



CENTCOM 001722

CLAIMS CHRONOLOGY SHEET

CLAIMANT'S NAME: _____ (b)(6)
 FILE NUMBER: OS-IGI-70612
 AMOUNT CLAIMED: \$ 5,000 AT: _____
 DATE OF INCIDENT: 7 MAR 05 DATE CLAIM FILED: 23 MAY 05

DATE	STATUS OF CASE	FOLLOW-UP DATE
2 Jun 05	Logged in TO CPT ⁽⁶⁾ for review	
13 June 05	Need more info from claimant cross file?	
13 Jun 05	Labels Updated	
11 Sep 05	To (b)(6), (b)(3)	(b)(6), (b)(3)
2 NOV 05	REC DENIAL FOR COMBAT EXCLUSION	
20 NOV 05	TO CPT ⁽⁶⁾ , (b) for signature	
26 NOV 05	Signed	



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

REPLY TO
ATTENTION OF:

FCC IG1

19 November 2005

CLAIM OF: (b)(6)
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.

(b)(6), (b)(3)

Captain, U.S. Army
FCC IG1

UNCLASSIFIED/OFFICIAL USE ONLY

CENTCOM 001724

UNITED STATES ARMED FORCES CLAIMS FORM

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

II FROM: Name (English): _____ (b)(6) _____

Name (Arabic) _____ (b)(6), Foreign Language Text

(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: _____ (b)(6) _____

(c) DETAINEE IDENTIFICATION NUMBER: _____

III. ADDRESS of person filing claim:

(English): _____ (b)(6)

(Arabic): _____

IV. HOME OR CELL PHONE NUMBER: _____ (b)(6) _____

(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 (b)(6) (b)(6)

(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.]

Pages 6 through 7 redacted for the following reasons:

(b)(6), foreign language
Foreign Language Text



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

REPLY TO
ATTENTION OF:

FCC IG1

19 November 2005

CLAIM OF: (b)(6)
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.

(b)(6), (b)(3)

Captain, U.S. Army
FCC IG1

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CENTCOM 001729



REPLY TO
ATTENTION OF:

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

FICI-JA

Claim of (b)(3), (b)(6) , 05-IG1-T0612

ACTION

1. Facts: The claimant alleges that on 7 March 2005, he and his wife were caught in the crossfire between insurgent and US Forces. A bullet struck her in the neck, she died 13 days later. The amount requested for this claim is \$5,000.
2. Opinion: The FCA permits compensation for damages caused by the negligent and wrongful acts of US forces. The claimant provided no evidence that the US committed a negligent or wrongful act. This claim was determined to be a combat action.
3. Authority: The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action: The claim is therefore denied.

(b)(6), (b)(3)

CPT, U.S. Army
FCC IG1

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CENTCOM 001730

FOREIGN CLAIMS WORKSHEET

Amount Claimed: \$ 5000.00

Date Reviewed: 2 NOV 05

Date of Incident: 7 MAR 05

Pay: \$ _____

Deny: COMBAT EXCLUSION

Need more info: _____

Need more translation: _____

NOTES:

CLAIMANT'S WIFE KILLED IN CROSS FIRE B/N
INSURGENTS AND U.S. FORCES DURING ATTEMPTED
CAR JACKING



REPLY TO
ATTENTION OF

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

Claim No.: 05-791-T0612

MNC-I OSJA Claims Office

To Claimant:

(b)(6)

(English)

(Arabic)

Dear Sir or Ma'am,

I have reviewed and considered the claim you have made against the United States under the Foreign Claims Act, Title 10, United States Code, Section 2734 and U.S. Army Regulation 27-20. Claims under this Act may only be paid under certain circumstances. A claim is payable only if the damage was the result of negligence on the part of U.S. military personnel or as a result of non-combat activities. Furthermore, claims are not payable if they are a direct or indirect result of combat action.

At this time we are unable to make a decision on your claim. Before we can decide your claim we need you to deliver additional evidence to ECP 13 off Airport Road. Such evidence should include the following:

a detailed description of the events including the answer of the question: "Was there a crossfire?"

We thank you for your patience in attending to this situation.

(b)(6), (b)(3)

FCC, IG1/IB7

foreign language

AL Rustamiya Camp.

1-64 AR BN

Iraqi Assistance Center-Baghdad

مركز المساعدة العراقي - بغداد

Assist with claims, detainees and missing persons

يساعد في الشكاوى، المعتقلين، والاشخاص المفقودين

www.iac-baghdad.org

07901927590

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CENTCOM 001734



Iraqi Claims Pocket Card



IRAQI CLAIMS POCKET CARD

بطاقة طلب تعويض للعراقيين

The Army may pay claims to Iraqi civilians for property damage, injury and death caused by US Forces.

If your unit is involved in an incident resulting in damage to property of an Iraqi civilian, or injury or death of an Iraqi civilian:

1. Fill out the required information below.
2. Give this card to the Iraqi civilian, or other appropriate person in the case of death.
3. Direct them to the Government Information Center located at either the 9 Nissan District Advisory Council Building in Mahala 731 (Old Military Hospital) or the Sadr City District Advisory Council Building located in Mahala 514.

UNIT _____
DATE _____
LOCATION _____
DAMAGE _____
NAME (Optional) _____

إذا استلمت هذه البطاقة من جندي امريكي عندها سيكون طلبك للتعويض محفوظا

لدى المركز الحكومي للمعلومات في احدى المراكز التالية .

1- مدينة الصدر(الثوره)- المركز الحكومي للمعلومات - بناية المجلس الاستشاري .

المحلي محله 514 قرب مقر القانماقيه .

2- 9 نيسان- المركز الحكومي للمعلومات- بناية المجلس الاستشاري المحلي- محله 731

المستشفى العسكري القديم .

اجلب معك هذه البطاقة وسيكون هناك مترجم عراقي سيساعدك لحفظ طلبك للتعويض .

من قوات الولايات المتحدة .

لواء الحصان الحديدي

foreign language

Page 16 redacted for the following reason:

foreign language, (b)(6)

WHERE TO FILE A CLAIM IN BAGHDAD

امكن تقديم الشكاوي في بغداد

Karadah & karkh

The Iraqi Assistance Center at the Convention Center located in the Green Zone

Monday – Sunday 9:00 AM to 3:00 PM

الكرادة – كراخ

مركز المساعدات العراقي بمقر بغداد للمؤتمرات المتمركز بالمنطقة الأمنة
الاثنين- الأحد 9 صباحا الى 3 بعد الظهر

9 Nissan & Sadr

The General Information Center (GICs) in 9 Nissan and Sadr

9 نيسان – الصدر

مركز المعلومات العامة بمنطقة 9 نيسان و منطقة الصدر

Al Monsour & Kadhimiyah

The General Information Centers (GICs) in the Al Monsour & Kadhimiyah

المنصور – الكاظمة

مركز المعلومات العامة بمنطقة المنصور و منطقة الكاظمة

Al Rashid

The General Information Centers (GICs) in the Rashid

الرشيد

مركز المعلومات العامة بمنطقة الرشيد

Ad Hamyah & Rusafa

Castle Gate at Camp Cook (US military base in Taji)

Tuesday and Thursday, 9:00 AM to 12:00 PM

الادهامية- الرصافة

بوابة كامبل بمعسكر كوك (قاعدة عسكرية امريكية بمنطقة تاجي)
الثلاثاء و الخميس من 9 صباحا الى الساعة 12 ظهرا

Claimants that do not know where these places are located should contact their District Advisory Council (DAC) or Neighborhood Advisory Council (NAC)

على المطالبين اللذين لا يعرفون أين تقع هذه المراكز الاتصال بالمجلس الاستشاري بالمنطقة التي يقيمون بها او مجلس الاحياء
الاستشاري

Claims Form
عريضة المطالبات

To: United States Army Foreign Claims Commission.

الى: لجنة مطالبات الجيش الامريكي للاجانب

From: Name: _____

من: الاسم الرباعي الكامل:

Address: _____

العنوان:

I am

- A citizen and national of:
- A permanent resident of:
- Employed by:
- Check one () An insurer () Not an insurer
- Check one () A subrogate () Not a subrogate

انا

مواطن واحد راغايا:

مقيم دائم في:

موظف في شركة:

اضع اشارة واحدة امام: () شركة تامين () لست شركة تامين

اضع اشارة واحدة امام: () من حل محل الغير واحتمل المسؤولية () لست من حل مح الغير ولا اتحمل المسؤولية

I hereby make a claim against the United States Government for damages or injuries caused by: (Name, Organization, Military Department, Address, Telephone Number)

انا: وبناء عليه ادون مطلب ضد حكومة الولايات المتحدة لاضرار او اذاعات سببها: (الاسم المنظمة الدائرة العسكرية, العنوان, رقم الهاتف)

(b)(6), foreign language

foreign language, (b)(6)

Pages 46 through 65 redacted for the following reasons:

(b)(6), foreign language
Foreign Language Text, (b)(6)
foreign language, (b)(6)

foreign language

CENTCOM 001787