

PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL

VOUCHER NO.

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
FOBA5
 DFAS-IN
 INDIANAPOLIS, IN
 46249 DSSN: 5570

REQUISITION NUMBER AND DATE

NAME (b)(6)
BAGRAM, AFGHANISTAN

DATE INVOICE RECEIVED
 25-Jul-06

DISCOUNT TERMS

PAYEE'S ACCT. NUMBER

ISSUED FROM TO WEIGHT GOVERNMENT B/L NO.

NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <small>(Enter description, item no. of contract or Federal supply schedule, and other information deemed necessary)</small>	QUANTITY	UNIT PRICE		AMOUNT
				COST	PER	
		Foreign Claim Commission CASE NO. #: A1U-06-081 Date Request Filed: 25 July 2006				3,991.22
		Current Exchange Rate				0
						0
						0
						0
						0
						0
						0
TOTAL						3,991.22

CONTINUATION SHEET IF NECESSARY: (Payee must NOT use the space below)

COMMENT: <input type="checkbox"/> PROVISIONAL <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input checked="" type="checkbox"/> FINAL <input type="checkbox"/> PROGRESS <input type="checkbox"/> ADVANCE	(b)(3),(b)(6)	DIFFERENCES	
		Amount verified; correct for	\$3,991.22
		(Signature or initials)	

Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.

25-Jul-06 (Date) (b)(3),(b)(6) (Authorized Certifying Officer) DISBURSING OFFICER (Title)

ACCOUNTING CLASSIFICATION

(b)(2)High

Accounting Classification Verified by: (b)(3),(b)(6), 2LT, FC, Deputy Disbursing Officer 10th SSB (FWD)

PAID BY	CHECK NUMBER	ON ACCOUNT OF U.S. TREASURY	CHECK	ON (Name of bank)
	CASH	DATE	PAYEE	
	\$3,991.22	25-Jul-06	(b)(3),(b)(6)	

PRIVACY ACT STATEMENT
 The information requested on this form is required under the provisions of 51 U.S.C. 82h and 82c, for the purpose of disbursing Federal money.
 The information requested is to identify the particular creditor and the amounts to be paid. Failure to furnish this information will hinder discharge of the payment obligation.

Figure 8



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

REPLY TO
ATTENTION OF

CJTF-76-JA-CL

MEMORANDUM FOR RECORD

21 July 2006

SUBJECT: Foreign Claim Investigation, Claim # A1U-06-081 (b)(6)

1. Identifying Information.

a. Claimant: The claimant is a local national, (b)(6) (hereinafter "the claimant"), living in Afghanistan.

b. Amount: The claimant filed a claim for 2,500,000 Afghani on 26 June 2006.

c. The claimant states on 29 May 2006, that his son was shot and killed after a riot began after a U.S. Forces HEMMT vehicle lost brake control upon entering the city of Kabul.

d. Investigation Completed: 19 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. 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 on 29 May 2006, his son was shot and killed after a riot started as a result of a U.S. Forces HEMMT losing brake control.

b. A convoy was enroute from Bagram to Kabul on 29 May 2006. As they began to enter the town of Kabul, there is a very long steep graded slope on which the HEMMT within the convoy began lose control of its brakes. The HEMMT, out of control, entered town and made contact with several vehicles until it finally came to a complete stop. Damage consisted of numerous vehicles, personal injuries, and a one casualty. As the local nationals began to congregate a riot ensued. Shots were fired from the local Afghan national police and U.S. personnel fatally wounding several local nationals.

c. The claimant submitted an SF 95 indicating damages of 2,500,000 Afghani for the loss of his son.

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 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. An investigation is being completed between U.S. Forces and the local Afghanistan police. After the incident, U.S. Forces and Afghani law enforcement conducted separate investigations. Evidence supports the 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 the son.

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 200,000 Afghani to compensate the family for their loss.

7. Point of contact is the undersigned at (318) (b)(2)High

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

CPT, JA
Foreign Claims Commissioner

Encls.

FOREIGN CLAIMS COMMISSION DECISION MEMORANDUM

1. CASE No. #: **A1U-06-081** 2. DATE REQUEST FILED: **21 July 2006**

3. NAME AND ADDRESS OF CLAIMANT: (b)(6)

4. NAME AND ADDRESS OF REPRESENTATIVE: N/A

5. DATE AND PLACE OF INCIDENT: **29 May 2006, Afghanistan**

6. AMOUNT REQUESTED: **2,500,000 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: **2,500,000 Afghani**

Amount Approved: **200,000 Afghani**

11. FUND CITE

(b)(2)High

(b)(2)High

12. ACTION: **Claimant paid for substantiated loss**

13 PAYMENT AMOUNT: **200,000 Afghani**

14. EQUIVALENT IN US CURRENCY: **Current exchange rate**

15. COMMISSIONER'S SIGNATURE/DATE:

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

CPT, JA

Foreign Claims Commissioner

FILE NUMBER A1U-06-081	For use of this form, see AR 27-20; the proponent agency is the Office of The Judge Advocate General.	DATE 2550106
DATE OF INCIDENT 29 May 06	PLACE OF INCIDENT Afghanistan	
<p>I hereby agree to accept the sum of 3991.02 in full satisfaction and final settlement of all claims which I have or may have against the United States, its officers, agents, and employees, for all damages and injuries, if any, incurred by me.</p> <p style="text-align: right;">Dari</p> <p style="text-align: center;">بدین وسیله با رضایت کامل موافقت میکنم که Foreign Language Te به صورت تصفیه حساب نهایی بابت تمام عطاایات ضرر رپیہ سارات وجراحیاتی که از طرف ایالات متحده آمریکا، افغانان، مامورین و کارمندان آن بر من وارد گردیده، بپذیرم.</p>		
SIGNATURE		
(b)(6)	(b)(6)	
PRESENT ADDRESS OF CLAIMANT (Number and street or rural route, city, town or post office)		
N/A		

DA FORM 1685, 1 JUL 74

PREVIOUS EDITION OF THIS FORM
WILL BE USED UNTIL EXHAUSTED.

CLAIMS SETTLEMENT AGREEMENT

USAFPS 01 06

CENTCOM 006548

A1U-06-081-00001-00006

STATEMENT OF AGENT OFFICER'S ACCOUNT

DISBURSING OFFICER'S NAME, ADDRESS, DISBURSING STATION SYMBOL NO. 2LT (b)(3),(b)(6) FINANCE & ACCOUNTING DEPUTY DISBURSING OFFICER BAGRAM AIR BASE APO AE 09354 DSSN 5570	AGENT OFFICER'S NAME, GRADE, SSN, UNIT ADDRESS (Include ZIP Code/APO number and Telephone number) TSGT (b)(3),(b)(6) (b)(3),(b)(6) OSJA BAGRAM AIR BASE APO AE 09354 BUSINESS DATE: 24-Jul-06 A1U-06-018-FUND A1U-06-106-CLEAR
--	--

TRANSACTIONS AFFECTING AGENT OFFICER'S ACCOUNT

TRANSACTIONS <i>a</i>	TOT VOU	INCREASE (Received by Agent) <i>d</i>	BEGINNING BALANCE (In Agent's Account) <i>c</i>	DECREASE (Turned in by Agent) <i>d</i>	ENDING BALANCE (In Agent's Account) <i>e</i>
1. BALANCE FORWARD			\$420.42		\$4,411.64
2. U.S. DOLLARS				\$0.00	
3. FOREIGN CURRENCY 200,000 @ 50.11		\$3,991.22		\$0.00	
4. MILITARY PAYMENT CERTIFICATES (1081s)					
5. COLLECTIONS					
6. COLLECTIONS					
7. NEGOTIABLE INSTRUMENTS					
A. TREASURY CHECKS					
B. DEPOSITS					
C. DEPOSITS					
8. PAID VOUCHERS SF 1034/44				\$420.42	
9. INCORRECT VOUCHERS RETURNED					
0. FOREIGN CURRENCY					
1. EXCHANGE RATE GAIN/LOSS		\$0.00		\$0.00	
2. TOTAL FUNDS IN HANDS OF AGENT OFFICER			\$4,411.64	\$420.42	\$3,991.22

STATEMENTS

DISBURSING OFFICER	AGENT OFFICER
--------------------	---------------

(b)(3),(b)(6) **ADVANCE:** I HAVE INTRUSTED FUNDS AND/OR ITEMS AS INDICATED IN THIS STATEMENT TO THE MED AS MY AGENT OFFICER.

(b)(3),(b)(6) **ADVANCE:** I, AS AGENT OFFICER, HAVE RECEIVED FUNDS AND/OR OTHER ITEMS AS INDICATED ABOVE. I HAVE ASSUMED PECUNIARY RESPONSIBILITY THEREFORE. I WILL NOTIFY THE DISBURSING OFFICER IMMEDIATELY UPON DISCOVERY OF ANY LOSS OR SHORTAGE, AND I HAVE RECEIVED AND UNDERSTAND WRITTEN INSTRUCTIONS CONCERNING I AGENT OFFICE

DATE
24-Jul-06

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

DATE
24-Jul-06 (b)(3),(b)(6)

(b)(3),(b)(6) **RETURN:** I HAVE RECEIVED FUNDS AND/OR OTHER INDICATED ON THIS STATEMENT FROM THE ABOVE GENT OFFICER.

(b)(3),(b)(6) **RETURN:** THE ABOVE STATEMENT OF ACCOUNT IS CORRECT.

DATE
24-Jul-06

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

DATE
24-Jul-06 (b)(3),(b)(6)

DD Form 11

ETE

Enc. . .

(b)(6)

**Kabul Commanding Office
Police Station 17
Criminal Office
Area Controlling Office**

Question	Date	Responding
<p>Attention To The 102 Baster Hospital</p> <p>According to the claimant request ((b)(6) (b)(6) Son of ((b)(6)) main residency of (b)(6) current residency of (b)(6) of Kabul, he is claiming that his son by the name of ((b)(6) was killed as result of coalition forces traffic accident which was occurred on 29 May 2006, at Kabul in Saryia shamalai. After the accident Mr. (b)(6) transferred to the hospital. Therefore we need to know that at which time and date he was transferred to the hospital, and also what type of injury he had.</p> <p style="text-align: center;">Sincerely (b)(6) Chief Police District 17th</p>		<p>Attention To The Police Station 17th</p> <p>Dear Sir:</p> <p>According to the registrations, the dead body of Mr. (b)(6) son of (b)(6) was transferred to our hospital. He was shot in his chest.</p> <p style="text-align: right;">Sincerely Doctor 23/3/85 13 June 06</p>

Pages 10 through 11 redacted for the following reasons:

Foreign Language

(b)(6)

CENTCOM 006554

A1U-06-081-00001-00012