



Torii Claims Assistance



• 644-4742 • BUILDING 218 • ROOM 222 •

Categories of Claims

Adapted from a Fort Sill Handout

There are three categories of claims:

Personnel Claims – Personnel Claims include claims against the United States filed by Soldiers, Department of the Army Civilians, and other military personnel for damages to, or the loss of, personal property incident to service.

For example:

- Damage to, or loss of, household goods during a PCS move or another move incident to service.
- Damage to, or loss of, personal property during an unusual occurrence (such as a typhoon) which affects the Soldier or Department of the Army Civilian incident to their service obligations.
- On-post (or authorized off-base quarters) robberies, theft, or vandalism.

Tort Claims – Claims filed pursuant to federal statute and treaties, including the Military Claims Act and SOFA, against the United States for property damage or loss, personal injury, or death caused by the negligence of the U.S. Army to the noncombat operations of the U.S. Army.

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.

- **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.
- **Affirmative Tort Claims** – Claims made to recover the cost of damage to government property from responsible third parties.
- **Article 139 claims** – Claims filed by an individual against a member of the U.S. Army who is suspected of **wrongfully taking or willfully damaging** the individual's personal property. The Torii Claims Office will assist in adjudicating these claims.