Figure 2: Instructional Handout

FILING A STANDARD FORM 95 (SF 95), "Claim for Damage, Injury, or Death"*

GENERAL GUIDANCE:

- Read the entire SF 95 claim form thoroughly, especially the instructions on its reverse.
- The SF 95 must be signed in Block 13a by the claimant or duly authorized agent and must have a "Sum Certain" in Block 12d.
- The claim must be presented to the appropriate federal agency within **two years** after the claim accrues. Claims can be submitted to:

  (insert local claims office address here)

- Items not payable under the Federal Tort Claims Act (FTCA) or Military Claims Act (MCA) include costs of preparing and presenting a claim, such as copying charges, appraisals, and attorneys' fees.

AUTHORITY TO FILE CLAIM:

- If you are presenting and signing the SF 95 as a duly authorized agent or other legal representative on behalf of an individual or corporate claimant, you should sign Block 13a and, immediately after your signature, insert your title or legal capacity and provide documentation of your authority to act.

SUBSTANTIATION:

- In support of your claim, you may be required to submit the following evidence or information. In some cases, additional evidence may be required:

❑ **All Claims.**

- ✓ A copy of any report(s) filed in connection with your damages (i.e. police, security forces, or accident report)
- ✓ Any other evidence or information which may have a bearing on the responsibility of the United States for damages being claimed.

❑ **Property Damage.**

- ✓ Proof of ownership (i.e. vehicle registration, title, property deed, etc.)
- ✓ A detailed statement of the amount claimed with respect to each item of property.
- ✓ Photographs of the damage.
- ✓ Where repair is economical, an itemized receipt of payment for necessary repairs or an itemized estimate for the cost of such repairs (two if over $1,000.00).
- ✓ If repair is not economical, a statement listing date of purchase, purchase price, and salvage value.

❑ **Personal Injury.**

- ✓ Copies of all medical records regarding treatment you received.
- ✓ A written report from your attending physician or dentist setting forth the nature and extent of the injury, nature and extent of treatment, any degree of temporary or permanent disability, the prognosis, period of hospitalization, and any diminished earning capacity.
  - o If the prognosis reveals future treatment required, a statement of expected expenses for such treatment
- ✓ Itemized bills and/or receipts for medical, dental, and hospital expenses incurred.

- ✓ If a claim is made for loss of time from employment, a written statement from your employer showing actual time lost, whether you are a full or part-time employee, wages or salary actually lost, and tax returns.
- ✓ If a claim is made for loss of income and you are self-employed, documentary evidence showing the amounts of earnings actually lost.

INSURANCE:

- ➢ Sometimes Claimants elect to file with their insurance provider to have repairs completed immediately. The insurance company may then file a claim against the government to recoup what they have paid. Your deductible is not automatically payable to the insurance company; you must give them written authorization to collect this amount on their behalf or file a separate claim for it.

*The aforementioned is a claimant's guide for submitting a claim against the United States Air Force (USAF). Nothing in this document should be construed as legal advice from the USAF, nor shall any cause of action arise nor shall any liability be imposed on the USAF for anything contained in the instructions herein. Neither these instructions nor any statement made by any USAF personnel should be construed to mean that a claim, if submitted, will be approved. Types and amount of documentation vary from claim to claim, but this reference is in accordance with Title 28 of the Code of Federal Regulations (CFR), Part 14.4.