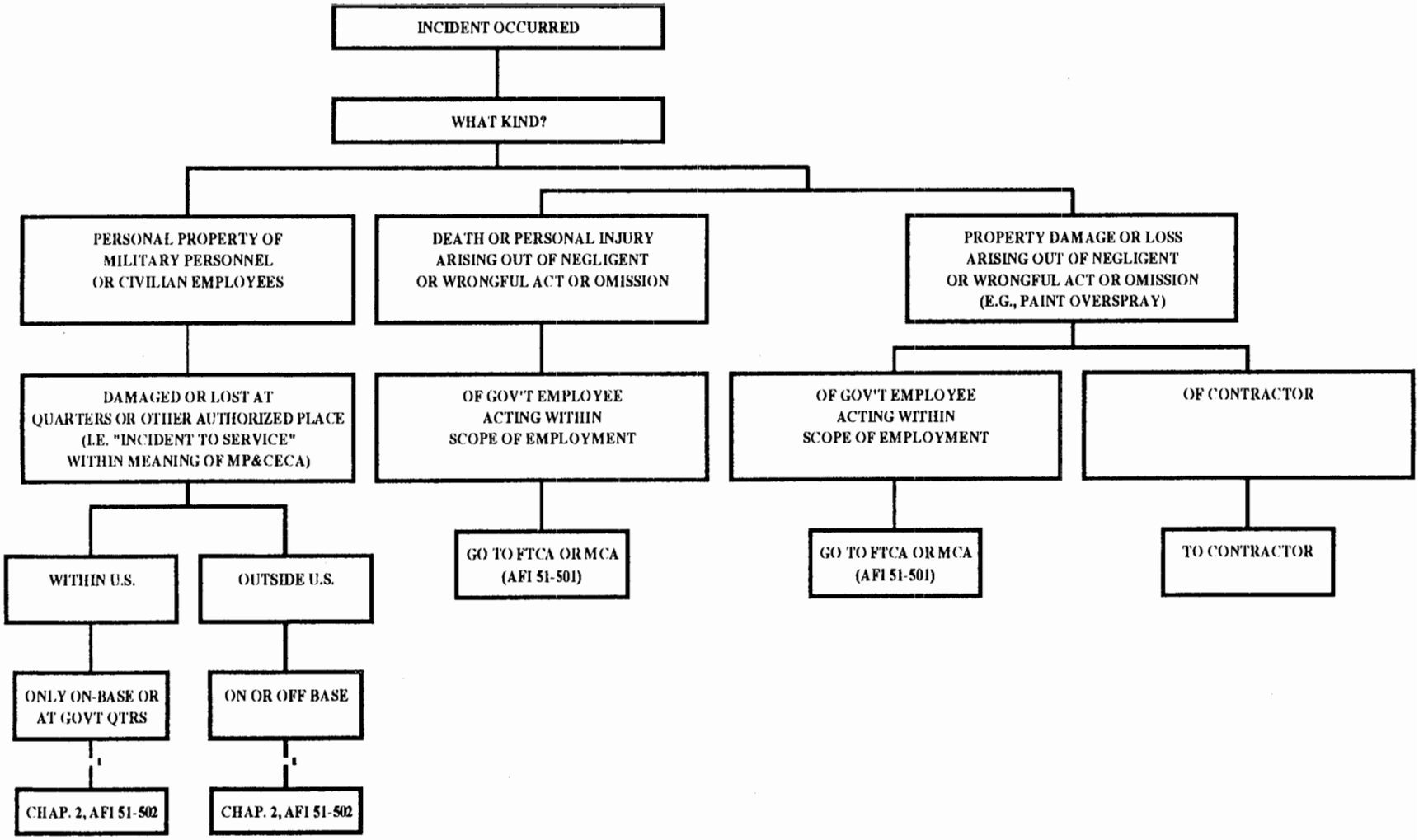
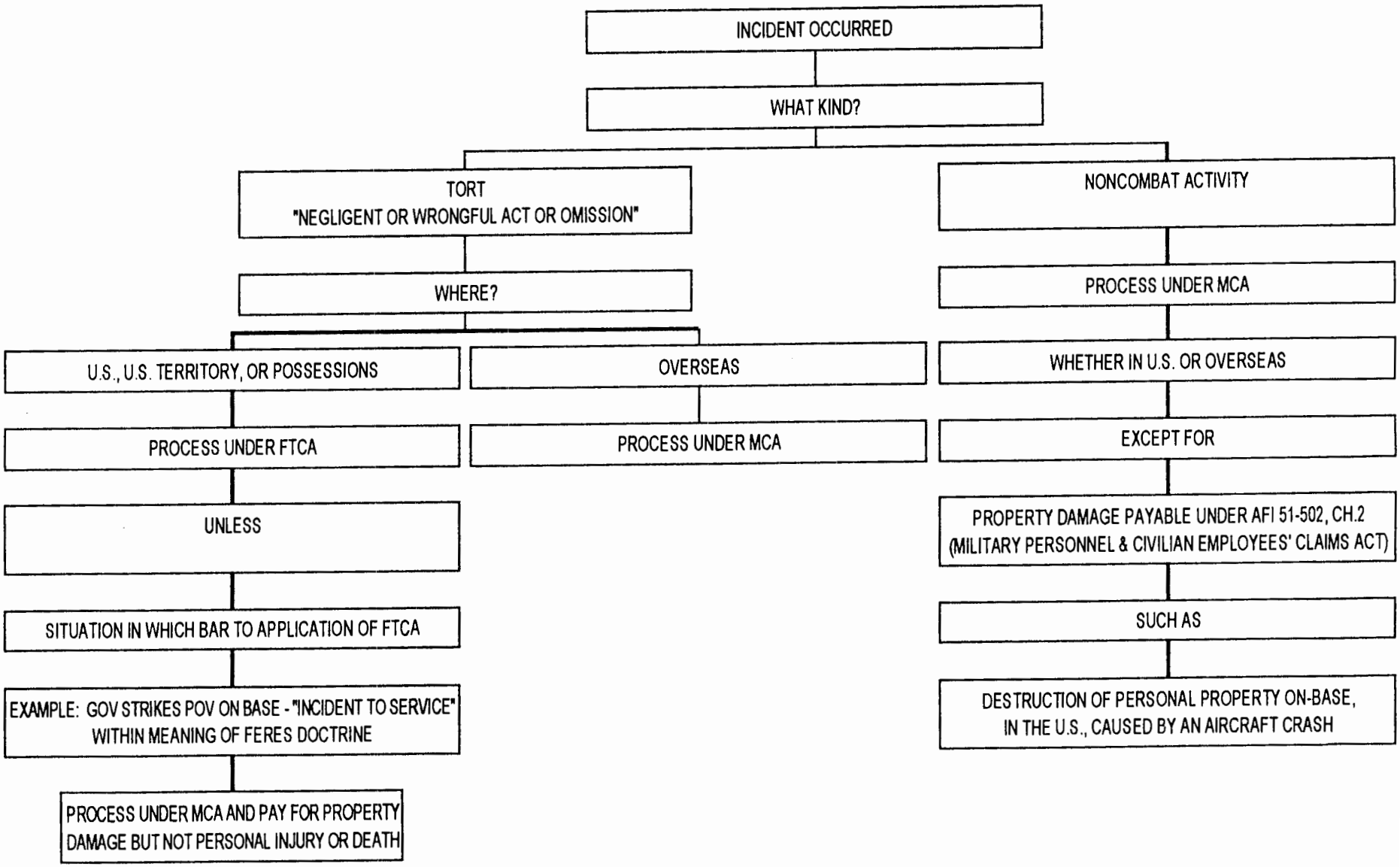
P/PT vs TORTS


INCIDENT OCCURRED
WHAT KIND?
PERSONAL PROPERTY OF MILITARY PERSONNEL OR CIVILIAN EMPLOYEES
DEATH OR PERSONAL INJURY ARISING OUT OF NEGLIGENT OR WRONGFUL ACT OR OMISSION
PROPERTY DAMAGE OR LOSS ARISING OUT OF NEGLIGENT OR WRONGFUL ACT OR OMISSION (E.G., PAINT OVERSPRAY)
DAMAGED OR LOST AT QUARTERS OR OTHER AUTHORIZED PLACE (I.E. "INCIDENT TO SERVICE" WITHIN MEANING OF MP&CECA)
OF GOV'T EMPLOYEE ACTING WITHIN SCOPE OF EMPLOYMENT
OF GOV'T EMPLOYEE ACTING WITHIN SCOPE OF EMPLOYMENT
OF CONTRACTOR
WITHIN U.S.
OUTSIDE U.S.
GO TO FTCA OR MCA (AFI 51-501)
GO TO FTCA OR MCA (AFI 51-501)
TO CONTRACTOR
ONLY ON-BASE OR AT GOVT QTRS
ON OR OFF BASE
CHAP. 2, AFI 51-502
CHAP. 2, AFI 51-502

FTCA vs. MCA


INCIDENT OCCURRED
WHAT KIND?
TORT
"NEGLIGENT OR WRONGFUL ACT OR OMISSION"
WHERE?
U.S., U.S. TERRITORY, OR POSSESSIONS
PROCESS UNDER FTCA
UNLESS
SITUATION IN WHICH BAR TO APPLICATION OF FTCA
EXAMPLE: GOV STRIKES POV ON BASE - "INCIDENT TO SERVICE" WITHIN MEANING OF FERES DOCTRINE
PROCESS UNDER MCA AND PAY FOR PROPERTY DAMAGE BUT NOT PERSONAL INJURY OR DEATH
OVERSEAS
PROCESS UNDER MCA
NONCOMBAT ACTIVITY
PROCESS UNDER MCA
WHETHER IN U.S. OR OVERSEAS
EXCEPT FOR
PROPERTY DAMAGE PAYABLE UNDER AFI 51-502, CH.2 (MILITARY PERSONNEL & CIVILIAN EMPLOYEES' CLAIMS ACT)
SUCH AS
DESTRUCTION OF PERSONAL PROPERTY ON-BASE, IN THE U.S., CAUSED BY AN AIRCRAFT CRASH