

113TH CONGRESS  
1ST SESSION

# H. R. 1662

To amend chapter 171 of title 28, United States Code, and the Federal Flood Control Act of 1928 to provide for liability for the United States Army Corps of Engineers in cases of damage caused by the gross negligence of an officer or employee of the Corps.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 19, 2013

Mr. RICHMOND (for himself and Mr. BOUSTANY) introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

---

## A BILL

To amend chapter 171 of title 28, United States Code, and the Federal Flood Control Act of 1928 to provide for liability for the United States Army Corps of Engineers in cases of damage caused by the gross negligence of an officer or employee of the Corps.

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. SHORT TITLE.**

4 This Act may be cited as the “Army Corps Account-  
5 ability Act of 2013”.

1 **SEC. 2. UNITED STATES ARMY CORPS OF ENGINEERS NOT**  
2 **EXEMPT FROM LIABILITY.**

3 (a) LIABILITY FOR GROSS NEGLIGENCE GEN-  
4 ERALLY.—Section 2680(a) of title 28, United States  
5 Code, is amended by inserting “, except in the case of the  
6 United States Army Corps of Engineers, which shall be  
7 liable in the case of a claim arising out of damage caused  
8 by the gross negligence of an officer or employee of the  
9 Corps” before the period.

10 (b) LIABILITY FOR DAMAGE FROM FLOOD  
11 WATERS.—Section 3 of the Federal Flood Control Act of  
12 1928 (33 U.S.C. 702c) is amended in the second para-  
13 graph, by striking “: Provided, however, That if” and in-  
14 serting “, except in the case of the United States Army  
15 Corps of Engineers, which shall be liable under chapter  
16 171 of title 28, United States Code, for any such damage  
17 caused by the gross negligence of an officer or employee  
18 of the Corps. If”.

19 **SEC. 3. EFFECTIVE DATE.**

20 The amendments made by this Act shall apply in the  
21 case of damage that occurred on or after August 29, 2005.

○