



DEPARTMENT OF THE ARMY
HEADQUARTERS, THIRD INFANTRY DIVISION (FWD)
OFFICE OF THE STAFF JUDGE ADVOCATE
APO AE 09352

REPLY TO
ATTENTION OF:

AFZP-JAC

29 September 2005

MEMORANDUM FOR RECORD

SUBJECT: Action on Claim of [REDACTED]

1. Facts. Claimant's states that her son was killed by U.S. forces in a vehicle accident. She is claiming \$150,000 in compensation.
2. Opinion. In order to form a basis for a claim under the FCA, it must be shown that the incident occurred outside the United States, and that it was caused by noncombatant activities of the United States Armed Forces or by the negligent or wrongful acts of military members or civilian employees of the Armed Forces. In this case. 2BDE/ 3ID has determined that documents included with the claim are forgeries and have been used in other, past claims. Therefore, there is no credible evidence that U.S. forces caused the death of claimant's son.
3. Authority. The Foreign Claims Act (10 U.S.C. § 2734) as implemented by AR 27-20, Chapter 10.
4. Action. The claim is denied.

[REDACTED]
CW2, JA
FCC IJ4

[REDACTED]
CPT, JA
FCC IJ4

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