

Claims Information

FILING A CLAIM WITH THE ARMY CORPS OF ENGINEERS UNDER THE FEDERAL TORT CLAIMS ACT*

If you believe that you have suffered either a personal injury or property damage as a result of a negligent act of the Saint Paul District of the Army Corps of Engineers (District), you may submit a claim to our office for damages under the Federal Tort Claims Act (FTCA), 28 United States Code Sections 2671 through 2680. The federal government has created a form, the Standard Form (SF) 95, to facilitate the processing of claims. A copy of the form may be obtained and printed by clicking [SF 95.pdf \(525.1 KB\)](#).

Negligence

Under the FTCA, claims may be payable when the injury or damage is caused by negligent or wrongful acts or omissions of military personnel or civilian employees of the Federal Government (including the United States Army Corps of Engineers) while acting within the scope of their employment. Liability does not arise merely because the damage or injury occurred on property owned or managed by the Department of Defense or the Federal Government; fault or negligence by the Government or its employees is a prerequisite to Government liability.

Timing

Generally, a claim against the United States must be presented in writing within two years from the date that the loss or damage occurred. Claims not submitted within this two year period are barred.

Required Information

The following information must be included with the claim in order for the claim to be processed:

- Proof of ownership of the property damaged.
- The date and location at which the alleged negligent act/damage occurred.
- A description of how the damage occurred and why the District is responsible.
- A detailed statement of the amount claimed with respect to each item of damaged property.

Supplemental Information

The law provides agencies six months to investigate and act your claim. The more information that you are able to provide describing the circumstances surrounding the incident, the more quickly we will be able to evaluate your claim. Other information that would be helpful includes:

- Any diagrams, reports, or photographs prepared that describe or depict the incident and/or the damages.

- A written statement from witnesses to the incident.
- Itemized receipts showing the payments made for the repair or replacement of the damaged property.
- Insurance information, whether or not an insurance claim has been or will be filed.

Any other evidence or information which may have a bearing on either the responsibility of the United States for the loss of property or the damages claimed.

Appeals

You will have the opportunity to appeal the St. Paul District's action on your claim to the appropriate United States District Court after one of the following has occurred:

- You have received a final written decision from the District and you are unhappy with the outcome. You will have six months from the date of the decision to file suit in Federal District Court.
- If the District does not provide a final decision within six months of receiving your claim, you may treat the inaction of the agency as a final denial and file suit in Federal District Court.

Sample SF 95

[Click here to see a completed sample SF-95 form with notes for reference only.](#)

Submitting Your Claim

Claims can be submitted to the following address:

US Army Corps of Engineers
Office of Counsel
180 5th St. East
Suite 700
St. Paul, MN 55101-1678

Questions

To speak with someone regarding a claim, please call (651) 290-5496 and your call will be directed to the appropriate party.

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This information paper is intended only to provide general information on claims and procedures for filing claims under the Federal Tort Claims Act. It is not intended to provide legal advice to the recipient, to discourage or encourage the filing of a claim, or to make any suggestion as to whether a claim would be paid by the Government.