

105TH CONGRESS  
1ST SESSION

# H. R. 1334

To amend the Federal tort claims provisions of title 28, United States Code, to repeal the exception for claims arising outside the United States and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1997

Ms. NORTON introduced the following bill; which was referred to the  
Committee on the Judiciary

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## A BILL

To amend the Federal tort claims provisions of title 28, United States Code, to repeal the exception for claims arising outside the United States and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. CLAIMS ARISING OUTSIDE THE UNITED**  
4       **STATES.**

5       (a) EXCEPTION.—Section 2680 of title 28, United  
6       States Code, is amended by striking subsection (k).

7       (b) APPLICABLE LAW.—In an action brought under  
8       section 1346(b) of title 28, United States Code, for a

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1 claim arising in a foreign country, the court shall apply  
2 the law of the domicile of the plaintiff in such claim.

3 **SEC. 2. CLAIMS FOR GROSS NEGLIGENCE.**

4 Sections 2674 of title 28, United States Code, is  
5 amended by adding at the end the following:

6 “Notwithstanding section 8116(c) of title 5, United  
7 States Code, an officer or employee of the United States  
8 may bring an action under this chapter against the United  
9 States which is based on the gross negligence of an officer  
10 or employee of the United States.”.

11 **SEC. 3. EFFECTIVE DATE.**

12 The amendments made by sections 1 and 2 shall  
13 apply with respect to actions which occurred on or after  
14 April 3, 1996.

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