



HEADQUARTERS  
COMBINED JOINT TASK FORCE SEVEN  
BAGHDAD, IRAQ  
APO AE 09342

REPLY TO  
ATTENTION OF

FCC I5G

SUBJECT: Foreign Claims Commission I5A, Claim of [REDACTED], 04-I5A-T040

[REDACTED]  
Hilla, Iraq

Dear Ms. [REDACTED]

This notice constitutes final administrative action on your claim against the United States in an unspecified amount. Your claim is for personal injury to your son, [REDACTED], who the Marines shot and detained on 16 July 2003.

Foreign Claims Commission (FCC) I5A 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.

Upon review of your claim, it appears US forces were negligent in shooting your son. In addition, he should have been released from the hospital and instead was arrested and transported to Abu Ghareb prison. The FCA provides for payments for the wrongful or negligent acts of US forces. However, at this time your claim must be denied because you are not the proper person to bring a claim. However, if your son would like to file a claim, FCC I5A will offer him \$1,000 to settle. Therefore, if he would like to settle this claim, please bring him along with this letter to the office from which you received it and a time will be arranged to issue payment.

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.

Sincerely,

[REDACTED]

Captain, U.S. Army  
FCC I5A

قبول بالتوقيع من قبل المدع (المطالب)

I, the claimant by signing this document and accepting payment, am releasing the United States Military and the United States Government from any further liability resulting from this claim and accepting this payment as final settlement on this claim.

أنا المدع (المطالب) بالأمضاء و بالتوقيع على تلك الاستمارة و الموافقة على العرض (المبلغ) أنا باعفي القوات العسكرية الأمريكية أو حكومة الولايات المتحدة الأمريكية من أى مسئولية مقبلة تنتج من المطالب و الموافقة على المبلغ المعروض على أنه عرض نهائي . و ليس من حقى أو الورثة (أى شخص من بعدى) القيام بأى عمل قانونى أو غير قانونى ضد القوات العسكرية الأمريكية أو الولايات المتحدة الأمريكية فى المستقبل.

