

CLIENT ALERT

Tucker Act Reaches More NAFIs Than Many Thought

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In a 6-4 en banc decision, the Federal Circuit in *Slattery v. U.S.* (Jan. 28, 2011) has overruled significant contrary precedent and explained that the Tucker Act provides jurisdiction to sue non-appropriated funds instrumentalities of the government, irrespective of their funding source and whether or not they are listed explicitly in the act (such as the military exchanges have been since the 1970 amendments). Judgments in such cases will be paid from the Judgment Fund.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

Brian Tully McLaughlin

Partner – Washington, D.C.

Phone: +1 202.624.2628

Email: bmclaughlin@crowell.com