

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Committee Substitute

for

Senate Bill 628

BY SENATORS TARR AND PLYMALE

[Originating in the Committee on Finance; reported on

February 9, 2024]

1 A BILL finding and declaring certain claims against the state and its agencies to be moral
2 obligations of the state; and directing the Auditor to issue warrants for the payment thereof.

Be it enacted by the Legislature of West Virginia:

§1. Finding and declaring certain claims against the Department of Administration, Office of Technology; Department of Environmental Protection; Department of Health and Human Resources; Department of Military Affairs & Public Safety, Division of Corrections and Rehabilitation; Department of Transportation, Division of Highways; Department of Transportation, Division of Motor Vehicles; State of West Virginia; and West Virginia Legislature, Joint Committee on Government and Finance, to be moral obligations of the state and directing payment thereof.

1 The Legislature has considered the findings of fact and recommendations reported to it
2 by the Legislative Claims Commission concerning various claims against the state and agencies
3 thereof and, in respect to each of the following claims, the Legislature adopts those findings of
4 fact as its own and in respect of the claims herein, the Legislature has independently made
5 findings of fact and determinations of award and hereby declares it to be the moral obligation of
6 the state to pay each such claim in the amount specified below and directs the Auditor to issue
7 warrants for the payment thereof out of any fund appropriated and available for the purpose.

(a) *Claim against the Department of Administration, Office of Technology:*
(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Ricoh USA, Inc. \$1,975.45

(b) *Claims against the Department of Environmental Protection:*
(TO BE PAID FROM SPECIAL REVENUE FUND)

(1) Gartner Inc..... \$27,605.25

(2) Snyder Environmental Service, Inc. \$2,940.00

(c) *Claims against the Department of Health and Human Resources:*

(TO BE PAID FROM GENERAL REVENUE FUND)

(1)	West Virginia Association of Rehabilitation Facilities.....	\$106.65
(2)	West Virginia Association of Rehabilitation Facilities.....	\$38.18
(3)	West Virginia Association of Rehabilitation Facilities.....	\$41.53
(4)	West Virginia Association of Rehabilitation Facilities.....	\$7,749.14
(5)	West Virginia Association of Rehabilitation Facilities.....	\$164.19
(6)	West Virginia Association of Rehabilitation Facilities.....	\$99.39
(7)	West Virginia Association of Rehabilitation Facilities.....	\$2,883.83
(8)	West Virginia Association of Rehabilitation Facilities.....	\$83.06
(9)	West Virginia Association of Rehabilitation Facilities.....	\$7,016.37
(10)	West Virginia Association of Rehabilitation Facilities.....	\$1,942.56
(11)	West Virginia Association of Rehabilitation Facilities.....	\$3,638.96
(12)	West Virginia Association of Rehabilitation Facilities.....	\$34,865.65
(13)	West Virginia Association of Rehabilitation Facilities.....	\$14,404.94
(14)	West Virginia Association of Rehabilitation Facilities.....	\$755.81

(d) *Claims against the Department of Military Affairs & Public Safety, Division of Corrections and Rehabilitation:*

(TO BE PAID FROM GENERAL REVENUE FUND)

(1)	Donald Adams	\$87.53
(2)	Anthony Cartagena.....	\$34.98
(3)	Anthony Cartagena.....	\$25.00
(4)	Miguel Delgado.....	\$110.17
(5)	Andrew T. Miller.....	\$48.30
(6)	Glen Mitchell.....	\$150.00
(7)	Brian C. Morgan.....	\$286.89
(8)	Darrin Pandelos	\$85.52

(9)	Ray Parsons	\$129.90
(10)	Clarence Slaughter	\$99.99
(11)	Darrell Washington	\$100.00
(e)	<i>Claims against Department of Transportation, Division of Highways:</i>	
	(TO BE PAID FROM STATE ROAD FUND)	
(1)	Scott Abe	\$1,500.00
(2)	Derrick B. Adkins	\$213.08
(3)	Leonard L. Adkins and Debra L. Adkins	\$500.00
(4)	After Hours Bail Bonds and Stephen Thompson	\$500.00
(5)	Michael Alvarez	\$228.84
(6)	Charles R. Anderegg and Elizabeth M. Anderegg	\$486.01
(7)	Joy Anderson	\$450.50
(8)	Michael Arbogast	\$500.00
(9)	Howard Armstead	\$100.00
(10)	Lee Matthew Arnold	\$243.73
(11)	Jimmy Atkins and Robin Atkins	\$500.00
(12)	Natala Auvil	\$434.80
(13)	Anne E. Baker	\$172.43
(14)	Myra M. Bartilson and Bryan B. Bartilson	\$378.40
(15)	Myra M. Bartilson and Bryan B. Bartilson	\$347.18
(16)	Harry L. Beckman, Sr. and Pamela Beckman	\$500.00
(17)	Regina Bell	\$250.00
(18)	Samuel Berhanu and Seble Wongel Hailu, In Their Capacity as Co-Administrator and Co-Administratrix of the Estate of Leah Samuel Berhanu	\$50,000.00
(19)	Harry L. Biggs and Louise Biggs	\$1,000.00
(20)	Samson D. Bland and Nancy Bland Poth	\$660.00

(21)	Kevin E. Blaschak.....	\$235.95
(22)	Nicholas Blumert and Ashley Blumert	\$100.00
(23)	Frederick D. Bosley.....	\$500.00
(24)	James Boston	\$322.13
(25)	Shannon Bowling.....	\$9,122.00
(26)	Raymond L. Bradley Jr. and Emily Bradley	\$628.87
(27)	Clayton Brandli	\$1,000.00
(28)	Brenda Brandon.....	\$500.00
(29)	Barbara M. Brown.....	\$249.49
(30)	Sharon R. Brown.....	\$275.75
(31)	Sandra Bucklew and Steve Bucklew	\$124.34
(32)	Stephanie Burdette	\$364.50
(33)	Stephanie Burdette	\$500.00
(34)	Jessica Burkhammer	\$250.00
(35)	Raymond Burns	\$500.00
(36)	Lenford E. Burrell, Sr. and Asbie M. Burrell.....	\$400.00
(37)	Samuel Byrnside and Corra Byrnside	\$175.23
(38)	Danny N. Cadier	\$687.79
(39)	Jamie Caldwell.....	\$325.46
(40)	Toney Calhoun and Pamela Calhoun.....	\$500.00
(41)	Tammy L. Campbell and Arlie E. Campbell.....	\$160.06
(42)	Monica L. Carlucci and Robert Carlucci	\$500.00
(43)	David J. Carpenter and Kayla J. Carpenter	\$1,000.00
(44)	Zamara Carr	\$113.69
(45)	Casey Catlett and David A. Catlett, Jr.....	\$1,000.00
(46)	Thomas Centofanti and Shadley Centofanti	\$1,000.00

(47)	James Chaffin.....	\$209.12
(48)	Charles Chitekwe.....	\$377.32
(49)	Cody Chrisman.....	\$111.30
(50)	Clifton Clark.....	\$573.77
(51)	Clear Water Services LLC.....	\$250.00
(52)	Roy Anson Cline.....	\$1,000.00
(53)	Brett D. Clutters.....	\$423.98
(54)	Craig Collins and Judy Collins.....	\$250.00
(55)	Collision Appraisal Reinspection Service and John E. Carter, III.....	\$500.00
(56)	Joseph A. Compton.....	\$467.74
(57)	Charles R. Conner.....	\$179.76
(58)	Logan Conrad.....	\$175.23
(59)	Logan Conrad.....	\$186.25
(60)	Patty Jo Contic.....	\$251.44
(61)	Terry V. Cooper.....	\$500.00
(62)	Casey Corbett.....	\$471.82
(63)	Brittany R. Cottrill and Phyllis Pigott.....	\$142.27
(64)	Eugene Cowger and Irma Cowger.....	\$100.00
(65)	Linda R. Cox and Thomas M. Cox.....	\$250.00
(66)	Linda L. Craig.....	\$280.90
(67)	William Crowder.....	\$1,000.00
(68)	Donald J. Currence.....	\$173.84
(69)	Sharon Daniels and Timmy Daniels.....	\$148.35
(70)	Brian A. Darst.....	\$334.96
(71)	Jonathan T. Davis.....	\$500.00
(72)	Raylene DeLeon and Roberto DeLeon.....	\$200.00

(73)	Shirley L. Dempsey.....	\$477.00
(74)	Shirley L. Dempsey.....	\$311.59
(75)	Brandon DePriest and Debra DePriest.....	\$1,275.03
(76)	Garrett A. Dietz and Michelle Y. Dietz.....	\$500.00
(77)	Amy L. Dillon.....	\$485.46
(78)	Matthew Ditchen and Mike Ditchen.....	\$556.83
(79)	Michael J. Dotson, Jr.	\$500.00
(80)	Austin M. Doughty.....	\$484.36
(81)	Aliyah Drake and Asya Drake	\$2,000.00
(82)	Phillip L. Duran	\$500.00
(83)	Dayton A. Duvall, Jr.	\$375.49
(84)	Cierra Eddy and William Eddy.....	\$434.58
(85)	Theresa A. Eddy	\$368.99
(86)	Virgil E. Edmonds	\$197.44
(87)	Kenneth C. Egnor, III	\$1,000.00
(88)	Virginia Elliott and Rodney Elliott	\$293.00
(89)	Warren S. Elliott and Marianne Elliott.....	\$500.00
(90)	William R. Ellis, Jr.	\$500.00
(91)	Michele L. Ennis	\$330.57
(92)	Pamela H. Faber and James Faber	\$262.80
(93)	Denise M. Facemyre.....	\$500.00
(94)	David Farrah.....	\$471.11
(95)	Robert Farrow.....	\$500.00
(96)	Andrew R. Fife and Jayme Fife.....	\$293.18
(97)	Nathan Fordyce	\$1,000.00
(98)	Shawna C. Foster	\$207.79

(99)	Tina M. Foster and Eric Foster.....	\$2,247.08
(100)	Darla Fox-Gales.....	\$219.60
(101)	James Frye and Tammy Frye	\$500.00
(102)	Deborah L. Gainer	\$587.42
(103)	Donald Gainer and Christena Gainer	\$886.36
(104)	John D. Gaupel and Marilyn Gaupel	\$438.70
(105)	Lacie Geary	\$273.18
(106)	Richelle Gemmell.....	\$317.05
(107)	Beverly J. Gerard.....	\$131.98
(108)	Suzanne Gillespie and Larry Gillespie.....	\$367.33
(109)	Joseph Anthony Gorayeb.....	\$500.00
(110)	Vivian Graf	\$316.34
(111)	Theresa Grimes	\$102.72
(112)	John Gue and Debra Gue	\$900.00
(113)	Shane Hall	\$1,000.00
(114)	John W. Hanifan and Agnes Hanifin	\$675.00
(115)	William C. Harlow.....	\$96.06
(116)	David Harmon and Crystal Harmon	\$282.97
(117)	James Harr	\$667.45
(118)	Heather D. Harrison	\$500.00
(119)	Dewey Hastings.....	\$365.05
(120)	Jami L. Hefner and Mark H. Hefner.....	\$800.00
(121)	Melissa Hemsley and Thomas Hemsley	\$208.65
(122)	Scott Henderson	\$216.12
(123)	Wanda L. Henline	\$193.50
(124)	Kerry Herron	\$1,000.00

(125)	Tanika Hill	\$212.71
(126)	George Hilvers	\$563.97
(127)	Theresa Hitchcock	\$165.44
(128)	Daniel Holbrook	\$692.93
(129)	Jennifer C. Holmes, Stanley W. Holmes, and Dustin D. Holmes	\$140.39
(130)	Dallas Horrocks	\$608.73
(131)	Chazie Howdershelt and Jodi Howdershelt	\$110.19
(132)	Juanita Howerton	\$500.00
(133)	Agueda Hudkins-Teague	\$655.06
(134)	Samuel Huff and Mackenzie Huff	\$491.20
(135)	Alan Huffman	\$500.00
(136)	Timothy L. Hughes and Diane C. Hughes	\$296.80
(137)	Lawrence W. Hunt and Phyllis M. Hunt	\$257.92
(138)	Elizabeth Hunter and Paul Hunter	\$422.15
(139)	Donald R. Irvin	\$505.67
(140)	Diana Jarvis and Roger Jarvis	\$250.00
(141)	James Jasinski and Samantha Jasinski	\$407.53
(142)	Tina M. Jernigan and Brian J. Jernigan	\$500.00
(143)	Randall Blake Jett	\$1,000.00
(144)	Jing De Jiang	\$500.00
(145)	Jeffrey Johns	\$198.88
(146)	Allen Johnson	\$500.00
(147)	Earnest L. Johnson	\$500.00
(148)	Faith M. Johnson	\$214.29
(149)	Keith Leo Johnson, Jr.	\$250.00
(150)	Todd Johnson	\$279.60

(151)	April Jones and Stanley Jones	\$500.00
(152)	Tod W. Jones	\$8,000.00
(153)	Dak Jones.....	\$500.00
(154)	Pamela Jones and Lisa Chapman	\$331.61
(155)	Tracey D. Jones and Nicole B. Jones	\$205.54
(156)	Joseph Justice	\$1,000.00
(157)	Kenneth D. Justice.....	\$274.73
(158)	Ryan Kehler	\$759.60
(159)	Hubert M. Kennett and Greta M. Kennett.....	\$500.00
(160)	Patricia Kephart	\$1,000.00
(161)	Delwood R. Kesner	\$250.00
(162)	Sandra K. Kiger and Wayne Kiger	\$283.25
(163)	Brenda Kincaid and Cathy Kincaid.....	\$250.00
(164)	Clarence E. Kinder.....	\$250.00
(165)	Joseph Kinsley.....	\$500.00
(166)	Tammi L. Kirk.....	\$381.60
(167)	Tammi L. Kirk.....	\$171.59
(168)	Cassandra Kisner	\$250.00
(169)	Chelsi Koger	\$826.67
(170)	Sandy Kyer	\$544.73
(171)	Shawnda Kyle and Jesse Kyle	\$261.60
(172)	Debra Lake	\$250.00
(173)	Amber Lanham and Jeremy Lanham	\$1,500.00
(174)	Brian J. Lanham.....	\$373.42
(175)	Jill Drooger Leathers.....	\$190.49
(176)	Tavis B. Lee.....	\$953.99

(177)	Gary A. Legg, Jr.....	\$159.00
(178)	Billy G. Lilly, Jr.	\$500.00
(179)	Robyn Lindamood.....	\$350.00
(180)	Hayward Luckey	\$127.19
(181)	Destiny Lylyk.....	\$294.07
(182)	Taylor Lynch	\$500.00
(183)	Sasha Maclver and Jonathan Maclver	\$301.74
(184)	Roy P. Maddox	\$500.00
(185)	Joseph Manchin, IV	\$190.46
(186)	Sondra Maraguglio.....	\$250.00
(187)	Aaron Marko	\$462.80
(188)	Albert Martin	\$500.00
(189)	Kent Martin and Tammi Martin	\$1,000.00
(190)	David Mason and Alexis Mason	\$500.00
(191)	Eva D. Mason	\$645.42
(192)	Chris Massey	\$275.52
(193)	Chris Massey	\$175.23
(194)	Nancy J. Massey.....	\$500.00
(195)	Donna L. Maynor	\$500.00
(196)	Joseph C. McComas, II.....	\$254.00
(197)	Charlotte McIntyre and Monty McIntyre.....	\$500.00
(198)	Ian McKenzie	\$185.50
(199)	Edward L. McPherson.....	\$2,875.50
(200)	Michael Meeks.....	\$500.00
(201)	Gregory B. Meikle and Paula J. Meikle	\$471.87
(202)	Gregory B. Meikle and Paula J. Meikle	\$173.31

(203)	Lora B. Meyers	\$884.24
(204)	Armon Millner.....	\$135.88
(205)	Clarence D. Minger	\$455.80
(206)	Larry F. Minto and Michele Minto	\$215.00
(207)	Janet Mize and John Mize	\$1000.00
(208)	Lorrie A. Moles.....	\$268.57
(209)	Jackie L. Mollohan, Jr. and Ashley Mollohan.....	\$145.51
(210)	Heather C. Montgomery	\$349.25
(211)	Justin Mooney.....	\$289.71
(212)	Heather N. Moore	\$243.68
(213)	Stephen K. Moss.....	\$1,000.00
(214)	Kristen Mowder	\$360.40
(215)	Micah S. Mullenax.....	\$297.00
(216)	Samantha Mullins	\$480.00
(217)	Maximus Myers.....	\$3,591.52
(218)	Gabriel Scott Neace.....	\$1,378.80
(219)	Joey A. Neeley.....	\$653.85
(220)	Anthony Neff	\$500.00
(221)	Anthony Neff	\$500.00
(222)	James M. Newlon	\$84.53
(223)	Gena Nicholas	\$500.00
(224)	Douglas R. Nowery	\$250.00
(225)	Kim Nuckles.....	\$406.76
(226)	Tina M. O'Neill	\$495.11
(227)	Cindy Jo Orndoff	\$127.90
(228)	Earl D. Osborne, Jr.	\$1,475.93

(229)	Miranda Osburn	\$500.00
(230)	Harold Page and Betty Page.....	\$500.00
(231)	Misty Parsons and Chris Parsons	\$295.67
(232)	Megan Peaytt and Michael Peaytt.....	\$480.00
(233)	Gerald R. Phelps and Bonnie G. Phelps	\$156.28
(234)	April Pierson	\$293.18
(235)	Sarah Woodrum Pilgrim	\$500.00
(236)	Glenda Pizzino and Danny Pizzino	\$500.00
(237)	Andrew G. Podolak.....	\$236.04
(238)	James V. Polino.....	\$419.40
(239)	Robert L. Poulton	\$500.00
(240)	Rachelle Prudnick.....	\$395.77
(241)	David Earl Quick	\$425.56
(242)	Deborah Quisenberry.....	\$743.54
(243)	Bernard L. Raber and Anna Ruth Raber	\$250.00
(244)	Anthony Ramsey.....	\$500.00
(245)	Judith O. Reckart	\$1,000.00
(246)	Rodger R. Reed.....	\$1,000.00
(247)	Shannon D. Reed	\$500.00
(248)	Tammy Lyn Rhodes.....	\$1,500.00
(249)	Leslie Richardson-Merritt	\$500.00
(250)	Michael Riddle	\$500.00
(251)	Terri Rilling and Jacob Rilling.....	\$427.68
(252)	Franklin L. Roberts.....	\$500.00
(253)	Thomas Robertson	\$1,000.00
(254)	Jenna Robinson.....	\$145.51

(255)	Ashton M. Rodabaugh and Chet Rodabaugh.....	\$373.54
(256)	Tyler Rogers	\$250.00
(257)	Keriann Ross and Justin Carr	\$399.25
(258)	Kevin Ross.....	\$609.46
(259)	DeAnna Ryan and Patrick Ryan.....	\$243.46
(260)	Donald W. Ryan.....	\$253.65
(261)	John A. Sacchetti Jr. and Denise M. Sacchetti.....	\$500.00
(262)	Massih Saheli	\$434.91
(263)	Brian C. Sanders and Pamela A. Sanders	\$1,000.00
(264)	Danielle B. Sandler	\$573.72
(265)	Kyra Savrese	\$500.00
(266)	Shawna Sayre and Kevin Smith.....	\$111.06
(267)	Misty Scarbrough.....	\$301.64
(268)	Tara Schell and Shane Schell.....	\$421.47
(269)	Charles Schultz.....	\$151.68
(270)	Jordan Seaward.....	\$500.00
(271)	Frank M. Semplice	\$167.76
(272)	Seneca Village, LLC	\$5,500.00
(273)	Shawn Shamshiry	\$557.10
(274)	Florencia A. Shaver	\$281.11
(275)	Kenneth Showe	\$330.69
(276)	Tanya Sisson	\$222.31
(277)	Robert A. Skidmore, Sr.	\$1,252.00
(278)	Randall S. Smith and Lisa Smith.....	\$192.58
(279)	Rebecca Ann Smith	\$350.85
(280)	Gage Sneed and Olivia Sneed.....	\$500.00

(281)	Kathy Spry	\$500.00
(282)	Christopher Starcher.....	\$500.00
(283)	Sharon Starcher.....	\$422.65
(284)	Linda Stemple.....	\$223.52
(285)	Joey Stepek.....	\$1,043.18
(286)	Darby Stevens and Jerry Stevens.....	\$500.00
(287)	Carl D. Stewart, II.....	\$2,000.00
(288)	Daniel Stokum	\$1,000.00
(289)	Kevin K. Stone and Kenneth R. Stone	\$131.96
(290)	Tina Stout and Danny Stout	\$500.00
(291)	Janell Stratton and Louis Gallo	\$743.10
(292)	Sarah Strawderman and Jeremy Strawderman.....	\$342.12
(293)	Flem Stroud and Yvonne Stroud.....	\$5,000.00
(294)	Kelly Jo Summers.....	\$383.72
(295)	Richard L. Tanner, Jr. and Melody Tanner.....	\$280.88
(296)	Scarlett Tarley.....	\$1,000.00
(297)	Edna Taylor and Dick Taylor	\$150.18
(298)	Randy L. Tennant	\$268.89
(299)	Haley Alexis Teter and Mitzy Teter	\$500.00
(300)	Sharon Thomas and Donald Thomas.....	\$500.00
(301)	Richard A. Toler.....	\$171.95
(302)	Rhonda Toney	\$138.03
(303)	Mekayla Toothman	\$221.53
(304)	Michael E. Torian.....	\$500.00
(305)	Leslie Tower and Benjamin Tower	\$500.00
(306)	Carl Trosper and Joy Trosper	\$500.00

(307)	Joseph Tucker	\$1,048.34
(308)	Rodney Tucker	\$500.00
(309)	Tarren Tucker	\$500.00
(310)	Aisha Tufail	\$500.00
(311)	John M. Turner and Jana L. Turner.....	\$500.00
(312)	Bertie Vance and Todd Mowery	\$263.94
(313)	Barry Vaught.....	\$426.61
(314)	John M. Wales	\$369.80
(315)	Nancy Weaver and Roger Weaver.....	\$100.00
(316)	Teresa L. Webb and Kevin B. Webb	\$1,000.00
(317)	Casey Wellman and Shari Pinson.....	\$15,000.00
(318)	Stephen T. Wentz	\$500.00
(319)	Don Lee Wilcox and Michele R. Wilcox.....	\$3,002.76
(320)	Michael Wiley and Emily Wiley.....	\$328.60
(321)	Austin Wilson and Stephanie Wilson.....	\$500.00
(322)	Jacqueline Wilson	\$325.42
(323)	Joseph Paul Wiltsey, Jr.....	\$416.10
(324)	Thomas C. Wood	\$452.00
(325)	Shannon Woodard	\$500.00
(326)	West Virginia Association of Rehabilitation Facilities.....	\$16,108.76
(327)	West Virginia Association of Rehabilitation Facilities.....	\$34,990.49
(328)	Jaime Wykle	\$254.43
(329)	Joseph N. Yerace and Linda Yerace.....	\$224.78
(330)	Amy Zankowitz	\$293.07
(331)	Kimberly Zwier and Michael Zwier	\$310.73

(f) *Claims against the Department of Transportation, Division of Motor Vehicles:*
(TO BE PAID FROM STATE ROAD REVENUE FUND)

- (1) West Virginia Association of Rehabilitation Facilities..... \$70,130.92
- (2) West Virginia Association of Rehabilitation Facilities..... \$1,850.00
- (3) West Virginia Association of Rehabilitation Facilities..... \$93.24
- (4) West Virginia Association of Rehabilitation Facilities..... \$403.20
- (5) West Virginia Association of Rehabilitation Facilities..... \$94.50
- (6) West Virginia Association of Rehabilitation Facilities..... \$870.66
- (7) West Virginia Association of Rehabilitation Facilities..... \$97.40
- (8) West Virginia Association of Rehabilitation Facilities..... \$10,854.25

(g) *Claim against the State of West Virginia*

(TO BE PAID FROM GENERAL REVENUE FUND)

- (1) Charles Jason Lively \$1,568,936.00

(h) *Claim against the West Virginia Legislature, Joint Committee on Government and Finance*

(TO BE PAID FROM GENERAL REVENUE FUND)

- (1) Alpha Technologies, Inc..... \$3,735.88

8 The Legislature finds that the above moral obligations and the appropriations made in
9 satisfaction thereof shall be the full compensation for all claimants and that prior to the payments
10 to any claimant provided in this bill, the Legislative Claims Commission shall receive a release
11 from said claimant releasing any and all claims for moral obligations arising from the matters
12 considered by the Legislature in the finding of the moral obligations and the making of the
13 appropriations for said claimant. The Legislative Claims Commission shall deliver all releases
14 obtained from claimants to the department against which the claim was allowed.