



# Department of Defense

## **DIRECTIVE**

**NUMBER 5515.3**

September 27, 2004

**Certified Current as of October 31, 2006**

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GC, DOD

**SUBJECT:** Settlement of Claims Under Sections 2733, 2734, 2734a, and 2734b of title 10, United States Code

**References:** (a) DoD Directive 5515.3, "Settlement of Claims Under 10 U.S.C. 2733 and 2734, as amended," August 18, 1965 (hereby canceled)  
(b) Sections 2733, 2734, 2734a, and 2734b of title 10, United States Code  
(c) DoD Directive 5515.8, "Single-Service Assignment of Responsibility for Processing of Claims," June 9, 1990

### 1. REISSUANCE AND PURPOSE

This Directive:

- 1.1. Reissues reference (a).
- 1.2. Establishes the delegation of authority for settlement of claims under reference (b).

### 2. APPLICABILITY

This Directive applies to the Office of the Secretary of Defense, the Military Departments, the Chairman of the Joint Chiefs of Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities in the Department of Defense (hereafter referred to collectively as the "DoD Components").

### 3. POLICY

It is DoD policy that claims filed pursuant to reference (b) shall be processed and, if appropriate, administratively settled pursuant to this Directive.

#### 4. RESPONSIBILITIES

4.1. The General Counsel of the Department of Defense shall issue DoD Instructions and other guidance to implement this Directive, as appropriate.

4.2. The Secretaries of the Military Departments shall:

4.2.1. Designate members of Claims Commissions established under subsection 2734(a) of reference (b).

4.2.2. Settle and pay claims arising pursuant to sections 2734a and 2734b of reference (b).

4.2.3. Prepare regulations designating that all claims arising under a Service's assigned single-Service claims responsibility pursuant to DoD Directive 5518.8 (reference (c)) shall normally be settled under the regulations of the Military Department having such single-Service claims responsibility.

4.3. The Secretary of the Army shall, under section 2733 of reference (b), and on behalf of the Secretary of Defense, settle and pay claims (in areas other than where single-Service claims jurisdiction applies pursuant to reference (c)) that arise out of the acts or omissions of civilian personnel of the DoD Components other than the Military Departments, or that are otherwise incident to the non-combat activities of the Department of Defense.

#### 5. EFFECTIVE DATE

This Directive is effective immediately.

  
**Paul Wolfowitz**  
**Deputy Secretary of Defense**