



HEADQUARTERS
MULTI-NATIONAL CORPS - IRAQ
BAGHDAD, IRAQ
APO AE 09342

REPLY TO
ATTENTION OF:

FCC IG1

19 November 2005

CLAIM OF: [REDACTED]
CLAIM NUMBER: 05-IG1-T0612

Dear Sir or Ma'am:

This notice constitutes final administrative action on your claim against the United States.

Foreign Claims Commission (FCC) IG1 has investigated and considered the claim under the Foreign Claims Act (FCA), Title 10, United States Code, Section 2734, as implemented by Army Regulation (AR) 27-20, Chapter 10. The claim is cognizable solely under the FCA as it concerns an inhabitant of Iraq. The Federal Tort Claims Act, Title 28, United States Code, Section 2680(k), is not applicable as it excludes claims arising in foreign countries. Under the FCA, a claim for death or personal injury may be allowed whether or not the negligent act complained of was made within the scope of employment.

FCC IG1 has reviewed all of the evidence given and has investigated this claim to the best of its ability considering the information presented.

Unfortunately your claim has been denied. The FCA does not permit the payment of claims arising from the actions of service members unless such actions were either negligent or wrongful. However, in your claim you have been unable to substantiate that the US forces acted either negligently or wrongfully and accordingly your claim is denied. This claim was determined to be a combat action.

If you are dissatisfied by this action, AR 27-20 provides that you may request that the decision be reconsidered. Any such request must be forwarded to this office for FCC consideration. There is no prescribed format for such a request. However, it should describe the legal and/or factual basis for relief. Any request for reconsideration must be made, in writing, within 30 days of receipt of this letter.

The FCC's action on reconsideration is final and conclusive by law.

[REDACTED]
Captain, U.S. Army
FCC IG1

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001705

UNITED STATES ARMED FORCES CLAIMS FORM

I. TO: United States Army Foreign Claims Commission Today's Date: May 23 2005

II. FROM: Name (English): [REDACTED]

Name (Arabic) [REDACTED]

(a) Circle one: Claimant / Attorney / Authorized representative / Parent / Brother/Sister / Son/Daughter
→ [Attorney or representative MUST attach proof of authorization.] Other: _____

(b) IRAQI IDENTIFICATION NUMBER: [REDACTED]

(c) DETAINEE IDENTIFICATION NUMBER: _____

III. ADDRESS of person filing claim:

(English): [REDACTED]

(Arabic): [REDACTED]

IV. HOME OR CELL PHONE NUMBER: [REDACTED]

(a) I, the above named claimant/attorney/representative, certify that I (or the person on whose behalf I am making this claim) am a resident of Iraq

(b) I hereby make a claim against the UNITED STATES GOVERNMENT for damages or injuries caused by the following military unit: M.U.

(c) The property damaged is owned by: His dead wife ([REDACTED])

(d) The incident happened on March 7 2005 at Al-Salman interjunction - Wasit
(Date) (city/town/neighborhood/highway name & number)

V. The facts of the incident are as follows: He said that on March 7 2005
He was driving his car and his late wife beside
him they went to Wasit (province) and they
stopped suddenly cause there was a group of
terrorist try to steal the cars and at that time
a U.S convey contains 3 Humvees they shoot
randomly and one of the bullets hit her neck
he carried her to an Iraqi hospital and she died
there after 13 days on March 20 2005 and
when he return back to the unit which
made the accident they gave him a claim card.

[Use back of sheet if needed. Be sure to include any photographs, statements from witnesses, documents proving ownership of damaged or destroyed property, death certificates, medical bills and repair estimates.]

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