

ADOPTED

**AMERICAN BAR ASSOCIATION
THE BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA
REPORT TO THE HOUSE OF DELEGATES**

RECOMMENDATION

RESOLVED, That the American Bar Association urges Congress to examine the "incident to service" exception to the Federal Tort Claims Act (FTCA) created by the Supreme Court in *Feres v. United States*, 340 U.S. 135 (1950), provide that only the exceptions specifically provided in the Act limit active duty military members' access to the courts when they are victims of tortious government conduct, and amend the Act to provide that the exception limiting access for conduct that occurs in combatant activities applies "during time of armed conflict" rather than "during time of war."