



## **FORT SILL CLAIMS OFFICE**

4700 Mow-Way Road, Suite 400 (4th Floor), Fort Sill, OK 73503  
(580) 442-2317 (or 5058)  
<http://sill-www.army.mil/usag/jag>



### **CATEGORIES OF CLAIMS**

**Mission:** Military Claims Offices (MCO) handle claims for and against the U.S. Government arising from incidents involving DoD personnel that occurred in their assigned geographical area (for Fort Sill, this is Oklahoma and Arkansas). Claims examiners substantiate claims and seek an equitable resolution for both the government and the claimant within statutory/regulatory authority.

The Fort Sill Area Claims Office processes the following categories of claims:

#### **1. PERSONNEL CLAIMS**

Personnel Claims include claims against the United States filed by Soldiers, DA civilians, and other military personnel for damages to, or the loss of, personal property "incident to service".

For example:

- a. **Household Goods (HHG)** — Damage to, or loss of, household goods during a PCS move or another move incident to service.
- b. **Unusual Occurrences** — Damage to, or loss of, personal property during an unusual occurrence which affects the Soldier or DA civilian incident to their service obligations, such as a claim resulting from a natural disaster.
- c. **Crimes** — On-post robberies, theft, or vandalism.
- d. **Evidence** — Destruction of, or damage to, property held as evidence (and evidence held for an extended period of time, when this creates a grave hardship to the victim).

#### **2. TORT CLAIMS**

Claims filed pursuant to federal statute, including those against the United States for property damage or loss, personal injury, or death caused by the negligence of military personnel acting within their scope of employment or incident to the noncombat operations of the armed services. Most such claims fall under the **Federal Tort Claims Act (FTCA)** and **Military Claims Act (MCA)**. Additional statutory authorities include the Non-Scope Claims Act, National Guard Claims Act, Foreign Claims Act, and Maritime Claims Act.

#### **3. AFFIRMATIVE CLAIMS**

Claims where the United States either recovers, or assists in the recovery, from third parties for (i) property wrongfully taken, property losses, or property damage; or (ii) medical costs and/or lost wages.

- a. **Medical Affirmative Claims** – Claims made to recover the Soldier's lost pay and the reasonable cost of medical care furnished by Military Treatment Facilities (MTFs) or paid for by TRICARE from responsible third parties (pursuant to the Federal Medical Care Recovery Act).
- b. **Affirmative Tort Claims** – Claims made to recover the cost of damage to government property from responsible third parties.
- c. **Article 139 claims** – Claims filed by an individual against a member of the armed forces who is suspected of wrongfully taking or willfully damaging the individual's personal property. The United States will assist in adjudicating these claims.
- d. **Carrier Recovery** – Claims made to recover the cost of personal property losses, resulting from household good and vehicle moves, paid to claimants as personnel claims.

\* Note: Information papers are available at the Fort Sill Claims Office on many of these types of claims.

If you have questions concerning the information in this fact sheet, please call the Fort Sill Area Claims Office at (580) 442-2317 or 442-5058. Our hours of operation are Monday, Tuesday, Wednesday and Friday, 0900 – 1600, and Thursdays 1300-1600. The Claims Office is co-located with the Legal Assistance Office on the 4<sup>th</sup> floor of Building 4700, Hartell Hall on Mow-Way Road. Further information is available at the Office of the Staff Judge Advocate website, "Claims Office" tab, at <http://sill-www.army.mil/usag/>.