

**PUBLIC VOUCHER FOR PURCHASES AND
SERVICES OTHER THAN PERSONAL**

DEPT, BUREAU, OR ESTABLISHMENT AND LOCATION DEPARTMENT OF THE ARMY DFAS-IN INDIANAPOLIS, IN 46249		DATE VOUCHER PREPARED	25-Jul-06	SCHEDULE NO.		
		CONTRACT NUMBER AND DATE	PAID BY			
		REQUISITION NUMBER AND DATE	FOBAS DFAS-IN INDIANAPOLIS, IN 46249 DSSN: 5570			
YEE'S AME AND DRESS	BAGRAM, AFGHANISTAN		DATE INVOICE RECEIVED 25-Jul-06			
SHIPPED FROM		TO	WEIGHT	DISCOUNT TERMS		
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES (Enter description, item no. of contract or Federal supply schedule, and other information deemed necessary)	QUAN- TITY	UNIT PRICE		AMOUNT
				COST	PER	
		Foreign Claim Commission CASE NO. #: A1U-06-110 Date Request Filed: 25 July 2006				5,986.83
		Current Exchange Rate				0
						0
						0
						0
						0
						0
						0
CONTINUATION SHEET IF NECESSARY		(Payee must NOT use the space below)			TOTAL	5,986.83
YMENT:					DIFFERENCES	
<input type="checkbox"/> PROVISIONAL						
<input type="checkbox"/> COMPLETE						
<input type="checkbox"/> PARTIAL	Certified by [REDACTED] USA Foreign Claims Commission					
<input checked="" type="checkbox"/> FINAL				Amount verified; correct for	\$5,986.83	
<input type="checkbox"/> PROGRESS				(Signature or initials)		
<input type="checkbox"/> ADVANCE						
Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.						
25-Jul-06 (Date)		[REDACTED] (Authorized Certifying Officer)			DISBURSING OFFICER (Title)	
ACCOUNTING CLASSIFICATION						
2162020 22-0204 P436099.22-4200 VFRE F3203 S99999 APC: K226(83) A1U						
Accounting Classification Verified by: [REDACTED] 2LT, FC, Deputy Disbursing Officer 10th SSB (FWD)						
PAID BY	CHECK NUMBER		ON ACCOUNT OF U.S. TREASURY	CHECK NUMBER		ON (Name of bank)
	CASH		DATE	PAYEE		[REDACTED]
\$5,986.83		25-Jul-06				

PRIVACY ACT STATEMENT

Figure 8

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INJURY, OR DEATH

supply information requested on both sides of the page. Use additional sheet if forms not sufficient. See back page for general instructions.

FORM APPROVED
1105-0

U.S. Central Intelligence Agency

2. Name, Address of claimant or claimant's personal representative, if any
MAILING ADDRESS OR RETURN ADDRESS: [REDACTED] STREET, CITY, STATE AND ZIP CODE

Claim Intake (Front Gate)
Bagram Airfield, Afghanistan

Abd

8M106

ct

Well, Between ~~for~~ May / June 04

Claimant is stating that his brother - [REDACTED] was killed by American forces from Tower 14. American representatives contacted the family and stated there would be an investigation. A year has passed and the family has not received any information/compensation. Claims that the brother helped provide for the family and now they are down to 2 members to support family.

NIR

NIA

[REDACTED] claims for his brother Mu was shot from Tower 14 w/ he was crossing to get to their farmland.

NIA

149,250 AFG (15,000 USD) 749,250 AFG (15,000 USD)

079275852 5 Jul 05

CIVIL LIABILITIES AND PENALTIES
FRANCHISEES CLAIMS

CLAIMS AND PENALTIES STATEMENTS

1. I, the undersigned, to the best of my knowledge and belief, am entitled to the compensation and/or payment for not more than \$ 10,000.00

2. I, the undersigned, am not entitled to compensation and/or payment for not more than \$ 10,000.00

3. I, the undersigned, am entitled to compensation and/or payment for not more than \$ 10,000.00

4. I, the undersigned, am not entitled to compensation and/or payment for not more than \$ 10,000.00

S.C. 2. 10.00

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DEPARTMENT OF DEFENSE
COMBINED/Joint Task Force (CJTF-76)
OFFICE OF THE STAFF JUDGE ADVOCATE
BAGRAM AIRFIELD, AFGHANISTAN APOAE 09354

REPLY TO
ATTENTION OF

CJTF-76-JA-CL

MEMORANDUM FOR RECORD

24 July 2006

SUBJECT: Foreign Claim Investigation, Claim #A1U-06-110 [REDACTED]

1. Identifying Information.

- a. Claimant: The claimant is a local national, [REDACTED] hereinafter "the claimant"), living in Afghanistan.
- b. Amount: The claimant filed a claim for 750,000 Afghani on 05 July 2005.
- c. The claimant states that around 17 June 2004, his brother was shot and killed by military personnel posted at tower 14.
- d. Investigation Completed: 22 July 2006.

2. Jurisdiction. The claimant filed his claim in a timely manner in the form of an SF 95. The claimant is a foreign national and the owner of the property. The claimant is a proper claimant under the Foreign Claims Act IAW DA PAM 27-162, para. 10-2.

3. Statement of Facts.

- a. The claimant states that around 17 June 2004, his brother was shot by military personnel located at tower 14. A claim was filed on 05 July 2005 that proceeded to the FCC Board with negative findings. The claimant requested reconsideration on 13 June 2006.
- b. An investigation was conducted by the Bagram District Commanding Office Criminal Department. The report filed indicates that [REDACTED] had trade dealings with the military personnel at the tower. Around 17 June 2004, [REDACTED] was shot when attempting to approach the tower to do some trading.
- c. The claimant submitted an SF 95 indicating damages of 750,000 Afghani for the loss of his brother.

4. Legal Analysis.

- a. Legal Rules. Under AR 27-20, para. 10-3, the incident that forms the basis for the claim must arise in a foreign country and be a result of either noncombat activities of the U.S. armed forces or the negligent or wrongful acts of civilian employees or military members. "Noncombat

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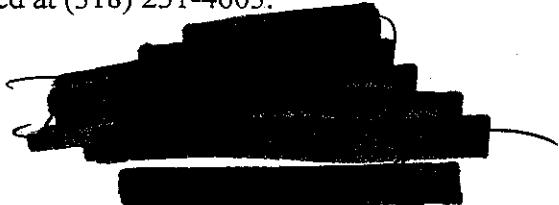
activity" is defined in the Glossary of AR 27-20, as "authorized activities essentially military in nature, having little parallel in civilian pursuits, which historically have been considered as furnishing the proper basis for payment of claims. Activities excluded are those incident to combat, whether in time of war or not, and use of military personnel and civilian employees in connection with civil disturbances."

b. Application of Rules. In this case, the claim arose in Afghanistan, a foreign country. Evidence supports the possible negligence of the U.S. Forces and therefore the claimant should be compensated accordingly.

5. **Damages.** The claimant filed an SF 95 on 26 June 2006. The SF 95 requests compensation for the loss of his brother.

6. **Proposed Settlement or Action.** This claim is payable under the Foreign Claims Act because the loss occurred as a result of a U.S. government personnel's negligence. This claim should be settled for 300,000 Afghani to compensate the family for their loss. This is a reasonable offer based on the position the brother maintained within the family and support of the family members.

7. Point of contact is the undersigned at (318) 231-4603.



CPT, JA
Foreign Claims Commissioner

Encls.

FOREIGN CLAIMS COMMISSION DECISION MEMORANDUM

1. CASE No. #: A1U-06-100 2. DATE REQUEST FILED: 24 July 2006

3. NAME AND ADDRESS OF CLAIMANT: [REDACTED]

4. NAME AND ADDRESS OF REPRESENTATIVE: N/A

5. DATE AND PLACE OF INCIDENT: 17 June 2004, Afghanistan

6. AMOUNT REQUESTED: 750,000 Afghani

7. EQUIVALENT IN US CURRENCY: Current Exchange Rate

8. FACTS: See investigation memo

9. LIABILITY: The request is cognizable and considered meritorious

10. QUANTUM:

Amount requested: 750,000 Afghani

Amount Approved: 300,000 Afghani

11. FUND CITE # 2162020 22-0204 P436099.22-4200 VFRE F3203 S99999 APC:
K226(83) A1U

12. ACTION: Claimant paid for substantiated loss

13 PAYMENT AMOUNT: 300,000 Afghani

14. EQUIVALENT IN US CURRENCY: Current exchange rate

15. COMMISSIONER'S SIGNATURE/DATE:



CPT, JA
Foreign Claims Commissioner



REPLY TO
ATTENTION OF:

DEPARTMENT OF DEFENSE
COMBINED/JOINT TASK FORCE (CJTF-76)
OFFICE OF THE STAFF JUDGE ADVOCATE
BAGRAM AIRFIELD, AFGHANISTAN APO AE 09354

Foreign Claims Commissioner
Bagram Claim # 05-0331

21 September 2005

[REDACTED]
Parwan Province, Afghanistan

Dear [REDACTED]

You submitted a claim on 5 July 2005 stating that your brother was shot from Tower 14. You claim the incident occurred in Bagram, Afghanistan. I have thoroughly reviewed your claim pursuant to the Foreign Claims Act, Title 10, U.S.C. §2734, and Army Regulation 27-20, Chapter 10.

In accordance with the cited regulations and after conducting a thorough investigation into your claim, we have determined that your claim is not payable. Unfortunately, there is a lack of substantiation that this incident occurred as claimed. This office has checked with the proper investigative agencies and there is no report of any shootings from Tower 14 during the timeframe that you stated on your claim. The Foreign Claims Act, 10 U.S.C. §2734, was established to compensate inhabitants of a foreign country who suffer a loss due to the noncombat activities of U.S. Forces or the negligence of U.S. service members or civilian employees. You personally have not shown that you incurred a loss directly related to the noncombat activities of U.S. Forces or the negligence of a U.S. service member or civilian employee.

Please notify me at the above address if you wish to have me reconsider this claim by submitting any neutral witness statements explaining the details of the accident. At that time, I will reopen your claim.

This letter constitutes a denial of this claim under the Foreign Claims Act. Thank you for your attention.

[REDACTED]
CPT, JA

Foreign Claims Commissioner

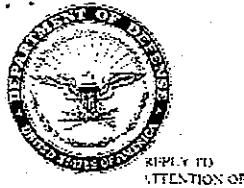
[REDACTED]
CPT, JA

Foreign Claims Commissioner

[REDACTED]
CPT, JA

Foreign Claims Commissioner

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DEPARTMENT OF DEFENSE
COMBINED/JOINT TASK FORCE (CJTF-76)
OFFICE OF THE STAFF JUDGE ADVOCATE
BAGRAM AIRFIELD, AFGHANISTAN APO AE 09354

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[REDACTED]
CPT, JA

Foreign Claims Commissioner

[REDACTED]
CPT, JA

Foreign Claims Commissioner

[REDACTED]
CPT, JA

Foreign Claims Commissioner

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