

Filing a Tort Claim

The Federal Tort Claims Act provides for the filing of claims against the United States for personal property damage or loss, personal injury, or wrongful death caused by the negligent or wrongful acts or omissions of federal government employees while acting within the scope of their employment, under circumstances where the United States, if a private person, would be liable to the claimant in accordance with the law of the State where the act or omission occurred.

A tort claim must be filed within two years of the date of the incident which gave rise to the claim.

It is the responsibility of private property owners to document and substantiate any claims filed for damage to or loss of personal property. The private property owner assumes the burden for proving the Government negligent and for documenting their losses.

The claimant must submit the claim using the attached SF-95, Claim for Damage, Injury or Death, or other written and signed document.

The claimant must provide:

1. Claimant's name, mailing address and phone number.
2. A statement describing what action or omission of the Government caused the damage, loss, or injury.
3. The sum certain (specific dollar amount) claimed.

The claimant should provide the following supporting documentation to substantiate the claim:

1. Proof of ownership for damaged property, e.g., copy of title, registration, deed or tax documents.
2. Documentation of the amount claimed, e.g., two itemized repair estimates, two estimates of replacement costs, age of damaged/destroyed property, salvage values, proof of property value.
3. Documentation of insurance coverage of the property.
4. Witness statements.
5. Pictures of the damaged property and pictures of the property before damage occurred.

Submit tort claims to:

Bureau of Land Management
Alaska Fire Service
Attn: Incident Business Specialist
P.O. Box 35005
Fort Wainwright, AK 99703