

DEPARTMENT OF THE ARMY
3d Brigade Combat Team
4th Infantry Division (Mechanized)
FOB Warhorse, Iraq
APO AE 09397

AFZC-FC-JA

MEMORANDUM FOR RECORD

SUBJECT: Claim of [REDACTED]:

1. Claimants name and address: [REDACTED], Diyala, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 14 Feb 05, in Diyala, Iraq
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$7,000, on 7 Jan 06.
4. Chapter the claim was considered under and a brief description of the incident or of the issues raised by the claimant on reconsideration: Foreign Claims Act and Chapter 10, AR 27-20; claim filed for death of son.
5. Facts: Claimant states his son was killed by CF when they fired at his truck.
6. Opinion: In order to form a basis for a claim under the FCA, the incident in question must have arisen outside the United States. In addition, the incident must be caused by either non-combat activities of the United States Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces. No denial memo to reference original claim. A name search turned up negative results.
7. Recommended Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$7,000 is denied.

[REDACTED]
[REDACTED]
[REDACTED]
CPT, JA
Foreign Claims Commission

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