Stat. 247]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 473, related to reports to Congress with respect to amounts paid or received under sections 7622 and 7623 of this title.

#### [§ 7625. Repealed. Pub. L. 87-769, § 1(2)(A), Oct. 9, 1962, 76 Stat. 768]

Section, act Aug. 10, 1956, ch. 1041, 70A Stat. 473, related to settlement of claims for damage to or loss of privately owned property. See section 2736 of this title.

### CHAPTER 655—PRIZE

Sec.	
7651.	Scope of chapter.
7652.	Jurisdiction.

Sec.	
7653.	Court in which proceedings brought.
7654.	Effect of failure to start proceedings.
7655.	Appointment of prize commissioners and special prize commissioners.
7656.	Duties of United States attorney.
7657.	Duties of commanding officer of capturing vessel.
7658.	Duties of prize master.
7659.	Libel and proceedings by United States attorney.
7660.	Duties of prize commissioners.
7661.	Interrogation of witnesses by prize commissioners.
7662.	Duties of marshal.
7663.	Prize property appropriated for the use of the United States.
7664.	Delivery of property on stipulation.
7665.	Sale of prize.
7666.	Mode of making sale.
7667.	Transfer of prize property to another district for sale.
7668.	Disposition of prize money.
7669.	Security for costs.
7670.	Costs and expenses a charge on prize property.
7671.	Payment of costs and expenses from prize fund.
7672.	Recaptures: award of salvage, costs, and expenses.
7673.	Allowance of expenses to marshals.
7674.	Payment of witness fees.
7675.	Commissions of auctioneers.
7676.	Compensation of prize commissioners and special prize commissioners.
7677.	Accounts of clerks of district courts.
7678.	Interfering with delivery, custody, or sale of prize property.
7679.	Powers of district court over prize property notwithstanding appeal.
7680.	Appeals and amendments in prize causes.
7681.	Reciprocal privileges to cobelligerent.

#### § 7651. Scope of chapter

(a) This chapter applies to all captures of vessels as prize during war by authority of the United States or adopted and ratified by the President. However, this chapter does not affect the right of the Army or the Air Force, while engaged in hostilities, to capture wherever found and without prize procedure—

- (1) enemy property; or
- (2) neutral property used or transported in violation of the obligations of neutrals under international law.

(b) As used in this chapter—

- (1) “vessel” includes aircraft; and
- (2) “master” includes the pilot or other person in command of an aircraft.

(c) Property seized or taken upon the inland waters of the United States by its naval forces is not maritime prize. All such property shall be delivered promptly to the proper officers of the courts.

(d) Nothing in this chapter may be construed as contravening any treaty of the United States.

(Aug. 10, 1956, ch. 1041, 70A Stat. 474.)

#### HISTORICAL AND REVISION NOTES

Revised section	Source (U.S. Code)	Source (Statutes at Large)
7651(a) .....	34 U.S.C. 1131 (less 1st proviso).	R.S. 4613 (less 1st proviso); June 24, 1941, ch. 232, 55 Stat. 261.