

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

NF 65m 098



DEPARTMENT OF THE ARMY
HEADQUARTERS, 2ND BATTALION 27TH INFANTRY
3RD BRIGADE, 25TH INFANTRY DIVISION
FOB McHENRY, HAWIJA, IRAQ
APO, AE 09338



APVG-ZZB-HHC

12 August 2007

MEMORANDUM FOR Commanding Officer 3rd BCT, 25th Infantry Division, FOB Warrior, Kirkuk Iraq

SUBJECT: Request for money from the 2-27 CERP Commander's Condolence Fund

1. The purpose of this memorandum is to request a Condolence Payment be made to (b)(6) in order to express sympathy for the death of his father, (b)(6)

2. Description of the Event: At 112306AUG07, Renegade 26 reported one MAM conducting suspicious activity consistent with an IED emplacement IVO (b)(2) High. As the SWT arrived on station the MAM fled to the West and attempted to conceal himself under a blanket. At 2310, R26 requested IED activity IVO location. NF TOC reported that there had been 2x IEDs within (b)(2) High of the site in the last thirty days and that the ground was clear of CF. At 2319, R26 reported engaging the MAM with 100 rounds of (b)(2) High and 30 rounds of (b)(2) High killing the target. At 0034, Comanche 36, the McHenry QRF responded and conducted SSE with negative contact with IED material and negative (b)(2) High of the KIA.

3. List the specific items or services requested in the table below:

Item #	Item to be purchased or service rendered	Unit Price	Quantity	Total
1	Death of (b)(6)	\$2500	1	\$2500
Grand Total				\$2500

4. The POC for this action is 1LT (b)(6) VOIP 770-9215, SIPR (b)(3)(b)(6), (b)(2) High

(b)(3), b(6)

LTC, IN
Commanding

I recommend approval / disapproval of this payment.

(b)(3), b(6)

CPT, USA
CJA

I approve / disapprove this Condolence Payment.

(b)(3), b(6)

MAJ, IN
BDE XO



DEPARTMENT OF THE ARMY
3rd Infantry Brigade Combat Team Command Judge Advocate
3rd Infantry Brigade Combat Team
FOB Warrior, Kirkuk, Iraq, APO AE 09338

APVG-ZZO-JA

16 August 2007

MEMORANDUM OF OPINION

SUBJECT: Claim of (b)(6) 07-I14-T362

1. Claimants name and address: (b)(6) Hawija, Iraq.
2. Incident date and place the incident occurred giving rise to the claim: Incident occurred on 11 August 2007 in Hawija, Iraq.
3. Amount of claim and filing date: Claimant filed a claim in the amount of \$2,500.00 on 12 August 2007.
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 a local national.
5. Facts:
 - a. (b)(6) claims that on 11 August 2007, his father was killed as a result of an EOF by 2-27 IN.
 - b. There was a story board and a verification memorandum included in the submitted claim.
 - c. The incident was able to be verified by the unit responsible.
6. Opinion:
 - a. In order to form a basis for a claim under the FCA, the incident has to occur outside of the United States and be from either non-combat activities of the U.S. Armed Forces or by negligent or wrongful acts of military members or civilian employees of the Armed Forces.

CENTCOM 019827

07-I14-T362-00003

APVG-ZZO-JA

SUBJECT: Claim of [REDACTED] (b)(6) 07-I14-T362

b. There is insufficient evidence to suggest that this incident arose out of the negligence and/or wrongful acts of the United States Armed Forces. Any appeal must be submitted within 30 days.

7. Action: This claim is not payable under the FCA for the above mentioned reasons. Consequently this claim for \$2,500.00 is denied.

[REDACTED] (b)(3), b(6)

CPT, JA
Foreign Claims Commissioner

CENTCOM 019828

07-I14-T362-00004



DEPARTMENT OF THE ARMY
 HEADQUARTERS, 2ND BATTALION 27TH INFANTRY
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 FOB MCHENRY, HAWIJA, IRAQ
 APO, AE 09338

NF Claim 098



APVG-ZZB-HHC

13 August 2007

MEMORANDUM FOR Commanding Officer 3rd BCT, 25th Infantry Division, FOB Warrior, Kirkuk Iraq

SUBJECT: Verification of Death of (b)(6)

1. The purpose of this memorandum is to verify that (b)(6) is deceased. This fact was verified by two sources. The first was the QRF Platoon Leader 1LT (b)(3), b(6) who responded to the incident. And the second was the 1/2-4 IA TOC who received the information from the son of the deceased, (b)(6) (b)(6) who is a soldier in the 1/2-4 IA S-2 section.

2. The POC for this action is 1LT (b)(3), b(6) VOIP 770-9215, SIPR (b)(3), b(6), (b)(2)High

(b)(3), b(6)

LTC, IN
 Commanding

CLAIM NUMBER: 07-I14-T 362

DATE	REMARKS	INITIALS
	(b)(5), (b)(2)High	(b)(3), b(6)