



Department of Defense

# DIRECTIVE

## AD-A272 454



60, Del  
197-215  
June 9, 1990  
NUMBER 5515.8

GC, DoD

SUBJECT: Single-Service Assignment of Responsibility for Processing of Claims

- References:
- (a) DoD Directive 5515.8, subject as above, June 3, 1987 (hereby canceled)
  - (b) Title 10, United States Code, Sections 2733, 2734, 2734a, 2734b, 2736, and 2737
  - (c) Public Law 86-740, "National Guard Claims Act," June 3, 1987 (32 U.S.C 715)
  - (d) NATO Status of Forces Agreement (4 UST 1972, TIAS 2846) and Similar Status of Forces Agreements
  - (e) Public Law 87-693 (76 Stat. 593), "Medical Care Recovery Act," September 25, 1962 (42 U.S.C. 2651 through 2653)
  - (f) Title 31, United States Code, Section 3711

### A. REISSUANCE AND PURPOSE

This Directive reissues reference (a) to update assignments for processing claims.

### B. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense (OSD), the Military Departments, the Chairman, Joint Chiefs of Staff and Joint Staff, the Unified and Specified Commands, and the Defense Agencies.

### C. POLICY

It is DoD policy that claims against the United States and claims by the United States shall be processed and settled expeditiously. To implement this DoD policy, responsibility for processing and settling such claims arising in overseas areas is assigned to the Military Departments named in enclosure 1. Assignments should correspond wherever possible with the appointment of the designated commanding officer (DCO) for each host country.

### D. RESPONSIBILITIES

1. The General Counsel, Department of Defense (GC, DoD), is authorized to change the assignments for processing claims arising in those countries listed in enclosure 1 and to assign responsibility for processing claims in countries not listed in enclosure 1.

2. The Military Departments listed in enclosure 1 shall process the following claims arising in those countries named in enclosure 1:

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a. All claims against the United States arising under 10 U.S.C. 2733, 2734, 2734a, 2734b, 2736, and 2737; the National Guard Claims Act; and under the NATO SOFA (references (b), (c), and (d)), and other SOFAS with countries not covered by reference (d).

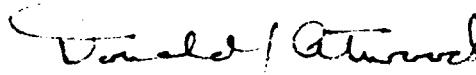
b. All claims on behalf of the United States arising under the NATO SOFA and P. L. 87-693, and tort claims under 31 U.S.C. 3711 (references (d), (e), and (f)).

3. The Secretary of the Navy is authorized to settle nonscope of duty claims under \$2,500 arising in foreign ports visited by U.S. forces afloat (including ports in those countries where single-Service assignment for processing claims has been assigned to the Departments of the Army and Air Force in enclosure 1) and, if the authorities of the receiving state concur, may process such claims regardless of the provisions of any international agreements governing nonscope claims processing by receiving and sending State authorities.

4. The Unified and Specified Commanders may assign interim responsibility for processing claims in countries where such assignment already has not been made under this Directive. They shall seek immediate confirmation and approval of such assignments from the GC, DoD.

E. EFFECTIVE DATE AND IMPLEMENTATION

This Directive is effective immediately. Forward two copies of implementing documents to the General Counsel, Department of Defense, within 90 days.



Donald J. Atwood  
Deputy Secretary of Defense

Enclosure

Assignments of Responsibility for Processing of Claims

ASSIGNMENTS OF RESPONSIBILITY FOR PROCESSING OF CLAIMS

A. Single-Service assignment for processing claims under section D., above, is assigned as follows:

1. Department of the Army: Austria, Belgium, El Salvador, France, the Federal Republic of Germany, Grenada, Honduras, Korea, the Marshall Islands, and Switzerland and as the Receiving State Office in the United States under 10 U.S.C. 2734a and 2734b, and the NATO SOFA (references (b) and (d)) and other SOFAS with countries not covered by reference (d).

2. Department of the Navy: Bahrain, Iceland, Israel, Italy, Portugal, and Tunisia.

3. Department of the Air Force: Australia, Azores, Canada, Cyprus, Denmark, Egypt, Greece, India, Japan, Luxembourg, Morocco, Nepal, the Netherlands, Norway, Oman, Pakistan, Saudi Arabia, Spain, Turkey, the United Kingdom, and claims involving, or generated by, the United States Central Command (CENTCOM) and the U.S. Special Operations Command (USSOC), that arise in countries not specifically assigned to the Departments of the Army and the Navy in subsections A.1. and A.2 of this enclosure, above.

B. A Military Department assigned responsibility for processing claims in section A. of this enclosure, above, may enter into a written agreement with another Military Department providing that each Military Department shall settle its respective claims arising under 10 U.S.C. 2733 (reference (b)).

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