

106TH CONGRESS
1ST SESSION

S. 1970

To amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 18, 1999

Mr. SPECTER introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend chapter 171 of title 28, United States Code, with respect to the liability of the United States for claims of military personnel for damages for certain injuries.

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. LIABILITY OF UNITED STATES FOR CLAIMS OF**
4 **MILITARY PERSONNEL FOR DAMAGES FOR**
5 **CERTAIN INJURIES.**

6 (a) IN GENERAL.—Chapter 171 of title 28, United
7 States Code (commonly referred to as the “Federal Tort

1 Claims Act”), is amended by inserting after section 2679
 2 the following:

3 **“§ 2679A. Applicability to claims of military personnel**
 4 **for damages for certain injuries**

5 “Except as provided in section 2680 of this title, this
 6 chapter and section 1346(b) of this title shall apply to any
 7 claim resulting from—

8 “(1) an injury sustained by a member of the
 9 military or naval forces of the United States while
 10 serving on active duty (as defined in section 101 of
 11 title 10), arising or resulting from, or aggravated by,
 12 a negligent or wrongful act or omission of another
 13 member of the military or naval forces of the United
 14 States or the Federal Government; or

15 “(2) the death of a member of the military or
 16 naval forces of the United States resulting from an
 17 injury described in paragraph (1).”.

18 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 19 The table of sections for chapter 171 of title 28, United
 20 States Code, is amended by inserting after the item relat-
 21 ing to section 2679 the following:

“2679A. Applicability to claims of military personnel for damages for certain in-
 juries.”.

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