Hickman, William B.MG US MIL DEPUTY COMMANDER

From: Buchanan, Jeffrey S.(US) MG Deputy, Chief of Staff, Operations
Sent: Tuesday, October 27, 2015 9:39 PM
To: Hickman, William B.MG US MIL DEPUTY COMMANDER
Cc: Jenkins, Sean M. BG Deputy Director; Campbell, John F USA GEN COMRS; Whittle, (b)(3), (b)(6) COMRS Special Advisor; (b)(3), (b)(6) Wainwright, David BG Chief CJ3 (AUS); (b)(3), (b)(6) MG; West, Scott D USAF MAJ GEN 9 AETF-A CC; Quantock, Mark R. MG DCOS INT Deputy Chief of Staff; Kim, Richard C US BG DCOS OPS CJ35 CHIEF
Subject: FW: ~~(S)~~ Update to Task Completion IAW USFOR-A FRAGO (b)(1)1.4a (USFOR-A Targeting) as of 271700D*OCT 15
Attachments: USFOR-A FRAGO (b)(1)1.4a - TARGETING PROCESS; Task Completion Update as of 271700L OCT 15.docx

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Bill:

FYI, the attached is essentially an IPR on the status of each task in FRAGO (b)(1)1.4a

V/R,

JEFFREY S. BUCHANAN
MG, USA
RS DCOS OPS

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

From: (b)(3), (b)(6)
Sent: Tuesday, October 27, 2015 9:30 PM
To: Buchanan, Jeffrey S.(US) MG Deputy, Chief of Staff, Operations
Cc: Wainwright, David BG Chief CJ3 (AUS)
Subject: ~~(S)~~ Update to Task Completion IAW USFOR-A FRAGO (b)(1)1.4a (USFOR-A Targeting) as of 271700D*OCT 15

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Sir,

As requested, attached is with changes applied.

Vr,

Approved for Release

(b)(6)

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

UPDATE ON TASK ACCOMPLISHMENT (AS OF 271700D* OCT 15)

REF: FRAGO - USFOR-A (b)(1)1.4a (USFOR-A TARGETING) DATED 260350Z OCT 15

SOJTF-A - 3.C.1.A. (U//FOUO) VALIDATE THE PROCESS FOR ENSURING THAT THE MOST RELEVANT AND CURRENT NSL DATA IS MAINTAINED WITHIN THE APPROPRIATE INTELLIGENCE SYSTEMS.

STATUS: NSOCC-A/SOJTF-A IS USING THE (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g PROGRAM ON SIPRNET AS THE PRIMARY MEANS FOR VALIDATING THE NO STRIKE ENTITIES (THIS IS IN LINE WITH THE CJCSI 3160.01.-*NO STRIKE AND THE COLLATERAL DAMAGE ESTIMATION METHODOLOGY*)

THE CENTCOM JOINT TARGETING ELEMENT (JTE) WEBSITE HAS THE MOST CURRENT AND ACCURATE NSL ON ITS PORTAL. NSOCC-A/SOJTF-A AND ALL OF ITS COMPONENTS WILL REFERENCE THE CENTCOM JTE WEBSITE WHEN PLANNING OPERATIONS. ALL COMPONENTS HAVE THE DIRECTIONS ON HOW TO ACCESS THE NO STRIKE LIST AND IT WAS DELIVERED THROUGH MULTIPLE VENUES FOR COMPLIANCE.

- NSOCC-A PUBLISHED A FRAGO ON CXI (NSOCC-A FRAGO (b)(1)1.4a DATED 19 OCTOBER 2015).
- FIRES AND AIR PLAYERS RECEIVED A TALK-THROUGH ON HOW TO NAVIGATE TO THE NSL ON 13 OCTOBER 2015 DURING THE SOJTF-A FIRES VTC (CHAIRED BY BRIG GEN BAUERNFEIND). PRESENT FOR THE VTC WERE SOTF-A, CJSOAC, (b)(1)1.4a, (b)(3) (b)(1)1.4a, (b)(3)

LAST WEEK (14-16 OCT 15) NSOCC-A CONTACTED THE CENTCOM JTE TARGET LIST MANAGER AND NO STRIKE LIST MANAGER AND REQUESTED A DIRECT PUSH OF THE NSL TO SOJTF-A. NSOCC-A ALSO WORKED DIRECTLY WITH THE CJOC TARGETING OFFICER (b)(3), (b)(6) IOT ENSURE A TOP-DOWN EMAIL GETS PUSHED OUT WHENEVER NEW NO STRIKE ENTITIES ARE ADDED TO (b)(1)1.4a, (b)(1)1.4g. NSOCC-A/SOJTF-A HAS COORDINATED WITH (b)(3), (b)(6) THE (b)(1)1.4a, (b)(1)1.4g LOCATED AT BAF, TO ADD (b)(1)1.4a, (b)(1)1.4g TO THE FIRES WORKSTATION IN THE NSOCC-A/SOJTF-A JOC IOT HAVE REDUNDANT SYSTEMS TO VALIDATE THE NSL SUCH AS THE (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g

CJSOAC-A. - 3.C.2.A (~~S//REL USA, FVEY~~) ALL COMMAND TEAMS WITHIN CJSOAC-A AND (b)(1)1.4a, (b)(3) MUST CONDUCT OPERATIONAL RISK MANAGEMENT TRAINING.

Approved for release

9TH AETF. - 3.C.3.A. (~~S//REL USA, FVEY~~) ICW AFSOC, CONDUCT AN ASSESSMENT AND AUTHENTICATE THE EFFECTIVENESS OF THE AC-130 (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g REPORT FINDINGS THROUGH USCENTCOM AS APPROPRIATE.

STATUS: (EDUCATIONAL, BUT NEED TO FURTHER ENGAGE THEM ON INTENT OF THE TASK) - (b)(1)1.4a, (b)(1)1.4g THE PRIMARY METHOD OF UPLOADING CURRENT NSL'S ONTO THE MISSION LAPTOP COMPUTERS. CREWS WILL UPLOAD MOST RECENT (b)(1)1.4a, (b)(1)1.4g (PULLED FROM SOJTF-A FIRES PAGE) ONTO THE MISSION LAPTOPS DAILY BEFORE FLIGHT. THE (b)(1)1.4a, (b)(1)1.4g FILES ARE UPDATED ON THE SOJTF FIRES PAGE FROM CENTCOM JOINT TARGETING ELEMENT (JTE) WEBSITE DAILY. NSL FILES ARE ALSO E-MAILED TO THE AC-130 INTEL SHOP ON A WEEKLY BASIS FROM (b)(1)1.4a, (b)(1)1.4g IT IS ORGANIZED BY TAAC-N, TAAC-S, TAAC-W, AND TAAC-E. ALL APPLICABLE NO-STRIKE LOCATIONS ARE BRIEFED TO THE CREWS AND THEY ARE PROVIDED WITH PAPER COPIES OF ALL OF THE NO-STRIKE LOCATIONS IN THE AREA IN WHICH THEY WILL BE OPERATING. (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g

DDCG-OPS.

3.D.1.A. (U//~~FOUO~~) AUTHENTICATE NATO'S NSL PROCESS AND MANAGEMENT / OVERSIGHT PROCESS.

(b)(1)1.4d

3.D.1.B (U//~~FOUO~~) ICW USCENTCOM NSL MANAGER, INTEGRATE THE CURRENT USCENTCOM NSL INTO THE (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g AND ENSURE WIDEST DISSEMINATION WITHIN 48 HOURS.

STATUS: (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g

Approved for Release

3.D.1.C (U//~~FOUO~~) **ASSESS THE EFECTIVENESS OF THE CURRENT CONOP REVIEW AND APPROVAL PROCESS.**

STATUS: (b)(3), (b)(6) IS CURRENTLY DETERMINING THE REQUIREMENTS NEEDED TO BE MET IOT ESTABLISH AN ENDURING CONOP REVIEW AND APPROVAL PROCESS THAT ENABLES MISSION COMMAND IN THE CONDUCT OF ROUTINE FRAMEWORK OPERATIONS, ENSURES APPROPRIATE LEVEL OF AWARENESS, AND PROVIDES ASSURANCE THAT THOSE ACTIVITIES REQUIRING PDSS ARE APPROPRIATELY ADDRESSED BY COM RS. DECISION BRIEF IS IN FINAL STAGES OF PREPARATION PRIOR TO APPROVAL BY (b)(3), (b)(6)

USFOR-A J2.

3.D.2.A (~~S//REL USA,FVEY~~) CONDUCT AN INTEROPERABILITY ASSESSMENT OF THE (b)(1)1.4a, (b)(1)1.4g **SYSTEM WITH SYSTEMS AVAILABLE TO USFOR-A/RS.**

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

3.D.2.B (~~S//REL USA,FVEY~~) ICW NSOCC-A/SOJTF-A, ASSESS CJSOAC-A INTELLIGENCE CAPABILITY FOR (b)(1)1.4a, (b)(1)1.4g **WITHIN THE CJOAC-A JOC.**

COMMON TASKS TO ALL USFOR-A ELEMENTS.

3.E.1.A (U//~~FOUO~~) ALL LEVEL 1 AND 2 CONOPS PRODUCED AND APPROVED HAVE IDENTIFIED AND/OR ANNOTATED LOCATIONS OF PROTECTED OBJECTS DISPLAYED ON ASSOCIATED CONOP SCHEME OF MANEUVER GRAPHICS OR IMAGERY.

STATUS: NOW PART OF THE CONOP REVIEW AND APPROVAL PROCESS AS OF THE DATE OF THE ORDER.

3.E.1.B (U//~~FOUO~~) ALL CONOPS REQUIRING THE EMPLOYMENT OF FIXED OR ROTARY WING AIRCRAFT MUST HAVE A "STATEMENT OF RISK AND MITIGATION" ATTACHED BY THE AMC AS PART OF THE CONOP SUBMISSION, REVIEW, AND APPROVAL PROCESS.

STATUS: NOW PART OF THE CONOP REVIEW AND APPROVAL PROCESS AS OF THE DATE OF THIS ORDER.

3.E.1.C (U//~~FOUO~~) ALL UNITS, ENABLERS, AND THEIR HIGHER HEADQUARTERS WILL DEVELOP AND OPERATE FROM A COMMON OPERATIONAL GRAPHIC/PICTURE THAT IS KNOWN BY ALL INVOLVED IN THE MISSION AND INCLUDES NSL INFORMATION FOR ALL AREAS OF INTEREST/TARGETING.

3. E.1.D (U//~~FOUO~~) BEFORE THE EMPLOYMENT OF ANY AERIAL DELIVERED MUNITION, THE TARGET ENGAGEMENT AUTHORITY (TEA) MUST ENSURE THE MOST CURRENT NSL IS UPLOADED WITHIN APPROPRIATE SYSTEMS AND REFERENCED.

Approved for Release

3.E.1.E (U//~~FOUO~~) 271038D*OCT 15 - CHANGE TASK TO READ: SUBORDINATE COMMAND OPERATION CENTERS WILL INCORPORATE THE APPROPRIATE SYSTEMS AND ESTABLISH NECESSARY PROCESSES AND PROCEDURES TO ENABLE SITUATIONAL AWARENESS AND UNDERSTANDING. ALL OPERATION CENTERS MUST BE ABLE TO ACTIVELY MONITOR ONGOING OPERATIONS, ANTICIPATE THE NEED FOR APPROVALS/AUTHORITIES, AND BE RESPONSIVE ENOUGH TO PROVIDE IMMEDIATE GUIDANCE WHEN ACTIVITIES BEGIN MOVING OUTSIDE PRESCRIBED TACTICAL GUIDANCE OR ROE.

3.E.1.F (U//~~FOUO~~) ALL SOJTF-A PERSONNEL, U.S TAAC LEADERSHIP AND CJOC/JOC PERSONNEL, HQ USFOR-A JOC PERSONNEL, AND HQ RS CJOC PERSONNEL, ICW USFOR-A SJA/RS LEGAD, WILL CONDUCT MANDATORY TRAINING ON CJCSI 3160.01A (ATT 1) AND LOAC NO-STRIKE (NSL) METHODOLOGY AND STANDARDS.

STATUS: ICW THEIR LEGAL FOLKS, NSOCC-A/SOJTF-A IS DEVELOPING A BRIEFING SLIDE DECK. ONCE THE BRIEFING SLIDE DECK IS COMPLETE, THEY WILL CONDUCT A SERIES OF VTC BRIEFINGS FOR THOSE INDIVIDUALS AT OUTLYING STATIONS AND A SERIES OF IN-PERSON BRIEFS FOR THOSE INDIVIDUALS CLOSE IN. BRIEFINGS WILL BE COMPLETE NLT 05 NOVEMBER 2015. ADDITIONALLY, (b)(3), (b)(6) FROM THE CJOC JEC IS CREATING BRIEFING ON THE LOAC NO-STRIKE (NSL) METHODOLOGY AND STANDARDS THAT WILL BE USED WITHIN CJ3 TO TRAIN ALL EXISTING AND FUTURE CJ3 PERSONNEL AS PART OF THE MONTHLY AND QUARTERLY MANDATORY TRAINING REQUIREMENTS. THIS SLIDE DECK WILL BE DISTRIBUTED TO ALL OUTSTATIONS FOR THEIR USE.

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 21 OCT 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 21 day of OCTOBER, 2015.

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

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
HQ RS CJOC BLDG 330, ROOM 101	20151021	0640	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS
(b)(6)

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q1: Prior to the TB attack (27-28 Sep) what was the Resolute Support (RS) assessment of the security situation in Kunduz?

A1: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q2: Were you aware of the 1C Clearing Patrol CONOP in Kunduz approved for 30 Sep?

A2: Yes. I was aware that a short fuzed CONOP for Operation Kunduz Foothold (b)(1), (b)(3)-001) was scheduled to occur. It was not briefed or signed by the RS HQ leadership. It was approved at the NSOCC-A COM level under OFS authorities. Please reference TAB 4. (b)(3), (b)(6)

Q3: Were you aware of the mission to raid the Kunduz National Directorate of Security (NDS) on 2-3 Oct?

a) Was there a CONOP? or FRAGO?
b) Approval level?

A3: I do not recall specific information about this operation in regards to this question. Please direct this question to the Battle Space Manager for CONOP approval process (b)(3), (b)(6)

Q4: What was your understanding of US involvement in the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A4: I do not recall specific information about this information in regards to this question. Please refer to TAB 2 and TAB 3 for Kunduz operations details (b)(3), (b)(6)

10. EXHIBIT	11. IN (b)(3), (b)(6) KING STATEMENT	PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Approved for Release

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT BLDG 330 DATED 20151022

9. STATEMENT *(Continued)*

Q5: What role, if any, did the RS CJOC play in the C2 of US support to the ASSF Kunduz NDS raid on 2-3 Oct?

A5: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q6: Did the RS CJOC receive any request to approve target engagement with respect to the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A6: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q7: Does RS HQ maintain a no-strike list (system)? If so, how is the no-strike distributed to subordinate organizations?

A7: An NSL is maintained to the best of my knowledge. This question is best directed to the Ground Fires Clearance LNO (b)(3), (b)(6)

Q8: Were you aware of the letter sent to RS HQ with the locations of the MSF hospitals in Kunduz o/a 29 SEP 15? If so, was the letter disseminated and the locations added to the NSL?

A8: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q9: Was the NSL updated? Can we get a copy of the NSL?

A9: I do not recall specific information in regards to this question. This question is best directed to the Ground Fires Clearance LNO (b)(3), (b)(6)

Q10: Describe the methodology and support systems used for mission command at RS HQ. Is there a published C2 SOP?

A10: Please refer to TAB 5, RS HQ SOP (b)(1)1.4a Operational Reporting Procedures, and TAB 6, RS HQ CJOC Battle Captain HOTO Book for methodology, support systems, and reporting procedures/qualifications (b)(3), (b)(6)

Enclosures:
TAB 1: RSHQ JOCWATCH HISTORY.
TAB 2: RSHQ CJOC Kunduz Maps
TAB 3: RSHQ CJOC Battle Drill Room Archive Notes.
TAB 4: NSOCC-A CONOP Approval Channels.
TAB 5: RSHQ SOP (b)(1)1.4a
TAB 6: RSHQ CJOC Battle Captain HOTO Book (b)(3), (b)(6)

Nothing else follows (b)(3), (b)(6)

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

22 Oct 15

22 OCT 15

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

INITIALS OF PERS (b)(3), (b)(6)

PAGE 2 OF 3 PAGES

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Approved for Release

STATEMENT OF (b)(3), (b)(6) TAKEN AT BLDG 330 DATED 20151022

9. STATEMENT *(Continued)*

Nothing Follows.

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

220CT15

220CT15

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FRE THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN

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

WI

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

ORGANIZATION OR ADDRESS

RS HQ CJOC

Camp RS, Kabul AFG

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCT, 2015

at Bldg 330 RSHQ, Kabul AFG

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

(Authority To Administer Oaths)

INITIALS OF PERS (b)(3), (b)(6)

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

Approved for Release

Tactical Guidance/Assumptions

COM RS's 9 September 15 overarching guidance emphasizes that:

1) All persons are civilians until shown otherwise
2) All structures contain civilians until shown otherwise
3) Acceptable CIVCAS is 0
4) Force protection is of utmost concern
5)
6)

(b)(1)1.4a, (b)(1)1.4d

(b)(1)1.4a, (b)(1)1.4g

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 20 OCT 15

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

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

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 20th day of OCTOBER, 2015.

S (b)(3), (b)(6) _____ (b)(3), (b)(6)

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
Camp RS, Kabul, Afghanistan	20151020	2130	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS
(b)(3) Camp RS, Kabul, Afghanistan

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q1: Prior to the TB attack (27-28 Sep) what was the Resolute Support (RS) assessment of the security situation in Kunduz?

A1: Prior to the 27-28 we, HQ RS CJOC, were tracking the security situation in KUNDUZ as being "secure." Prior to the 27th we had not received limited of insurgent activity in the KUNDUZ area. An email sent out by the CJOC on 25 SEP 2015 assessed that (b)(1)1.4c stated the situation was untenable at this time. That was the only reporting that I remember seeing. I do not recall any follow up discussions pertaining to the event. We were focused on the KAJAKI / Northern Helmand Area of Operations.

Q2: Were you aware of the 1C Clearing Patrol CONOP in Kunduz approved for 30 Sep?

A2: I was not aware of specific 1C CONOP for the Clearing Patrol in KUNDUZ. I was aware of a 2C CONOP KUNDUZ CITY FOOTHOLD. The 2C CONOP was from 29 SEP to TBD. I was aware of clearing operations to be conducted that night, but received only a verbal update of planned operations from the (b)(3), (b)(6)

Q3: Were you aware of the mission to raid the Kunduz National Directorate of Security (NDS) on 2-3 Oct?

a) Was there a CONOP? or FRAGO?
b) Approval level?

A3:I was aware of the general operations that were ongoing in relation to the CONOP KUNDUZ CITY FOOTHOLD. I received daily updates as I came on shift about operations that were going to occur that night, but I did not receive a detailed scheme of maneuver for each days planned operations during periods of darkness or the night shift. Yes there was a CONOP (KONDUZ CITY FOOTHOLD). The approval level was "2C." (b)(3), (b)(6) is the approval authority for CONOP LEVEL 2C. COM-RS and (b)(3), (b)(6) also are approval authorities. (b)(3), (b)(6) is authorized to autonomously approve the CONOP. (b)(3), (b)(6) at a minimum is briefed on the CONOPs that the (b)(3), (b)(6) approves.

Q4: What was your understanding of US involvement in the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A4: Yes. I was tracking that this was a partnered operation and SFOD-A would be in support and TAAing their Afghan SOK counterparts.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Approved for Release

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

Q5: What role, if any, did the RS CJOC play in the C2 of US support to the ASSF Kunduz NDS raid on 2-3 Oct?

A5: The RS CJOC did not participate in the direct command and control of the ASSF Kunduz raid. We were aware of the operations and monitored the operations through (b)(1)1.4a, (b)(1)1.4g in the CJOC. If necessary we would allocate or coordinate additional assets (b)(1)1.4a, (b)(1)1.4g We strictly monitored.

Q6: Did the RS CJOC receive any request to approve target engagement with respect to the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A6: No. We did not receive any request to approve target engagement with respect to the ASSF raid on the KUNDUZ NDS site. We were not consulted prior to any engagement with AC-130 or any other asset.

Q7: Does RS HQ maintain a no-strike list (system)? If so, how is the no-strike distributed to subordinate organizations?

A7: Yes. The NSL is on the CENTCOM Website. (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g

Q8: Were you aware of the letter sent to RS HQ with the locations of the MSF hospitals in Kunduz o/a 29 SEP 15? If so, was the letter disseminated and the locations added to the NSL?

A8: Yes, I was aware of the letter sent to RS HQ with the locations of the MSF Hospitals in KUNDUZ. I was tracking that the letter was distributed to subordinate HQs through NIPR email. Our (b)(3), (b)(6) was given hard copies of the locations (see email) and the MSF memo and he confirmed that those locations were already on the NO STRIKE LIST.

Q9: Was the NSL updated? Can we get a copy of the NSL?

A9: No the NSL was not updated. The locations were already on the NSL. See attachment for NSL.

Q10: Describe the methodology and support systems used for mission command at RS HQ. Is there a published C2 SOP?

(b)(1)1.4a, (b)(1)1.4g

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 3 PAGES

Approved for Release

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

AFFIDAVIT

I, (b)(3), (b)(6) _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS A GE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY W UT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUEN

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

WITNESSES: (b)(3), (b)(6)

Subs by law to administer oaths, this 10th day of OCTOBER, 2015 at RS HQ, AFGHANISTAN

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

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 3 OF 3 PAGES

Approved for Release

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

From: (b)(3), (b)(6)
Sent: Thursday, October 01, 2015 6:55 AM
To:
Cc: (b)(3), (b)(6)
Subject: Fw: MSF GPS coordinates in Kunduz

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

Pls see below- GPS coordinates for doctors without borders in Kunduz.

V/R,

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

From: (b)(3), (b)(6)
Sent: Thursday, October 01, 2015 02:45 AM
To: (b)(3), (b)(6)
Subject: FW: MSF GPS coordinates in Kunduz

(b)(3), (b)(6) see below; this was passed on to me by (b)(3), (b)(6). Below are some GPS coordinates for members of Doctors Without Borders / Medicins Sans Frontieres or MSF currently operating in Kunduz. They have shared their info with the Embassy and "ISAF / Afghan Security Forces;" however, wanting to make sure that all are tracking. Please pass on to the appropriate folks / NSOC-A etc..

Thanks much

v/r
(b)(3), (b)(6)

-----Original Message-----
From: (b)(3), (b)(6)
Sent: Wednesday, September 30, 2015 5:08 PM
To: (b)(3), (b)(6)
Subject: FW: MSF GPS coordinates in Kunduz

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Approved for Release

Thank you for the help on Doctors without Borders (aka Medicins Sans Frontieres or MSF). You'll see they have four locations below. There is also a little detail on the number of patients.

See you soon.

Sincerely,

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

---------- Forwarded message ----------
From: (b)(6)
Date: Wed, Sep 30, 2015 at 12:57 PM
Subject: MSF GPS coordinates in Kunduz
To: (b)(3), (b)(6)

Hi (b)(3), (b)(6)
Nice talking to you.
As just discussed, here the GPS coordinates. As I mentioned, they were shared Monday at field level with ISAF / Afghan Security Forces and with US Embassy.
However, I'd like to make sure they are also in the right hands at HQ US military level.

Afghanistan - MSF Health facilities in Kunduz GPS Coordinates, as of September 29th, 2015
KUNDUZ TRAUMA CENTER (b)(3) 10 USC 130c 100 beds hospital (ex-Spinzer)
KUNDUZ MSF RESIDENCE (b)(3) 10 USC 130c 2 houses, 3 floors recent building
KUNDUZ MSF OFFICE (b)(3) 10 USC 130c Office within ex-Spinzer hospital
CHAHARDARA DISTRICT CLINIC (b)(3) 10 USC 130c Local house transformed in clinic

For your records, here the latest activity figures at the MSF hospital as of this morning:
- Since early Monday morning, MSF's medical teams have treated 252 wounded, including 53 children. 66 patients arrived in critical condition.
- We have increased the number of beds to 150
- MSF's medical team has performed more than 70 surgeries
- Current MSF team : 9 international staff + >400 national staff.

Kind regards,
(b)(6)

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Approved for Release

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

From: (b)(6)
Sent: Saturday, October 03, 2015 10:53 AM
To:
Cc: (b)(3), (b)(6)
Subject: Movement fo MSF Injured from Kunduz to airport URGENT MSF

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

Please be advised that MSF are now planning to move 4 injured staff from MSF Hospital Kunduz to Kunduz Airport in MOPH Ambulance

The move is scheduled to happen in the next hour

Best

(b)(6)

Office for the Coordination of Humanitarian Affairs
(UNOCHA), Kabul, Afghanistan

(b)(6)

http://afg.humanitarianresponse.info
Coordination Saves Lives

Approved for Release

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

From: (b)(6)
Sent: Saturday, October 03, 2015 4:51 AM
To: MSF-Afghanistan-CR
Cc: (b)(3), (b)(6)

Subject: Re: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Hi (b)(6)

O445

(b)(6) would be highly appreciative of any update on tonight's incident especially in relation to casualty numbers when you have an overall picture

Best

(b)(6)

Sent from my iPhone

On Oct 3, 2015, at 4:07 AM, MSF-Afghanistan-(b)(6)@msf.org> wrote:

Time was around 2.10am.

(b)(6) Medecins Sans Frontieres - Afghanistan

From: (b)(3), (b)(6)
(b)(3), (b)(6)
Sent: 02/10/2015 23:11 GMT

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

Approved for Release

(b)(6)

Subject: RE: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

UNCLASSIFIED

Do you have any other additional information? Time? I am trying to cross reference the strikes that have been coordinated?

Thanks.

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

From: (b)(6)
Sent: Saturday, October 03, 2015 3:03 AM
To:
Cc: (b)(3), (b)(6)

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

Subject: URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Goodnight CJOC

The (b)(6) Of MSF has reported that the MSF Hospital in Kunduz has been hit by an airstrike and there are some staff injuries - no fatalities.

It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

HIGH PRIORITY

Best regards

(b)(6)
Doctors Without Borders Kunduz, 3 Oct 15

Office for the Coordination of Humanitarian Affairs
(UNOCHA), Kabul, Afghanistan

Approved for Release

(b)(6)

http://afg.humanitarianresponse.info
Coordination Saves Lives
--

UNCLASSIFIED

Approved for Release

MEDECINS SANS FRONTIERES

داکتران بدون سرحد
بی پولی داکتران

House #4, Street #3,
Qala-e-Fatullah
Kabul, Afghanistan
دفتح الله کلادریم سرک، خلورم کور
کابل، افغانستان
قلعه فتح الله ، سرک سوم خانه چهارم
کابل، افغانستان

www.msf.org

Date: Tuesday, 29 September 2015

To: His Excellency the Minister of Defence - Islamic Republic of Afghanistan

Subject: GPS coordinates of MSF medical structures in Kunduz province

Excellency,

In light of the recent events in Kunduz, I'd like to make sure all actors involved in the conflict have a precise understanding of the medical structures (hospital, clinics and staff areas) where MSF operates in Kunduz province. I would also respectfully ask you all possible guarantees to make sure these structures, its patients and all international and national personnel working in it, will benefit from the utmost attention and protection from all Afghan Security Forces in case of any new spike of hostilities in Kunduz province.

Please find below all MSF related GPS coordinates:

KUNDUZ TRAUMA CENTER	(b)(3) 10 USC 130c	*100 beds hospital (ex- Spinzer)*
KUNDUZ MSF RESIDENCE		*2 houses, 3 floors recent building*
KUNDUZ MSF OFFICE		*Office within ex- Spinzer hospital*
CHAHARDARA DISTRICT CLINIC		*Local house transformed in clinic*

As an international medical humanitarian aid organization working in several countries at war, MSF and its personnel observes strict neutrality and impartiality in the name of universal medical ethics and rights of populations affected by conflicts to humanitarian assistance. MSF claims full respect of these principles and rules in order to be able to continue responding to the humanitarian and medical needs of all Afghans.

Being sure of your support and protection, please accept my respectful regards,

(b)(3) 10 USC 130c, (b)(6)

s Frontières - Afghanistan

29/09/2015

(b)(3) 10 USC 130c, (b)(6)

(b)(3) 10 USC 130c, (b)(6)

(b)(3) 10 USC 130c, (b)(6)

Cc:
His Excellency the Minister of Interior
His Excellency the Minister of Public Health
His Excellency the Minister of Foreign Affairs
His Excellency the Chairman of the National Security Council.
ISAF Command in Afghanistan

Médecins Sans Frontières (MSF) is an international, independent, medical humanitarian organisation that delivers emergency aid to people affected by armed conflict, epidemics, healthcare exclusion and natural or man-made disasters

بی پولی داکتران یوه نړیواله ، خپلواکه ، بشریته روغتیایی اداره ده
داکتران بدون سرحد یک سازمان بین المللی مستقل طبی وبشردوستانه است

Approved for Release

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

From: (b)(6)
Sent: Saturday, October 03, 2015 3:03 AM
To:
Cc: (b)(3), (b)(6)

Subject: URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)
Attachments: 20150929_MSF to MOD_GPS coordinate of MSF structures in Kunduz.pdf

Goodnight CJOC

The (b)(6) Of MSF has reported that the MSF Hospital in Kunduz has been hit by an airstrike and there are some staff injuries - no fatalities.

It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

HIGH PRIORITY

Best regards

(b)(6)

Office for the Coordination of Humanitarian Affairs (UNOCHA), Kabul, Afghanistan

(b)(6)

http://afg.humanitarianresponse.info
Coordination Saves Lives

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 20 OCT 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 20 day of OCT, 2015

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

Sign

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

Signature of Interviewee

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
Camp RS Kabul Afghanistan	20151020	2321	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS
CAMP RS CJOC (b)(3)

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q1: Prior to the TB attack (27-28 Sep) what was the Resolute Support (RS) assessment of the security situation in Kunduz?

A1: There were insurgent attacks in the area and some check points were being overrun. The governor's complex had been attacked and was under insurgents' control as were many other locations. (See Email traffic and Map; (b)(3), (b)(6))

Q2: Were you aware of the 1C Clearing Patrol CONOP in Kunduz approved for 30 Sep?

A2: NO: The Clearing Patrol CONOP that was approved for 30 Sep 15 was a level 1C and did not get entered into the CONOP system at the CJOC level.

Q3: Were you aware of the mission to raid the Kunduz National Directorate of Security (NDS) on 2-3 Oct?

a) Was there a CONOP? or FRAGO?
b) Approval level?

A3: NO: The CONOP Konduz foothold (b)(1)1.4(a) 009-001 was a level 2C and was approved by the (b)(3), (b)(6)
It didn't not get entered into the CJOC CONOP system. (See Email 29 Sept 15 (b)(3), (b)(6))

Q4: What was your understanding of US involvement in the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A4: To support the operation in accordance with the rules of engagement and legal limits and to monitor and support as needed.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Approved for Release

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp RS Kabul AF DATED 20151021

9. STATEMENT *(Continued)*

Q5: What role, if any, did the RS CJOC play in the C2 of US support to the ASSF Kunduz NDS raid on 2-3 Oct?

A5: To monitor and support as needed.

Q6: Did the RS CJOC receive any request to approve target engagement with respect to the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A6: NO: 6. The CJOC didn't have the (b)(1)1.4a for that mission. But was monitoring the event on (b)(1)1.4a, (b)(3), (b)(6) (See Screen shots)

Q7: Does RS HQ maintain a no-strike list (system)? If so, how is the no-strike distributed to subordinate organizations?

A7: All target approval and engagement approval went through NSOC-A. No request came through the CJOC.
Email traffic with this location was forwarded to me for my situational awareness.
I am not aware of the time line for the input to the targeting no strike list. But it is on the NSL list.

Q8: Were you aware of the letter sent to RS HQ with the locations of the MSF hospitals in Kunduz o/a 29 SEP 15? If so, was the letter disseminated and the locations added to the NSL?

A8: I am not sure when or who updates the NSL list. The list contains over 20,000 targets and this one has been on the list since Nov 2014. (see screen shot)

Q9: Was the NSL updated? Can we get a copy of the NSL?

A9:The list contains over 20,000 targets and is on the CENTCOM portal.

Q10: Describe the methodology and support systems used for mission command at RS HQ. Is there a published C2 SOP?

A10: The CJOC provides the Commander situational understanding and knowledge of key events. Enabling the Commander to provide guidance and direction to accomplish key objectives.

Enclosures:

TAB 1: Email (b)(3), (b)(6)
TAB 2: Email: (b)(3), (b)(6)
TAB 3: Screen Shot Hospital Strike (b)(1)1.4a, (b)(3), (b)(6)
TAB 4: Screen Shot no Strike List
TAB 5: Email: (b)(3), (b)(6) initial notification of strike
TAB 6: (b)(3), (b)(6) Personal Log

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6) PAGE 2 OF 3 PAGES

Approved for Release

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP RS DATED 20151021

9. STATEMENT *(Continued)*

NOT further 21OCT15

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE ____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRE[illegible] OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT F[illegible]WARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL[illegible]

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

[illegible] Statement)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Oct, 2015 at Camp RS, AF

ORGANIZATION OR ADDRESS

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

[illegible]ith)

(Typed Name of Person Administering Oath)

Comm

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

Approved for Release

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

From: (b)(3), (b)(6)
Sent: Saturday, October 03, 2015 3:41 AM
To:
Cc: (b)(3), (b)(6)

Subject: RE: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Follow Up Flag: Follow up
Flag Status: Flagged

UNCLASSIFIED

Do you have any other additional information? Time? I am trying to cross reference the strikes that have been coordinated?

Thanks.

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

From: (b)(6)
Sent: Saturday, October 03, 2015 3:03 AM
To:
Cc: (b)(3), (b)(6)

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

Subject: URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Goodnight CJOC

The (b)(6) Of MSF has reported that the MSF Hospital in Kunduz has been hit by an airstrike and there are some staff injuries - no fatalities.

It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

HIGH PRIORITY

Approved for Release

Best regards

(b)(6)

Office for the Coordination of Humanitarian Affairs (UNOCHA), Kabul, Afghanistan

(b)(6)

http://afg.humanitarianresponse.info
Coordination Saves Lives
--

UNCLASSIFIED

Approved for Release

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

From: (b)(6)
Sent: Saturday, October 03, 2015 4:51 AM
To: MSF-Afghanistan-CR
Cc: (b)(3), (b)(6)

Subject: Re: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Red Category

Hi (b)(6)

O445

(b)(6) would be highly appreciative of any update on tonight's incident especially in relation to casualty numbers when you have an overall picture

Best

(b)(6)

Sent from my iPhone

On Oct 3, 2015, at 4:07 AM, MSF-Afghanistan-(b)(6)@msf.org> wrote:

Time was around 2.10am.

(b)(6), Medecins Sans Frontieres - Afghanistan

From: (b)(3), (b)(6)
(b)(3), (b)(6)]
Sent: 02/10/2015 23:11 GMT

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

Approved for Release

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

Subject: RE: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

UNCLASSIFIED

Do you have any other additional information? Time? I am trying to cross reference the strikes that have been coordinated?

Thanks.

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

From: (b)(6)
Sent: Saturday, October 03, 2015 3:03 AM
To:
Cc: (b)(3), (b)(6)

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

Subject: URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Goodnight CJOC

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It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

HIGH PRIORITY

Approved for Release

Best regards

(b)(6)

Office for the Coordination of Humanitarian Affairs (UNOCHA), Kabul, Afghanistan

(b)(6)

http://afg.humanitarianresponse.info
Coordination Saves Lives

UNCLASSIFIED

Approved for Release

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans	PAGE NO. 1	NO. OF PAGES 2

ORGANIZATION OR INSTALLATION	LOCATION	PERIOD COVERED FROM HOUR	FROM DATE	TO HOUR	TO DATE
CJOC	CMP RS	2030	2 OCT 15		03 OCT 15

ITEM NO.	TIME IN	TIME OUT	INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL
1.	2130		(b)(3), (b)(6) Call INFO: Embassy will be		
			Evac People From Fizabad 3 OCT 15		
			2 Turns 1 Turn Has 3 Chots - 1 AT 10⁰⁰ 1 AT 12⁰⁰		
			And 1 AT 1500 All Cont Air Going To KAF		
			2nd Turn Has 2 chocks 1 AT 0630 and 1 AT 10⁰⁰		
			Both Are Embassy Air - 8 and Both		
			Are Going To KAF : POC For All is		
			(b)(3), (b)(6)	Logged	
2.	2322		Combaf: Said AF doing Memorial		
			Ceremony @ 0900 AT BAF (Flag Poles)	Logged	
3	0250				
			(b)(1)1.4a, (b)(3), (b)(6)	Logged	
4	330	/			(b)(3), (b)(6)
				Logged	
5.	356	/	CIVCAS Report Cmd (b)(1)1.4a		
		/	working Total Injured MTF	Logged	
6	0358		Call BG Wainwright and Gen Buchanan		
			Informed of FFIR 10 with MTF	Logged	
			0225 (b)(1)1.4a, (b)(3), (b)(6) Engaged H.T Hospital		

TYPE NAME AND GRADE OF OFFICER OR OFFICAL ON DUTY

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

DA FORM 1594, NOV 1962 PREVIOUS EDITION OF THIS FORM IS O APD ALD v3.01ES

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, JEFFREY S. BUCHANAN, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 21 OCT 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

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C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 21ST day of OCTOBER, 2015.

Signature of Witness

Signature of Interviewee

Approved for Release

HEADQUARTERS
UNITED STATES FORCES – AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

RS-DCG O 21 October 2015

MEMORANDUM FOR RECORD

SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

1. On 21 0930 (D) October 2015, I spoke with MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, the evening of 2-3 October 2015. The interview was conducted in the DCOS –Operations Office, Headquarters, Operation Resolute Support.

2. I initially became aware of the events of 3 October 2015 at the MSF Hospital in Kunduz by a telephone call from the (b)(3), (b)(6). I was aware of NSOCC-A operations in Kunduz because of a prior CONOP brief, and as the acting (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4d designation under OPERATION RESOLUTE SUPPORT).

3. In the few days prior to the Taliban attack on Kunduz City on 28 September, there was no increased reporting of a significant threat in the area. In June, the (b)(1)1.4d Corps did conduct operations in the province in an attempt to disrupt the Taliban, but they focused primarily on the operations areas and not the Taliban safe havens/support zones. In late August, we conducted a strike that (b)(1)1.4a After this strike, I contacted the (b)(3), (b)(6) and requested the (b)(1)1.4d to begin operations in that area to take advantage the insurgent leadership vacuum. The ANA developed an operational plan for October, which turned out to be too late given the Taliban attack in late Sept and early Oct.

4. There was no unusual reporting from Kunduz City on the 25, 26, or 27 September. However, we were coming out of Eid and the Afghans had reduced reporting, reduced manning in their headquarters, and could have had reduced security.

5. I received the letter from the MSF stating the locations of their medical facilities in Kunduz City. I took the letter to the CJOC and passed it to the CJOC leadership. They disseminated the letter. I attribute this to two factors: below the Corps level we are entirely dependent on Afghan reporting for "ground truth," and we no longer use a system like (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g to maintain a Common Operating Picture (COP). Since we have to depend on Afghan reports for the inputs, a COP to like CPOF may not be viable. I don't specifically know how the No Strike List is populated, but I know that we have placed individuals on the Restricted Target

Approved for Release

RS-DCG-O
SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

List. Since the Afghans have taken over the battlespace, (b)(1)1.4d, (b)(1)1.4g (b)(1)1.4d, (b)(1)1.4g

6. All CONOPS come through me in my position as the (b)(3), (b)(6) I also recall conducting phone calls with SOF Command prior to the 2-3 October mission. They were our best source of information prior to the arrival of TAAC-N EAP. I went to Camp Pamir on 2 October with the Chief of the General Staff and the Minister of Interior. We did not travel into the city itself. At no time in my discussions about the situation in Kunduz, was the issue of exceptions to the Tactical Guidance ever discussed. A month earlier, COMRS had made an in extremis designation for (b)(6). An in extremis designation was never considered for Kunduz.

6. I checked my notes and I have notes of the operation from 29 September. I also recall participating in a telephone call with the AOB/ODAs in Kunduz on their SIPR (b)(1)1.4a line, which provided great insight.

7. I signed the (b)(1)1.4a designation on either 1 or 2 October. The key thing about our authorities is that they are built around our self-defense. (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g Both of these exceptions are USFOR(A), rather than NATO exceptions.

8. With a designation of (b)(1)1.4a we can provide lethal and non-lethal enablers in support of our ANDSF partners.

(b)(1)1.4a, (b)(1)1.4d

Approved for Release

RS-DCG-O
SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

12. I received an initial call around 2 something from the CJOC, reporting that we may have hit a hospital. However, they also reported that we were targeting some Taliban outside the hospital firing on our forces with a few rounds of airburst, but did not damage the hospital. I do not know who the source of that report was.

13. I see 3 big problems with this strike and I believe that all were potentially affected by stress and lack of sleep. First, the authority to shoot/employ ADM in the first place. As I now understand the circumstances, we weren't really defending ourselves or our approved Afghan partners – neither element was under fire and were essentially pre-assault fires. Second, the (b)(1)1.4a to (b)(1)1.4a. Third, proportionality: (b)(1)1.4a rounds including both (b)(1)1.4a were fired into a building. That seems excessive to me unless we were trying to suppress an enemy force that continued to fire on us.

14. This could have been a case of Self-Defense, depending on how they were partnered. I think we have to be careful defining things afterward, but there has to be some reasonableness. You have to look at what the guy on the ground knew.

15. We train the COMRS tactical directive and ROE monthly in the CJOC. I have never gone down to the TAACs or NSOCC-A to see if they are conducting their training.

JEFFREY S. BUCHANAN
MG, USA
Deputy Chief of Staff, Operations

Approved for Release

United States Army

Major General JEFFREY S. BUCHANAN

Deputy Chief of Staff, Operations
Resolute Support Mission, North Atlantic Treaty Organization/
United States Forces-Afghanistan
OPERATION FREEDOM'S SENTINEL
APO AE 09356
Since: July 2015

SOURCE OF COMMISSIONED SERVICE ROTC

EDUCATIONAL DEGREES
University of Arizona – BS – Wildlife Conservation
United States Military Academy – MA – Leadership Development

MILITARY SCHOOLS ATTENDED
Infantry Officer Basic and Advanced Courses
United States Army Command and General Staff College
Senior Service College Fellowship - Switzerland

FOREIGN LANGUAGE(S) None recorded

PROMOTIONS	DATE OF APPOINTMENT
2LT	17 May 82
1LT	26 Nov 83
CPT	1 Feb 86
MAJ	2 Sep 93
LTC	1 May 98
COL	1 Mar 04
BG	2 Oct 08
MG	3 Aug 11

FROM	TO	ASSIGNMENT
Jul 15	Present	Deputy Chief of Staff, Operations, Resolute Support Mission, North Atlantic Treaty Organization/United States Forces-Afghanistan, OPERATION FREEDOM'S SENTINEL, Afghanistan
Jun 13	Jun 15	Commanding General, Military District of Washington/Commander, Joint Force Headquarters-National Capital Region, Washington, DC
Apr 12	Jun 13	Deputy Commanding General, I Corps and Joint Base Lewis McChord, Joint Base Lewis McChord, Washington
Feb 12	Apr 12	Special Assistant to the Commanding General/Commandant United States Army Intelligence Center of Excellence and Fort Huachuca, Fort Huachuca, Arizona
Jul 10	Dec 11	Director, J-9, United States Forces-Iraq, OPERATION IRAQI FREEDOM/NEW DAWN, Iraq
Aug 09	Jul 10	G-3/5/7, United States Army Reserve Command, Office of the Chief, Army Reserve, Fort McPherson, Georgia
May 09	Aug 09	Deputy Commanding General (Operations), 10th Mountain Division (Light), Fort Drum, New York
Jun 08	May 09	Deputy Commanding General (Operations), 10th Mountain Division (Light)/, Multi-National Division-Center, OPERATION IRAQI FREEDOM, Iraq

Approved for Release

MG Buchanan, Jeffrey S.

Nov 07	Jun 08	Deputy Commanding General (Operations), 10th Mountain Division (Light), Fort Drum, New York
May 06	Nov 07	Assistant Chief of Staff, G-3, United States Army North (Fifth Army), Fort Sam Houston, Texas
Jun 04	May 06	Commander, 2d Brigade, 75th Division (Training Support), Fort Sam Houston, Texas to include duty as Commander, Iraqi National Police Commando Division Transition Team, Civilian Police Assistance Training Team, Multi-National Security Transition Command-Iraq, OPERATION IRAQI FREEDOM, Iraq
Jun 03	Jun 04	Director Combat Development, United States Army Infantry School, Fort Benning, Georgia to include duty as Director of Operations, C-3, Coalition Military Assistance Training Team, OPERATION IRAQI FREEDOM, Iraq
Oct 02	Jun 03	Student, Geneva Centre for Security Policy, Bern, Switzerland
Jul 01	Aug 02	Senior Light Infantry Task Force Trainer, National Training Center, Fort Irwin, California
Jun 99	Jun 01	Commander, 3d Battalion, 187th Infantry, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky
Jun 97	May 99	Director for Operations, J-3, Joint Task Force-Full Accounting, United States Pacific Command, Camp H.M. Smith, Hawaii
Jun 95	May 97	S-3 (Operations), 1st Battalion, 327th Infantry, later S-3, 1st Brigade, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky
Aug 94	Jun 95	Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas
Jun 91	Jun 94	Company Tactical Officer, later Battalion Tactical Officer, United States Military Academy, West Point, New York
May 90	May 91	Student, Eisenhower Program, United States Military Academy, West Point, New York
May 88	Jan 90	Commander, B Company, later Commander, Headquarters and Headquarters Company, 4th Battalion, 22d Infantry, 25th Infantry Division (Light), Schofield Barracks, Hawaii
Aug 86	May 88	Commander, Long Range Surveillance Detachment, 125th Military Intelligence Battalion, 25th Infantry Division (Light), Schofield Barracks, Hawaii
Jan 86	Jun 86	Student, Infantry Officer Advanced Course, Fort Benning, Georgia
Apr 85	Dec 85	Executive Officer, B Company, 1st Battalion (Airborne), 504th Infantry, 82d Airborne Division, Fort Bragg, North Carolina
Jan 84	Apr 85	Scout Platoon Leader, 1st Battalion (Airborne), 504th Infantry Regiment, 82d Airborne Division, Fort Bragg, North Carolina
Feb 83	Jan 84	Rifle Platoon Leader, B Company, 1st Battalion (Airborne), 504th Infantry, 82d Airborne Division, Fort Bragg, North Carolina

Approved for Release

MG Buchanan, Jeffrey S.

SUMMARY OF JOINT ASSIGNMENTS	DATE	GRADE
Deputy Chief of Staff, Operations, Resolute Support Mission, North Atlantic Treaty Organization/United States Forces-Afghanistan, OPERATION FREEDOM'S SENTINEL, Afghanistan	Jul 15 - Present	
Director, J-9, United States Forces-Iraq, OPERATION IRAQI FREEDOM/NEW DAWN, Iraq	Jul 10 - Dec 11	Brigadier General/Major General
Director Combat Development, United States Army Infantry School, Fort Benning, Georgia to include duty as Director of Operations, C-3, Coalition Military Assistance Training Team, OPERATION IRAQI FREEDOM, Iraq (No Joint Credit)	Jun 03 - Jun 04	Lieutenant Colonel/Colonel
Director for Operations, J-3, Joint Task Force-Full Accounting, United States Pacific Command, Camp H.M. Smith, Hawaii	Jun 97 - May 99	Major/Lieutenant Colonel

SUMMARY OF OPERATIONAL ASSIGNMENTS	DATE	GRADE
Deputy Chief of Staff, Operations, Resolute Support Mission, North Atlantic Treaty Organization/United States Forces-Afghanistan, OPERATION FREEDOM'S SENTINEL, Afghanistan	Jul 15 - Present	
Director, J-9, United States Forces-Iraq, OPERATION IRAQI FREEDOM/NEW DAWN, Iraq	Jul 10 - Dec 11	Brigadier General/Major General
Deputy Commanding General (Operations), 10th Mountain Division (Light)/, Multi-National Division-Center, OPERATION IRAQI FREEDOM, Iraq	Jun 08 - May 09	Brigadier General
Commander, 2d Brigade, 75th Division (Training Support), Fort Sam Houston, Texas to include duty as Commander, Iraqi National Police Commando Division Transition Team, Civilian Police Assistance Training Team, Multi-National Security Transition Command-Iraq, OPERATION IRAQI FREEDOM, Iraq	Jun 04 - May 06	Colonel
Director Combat Development, United States Army Infantry School, Fort Benning, Georgia to include duty as Director of Operations, C-3, Coalition Military Assistance Training Team, OPERATION IRAQI FREEDOM, Iraq (No Joint Credit)	Jun 03 - Jun 04	Lieutenant Colonel/Colonel

US DECORATIONS AND BADGES

Distinguished Service Medal (with Oak Leaf Cluster)
Defense Superior Service Medal
Legion of Merit (with 3 Oak Leaf Clusters)
Bronze Star Medal (with 2 Oak Leaf Clusters)
Defense Meritorious Service Medal
Meritorious Service Medal (with 4 Oak Leaf Clusters)
Army Commendation Medal (with Oak Leaf Cluster)
Joint Service Achievement Medal
Army Achievement Medal (with Oak Leaf Cluster)
Combat Infantryman Badge
Expert Infantryman Badge
Master Parachutist Badge
Air Assault Badge
Ranger Tab

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, MARK R. QUANTOCK, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 21OCT15

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 21st day of October, 2015.

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

Signature of Interviewee

Approved for Release

HEADQUARTERS
UNITED STATES FORCES – AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

RS-DCG S

21 October 2015

MEMORANDUM FOR RECORD

SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

1. (U) On 21 1145 (L) October 2015, I spoke with MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about 3 October 2015. The interview was conducted in the DCOS – Intelligence Office, Headquarters, Operation Resolute Support.

2. (U) I have experience with Afghanistan, and have been deployed here before. I am aware of the events that occurred in Kunduz City around 3 October 2015. I am also aware of this investigation, as well as an investigation being conducted by (b)(6) (b)(6) into general events in Kunduz City during the period 28 September through 3 October. That report may also review the strike on the hospital.

3. (U) We (ANDSF) had been in the Kunduz Province area previously this summer. The ANA had conducted operations in several areas to include Chahar Darah District, which is generally a dangerous area. The fighting has been much more kinetic in the north this year, as compared to last year. There are multiple threats in the area, but the main threat is the Taliban, and there also is lots of crime in the area. It is difficult from an INTEL perspective to tell what actions are tied to the insurgency and what actions are purely criminal in nature.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g, (b)(6)

Approved for Release

RS-DCG-S
SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

8. ~~(S)~~ I don't recall seeing the MSF memorandum with the hospital grids. However, I would assume that CJOC J2 personnel saw the memorandum from the MSF informing us of the locations of their facilities in Kunduz since you mentioned it was available on the CJOC floor. Regardless, it was known (b)(1)1.4a, (b)(1)1.4g that the location was the site of a hospital since 1971.

(b)(1)1.4a, (b)(5), (b)(6)

10. ~~(S//NF)~~ Although we assessed that there were Taliban using the hospital, you cannot shoot up a building under the current authorities. Period. I also see a proportionality issue with this strike as well.

MARK R. QUANTOCK
MG, USA
Deputy Chief of Staff, ~~Operations~~ INTELLIGENCE

Approved for Release

NATIONAL GEOSPATIAL-INTELLIGENCE AGENCY

Know the Earth... Show the Way... Understand the World

MG Mark R Quantock
Director, Operations

MG Mark R. Quantock was appointed Military Deputy of the National Geospatial-Intelligence Agency on December 22, 2013.

As NGA's senior ranking military officer, he is a member of the NGA Command Element, where he advises the Director on the Combat Support Agency functions and provides a uniformed military perspective to the Director's Leadership Council. MG Quantock manages NGA combat support and other functions in 35 locations embedded with military mission partners. He oversees NGA's Expeditionary Operations, which consists of 250 NGA personnel deployed worldwide in direct support of Combatant Commanders. Additionally, his office interfaces with the Joint Staff and Office of the Secretary of Defense and manages 445 active duty military billets across the NGA enterprise.

MG Quantock received his commission from New Mexico Military Institute. He has a BA from the State University of New York (SUNY), Plattsburg and Masters Degrees from Central Michigan and the National War College. MG Quantock has served in a variety of Military Intelligence, staff, and command positions. His most recent assignment was as the Deputy Director for Trans-Regional Policy, J-5, Joint Staff, Washington, DC. Previous key staff assignments include Chief CJ-2 International Security Assistance Force Joint Command, OPERATION ENDURING FREEDOM, Afghanistan; G3, Army Cyber Command/2nd US Army, Ft Belvoir, VA. His other combat assignments include Intelligence Advisor/Liaison Officer for Joint Forces Command-East, OPERATION DESERT SHIELD/STORM, Saudi Arabia; Commander, 205th Military Intelligence Brigade, V Corps, United States Army Europe and Seventh Army, Germany and OPERATION IRAQI FREEDOM, Iraq.

MG Quantock lives in Springfield, Virginia with his wife Rebecca. They have three adult children. MG Quantock is authorized to wear the Defense Superior Service Medal with Oak Leaf Cluster (OLC), Legion of Merit with three OLCs, Bronze Star with OLC, and numerous other personal and unit awards.

Approved for Release

Afghanistan: Overview of Kunduz Hospital

Kunduz, Afghanistan

(b)(3) 10 USC 130c

UNCLASSIFIED/~~/FOUO~~

Source: © 2015 Digital Globe, NextView License

UNCLASSIFIED/~~/FOUO~~

Afghanistan: Overview of Kunduz Hospital

Kunduz, Afghanistan

(b)(3) 10 USC 130c

Source: © 2015 Digital Globe, NextView License

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 22 Oct 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of October, 2015.

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

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

ewee

Approved for Release

(b)(3), (b)(6) - USAF

Derived from AR 15-6, para. 3-8.d. and SF 312

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 28 Oct 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

(b)(3), (b)(6) - USAF

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 28 day of October, 2015.

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

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

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
(b)(1)1.4a, (b)(1)1.4g SOJTF-A, Kabul, Afghanistan	20151022	1500	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS
(b)(1)1.4a, (b)(3)

9.
I (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. My situational awareness of the Kunduz operation was the general scheme of maneuver, and the intent for CAS. While the Kunduz mission was in effect I tracked the progress through (b)(1)1.4a, (b)(1)1.4g
2. I was aware of the 31 Sep CONOP. I did not play a part in the development.
3. Yes, I track on-going operations, mostly through the CAS requests that I'm CC'd on and talking to the (b)(3), (b)(6)
4. Yes, I was tracking the 30 Sep Kunduz operation as best I could through (b)(1)1.4a, (b)(1)1.4g
5. I don't know when the decision was made to have AC-130 on station, who authorized it or if it was a new CONOP or FRAGO.
6. I've had a copy of the (b)(1)1.4a, AO no strike list sent to me by my predecessor. Then shortly after the Hospital strike a CENTCOM NSL was sent out. (b)(3), (b)(6) sent out a very easy to follow email on how to find and use the current NSL. I understand that CENTCOM maintains the NSL through the established aforementioned web site. The hospital is marked on the current NSL, but I'm unaware of when that information was updated.
7. I was unaware of the Hospital strike until the day after. After the strike a NSL was pushed out and I updated my (b)(1)1.4a, (b)(1)1.4g imagery accordingly.
8. I did not know the grid passed from the (b)(1)1.4a to the (b)(3), (b)(6) until after the fact. I maintain a (b)(1)1.4a, (b)(1)1.4g and monitor (b)(1)1.4a, (b)(1)1.4g but unless the (b)(3), (b)(6) is controlling through (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4g
9. I have read the COMRS Tactical Guidance and Approval Authorities routinely; I started reading about 15 days prior to my reporting date in theater, I took a SPINS test before I deployed, I took a new SPINS test when I was established at Camp Integrity, and I've taken a SPINS test monthly ever since. I routinely train on basic theater PID, POL, LOAC and ROE procedures at home station. I was unaware of who approved the Hospital strike. As I understood at the time, fires was against armed personnel outside and up against the Hospital structure.
10. De-confliction of the battle space is done through various ways; ground de-confliction is done by (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6). When there is a need to de-conflict Afghan units with no (b)(1)1.4a its completed by (b)(1)1.4a, (b)(1)1.4g from SOJTF-A elements to the lead Afghan authority in that specific AO. SOJTF-A elements identify friendlies and/or noncombatants through vigorous pattern of life: (b)(1)1.4a, (b)(1)1.4g Currently SOJTF-A elements provide a NSL ppt to SOTF-A and SOJTF-A for approval. I think this is an outstanding procedure and should be sustained.
11. I am unaware of the approval process for this specific airstrike. Usually any target at (b)(1)1.4a which is exactly how most strike approvals are completed. I am unaware of any delegation of approval or additional instructions for this strike or any other strike.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD LC v1.01ES

Approved for Release

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1530 DATED 20151022

9. STATEMENT *(Continued)*

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1530 DATED 22 OCT 2015

a. I was not aware of the MSF location until after the strike.
b. I was not aware of any other NGO location.
c. I did not see or hear of any indications that any strike was near a hospital.
d. I did not see the hospital marked. Currently the SOP for marking is (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g
e. I did not monitor the situation. I was monitoring the mission earlier through (b)(1)1.4a, (b)(1)1.4g
f. I did track targets while I was monitoring the mission, which is routine. I did not monitor the strike on th hospital. But I always track all targeting information for the strike, to include weaponeering, attack heading, PID, PoL, CDE and all other pertinent information.
g. I was not aware that a hospital was being targeted by any platform.
h. I'm unaware (b)(1)1.4a, (b)(3), (b)(6) monitoring prior to strike.
i. I did not see or hear of any specific weapons restrictions for this CONOP. All the strikes I've monitored before, during and since the strike followed the Tactical Guidance religiously.
j. Based on my knowledge of the tactical guidance (b)(1)1.4a, (b)(3), (b)(6) to strike that building? Only if friendly forces are in contact with a threat in/around the building and friendly forces cannot withdraw. Any other situation would require (b)(1)1.4a approval, given the information I've received about the scenario.

INITIALS OF PERSON MAKING STATEMENT
(b)(3), (b)(6)

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

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STATEMENT OF (b)(3), (b)(6) TAKEN AT 1530 DATED 20151022

9. STATEMENT *(Continued)*

AFFIDAVIT

I (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WIT REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE NT.

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

ing Statement)

WITN

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of Oct, 2015

at

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

ART 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 22 OCTOBER 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22ND day of OCTOBER, 2015.

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

Signature of Witness

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

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Camp Integrity, Kabul, Afghanistan	20151022	0930	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS
NSOCC-A / SOJTF-A, Camp Integrity, APO AE 09354

9. I, (b)(3), (b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. What was your situational awareness of Kunduz?

A.) My situational awareness of Kunduz was limited to what can be visualized and understood on the SOJTF-A JOC Floor. Therefore, I had a base understanding that the Taliban had begun a major offensive in Kunduz City and were successfully seizing key facilities and locations from within the city. I was also aware of operational updates and some of the reporting of the Force Protection Targets in the area. (b)(1)1.4a (b)(1)1.4a.

2.) Were you aware of the 30 SEPT 2015 Clearing CONOP?

A.) I was aware of it, but was not involved in the production of the CONOP. When CONOPs cross my desk, I normally assist with checking the Fixed Wing CAS Assets that are requested for a particular CONOP.

3.) Do you track on-going operations?

(b)(1)1.4a, (b)(1)1.4g

4.) Were you tracking the operation in Kunduz that started on 30 September 2015?

A.) Yes, I was able to monitor at the operational/strategic level.

5.) Circumstances surrounding the decision to authorize pre-planned close air support coverage for the operation.

A.) I can not recall who gave the actual decision or when that actual decision was made to have AC-130 on-station in support of the operation. Normally, I gain an understanding of where the AC-130 will be on-station during the evening Joint Air Allocation Meeting (JAAM) at (b)(1)1.4a hrs or the evening Shift Change Brief at (b)(1)1.4a hours.

6.) Does the Fires Section maintain a copy of the No Strike List?

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

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Approved for release

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP INTEGRITY DATED 20151022

9. STATEMENT *(Continued)*

A.) I am able to access the No Strike List from (b)(1)1.4a, (b)(1)1.4g and from the the CENTCOM JTE WEBSITE on SIPR. This website can be

(b)(1)1.4a, (b)(1)1.4g

7. Identify which US Forces knew or had reason to believe the facility that was struck was a hospital, and the facts and circumstances of how the information (including grid coordinates) was communicated within NATO/US Forces from MSF for USFOR-A and subordinate commands.

A.) I found out about the engagement on the hospital the following morning when the (b)(3), (b)(6) received a phone call from SOTF-A. I was in the JOC preparing a product for the Commanding General's Morning Standup that occurs (b)(1)1.4a from (b)(1)1.4a. After the JOC personnel were briefed of the seriousness of the incident, I only answered questions that were asked directly to me. Most questions were with regards to how I access and reference the No Strike List.

8.) What reports or other communication from partnered Afghan forces leading to the targeting decision?

A.) I did not have any visibility of how the grid was passed to the (b)(3), (b)(6) by the (b)(1)1.4a We (JTAC, personnel in the JOC, or myself)

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

9.) What was the objective of the fires on the target compound?

A.) I have read and understand the COMRS Tactical Guidance and delegation of Approval Authorities for Resolute Support (09 September 2015). I have received PID, POL, LOAC, and ROE from our OPS LEGAD this month. I have also taken the monthly SPINS test not required by Fire Support Officers, (b)(1)1.4a, (b)(1)1.4g to administer and complete. Based on reporting and to the best of my knowledge, the strike on the building was conducted in self defense. I do not know who personally approved the strike.

10.) Identify the tactics, techniques, and procedures used to de-conflict the battlespace and obtain approval for the combat enablers involved in the air strike and the air strike itself. Specifically describe the procedures used to identify friendly forces or non-combatants in the area, and the process by which noncombatant and protected sites were received and disseminated by U.S. forces.

A.) I can not accurately answer this question since the SOJTF-A JOC was unaware of the Fire Mission until hours after it occurred.

(b)(1)1.4a, (b)(1)1.4g

11.) Identify and describe all approvals received for the airstrike?

A.) I was unaware of any additional instructions or approvals delegated to the (b)(3), (b)(6) for the airstrike.

//NOTHING FURTHER//

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006

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STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP INTEGRITY DATED 20151022

9. STATEMENT *(Continued)*

//NOTHING FURTHER//

22 October 2015

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

22 October 2015

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCTOBER, 2015 at CAMP INTEGRITY, KABUL, AF

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006 APD LC v1.01ES

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 22 Oct 15

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

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

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

PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22d day of October, 2015.

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

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

Signature of Interviewee

Approved for Release

NSOCC-A/SOJTF-A SJA 22 October 2016

MEMORANDUM FOR Investigating Officer, MG Hickman

SUBJECT: Written Response to Interview Questions

1. (U) I review CONOPs when questions arise, either from the J3 section, RS, or our Operational Law Attorney. CONOP review is conducted primarily by our Operational Law Attorney to ensure proper scope, authority and approval level for the planned mission. I do not recall whether I reviewed the 30 SEP CONOP but did discuss the scope and approval level with our Operational Law Attorney.

2. ~~(S)~~ I did not review the details of the 2-3 OCT operation prior to execution, but recall a conversation (with whom I do not remember) late on 2 OCT or early 3 OCT regarding a (b)(1)1.4c clearing operation against one of the NDS compounds in Kunduz where (b)(1)1.4c, (b)(1)1.4g, (b)(6) My understanding is and was that COMRS and RS leadership were tracking the operation.

3. ~~(S)~~ Our Operational Law Attorney is the primary advisor for strike operations and is completely integrated into the strike process, which includes review of all five pillars – PoL, PID (reasonable certainty standard), applicable ROE (under RS, FS or both), CDE (which incorporates NSL analysis), and TEA. The strike process we utilize in the JOC is consistent with every strike and exercised frequently. I fill in occasionally and am present for many of the strikes, but our Operational Law Attorney is the primary advisor to the DCG-O, J3 and staff for strike operations.

4. ~~(S)~~ I did not review anything related to the 2-3 OCT clearing operation for the NDS facility, nor am I aware of sufficient facts, due to these investigations, to qualify the target as "deliberate" or the munitions used as "planned."

(b)(1)1.4a, (b)(1)1.4g

6. ~~(S)~~ Both OFS and RS ROE were available to the (b)(3), (b)(6) and Aircrew, and both applied regardless of how the operation was characterized after-the-fact. IRSD under the SROE was also applicable. The CONOP was submitted under RS and approved as a 2C under FS, which was consistent with HQRS guidance regarding the characterization of Kunduz operations. (b)(1)1.4a (b)(1)1.4a

7. ~~(S)~~ The process for identifying lawful targets in Kunduz was the same as any other deliberate strike execution, which I describe above. Characterization for deliberate strikes is determined via the various forms of intelligence available, the (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g and reasonable certainty that the targeted person or object is a lawful military target, consistent with LOAC and applicable policy.

8. ~~(S)~~ (b)(1)1.4a (b)(1)1.4a (b)(1)1.4a I do not know sufficient details regarding the 3 OCT strike to render an opinion as to whether the (b)(3), (b)(6) followed our process or whether he believed he was acting in self-defense.

9. ~~(S)~~ Tactical Guidance.

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

b. ~~(S)~~ Everyone involved in an engagement is responsible for PID. The ground force and aircrews performed well in Kunduz leading up to the 3 OCT strike, especially considering the kinetic nature of the operation, which leads me to believe they had a good grasp of their responsibilities regarding PID.

c. ~~(S)~~ I do not have sufficient facts to form an opinion or belief regarding the 3 OCT engagement. (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

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(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

e. (U) We have asked for and received confirmation of training from subordinate units, including quarterly ROE training. We have not conducted inspections of training documentation.

10. POC is the undersigned at VoSIP (b)(6)

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

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 22 OCT 15

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22nd day of OCT 15

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

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

Approved for Release

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

From: (b)(3), (b)(6)
Sent: Wednesday, October 21, 2015 8:15 AM
To:
Cc: (b)(3), (b)(6)

Subject: ~~(S)~~ NSOCC-A District Daily Report 20 OCT
Attachments: DAILY DISTRICT CENTERS AT RISK_20OCT.pptx

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir, the JISE's District center projections next 24-72 hours in blue on ppt. Highlights:

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

District Threats (next 24-72 hrs):

- (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

Approved for Release

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

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

Camp Integrity

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

From: (b)(3), (b)(6)
Sent: Tuesday, October 20, 2015 11:04 PM
To:
Cc: (b)(3), (b)(6)

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

Approved for Release

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

Subject: (U) NSOCC-A District Daily Report 20 OCT

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Ma'am,

Updates for today's District center projections next 24-72 hours in blue on ppt. Highlights:

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

District Threats (next 24-72 hrs):

- (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

Approved for Release

Very Respectfully,

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

NSOCC-A/SOJTF-A J2-JISE
Camp Integrity, Afghanistan

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

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

Subject: FW: (U) NSOCC-A Priority Networks- 9-15 OCT
Attachments: Weekly Priority Network Slide 9-15 OCT 15.pptx

Ma'am,

(b)(1)1.4a, (b)(1)1.4c

Approved for Release

(b)(1)1.4a, (b)(1)1.4c

Very Respectfully,

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

NSOCC-A/SOJTF-A J2-JISE
Camp Integrity, Afghanistan

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

From:
To:
(b)(3), (b)(6)
Cc:
Subject: FW: ~~(S)~~ Kunduz Inv questions (2).docx
Date: Monday, October 26, 2015 8:17:24 PM
Attachments: Kunduz Inv questions (2).docx

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

From: (b)(3), (b)(6)
Sent: Monday, October 26, 2015 12:54 PM
To: (b)(3), (b)(6)
Cc: (b)(3), (b)(6)
Subject: FW: ~~(S)~~ Kunduz Inv questions (2).docx

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

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

Attached is the witness statement from (b)(3), (b)(6) Once again the organizational email could not receive so you might want to have that looked at.

Please acknowledge receipt of this when you get back from Kunduz.

Thanks,

v/r,

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

Approved for Release

(b)(6)

From: (b)(3), (b)(6)
Sent: Monday, October 26, 2015 12:46 PM
To:
Cc: (b)(3), (b)(6)
Subject: ~~(S)~~ Kunduz Inv questions (2).docx

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

(b)(3), (b)(6) tried to email but it was kicked back can you provide my Q&A?

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

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

Camp Integrity

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND [redacted] ANISTAN ON OR ABOUT 3 OCTOBER 2015

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

1. You, _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 22 OCT 15

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of OCTOBER, 2015

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

Signature of Witness

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

Sig

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Questions for (b)(3), (b)(6) 03 Nov '15

1. Do you know what specific concept of the operation (CONOP) was used for the AOB to move to and secure the PCOP compound? Do you consider (b)(1)1.4a 09-002 a CONOP or a FRAGO to the CONOP (b)(1)1.4a 09-001? When did you first see the CONOP?

   I understood the CONOP the SOTF-A produced the day of 29 SEP 15 (b)(1)1.4a 09-001) was the same CONOP they intended to execute the night of 30 SEP 15. Since the AOB made very little progress outside the gates of Pamir on 29 SEP, my understanding at the time was that they intended to merely execute what they had already planned.

   I did not see CONOP (b)(1)1.4a 09-002 until 3 NOV 15, when the investigative team showed me a copy. Upon request, the SOTF-A did send me a copy of the CONOP at 0816D* on the morning of 1 OCT 15 after there was some confusion on early morning reports. I never looked at that CONOP, because reporting discrepancies worked themselves out among the battle captains. After the investors showed me a copy of the 002 CONOP, a search revealed that I did have a copy (upon my request) that arrived after the AOB had occupied the PGOV's compound.

2. Were there any special instructions issued by chain of command in connection with the approval for CAS support?

   By support, I assume you are talking about CAS ATG engagements, and the answer is – no. NSOCC-A did not provide any additional guidance for CAS engagements beyond what is outlined in the Tactical Guidance.

3. What procedures are and were used to identify friendly forces and non-combatants in the area? SOJTF SOP?

   There is no SOP per se to facilitate the identification of friendly forces. ASSF elements are equipped with the (b)(1)1.4d

   (b)(1)1.4d

4. What TTPs were used to obtain approvals for the enablers used in the strike? (really looking for SOJTF processes here – assets handed down to SOTF-A... string on certain assets held by SOJTF)?

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The components use a CONOP process to identify assets required for a particular operation. Those assets are listed as "required" or not. If there are limited operations in a POD, most elements get everything they've asked for. If there are competing demands for assets, assets get apportioned based on a number of factors – threat, priority, the correct platform for the terrain, station time required, etc. That apportionment is handled by the J33, who then confirms with the J3 or seeks final decisions from the J3. If there are questions, the DCG is consulted for final adjudication. Once apportioned, the CJSOAC works to ensure the assets arrive on station IAW the associated CONOP.

5. What was the process for receiving and disseminating information on non-combatants and protected sites in the battlespace for SOJTF?

If Noncombatants or NGOs identified themselves through a document and that document was passed to NSOCC-A, the locations were confirmed on the NSL. If those locations were confirmed on the NSL, no additional action was taken. After the strike on the MSF facility, we got several of these documents from RS HQ. Rather than double check these documents, I checked with the RS HQ on whether they were confirming or denying these locations on the NSL. The CJOC (b)(3), (b)(6) informed me the CJOC was confirming all locations before sending the documents to NSOCC-A. Upon learning of the CJOC's confirmation process, I discontinued the checks in NSOCC-A. Of all the grids provided by NGOs and Noncombatants, only one grid needed slight corrections, and the CJOC worked that adjustment through CENTCOM.

6. Did you know the Trauma Center was there before the night of 2/3 October '15. You mentioned in your previous statement that the message came from (b)(3), (b)(6) to CJ2 (b)(3), (b)(6) Do you recall the timeline (DTG) on that message and then the confirmation in (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

I was absolutely aware of the Trauma Center's location before the night of 2/3 OCT 15. It was clearly identified on the overlay on (b)(1)1.4a, (b)(1)1.4g I became aware of the message passed to (b)(6) (b)(3), (b)(6) after the first interview with the investigative team. I had to hunt it down. When the message did arrive to (b)(3), (b)(6) he passed it to the (b)(3), (b)(6) She confirmed the MSF facility was identified on (b)(1)1.4a, (b)(1)1.4g Once she confirmed the facility was identified on both systems, she took no further action.

7. Senior Officer in the JOC during the 2 / 3 October '15 engagement of the MSF Trauma Center?

The senior officer on the JOC Floor was (b)(3), (b)(6) – a (b)(1)1.4a The battle (b)(3), (b)(6) has direct access to me 24/7. I'm either (b)(6) or available at the same phone number to my desk – that rings in my room. He is not shy about calling me regularly throughout the night.

8. When did you know that the target / objective being engaged was a hospital?

I received a call at approximately 0300 on 3 OCT from (b)(3), (b)(6) He informed me that the AC-130 had conducted an engagement and there were possibly some

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effects on a hospital. I took that to mean that we might have knocked some windows out or done some superficial damage – nothing to the extent of what had actually occurred. I told him to let the situation develop some and inform me of any updates. I heard nothing the rest of the night, and I came into the JOC at my normal time ~ 0730. By the time I arrived to the office, questions were coming from RS, and information was bubbling up from the SOTF-A and CJSOAC. While I started to develop a better understanding, I still wasn't sure we had engaged the actual hospital. The (b)(1)1.4a that I did see were on the small building surrounding the actual hospital. I called the (b)(3), (b)(6) to attempt to confirm the actual building that was engaged, and he assured me that the AC-130 had engaged the actual hospital. At that point, I was pretty confident we had engaged the hospital. I wasn't 100% sure until I saw the product that from CJSOAC that accounted for each round (by type and location) fired in the engagement. At that point, probably around 0930, I was sure we had engaged the hospital.

9. Do you change the JOC procedures when Teams or the AOB have inoperable SA equipment (b)(1)1.4a, (b)(1)1.4g?

   The JOCs at SOTF-A and NSOCC-A both become more intrusive when SA systems go down. The telephonic engagements become more frequent. NSOCC-A turns up the volume on the (b)(1)1.4a, (b)(1)1.4g radio to listen to the traffic, and battle rooms tend to be much more heavily populated to keep everyone's SA up. We don't have anything formal that's documented, but we all do everything possible to replicate the SA that would be achieved if all SA systems were fully functional.

The statements above are true to the best of my knowledge.

*Some answers have been refined since the face to face interview based on additional details I gathered afterwards.

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

Approved for Release

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

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

From: (b)(3), (b)(6)
Sent: Wednesday, October 28, 2015 6:14 PM
To: (b)(3), (b)(6)
Subject: FW: ~~(S)~~ NSOCC-A Priority and Framework Operations Update - 28 2000D* SEP 15

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

From: (b)(3), (b)(6)
Sent: Monday, September 28, 2015 8:22 PM
To:
Cc: (b)(3), (b)(6)

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

Subject: ~~(S)~~ NSOCC-A Priority and Framework Operations Update - 28 2000D* SEP 15

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir,

Below are items of interest, target development activities, and the Rollup of priority and framework operations throughout the CJOA:

ITEMS OF INTEREST

Approved for Release

V/r

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

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Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 22 OCT 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

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B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of October, 2015.

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

Signature of Witness

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

Approved for Release

ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of OCTOBER, 2015.

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

Signature of Witness

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

Signature of Interviewee

Approved for Release

AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6) are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

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DATE
OF EXECUTION:_____

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23RD day of OCTOBER, 2015.

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

Signature of Witness

Signature of Interviewee

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
BAGRAM AIRFIELD	2015/10/24	0600D	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS

(b)(3)

9.

I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

~~(S//NF)~~ On 03 October 2015 an airstrike was conducted on a MSF Trauma Center in Kunduz City, AF. Significant operations in Kunduz city by SOTF-A had been ongoing since 29 September 2015 when (b)(1)1.4a SOTF-A ODA's fought into Kunduz City and established command and control in the provincial government compound. (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c

~~(S//NF)~~ Late on the night of 29SEP15, shortly after hearing via discussion in the JOC that facility at (b)(1)1.4a was a hospital, I added the MSF facility to the 'KONDUZ DEV (b)(1)1.4a, (b)(1)1.4g' that the SOTF-A ITCs maintain for asset situational awareness. From that point on the (b)(1)1.4a, (b)(1)1.4g with the MSF Trauma Center location annotated was distributed to all ISR assets supporting operations in Kunduz before they got on station, the first email with this (b)(1)1.4a, (b)(1)1.4g attached being sent Wednesday, September 30, 2015 7:14 AM LOCAL. The 'KONDUZ DEV (b)(1)1.4a, (b)(1)1.4g' and other SA products were sent to (b)(3), (b)(6)@soc.smil.mil' (AC-130 (b)(3), (b)(6) (b)(3), (b)(6)) Thu 10/1/2015 6:57 PM LOCAL and Fri 10/2/2015 6:46 PM LOCAL.

~~(S//NF)~~ The night of the airstrike on the MSF Trauma Center the SOTF-A JOC did not have (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) communication with (b)(1)1.4a, (b)(3), (b)(6) due to technical issues in the AC-130 (b)(1)1.4a, (b)(3), (b)(6). The JTAC in the SOTF-A JOC had good two-way communication with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) confirmed that they had good two-way line of sight communications with (b)(1)1.4a, (b)(3), (b)(6) controlling from the provincial government compound at that time. At (b)(1)1.4a, (b)(3), (b)(6) was approved into (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) did not have good two-way line of sight radio communications with (b)(1)1.4a, (b)(3), (b)(6). Because (b)(1)1.4a, (b)(3), (b)(6) did not have good two-way with (b)(1)1.4a, (b)(3), (b)(6) the ITCs passed them tasking until two-way communication could be established. At (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a NDS CMPD." This is the location that I (and as far as I am aware the other personnel in the SOTF-A JOC) believed to be the NDS Compound which was the focus of the partnered forces operation that night.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD PE v1.01ES

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STATEMENT OF (b)(3), (b)(6) TAKEN AT BAGRAM AIRFIELD DATED 2015/10/24

9. STATEMENT *(Continued)*

(S//NF) This facility is a series of buildings with a perimeter in the northeast area of the NDS Prison. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) reported that their (b)(1)1.4a, (b)(1)1.4g was on the NDS Compound as directed. No activity was observed. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) passed a brief transmission (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) stating that they were "going hot." (b)(1)1.4a, (b)(3), (b)(6) immediately determined the need to get (b)(1)1.4a, (b)(3), (b)(6) onto the intended target. Because we had not observed any activity at the NDS Compound (as we knew it) so far we did not believe the intended target was in or around that location. At (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) is going hot att // (b)(1)1.4a, (b)(1)1.4g At (b)(1)1.4a, (b)(3), (b)(6) for indications of the AC-130 engagement. Believing the NDS Compound would (b)(1)1.4a, (b)(3), (b)(6) initially place its sensor on to be the intended target of the partnered force ground operation, we directed them to scan southwest of the facility where the main line of communication into Kunduz City from the south was located. At (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) "I think we found them // (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4g 2 impact site, one small, one very large." At that time we had the first visual confirmation in the (b)(1)1.4a that the target of the AC-130 engagements was the MSF Trauma Center. (b)(1)1.4a, (b)(3), (b)(6) immediately called (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) asked them to pass a grid for their strike location and to confirm that the intended target was personnel external to structures, not a structure itself. As soon as (b)(1)1.4a, (b)(3), (b)(6) passed the grid for the strike location, I plotted it in (b)(1)1.4a, (b)(1)1.4g. The grid passed plotted slightly north of the Trauma Center, but it quickly became obvious that (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the building struck was indeed the Trauma Center. Seemlingly simultaneous to this, (b)(3), (b)(6) entered the JOC and stated that MSF had called SOTF-A and declared that they were being engaged and if it was SOTF-A conducting the engagement to cease fire. (b)(1)1.4a, (b)(3), (b)(6) confirmed (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(3), (b)(6) that the target of the engagement was the structure and external personnel. Very soon thereafter, the exact time I can not confirm, (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the structure was a possible trauma center. At that point the engagement had already ceased. At no point prior to the strike on the Trauma Center was there any indication to anyone in the JOC that there was an intent to strike a specific location, let alone a building, nor was there any way to observe and intervene. The proper steps were taken by the ITCs to ensure the locations of any known No-Strike locations were disseminated to any and all applicable customers via the 'KONDUZ DEV' (b)(1)1.4a, (b)(1)1.4g

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(3), (b)(6)
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of Oct, 2015 at Bagram Airfield

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006 APD PE v1.01ES

Approved for Release

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

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DATE
OF EXECUTION: 23 OCT 15

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

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23RD day of OCTOBER, 2015.

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

Signature of Witness

Signa (b)(3), (b)(6) _____

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Bagram Airfield, Afghanistan	2015/10/23	1400D*	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS

Special Operations Task Force-Afghanistan, Camp Vance, (b)(3)

9.

I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. What were the facts and circumstances surrounding the 3 OCT air to ground engagement?: (b)(1)1.4d one the ODAs' partner force in Kunduz, was conducting an operation ordered by (b)(6)
The Afghan plan was made at Camp Pamir, and relayed to the teams out in Kunduz City defending the Kunduz Provincial Center. The plan was to seize "the NDS building". The SOTF only knew one NDS building. The plan was relayed as taking back the NDS building, so the SOTF understood the objective to be the NDS HQ that was adjacent to the prison - one of the first night's objectives - on the east side of town. The SOTF had (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) who focused on the known NDS building. There was never any question at the SOTF as to the location of the NDS building as we had known its location since the teams went into the city on the first night. The (b)(1)1.4d had a late start from Pamir enroute to their objective. The SOTF could not receive the (b)(1)1.4a, (b)(1)1.4g flying overhead in Kunduz City in support of the teams. The (b)(1)1.4a maintained eyes on the known NDS compound as the (b)(1)1.4d began their movement; the (b)(1)1.4d had not appeared in our field of view by the time the JOC was informed of an air to ground engagement taking place near the Provincial Center in Kunduz. Our (b)(3), (b)(6) walked into the JOC and went to the Battle Captain stating that he had just received a call from the Doctors Without Borders (b)(6) who said that the Kunduz Trauma Center was being fired on from an aircraft. At that point, we asked (b)(1)1.4a, (b)(3), (b)(6) over the city so we could see where the engagement was taking place and saw the smoke from the Trauma Center. At the same instant, (b)(1)1.4a, (b)(3) (the AOB on the ground) called to discuss the engagement on (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g and was told to come up on (b)(1)1.4a, (b)(1)1.4g to ask them what they were firing at and to let them know the building was the Kunduz Trauma Center. By that point, (b)(1)1.4a, (b)(3) had already ceased fire.
2, 3. Who requested and approved the AC-130? We have a nightly Joint Air Allocation Meeting (JAAM) between all components of the SOJTF-A. (b)(1)1.4a

(b)(1)1.4a

4. What units were involved in the 2 OCT mission to secure the NDS compound? (b)(1)1.4d with AOB (b)(1)1.4a in support.
5. What specific CONOP was used for the 2/3 OCT mission? ODA (b)(1)1.4a 29 SEP CONOP to establish a foothold in Kunduz City. The element was still on that specific CONOP.
6. Who was involved in writing and approving the CONOP to include legal review? The ODA and AOB utilized the same system we have always used to approve the initial CONOP dated 29 SEP, which went through the AOB to the SOTF to SOJTF-A and on to Resolute Support for approval with all the requisite reviews from JAGs at each level. Again though, on the night of 2/3 OCT, the teams in Kunduz City were still on the original CONOP from 29 SEP. The (b)(1)1.4d mission on the night of 2 OCT was given to the (b)(1)1.4d, (b)(6)
7. What was the task and purpose of the 2 OCT (b)(1)1.4a, (b)(3), (b)(6) mission when launched? Provide fire support to ODAs on the ground in Kunduz City, and additionally to engage named objectives and individuals conducting hostile acts via (b)(1)1.4a from SOTF-A. CONTINUED ON NEXT PAGE

10. EXHIBIT	11. INITIALS (b)(3), (b)(6) ON MAKING STATEMENT	PAGE 1 OF 4 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ____ TAKEN AT ____ DATED ____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD PE v1 01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Bagram Airfield, AFG DATED 2015/10/23

9. STATEMENT *(Continued)*

8. Did the (b)(1)1.4a, (b)(3), (b)(6) mission change once on station? (b)(1)1.4a, (b)(3), (b)(6) supported our ODAs and partner force on the ground in Kunduz City. I am not aware of a change of mission.
9. Was the MSF Trauma Center on the 2 OCT NSL and if so, was it considered in the CONOP process? We received the Kunduz Trauma Center location from Doctors Without Borders themselves. Our (b)(3), (b)(6) received them from the organization. We placed the Trauma Center on our graphics in the JOC as soon as we received the location. Of note, our intial objective for the night of 29/30 SEP was the actual Kunduz City Hospital (also known as the PRT Hospital) in Kunduz City. A partnered force of USSF and (b)(1)1.4d as it had been taken over by the Taliban. That mission was approved. Kunduz City is covered with schools, mosques, government facilities, private residences, businesses, and other locations to include the Provincial Center, NDS Prison, and PSU HQ (b)(1)1.4d OCT) which we understand are all on the NSL.
10. Is the NSL cross checked during CONOP development or during mission execution? We gained access to the official NSL after the 2/3 OCT air to ground engagement, and since then we consult it, and implement it in every CONOP. Before that time, we relied on our own intelligence from the ground within a given area (b)(1)1.4a, (b)(1)1.4g from which you can see mosques and other notable buildings we would always avoid, and any information coming from higher or from our partner force. The other check in this check and balance is that if we are not engaging a structure in self defense (which requires no approval from higher) then we always call higher and go through the chain of approval to the Target Engagement Authority for structures, which is COM RS.
11. Who was involved in the CONOP development or during mission execution? The ODAs were still operating under the 29 SEP CONOP on 2/3 OCT, and remained on that CONOP until they returned to (b)(1)1.4a days later.
12. Was the appropriate legal review done for the CONOP? Yes, the CONOP from 29 SEP went all the way up to COM-RS and was approved. Those approvals at every level include a legal review. Also, the Afghan plan that (b)(1)1.4d, (b)(6) was reported all the way to RS as well in daily Commanders' reporting.
13. What circumstances surround the decision to authorize pre-planned CAS (assault fires) for the operation? There were no pre -planned fires for the operation. The CONOP that took the teams out into Kunduz City had a fire support plan to support them as they took objectives within the enemy swarmed city. The ODAs remained at the Provincial Center fighting for three days straight, (b)(1)1.4a, (b)(1)1.4g. That did not change on the night of 2/3 OCT. (b)(1)1.4a (b)(1)1.4a
14. Who authorized them? Not applicable. There were no pre-planned fires.
15. What is "softening" a target? The intent? "Softening" is not a tactical task. I see the term "softening" as a colloquialism.
16. Were there any special instructions issued by chain of command in connection with the approval for CAS support? The AC -130 was an asset the teams in Kunduz City had every night during their fight. There were no special instructions given to the teams or to the aircraft by the chain of command concerning fires. There were no pre-planned air to ground engagements.
17. Do any graphics at any HQ in the chain of command identify the MSF Trauma Center? Please refer to question and answer number 9.
18. What US Forces knew or believed that the structure hit was the MSF Trauma Center? Once we found out about the engagement (see question and answer 1. above) from Doctors Without Borders themselves, the SOTF-A HQ knew the structure that had already been struck was the MSF Trauma Center. We knew the MSF locations in town days prior, but we did not know the AOB was striking anything at the time, much less the MSF Trauma Center.
19. How was the information communicated from MSF through USFOR-A to subordinate commands? If this question means their locations in the city, our (b)(3), (b)(6) found the information while she was looking for addtitional medical facilities for use as emergency means to treat our own casualties if wounded in the city and unable to make it back to Pamir to the FST. Our (b)(3), (b)(6) (b)(3), (b)(6) happened to notice the MSF crest on the email the (b)(3), (b)(6) was reading and asked her for those locations so we could ensure everyone knew them. They were subsequently placed on our graphics in the JOC.

(b)(1)1.4a, (b)(1)1.4c

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Bagram Airfield, AFG DATED 2015/10/23

9. STATEMENT *(Continued)*

(b)(1)1.4a, (b)(1)1.4c

21. Were you, the AOB and the (b)(3), (b)(6) aware of the presence of an MSF Trauma Center somewhere in Kunduz? The SOTF was aware. The information was passed via (b)(1)1.4a, (b)(1)1.4g to the team on the ground. We also passed the information via (b)(1)1.4a to (b)(1)1.4a inside the Provincial Center. We passed the (b)(1)1.4a, (b)(1)1.4g listing those locations to CJSOAC.
22. Was the MSF Trauma Center marked as a "No Strike" target on any CONOP, AOB-N or (b)(1)1.4a, (b)(1)1.4g or documents? The information indicating the MSF locations in the city came to us after the CONOP had already gone through the approval chain. The locations were marked on our graphics displayed on the screen in our JOC. I cannot answer whether CJSOAC used the information in their common graphics. As for the AOB, please refer to question and answer 21.
23. Did the MSF Trauma Center have any outward markings indicating it was a hospital? From the air, no it did not. From street level, I have seen photos that show there is a sign. There was no "MSF Flag" or any other flag flying above it throughout the battle for Kunduz, as stated in open source media after the engagement. (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g
24. What were the facts and circumstances surrounding the AOB-N CDR's decision to call for CAS? I do not know other than his account of the situation. He did not call the SOTF for approval, which is not necessary in a defensive engagement. The SOTF did not know of the engagement was taking place until it was nearly over.
25. What specific information did AOB-N pass to the AC-130 in connection with the call for fire? I don't know.
26. What description and targeting criteria were used to identify the target? I don't know. My account of this is second hand from the (b)(3), (b)(6)
28. Based on the information provided to the (b)(3), (b)(6) was the situation in-extremis, subject to hostile acts or intent? My understanding of the situation is that yes, it was. I have no reason to disbelieve him as I have known him for years, and know him to be the most honest, forthright, and open leader I have ever had the pleasure to work with.
29. What were the roles of the AOB-N and associated ODA JTACs leading up to and during the 3 OCT AC-130 strike on the MSF trauma center? They were to control aerial assets allotted to the teams during their operation.

(b)(1)1.4a, (b)(1)1.4c

31. What was the situation at the MSF Trauma Center as observed by the AC-130 crew, specifically the Aircraft Commander and the Fire Control Officer? I don't know. (b)(1)1.4a, (b)(1)1.4g
32. Was any higher headquarters or operations center able to monitor the strike real time? I don't know
33. What was the basis for the use of force against the MSF Trauma Center? My understanding is that it was conducted in self -defense, however, I do not believe the (b)(3), (b)(6) knew the building engaged by the AC-130 was a hospital. The grids passed to the AC-130 were for an NDS compound just north of the hospital.
34. What specific operational authorities and rules of engagement were used for the strike? My understanding of the engagement was that it was in self-defense of US Special Forces and their partner force.
35. At what point did US forces realize the strike location was a hospital? Once the (b)(3), (b)(6) walked into the JOC to tell the (b)(3), (b)(6) about the call from the MSF Country Representative, which was near the end of the engagement.
36. What actions were taken once US Forces realized the strike location was a hospital? Immediately after the SOTF confirmed the location of the engagement the (b)(3), (b)(6) came up on (b)(1)1.4a, (b)(1)1.4g to discuss the engagement. He was immediately told to call us over the (b)(1)1.4a, (b)(1)1.4g which he did when we told him the building was a hospital. The (b)(3), (b)(6) ceased fire.
37. Was a check fire or cease fire call ever made? Yes, the (b)(3), (b)(6) ceased fire.
38 – 47. I am not in position to answer these questions as I was not on the ground. This portion of the statement should come from ODA and AOB members who were on the scene and who heard the calls for fire.

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6) PAGE 3 OF 4 PAGES

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STATEMENT OF (b)(3), (b)(6) TAKEN AT Bagram Airfield, AFG DATED 2015/10/23

9. STATEMENT *(Continued)*

48. What changes should be made to guidance, SOPs, unit procedures or training which could have mitigated the 3 OCT incident? Due to 'fog of war', fatigue, several days of constant gunfire, RPG attacks, waves of insurgent attackers in the streets, danger close defensive engagements at some points just 25 m in front of the teams using (b)(1)1.4a there are numerous points that contributed to the incident. As information came to light, all parties did their best to relay information with the technical means available. If the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) had worked that night, we would have known at the SOTF that the AOB was engaging the Trauma Center. If the (b)(1)1.4a, (b)(1)1.4g had been working properly, they may have been able to see that the objective (b)(1)1.4a, (b)(3), (b)(6) was looking at wasn't the NDS objective. If we hadn't been looking for additional locations to treat our wounded in the city we wouldn't have known about the MSF locations in the first place. If the (b)(1)1.4a, (b)(1)1.4g call giving the teams the MSF locations hadn't been made from the SOTF during a sustained firefight on the ground at the Provincial Center, maybe the locations would have been logged on the teams' running graphics or maps in the Provincial Center. Since the engagement on 3 OCT, the SOTF has gained access to the 'Master' NSL, and has added it to our CONOP process to add to our knowledge of locations on the ground, visual indications of mosques, cemeteries, and other locations that are not on the NSL at all. We will continue this process and will ensure the next SOTF does so as well. This will not reduce the fog of war, but it will serve as commonly known information commanders can internalize before conducting their operations.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, O

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

g Statement)

WITNESSES:

Subscrib erson authorized by law to administer oaths, this 25 day of Oct, 2015

at Camp Vance Afghanistan

ORGANIZATION OR ADDRESS

(Sig (b)(3), (b)(6) ath)

(Typed Name of Person Administering Oath)

Commission

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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From:
To: (b)(3), (b)(6)
Cc:
Subject: ~~(S)~~ Email 1 of 3: FW: Intel Reporting and Analysis for MSF Strike
Date: Wednesday, October 28, 2015 5:27:09 PM
Attachments: MSF.pptx

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

7 OCT is when we produced the attached document. We developed it from other documents that I will send you in two subsequent emails. Note the text of the emails as well.

Thanks again, Sir.

Very Respectfully,

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

From: (b)(3), (b)(6)
Sent: Wednesday, October 07, 2015 5:18 PM
To: (b)(3), (b)(6)
Cc: (b)(3), (b)(6)
Subject: Intel Reporting and Analysis for MSF Strike

Sir, attached is a rollup of all reporting that contributes to our collective intel picture on the MSF Hospital Strike. The 1st slide is built to stand alone, if necessary.

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The additional 3 slides break out each report for the reader to see a general rollup of what happened during the pre-strike, strike, and post-strike phases of the operation. Please let me know if this does not meet your intent, or there's something you'd like to remove/edit/change before the investigators arrive. I'll bring a hardcopy to your office as well.

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

Respectfully,

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

Attachment Classification: ~~SECRET//NOFORN~~
Message Body Classification: ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

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From:
To: (b)(3), (b)(6)
Cc:
Subject: ~~(S)~~ Email 2 of 3: FW: Products for your review
Date: Wednesday, October 28, 2015 5:33:06 PM
Attachments: (b)(1)1.4a Pattern of Life.pdf
(b)(1)1.4a Support to 2 Oct AC 130 Engagement.docx

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

Intel that went into the 7 AUG ppt presentation.

Very Respectfully,

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

From: (b)(3), (b)(6)
Sent: Tuesday, October 06, 2015 1:05 PM
To: (b)(3), (b)(6)
Subject: ~~(S)~~ Products for your review

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

(b)(3), (b)(6)
Please review and let me know if you concur. If so I will staff here for release to IO team.

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v/r,

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

SOJTF-A / NSOCC-A

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

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Questions for (b)(3), (b)(6) 03 Nov '15

(b)(1)1.4a, (b)(1)1.4c

3. You stated in your previous statement that the Teams operated under the 29 Sep CONOP (2C) until they returned to Camp Pamir. The 1C CONOP, Kunduz Clearing Operation is what they executed. Was it a FRAGO to CONOP (b)(1)1.4a 09-001? Did CONOP (b)(1)1.4a 09-002 (1C) go thru the entire approval process? If no where do you believe it stopped? Reference email from (b)(3), (b)(6) to the CG, DCG-O, and J3 (sent to (b)(3), (b)(6) the morning of 4 NOV). While this was sent after (b)(3), (b)(6) and his men departed Camp Pamir, it was communicated, acknowledged and confirmed over the phone hours prior. This FRAGO and the scheme of maneuver/manner in which it was conducted, was not a surprise to anyone. All was approved. We would not conduct an operation without our higher HQ approval. While they may not have had the updated scheme of maneuver slide in hand at the time of departure, the plan was communicated and approved. Due to time constraints and the very real need/desire from higher for the ODAs to get into the city, we were producing the updated scheme of maneuver slide in order to catch up with the verbal updates clearly articulated and conveyed to our higher HQ (again, reference email which also references phone conversation). We were approved on the update concept.

Additionally, we think it is misleading to imply that the CONOP process had anything at all to do with the MSF Trauma Facility engagement (the NDS facility close to the MSF Trauma Center was an Afghan independent OBJ, and was not a pre-planned fires target or objective. It was not a US mission to seize the NDS facility or anything else that night. US forces would remain in the Provincial Center and defend their terrain). (b)(3), (b)(6) and his teams were supposed to come back to Camp Pamir every night, but were unable each night due to the importance of the position they were holding. If they left the (b)(1)1.4g (b)(1)1.4g They remained out there to ensure the mission was a success. At this point, the CONOP originally sending the teams out into the city was extended in order to allow them to hold key terrain.

4. Who provided the VOCO 'approved' to the AOB? SOTF-A obtained approval to send the teams out the night of the 30th from SOJTF. The SOTF passed on this approval to the AOB before they left the wire.

5. Do recall when your staff posted the CONOP in the SOJTF 'Battle Room'. Our SOP is to pass the applicable slide from the CONOP to SOJTF so they can post the slide in to the Battle Room. We followed our SOP. Normally the Battle Captain or JOC Chief passes the slide. I do not know which of them did it the night of the 30th. It would either be (b)(3), (b)(6)

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6. Did you discuss the CONOP (002) with anyone at SOJTF? Yes. I personally discussed it with the CG, DCG and we discussed it with the SOJTF JOC.

7. What procedures were used to identify friendly forces and non-combatants in the area? Friendly forces vehicles (b)(1)1.4a, (b)(1)1.4g location. Non-combatants were all told by the Taliban and local ANDSF forces to stay in their houses, though some did not. Non-combatants were anyone not displaying hostile intent or conducting a hostile act.

8. What TTPs were used to obtain approvals for the enablers used in the strike? (b)(1)1.4a

(b)(1)1.4a

9. (b)(3), (b)(6) stated he knew he could not be the engagement authority for hostile intent (b)(1)1.4a So who do you think is? Please reference question 8.

10. Identify and describe all approvals received for the airstrike. Were they at your or the AOB level? The strike on the MSF Trauma Facility (which was mistaken for the NDS objective the (b)(1)1.4a were moving to seize) on the night of 2-3 OCT was approved at AOB level. The GFC did not request approval from the SOTF.

11. What TTPs did SOTF-A use to de-conflict the battlespace? SOP? SOTF-A deconflicts battlespace in several different ways. (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4d

12. What other operations were ongoing during the POD of 2/3 October '15? (b)(1)1.4a

(b)(1)1.4a, (b)(1)1.4d

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1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 23 Oct 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

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

Signature of Witness

Signature of Interviewee

Approved for Release

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AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
CAMP VANCE, BAF	2015/10/23	1300D	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
	(b)(3), (b)(6)	

8. ORGANIZATION OR ADDRESS

(b)(3)

9.

I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 29th of September, while planning to conduct an operation in Bahram Chah, the SOTF-A was notified that INS had over run the District Center and multiple ANA checkpoints in Konduz City and were planning to over run the Airfield in Pamir where (b)(1)1.4a (b)(1)1.4a was located Southeast of Konduz. With these events happening, the (b)(1)1.4a operation was cancelled after the team was already airborn and the aircraft were turned around mid flight so that we could push our friendly forces up North to Konduz. While coordination for ODA/AOB movement to Kunduz was being planned, the SOTF-A JOC Fires cell was notified by SOJTF-A that (b)(1)1.4a, (b)(3), (b)(6) support (AC-130) would be passed from the (b)(1)1.4a operation to our JTAC (b)(1)1.4a, (b)(3), (b)(6) for control in Kunduz until US forces were on the ground and able to control. (b)(1)1.4a pushed to Pamir to assist (b)(1)1.4a which was currently at Pamir. Planning was being conducted for a partnered operation to infil into the city of Konduz on the 30th of September. SOTF-A (b)(3), (b)(6) was notified by SOJTF-A, that we would have (b)(1)1.4a, (b)(3), (b)(6) support for the duration of the operation. Over the next 3 days and prior to the Kinetic Strike in question, multiple kinetic strikes (b)(1)1.4a. On the night of the 30th, the (b)(1)1.4a moved out to the PGOV Compound. While (b)(1)1.4a were at their destination (the PGOV Compound) in the city of Konduz, they received effective enemy fire for three straight days. On 1 October the JTACs on the ground requested (b)(1)1.4a, (b)(3), (b)(6) support (F-16's) in response to effective enemy fire. The JTACs on the ground conducted multiple gun runs (b)(1)1.4a rounds) on enemy personnel engaging their position. As a result of these gun runs, the (b)(1)1.4a, (b)(3), (b)(6) aircraft were "Winchester" (out of ammo) for (b)(1)1.4a rounds. The JTACs on the ground requested that GCAS (Ground Alert CAS) be sent up to support them as the enemy fire continued. The (b)(3), (b)(6) desk submitted the request by (b)(1)1.4a and left the Air TIC open for the remainder of the day. Again the fighting continued for the duration of about three days until the October 2nd defensive strike in question. On October 2nd, I (b)(3), (b)(6) confirmed that the Konduz operation would have (b)(1)1.4a, (b)(3), (b)(6) support for the duration of POD 2/3. My relief (b)(1)1.4a, (b)(3), (b)(6) came in that evening and was briefed up of the Kinetic Strike conducted earlier that day from myself, as well as friendly locations and updates to enemy and friendly activity throughout the day. Once I was off shift for the evening, I left the JOC floor and was not present for the immediate events leading up to and including the defensive strike that was conducted on POD 2/3 that is in question.

----------NOTHING ELSE FOLLOWS----------

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD PE v1.01ES

Approved for Release

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Vance/BAF DATED 23 Oct 2015

9. STATEMENT *(Continued)*

Nothing Else Follows

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF [redacted]D, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFU[redacted]

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

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of Oct 2015 at Camp Vance, Afghanistan

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

Approved for Release

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

From: (b)(3), (b)(6)
Sent: Tuesday, June 16, 2015 9:40 PM
To: (b)(3), (b)(6)
Cc:
Subject: FW: ~~(S)~~ documents
Attachments: (b)(1)1.4a

Follow Up Flag: Follow up
Flag Status: Flagged

Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

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

Here is the SPINS for AFG. I do not have the Iraq SPINS. I can put you in touch with (b)(3), (b)(6) and he may be able to help.

Let me know if there is anything else I can do to help out.

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

-----Original Message-----
From: (b)(3), (b)(6)
Sent: Tuesday, October 21, 2014 10:38 AM
To: (b)(3), (b)(6)
Cc:
Subject: ~~(S)~~ documents

Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

Message Body Classification: ~~SECRET~~
Message Body Caveats: ~~REL TO USA, ISAF, NATO~~

I might be missing a document but let me know what you need, and I will send it to you

In order to get a c/s you will need the following:

Approved for Release

(1) JTAC formal school diploma.
(2) Commander's designation letter.
(3) Documentation of evaluation and current qualification in accordance with USSOCOM 350.5 JTAC Training Manual.
(4) CAS control log.
(5) Copy of initial JTAC theater indoctrination test and spins test with a graded score of 100%.
(6) IJC JTAC reference documentation from Annex K, Appendix 2 SOP (b)(1)1.4a signed off by JTAC.
(7) IJC theater verification and indoctrination checklist Annex K, Appendix 3 SOP (b)(1)1.4a filled out and verified by the SOTF/TF fires cell or designated SOTF/TF qualified JTAC representative.

I will work with (b)(3), (b)(6) to get info off of (b)(1)1.4a, (b)(1)1.4g

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

v/r

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

Attachment Classification: ~~SECRET~~
Attachment Caveats: ~~REL TO USA, ISAF, NATO~~
Message Body Classification: ~~SECRET~~
Message Body Caveats: ~~REL TO USA, ISAF, NATO~~

Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

Attachment Classification: ~~SECRET//REL TO USA, ISAF, NATO~~
Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

Approved for Release

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 10/25/15

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of OCTOBER, 2015.

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

Signature of Witness

Signature o

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
BAGRAM AIRFIELD	2015/10/24	0005D	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS

(b)(3)

9.

I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(~~S//NF~~) On 03 October 2015 an airstrike was conducted on a MSF Trauma Center in Kunduz City, AF. Significant operations in Kunduz city by SOTF-A had been ongoing since 29 September 2015 when (b)(1)1.4a fought into Kunduz City and established command and control in the provincial government compound. (b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c

(~~S//NF~~) The MSF facility was added to the 'KONDUZ DEW (b)(1)1.4a, (b)(1)1.4g' that the SOTF-A ITC's maintain for asset situational awareness by SOTF-A (b)(3), (b)(6) late on the night of 29SEP15. From that point on the (b)(1)1.4a, (b)(1)1.4g with MSF Trauama Center location annotated was distributed to all ISR assets supporting operations in Kunduz before they got on station, the first email with this (b)(1)1.4a, (b)(1)1.4g had being sent Wednesday, September 30, 2015 7:14 AM LOCAL. The location of the MSF Trauma Center (referred to verbally and labeled on the (b)(1)1.4a, (b)(1)1.4g 'Kunduz Hospital') was passed verbally in the JOC. The 'KONDUZ DEW (b)(1)1.4a, (b)(1)1.4g' and other SA products were sent to (b)(3), (b)(6) @soc.smil.mil' by me on Thu 10/1/2015 6:57 PM LOCAL and Fri 10/2/2015 6:46 PM LOCAL.

(~~S//NF~~) The night of the airstrike on the MSF Trauma Center the SOTF-A JOC did not have (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) communication with (b)(1)1.4a, (b)(3), (b)(6) due to technical issues in the AC-130. (b)(1)1.4a, (b)(3), (b)(6) in the SOTF-A JOC had good two-way communication with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) confirmed that they had good two-way line of sight communications with (b)(1)1.4a, (b)(3), (b)(6) JTAC controlling from the provicial government compound at that time. At (b)(1)1.4a, (b)(3), (b)(6) was approved into (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) did not have good two-way line of sight radio communications with (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) did not have good two-way with (b)(1)1.4a, (b)(3), (b)(6) ITC's passed them tasking until two-way communication could be established. At (b)(1)1.4a, (b)(3), (b)(6) instructed (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to (b)(1)1.4a NDS CMPD." This is the location that I and as far as I am aware the other personnel in the SOTF-A JOC believed to be the NDS Compound which was the focus of the partnered forces operation that night.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Approved for Release

STATEMENT OF (b)(3), (b)(6) TAKEN AT BAGRAM AIRFIELD DATED 2015/10/24

9. STATEMENT *(Continued)*

(S//NF) This facility is a series of buildings with a perimeter in the northeast area of the NDS Prison. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) reported that their (b)(1)1.4a, (b)(1)1.4g was on the NDS Compound as directed. No activity was observed. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) passed a brief transmission to (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) stating that they were "going hot." (b)(1)1.4a, (b)(3), (b)(6) immediately verbally determined the need to get (b)(1)1.4a, (b)(3), (b)(6) onto the intended target. Because we had not observed any activity at the NDS Compound so far we did not believe the intended target was in or around that location. At (b)(1)1.4a I instructed (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to go hot att // (b)(1)1.4a, (b)(1)1.4g" At (b)(1)1.4a, (b)(3), (b)(6) began to scan for indications of the AC-130 engagement. Believing the NDS Compound w (b)(1)1.4a, (b)(3), (b)(6) y place its sensor on to be the intended target of the partnered force ground operation, we directed them to scan southwest of the facility where the main line of communication into Kunduz City from the south was located. At (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) "I think we found them // (b)(1)1.4a, (b)(1)1.4g 2 impact site, one small, one very large." At that time we had the first visual confirmation in the (b)(1)1.4a that the target of the AC-130 engagements was the MSF Trauama Center. Immediately (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and asked them to confirm that the intended target was personnel external to structures, not a structure itself. Seemlingly simultaneous to this, the exact time I can't confirm due to my attention being on (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) for the building they observed on fire, (b)(3), (b)(6) entered the JOC and stated that MSF had called SOTF-A and declared that they were being engaged and if it was SOTF-A conducting the engagement to cease fire. (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the target of the engagement was the structure and external personnel. Very soon thereafter, the exact time I can not confirm, (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the structure was a possible trauma center. At that point the engagement had already ceased.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL I

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

(Signature *ent)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23rd day of October, 2015 at BAGRAM, AFG

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

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ART 136, UCMJ

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006 APD PE v1 01ES

Approved for Release

From:
To: (b)(3), (b)(6)

Subject: ~~(S)~~ DA2823 (b)(3), (b)(6) SOTF-A-ITC
Date: Saturday, October 24, 2015 1:26:24 AM
Attachments: DA2823 (b)(3), (b)(6) SOTF-A-ITC.pdf
~~(S)~~ KONDUZ DEV.msg
FW ~~(S)~~ KONDUZ DEV.msg
FW KON (b)(1)1.4a, (b)(1)1.4g

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Attached is the Sworn Statement DA2823 for (b)(3), (b)(6) Additionally attached are emails sent to ISR assets and CJSOAC fires in the days leading up to the engagement.

v/r,

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY/NOFORN~~
Message Body Classification: ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

Approved for Release

From:
To: (b)(3), (b)(6)
Subject: FW: ~~(S)~~ KONDUZ DEV
Attachments: KONDUZ (b)(1)1.4a, (b)(1)1.4g
(b)(1)1.4a, (b)(1)1.4g-01 KUNDUZ CLEARING PATROL 30SEP.pdf
(b)(1)1.4a, (b)(1)1.4g.pdf

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

From: (b)(3), (b)(6)
Sent: Thursday, October 01, 2015 6:57 PM
To: (b)(3), (b)(6) @soc.smil.mil'
Subject: ~~(S)~~ KONDUZ DEV

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

From: (b)(3), (b)(6)
To: (b)(3), (b)(6) @soc.smil.mil"
Subject: ~~(S)~~ KONDUZ DEV
Attachments: KONDUZ DEV (b)(1)1.4a, (b)(1)1.4g

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 26 Oct 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 26 day of Oct, 2015.

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

Signature of Witness

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

Approved for release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Camp Pamir, Kunduz, AFG	20160904		

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS

(b)(1)1.4a, (b)(3)

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(1)1.4a

conducted clearing operations of the prison and the PCOP compound. On Thursday morning approximately 430am local 30 September we had strong pointed with partner forces from (b)(1)1.4d inside of the PCOP compound. At first light we begun receiving effective fire from 360 degrees from PKM, RPG, and mortars. Partner force and USSF returned fire with organic weapons and then I conducted (b)(1)1.4a, (b)(3), (b)(6) that had PID of 8xPAX with RPGs that had fired upon USSF position. (b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6) 1000L and conducted danger close gun runs with (b)(1)1.4a BDA was successful and unknown EKIA. Enemy still continued to heavily engagement with USSF and partner forces throughout the day and into the night. We returned fire with organic weapons systems and continued engagement throughout the night. There were (b)(1)1.4a, (b)(1)1.4d and conducted brief ups and battlefield situational awareness for each other prior to (b)(1)1.4a, (b)(1)1.4g Early 01 October we received effective Mortar fire, and direct fire from inside compound (b)(1)1.4a, (b)(3), (b)(6) controlled F-16s for 6x Gun runs on POO strikes. BDA was 2x POO destroyed and unknown EKIA. Friendly forces were still receiving effective fire and (b)(1)1.4a, (b)(3), (b)(6) took RPG fire and engaged with (b)(1)1.4a, (b)(3), (b)(6) 8x Enemy Pax inside a truck. BDA was successful and 4x EKIA. The (b)(3), (b)(6) came up with rest plan that was split up into shifts of (b)(1)1.4a Late 01 October we begun running low on batteries, food, and ammunition for organic weapon systems so we requested resupply from SOTF. 02 October we were decisively engaged fire from all directions (b)(1)1.4a, (b)(3), (b)(6) controlled and did a show of force over target building then engaged with F-16s and dropped (b)(1)1.4a BDA was building destroyed, 2xEKIA (b)(1)1.4a, (b)(3), (b)(6) proceeded to a better vantage point on the roof of the east side of the compound. We began receiving effective fire on our position from the east and south east (b)(1)1.4a, (b)(3), (b)(6) reported seeing multiple armed PAX firing at friendly strong point and I requested they stay eyes on (b)(1)1.4a, (b)(3), (b)(6) took control IOT prosecute a TGT building with (b)(1)1.4a, (b)(3), (b)(6) During the talk on and prosecution of the TGT building (b)(1)1.4a, (b)(3), (b)(6) was cleared hot by SOTF-A fires on multiple enemy PAX. (b)(1)1.4a, (b)(3), (b)(6) and said they were tally multiple movers from (b)(1)1.4a, (b)(3), (b)(6) strike and waiting clearance for re-attack. I informed GFC and he requested I prosecute said movers. I approved (b)(1)1.4a, (b)(3), (b)(6) re-attack on said enemy movers with (b)(1)1.4a BDA was mission successful and 15X EKIA, 2X Trucks. (b)(1)1.4a, (b)(3), (b)(6) then reclaimed control and approved (b)(1)1.4a, (b)(3), (b)(6) to conduct deliberate attack on TGT building (b)(1)1.4a, (b)(3), (b)(6) dropped (b)(1)1.4a BDA was 9x EKIA and 1xbuilding destroyed. That night around 2000L my (b)(3), (b)(6) informed me that our Partner force the (b)(1)1.4a was going to do a clearing operation of an OBJ compound that was a TB C2 node and (b)(1)1.4a passed him the grids. We plotted the grids and the TGT was inside of SAF/ RPG/ and IDF of friendly forces. I had control of (b)(1)1.4a, (b)(3), (b)(6) and proceeded to pass the grids along. (b)(1)1.4a, (b)(3), (b)(6) informed me that the grids plotted to a middle of a field and I relayed this to my commander. (b)(1)1.4a, (b)(3), (b)(6) then informed me that there was a large compound with approximately 9 pax roaming outside. I had them describe the compound (b)(1)1.4a, (b)(3), (b)(6) said that it was a large T-shaped

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STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*

structure with several smaller structures around it. I advise the GFC and he advised the (b)(1)1.4d, (b)(6) the description of the TB C2 compound and the (b)(1)1.4 confirmed this was the structure. (b)(1)1.4a, (b)(3) also advised that there was an arching gate way on the compound which was also relayed to our (b)(1)1.4d, (b)(6) who confirmed this to be the TB C2 node. I told (b)(1)1.4a, (b)(3) that the TGT was the objective (TB C2 building) and I had them (b)(1)1.4a, (b)(1)1.4g friendly forces that begin infilling from Camp Pamir into Kunduz City. When the Convoy was approximately 800m from objective building USSF personnel begin hearing a large volley of fire to our west and (b)(1)1.4 convoy reported that they began receiving effective fire from the West and had stopped the convoy. (b)(1)1.4a, (b)(3) confirmed that the convoy was stopped and was engaging off to the west. GFC informed me of this and gave me clearance to prosecute the objective building. I then requested (b)(1)1.4a, (b)(3) to prosecute the TGT and cleared them to engage in compliance with RSM ROE (b)(1)1.4a, (b)(3), (b)(6) then began the fire mission and reported multiple Pax moving throughout the OBJ compound. I informed GFC and requested (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a I then instructed (b)(1)1.4a, (b)(3), (b)(6) once friendlies could effectively engage the enemy with organic (b)(1)1.4a, (b)(3) declared they had a HOT-Gun of (b)(1)1.4 and requested clearance to clear the weapon on OBJ. I informed GFC and he approved (b)(1)1.4a, (b)(3), (b)(6) then fired once before GFC was informed by SOTF-A to stop fire mission. He advised me to stop and I immediately aborted (b)(1)1.4a, (b)(3) flight (b)(6) and had them shift fires to an open field with no CDE. GFC approved (b)(1)1.4a, (b)(3) to clear Guns. Once (b)(1)1.4a, (b)(3), (b)(6) confirmed off cold I had the asset shift back (b)(1)1.4a, (b)(1) to the target area. Simultaneously we had a (b)(1)1.4a, (b)(3), (b)(6) that was coming to resupply us. I gave (b)(1)1.4a, (b)(3), (b)(6) report of the stack and he landed the (b)(1)1.4a, (b)(3), (b)(6) and monitored the objective. The rest of the night we received no fires on friendly positions. (b)(1)1.4c (b)(1)1.4c On 3 September we received no concentrated INS fire only a few pop shots were heard from our strong point. (b)(1)1.4c (b)(1)1.4c, (b)(3), (b)(6) (b)(1)1.4c Once we established in the building we deemed it was not suitable for security purposes and moved again to the PGOV office which was the on the east side of the soccer field. Throughout the night we never received any fire however we still heard small pop shots throughout the city. 4 September we received only one RPG which hit in the center of our camp only 10 meters away from USSF personnel. Throughout the day we received no fire, and conducted exfil operation on 04 September at 2000L.

INITIALS OF PERSON MAKING STATEMENT

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ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015

1. You, (b)(3), (b)(6) _____, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION (b)(3), (b)(6)
28 Oct 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

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PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 3 day of _____, _____.

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

_____

Signature of Witness

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
CAMP PAMIR, AFG	20151028	0900	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS
(b)(1)1.4a AOB-N, AFG

9. I, (b)(3), (b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF _____ PAGES
	(b)(3), (b)(6)	

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STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP PAMIR, AFG DATED 20151028

9. STATEMENT *(Continued)*

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g, (b)(3), (b)(6)

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INITIALS OF PERSON MAKING STATEMENT

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STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP PAMIR, AFG DATED 20151023

9. STATEMENT *(Continued)*

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g, (b)(3), (b)(6)

CONTINUED ON ADDITIONAL PAGE 4.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of Oct, 2015 at Camp Pamir Kunduz

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

(Typed Name of Person Administering Oath)

Commison

(Authority To Administer Oaths)

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(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g, (b)(3), (b)(6)

RESUPPLY ARRIVED (b)(3), (b)(6) SWITCHED OUT AND (b)(3), (b)(6) TOOK CONTROL OF OUR C2 ELEMENT FOR THE EARLY MORNING SHIFT. HE STARTED GETTING BRIEFED UP ON THE PLAN AS WELL AS THE LOCATIONS OF THE (b)(1)1.4a OPERATION. WE ALSO HAD A (b)(1)1.4a, (b)(3), (b)(6) COMING IN LATER ON THAT EVENING THAT WAS OUR ADDITIONAL RESUPPLY. MYSELF AND (b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6) INTENDED FRONT LINE TRACES/COIS. IT WAS SOMETIME LATER WHEN (b)(1)1.4a, (b)(3), (b)(6) REPORTED THAT THE GRIDS PLOTTED THE CENTER OF A FIELD; HOWEVER, THEY HAD A T-SHAPE STRUCTURE THAT WAS ROUGHLY 300 METERS TO THE SOUTHWEST OF SAID FIELD. I INFORMED (b)(1)1.4d, (b)(3), (b)(6)

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CONTINUATION PAGE ___ OF ____, STATEMENT OF (b)(3), (b)(6), TAKEN AT CAMP PAMIR, AFG ON 20151028

WHEN (b)(1)1.4a, (b)(3), (b)(6) SAID THEY PLOTTED TO A MIDDLE OF A FIELD WE THOUGHT THIS WAS THE CASE. HE RECEIVED A DESCRIPTION FROM THE (b)(1)1.4c THAT THE OBJECTIVE BUILDING WAS A T-SHAPED BUILDING WITH A GATE ON THE NORTH SIDE OF THE COMPOUND. (b)(1)1.4a, (b)(3), (b)(6) SAID THEY WERE CONTACT A BUILDING THAT MET THE DESCRIPTION OF THE COMPOUND. I LET (b)(1)1.4a, (b)(3), (b)(6) WAS CONTACT WITH A BUILDING THAT MET THE DESCRIPTION OF THE COMPOUND. (b)(1)1.4a, (b)(3), (b)(6) WAS CONTINUALLY ON THE PHONE WITH THE (b)(1)1.4d, (b)(6) I DESIGNATED (b)(1)1.4a, (b)(3), (b)(6) THAT HE WOULD CONTROL THE HLZ WHEN (b)(1)1.4a, (b)(3), (b)(6) CAME IN, AND THAT I WOULD PUSH THEM TO THE ALT FREQ. THIS WAY I DECONFLICTED THE FLIGHT TO ENSURE I'D HAVE AN OPEN NET AS WELL AS PROVIDING SAFETY OF FLIGHT FOR THE (b)(1)1.4a, (b)(3), (b)(6) REPORTED THAT (b)(1)1.4c WAS ENROUTE BACK TO THE OBJECTIVE BUILDING, I LET (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6)

ACKNOWLEDGED IT. THIS DESCRIPTION MATCHED THE TB FORCES OF HAVING GUARDS OUTSIDE OF C2 NODES. (b)(3), (b)(6) THEN RECEIVED WORD FROM (b)(1)1.4d WAS BEING ENGAGED FROM THE BUILDING, WE ALSO HEARD A LARGE VOLLEY OF FIRE COMING FROM OUR WEST WITH SHOTS COMING OVER HEAD. (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6)

700METERS AND WITHIN SAF, RPG, AND IDF FROM USSF AS WELL WE WERE HEARING ROUNDS OVERHEAD. WE TRIED NUMEROUS TIMES TO PULL (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) HOWEVER, WE WERE UNABLE TO DO SO. ALSO, BATTERY SUPPLIES WERE BLACK AT THIS TIME. (b)(3), (b)(6) CONFIRMED THEY WERE CLEAR TO ENGAGE, AND I RELAYED TO (b)(1)1.4a, (b)(3), (b)(6) CLEAR TO ENGAGE. (b)(1)1.4a, (b)(3), (b)(6) REPORTED 50 SQUIRTER'S; I RELAYED THIS TO (b)(3), (b)(6) (b)(3), (b)(6) REQUESTED TO CONTINUE THE ENGAGEMENT WHICH I (b)(1)1.4a, (b)(3), (b)(6) (b)(3), (b)(6) THEN RECEIVED A PHONE CALL VIA (b)(1)1.4a, (b)(1)1.4g IT WAS AT THAT TIME (b)(1)1.4a, (b)(3), (b)(6) REPORTED A HOT GUN, I TOLD (b)(3), (b)(6) THIS AND HE APPROVED CLEARING 1 HOT GUN INTO THE OBJ. I (b)(1)1.4a, (b)(3), (b)(6) AND THEY CLEARED THEIR GUN ON TO THE TGT. (b)(3), (b)(6) THEN REQUESTED ABORT FIRE MISSION. I ABORTED (b)(1)1.4a, (b)(3), (b)(6) WHO CAME BACK AND SAID THEY HAVE ANOTHER HOT GUN. (b)(1)1.4a, (b)(3), (b)(6) REQUESTED GOING TO A FIELD OR AREA WITH NO CDE AND FIRING SAID HOT GUN I INFORMED (b)(6) (b)(3), (b)(6) OF THIS AND HE APPROVED (b)(1)1.4a, (b)(3), (b)(6) CLEARING OF HOT GUN. WHILE THIS ENGAGEMENT WAS GOING ON (b)(1)1.4a, (b)(3), (b)(6) WAS COMING INTO THE ROZ. (b)(6) (b)(3), (b)(6) THEN INFORMED ME THAT IT WAS POSSIBLE THAT THE ENGAGEMENT STRUCK A HOSPITAL. I GAVE (b)(1)1.4a, (b)(3), (b)(6) WHO WAS WORKING THE LZ A SITUPDATE ALONG WITH ALL THE (b)(1)1.4a AND HE SAID HE WAS ABLE TO TAKE CONTROL. I THEN (b)(1)1.4a (b)(1)1.4a THE NEXT DAY IS WHEN WE STARTED (b)(1)1.4c (b)(1)1.4c OVER THE COURSE OF THE NEXT 48HRS OF THE OPERATION THERE WERE STILL POP SHOTS IN ADDITION TO AN RPG IMPACTING 10 METERS AWAY FROM OUR C2 NODE; HOWEVER, OVERALL THE DECISIVE ENGAGEMENTS HAD STOPPED COMPLETELY. THE NIGHT OF THE 4TH WE RTB TO CAMP PAMIR. GENTLEMEN, (b)(1)1.4a, (b)(3), (b)(6) ODA'S, A FORCE OF LESS (b)(1)1.4a, (b)(1)1.4g INTO A CITY COMPLETELY UNDER TALIBAN CONTROL. THE LOW ESTIMATIONS

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ARE THAT THERE WERE OVER 500 TAILBAN FIGHTERS FROM (b)(1)1.4c HOLDING THE CITY. WITH A PARTNER FORCE OF LESS (b)(1)1.4a, (b)(1) WE TOOK BACK THE CITY IN LESS THAN 24 HOURS AND HELD IT FOR ANOTHER FOUR DAYS TO ALLOW GIROA FORCES TO RESECURE THEIR POSITIONS. (b)(3), (b)(6)

WHAT TYPE OF TRAINING DID YOU RECEIVE ON THE RESOLUTE SUPPORT AND FREEDOM SENTINEL ROE, COMRS TACTICAL GUIDANCE, AND ANY OTHER LOAC TRAINING WHEN YOU ENTERED THEATER?

There was a ROE brief by SOTF, as well as an indoc test while coming into theater.

INVESTIGATION QUESTIONS:

Q1. WERE YOU EVER PROVIDED A THEATER VERIFICATION INTRODUCTION (TVI) BRIEFING?

A1. I don't recall.

Q2. WAS THE (b)(1)1.4a, (b)(3), (b)(6) STRIKE ON THE ZPU THE FIRST STRIKE YOU (b)(3), (b)(6)?

A2. (b)(1)1.4a, (b)(3), (b)(6) controlled the Strike on the ZPU.

Q3. WHEN WERE YOU INFORMED OF THE PLAN TO SECURE THE PCOP?

A3. An hour or two prior to infil

Q4. WHAT TYPE OF AIRCRAFT IS (b)(1)1.4a, (b)(3), (b)(6)? WHAT IS (b)(1)1.4a, (b)(3), (b)(6)?

A4. (b)(1)1.4a, (b)(3), (b)(6) is an A/C 130 Gunship (b)(1)1.4a, (b)(3), (b)(6) F-16's

Q5. WHO CONTROLLED THE (b)(1)1.4a, (b)(3), (b)(6) STRIKES ON THE 30 SEP 15 MOVEMENT FROM CAMP PAMIR TO THE PGOV COMPOUND?

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A5.(b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(6)

Q9. DID (b)(3), (b)(6) PROVIDE ANY TARGET DESCRIPTION WHEN HE PROVIDED THE GRIDS TO YOU?

A9. No

Q10. WHERE DID (b)(3), (b)(6) GET THE GRIDS THAT HE PASSED TO YOU THAT YOU REFERENCE ABOVE IN YOUR STATEMENT?

A10. He received them from (b)(1)1.4d

Q11. DID YOU PASS BOTH SETS OF GRIDS TO THE AIRCRAFT?

A11. I passed both sets of grids.

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Q12. DO YOU KNOW WHY THE RADIO TRAFFIC ONLY HEARD YOU PASS ONE SET OF GRIDS?

A12. (b)(1)1.4a, (b)(3), (b)(6) comms throughout that mission where never 5/5 they was always static so I do not know why (b)(1)1.4a, (b)(3), (b)(6) only received one set of grids.

Q13. DO YOU KNOW WHAT THE OTHER SET OF GRIDS PLOTTED TO?

A13. I don't recall and don't want to speculate.

Q14. DID YOU EVER ASK (b)(1)1.4a, (b)(3), (b)(6) TO PLOT THE GRIDS A THIRD TIME?

A14. No I relayed the grids to (b)(1)1.4a, (b)(3), (b)(6) who gave me good read backs and informed me that the grids plotted to a center of a field

Q15. DID YOU TELL (b)(3), (b)(6) THAT THE GRIDS PROVIDED INITIALLY PLOTTED TO AN OPEN FIELD?

A15. Yes I informed him that (b)(1)1.4a, (b)(3), (b)(6) said the grids plotted to an open field

Q16. WHAT DID (b)(3), (b)(6) DO WHEN THE AIRCREW SAID THE GRIDS PLOTTED TO THE OPEN FIELD?

A16. (b)(3), (b)(6) was on the phone a lot previous to the strike, I don't recall exactly what he did and do not want to speculate.

Q17. DID (b)(3), (b)(6) EVER REQUEST THAT THE AIRCREW REPLOT THE GRIDS AFTER THE FIRST TWO ATTEMPTS AT (b)(1)1.4a THE GRIDS DID NOT MATCH?

A17. I relayed all traffic from (b)(3), (b)(6) to A/C and vise versa, I don't recall if he requested this.

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Q18. WHO PROVIDED THE DESCRIPTION OF THE BUILDING TO (b)(3), (b)(6)?

A18. You'd have to ask (b)(3), (b)(6) I don't want to speculate.

Q19. DID YOU OR (b)(3), (b)(6) EVER INFORM THE AIRCRAFT THAT YOU DID NOT HAVE LINE OF SIGHT ON THE TARGET?

A19. I don't recall

Q20. DID THE AIRCRAFT DESCRIBE THE (b)(1)1.4a AS DEMONSTRATING ANY HOSTILE INTENT?

A20. The A/C relayed (b)(1)1.4a pax roaming, (b)(1)1.4c of TB C2 nodes having guards outside

Q21. DID THE AIRCRAFT DESCRIBE THE INDIVIDUALS COMMITTING ANY TYPE OF HOSTILE ACT?

A21. I don't recall and don't want to speculate.

Q22. WAS THERE ANY URGENCY TO STRIKE THE COMPOUND THAT NIGHT?

A22. (b)(1)1.4a, (b)(3), (b)(6)

Q23. WHO TOLD (b)(1)1.4d, (b)(3), (b)(6) WAS BEING ENGAGED FROM THE BUILDING?

A23. (b)(3), (b)(6) was on the phone a lot that night, you'd have to ask him for exacts.

Q24. WAS THERE ANY ADDITIONAL DATA TO INDICATE WHERE THE FIRE WAS COMING FROM THAT YOU INDICATE HEARING?

A24. I don't recall and don't want to speculate

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Q25. WHEN YOU HEARD THE FIRING FROM THE WEST, DID (b)(3), (b)(6) OR YOURSELF EVER REQUEST THAT (b)(1)1.4a, (b)(3), (b)(6) OF THE AREA OF THE TARGET TO SEE IF THE FIRING WAS ACTUALLY COMING FROM THE TARGETED COMPOUND?

A25. I don't recall and don't want to speculate, however if this was ever requested I would have passed it up.

Q26. DID (b)(3), (b)(6) EVER REQUEST (b)(1)1.4a, (b)(3), (b)(6) FOR ANY HEAVY WEAPONS IN THE AREA OF YOUR DEFENSE AT THE PCOP COMPOUND?

A26. No,

Q27. DID (b)(3), (b)(6) APPROVE BOTH HOT GUN EXPENDITURES ON THE OBJECTIVE AFTER HE CALLED CEASE FIRE?

A27. He approved both expenditures of the hot gun. However, the first hot gun was prior the the (b)(1)1.4a, (b)(1)1.4c the second one (b)(1)1.4a, (b)(3), moved to an area of low CDE and cleared " Hot Gun"

Q28. IN A PREVIOUS INTERVIEW WITH THE INVESTIGATION TEAM, YOU INDICATED THAT YOU KNEW PRE-ASSAULT FIRES WERE A NO GO. DID ANYONE GIVE YOU AN INDICATION THAT THIS WAS IN FACT PRE-ASSAULT FIRES?

A28. No

Q29. DID (b)(3), (b)(6) EVER TELL YOU THAT EVERYONE WEST OF YOUR POSITION WAS HOSTILE?

A29. (b)(1)1.4c TB had control of the West side of the City

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Q30. DID (b)(3), (b)(6) EVER TELL YOU THAT ALL THE CIVILIANS HAD LEFT THE CITY?

A30. I do not recall and don't want to speculate.

Q31. DID YOU BELIEVE THAT EVERYONE IN KUNDUZ WAS AN INSURGENT?

A31. No there was ANA, ANP, ALP, as well as other entities present in the city. I believe that most of the civilians have left the city however, a small percentage of people were present that weren't able to flee the city.

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HEADQUARTERS
UNITED STATES FORCES-AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

USFOR-A 27 October 2015

MEMORANDUM FOR RECORD

SUBJECT: 26 October 2015 Interview of (b)(3), (b)(6)

1. On 26 October 2015, the Konduz MSF 15-6 investigation team interviewed (b)(3), (b)(6) ((b)(3), (b)(6)) in order to record his perspective of the events that took place during the 2-3 October 2015 incident at the Doctors Without Borders Trauma Center in Kunduz Afghanistan. The interview was conducted from 1000-1100 local at Camp Pamir in vicinity of Kunduz.

2. During the interview, the investigating team (listed below) identified issues in five areas documented below. The areas identified were related to the Mission, (b)(3), (b)(6) experience, Target ID/ CAS process, ROE knowledge/ adherence, and (b)(3), (b)(6) accreditation. These items are outlined below as discussed during the interview.

a. Mission

(1) The Special Forces team was provided limited intelligence from higher headquarters. They were not provided with a No Strike List (NSL) or list of restricted fires areas. Additionally, standing ROE and tactical guidance remained the same for this mission.

(2) The (b)(3), (b)(6) was the Ground Force Commander (GFC) for this operation. He gave a speech prior to departing camp Pamir and made the following statements "This is a no fail mission;" "All of the civilians have fled and only Taliban are in the city" and "everything is a threat".

(3) (b)(3), (b)(6) was under a condensed timeline throughout the engagement.

b. Experience

(1) (b)(3), (b)(6) received his initial (b)(3), (b)(6) evaluation on 30 Apr 2015.

(2) (b)(3), (b)(6) previous deployment to Afghanistan was a training mission and was not kinetic in nature.

(4) The Kunduz mission was (b)(3), (b)(6) first substantial troops in contact event.

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(5) Prior to (b)(3), (b)(6) the incident AC-130 on 3 OCT 2015, his only previous combat experience (b)(1)1.4a hours prior when (b)(1)1.4a, (b)(3), (b)(6) airstrikes.

c. Target Correlation

(1) The Initial grid passed to (b)(1)1.4a, (b)(3), (b)(6) which was the NDS compound, intent was for (b)(1)1.4a, (b)(3), (b)(6) to observe the target. (b)(3), (b)(6) by (b)(3), (b)(6), who was the (b)(3), (b)(6) at the time.

(2) The building was described as "T" shaped by the (b)(1)1.4d, (b)(3), (b)(6) This description was provided to (b)(3), (b)(6) who did not/not pass it to AC-130.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d

(4) (b)(3), (b)(6) were concerned at the 300 meter difference between the initial AC-130 grid (open field) and the compound (Trauma Center). Concerns over target location subsided due to AC-130 independently matching the description as a T-shaped building as received previously from (b)(1)1.4d

d. Rules of Engagement (ROE)

(b)(1)1.4a

(2) Engagement was conducted under ORS ROE (b)(1)1.4a, (b)(3), (b)(6) believed that ROE (b)(1)1.4a would have also applied because it was a "defensive engagement".

(3) (b)(3), (b)(6) was unable to recall the specific conditions present to justify employment under ROE (b)(1)1.4a, (b)(3), (b)(6) said that personnel were within their "defensive bubble".

(4) Although not under direct attack, (b)(3), (b)(6) stated that he believed the engagement was self-defense because of the previous night's enemy situation template and reports of (b)(1)1.4a personnel in contact.

(b)(1)1.4a, (b)(1)1.4c

but none were directly tied to either the NDS compound or the MSF trauma center.

(6) When asked to provide a definition of positive identification, (b)(3), (b)(6) was unfamiliar with the current theater guidance and definition.

e. (b)(3), (b)(6) accreditation

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(1) Pre deployment training for (b)(3), (b)(6) consisted of basic Special Instructions (SPINs) training and equipment overview.

(2) (b)(3), (b)(6) stated that he had not received a theater indoctrination brief when arriving to theater.

f. 15-6 members present during the interview:

Brig Gen Robert G. Armfield

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

3. The point of contact for this memorandum is (b)(3), (b)(6).

Robert G. Armfield
Brig Gen, USAF
Investigating Officer

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1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE
OF EXECUTION: 23 Oct 2015

William B. Hickman
MG, USA
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION**: 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED**: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE**: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide in formation.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED**: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

Signature of Witness

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

Signature of Interviewee

Approved for Release

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Camp Vance, Bagram Airfield, Afghanistan	2015/10/25	2253D	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)		

8. ORGANIZATION OR ADDRESS

CJSOAC-A, (b)(1)1.4a, (b)(3), (b)(6)

9.

I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

~~(S//NF)~~ The facts and circumstances surrounding the 03 OCT 2015 engagement, from my perspective were: Friendly forces had been decisively engaged and were effectively surrounded by a large number of INS, since mission kickoff from Camp Pamir. Their white-space was non-existent and numerous INS were engaged by both CAS, as well as organics, within 20m of the Provincial GOV facility that they were strong-pointing.

The evening of the engagement of the MSF compound, 02-03OCT15, I began my shift at 2000D and was passed that the mission for the evening in Kunduz, 02OCT15-early morning 03OCT2015, would be Afghan forces clearance of the NDS compound, 42S VF (b)(1)1.4a, (b)(3), (b)(6) checked inbound (b)(1)1.4a, performed a (b)(1)1.4a, (b)(1)1.4g check with myself, and confirmed good two-way comms with (b)(1)1.4a, (b)(3), (b)(6) co-located (b)(1)1.4a, (b)(3), (b)(6) GFC, to perform full check-in. Early in (b)(1)1.4a, (b)(3), (b)(6) time on station, 02OCT2015-03OCT2015, they were directly engaged by (b)(1)1.4a, (b)(1)1.4g from the East of Kunduz approx. (b)(1)1.4a, (b)(1)1.4g Due to the defensive nature (self-defense) needed to ensure (b)(1)1.4a, (b)(3), (b)(6) safety of flight with the hieghtened threat and the fact that the BOG JTAC was in control, I limited my traffic (b)(1)1.4a, (b)(3), (b)(6) monitored, but cleared the net. I was able to get a relayed approximate grid for the point of origin of the (b)(1)1.4g threat in order to update any additional assets inbound supporting Kunduz operations. We had no (b)(1)1.4a, (b)(3), (b)(6) to pass information. There was limited comms passed (b)(1)1.4a, (b)(1)1.4g to myself, but when a JTAC on the ground has control, that is not uncommon. We did however have (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and a good handshake on his (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) did not have good two-way with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) through our ITCs, we utilized (b)(1)1.4a, (b)(3), (b)(6) task on, what we believed was the intended objective, the NDS facility associated with the prison. No activity was noted at the facility by (b)(1)1.4a, (b)(3), (b)(6) approximately 0210D, 3OCT15 (b)(1)1.4a, (b)(3), (b)(6) made a brief call on (b)(1)1.4a, (b)(1)1.4g "going hot." and no effects were seen by (b)(1)1.4a, (b)(3), (b)(6) tasking grid area. I made several attempts (b)(1)1.4a, (b)(3), (b)(6) to get information on the engagement, but (b)(1)1.4a, (b)(3), (b)(6) led still engaging and unable to pass information. Due to our location and distance from Kunduz, no (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) could be heard at our location and we didn't recieve, to my knowledge, a call from (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) updating us on the situation, or engagement. The ITC, (b)(3), (b)(6) and I immediately recognized (b)(1)1.4a, (b)(3), (b)(6) need to find the engagement area and assist the ground force, with a situation that I believed was dire to our friendly force (b)(1)1.4a, (b)(3), (b)(6) instructed (b)(1)1.4a, (b)(1)1.4g to attempt to locate the engagement area. At approximately 0220D, 03OCT15 (b)(1)1.4a, (b)(3), (b)(6) reported that they believed they found the engagement area IVO 42S VF (b)(1)1.4a (b)(1)1.4a At the moment we had (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that could be visually confirmed, after a short stint (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g from the target area, I was confident the compound was what had been passed as the MSF Trauma Center. I immediately attempted to raise (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and questioned the target they had been passed. The first question was, confirm the target was the movers external. I recieved back negative, the target was the compound and movers external. I passed (b)(1)1.4a, (b)(3), (b)(6) the engaged compound was a trauma center (b)(1)1.4a, (b)(1)1.4g but had no knowledge of the ground situation that led to the approval of engagement, or if the center itself had lost protected status (b)(1)1.4a, (b)(3), (b)(6) relayed back that the ground force confirmed this was being utilized by enemy forces for a strongpoint and C2 node, rounds complete.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 2253D DATED 2015/10/25

9. STATEMENT *(Continued)*

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

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

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

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, O

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

(Signature of Person Making Statement)

WITNESSES:

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

O

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Oct, 2015 at Camp Vance, Afghanistan

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

ath)

(Typed Name of Person Administering Oath)

Commca

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is PMG.

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

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Camp Vance, Bagram Airfield, Afghanistan	2015/11/07	0235D	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
	(b)(3), (b)(6)	

8. ORGANIZATION OR ADDRESS

CJSOAC-A, (b)(1)1.4a, (b)(3), (b)(6)

9.

I, (b)(3), (b)(6) _____, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

~~(S//NF)~~ 1. My duties while on shift are: Primary duty is to manage all (b)(1)1.4a, (b)(3), (b)(6) Within my primary duty, I assist with (b)(3), (b)(6) in theater IOT support SOTF-A operations, cover currency and guidance changes, and (b)(3), (b)(6) with asset support through SOTF-A Fires. My Secondary duty is to cover down, as needed, as (b)(3), (b)(6) for pre-infil, post-infil control, supporting operations without a current/qualifie(b)(3), (b)(6) on the ground, and for control of kinetic strikes requiring SOTF-A JOC's level of situational awareness, ex. (b)(1)1.4a, (b)(1)1.4g to confirm zero civcas, CDE meets level of approval for engagement.

2. In the SOTF-A JOC, the period of darkness 02-03OCT15, we had (b)(1)1.4a, (b)(1)1.4g infil operation, kickoff at approx. (b)(1)1.4a, (b)(3), (b)(6) boots on the ground. We also had been passed that Kunduz ODA elements(US) would remain in thier strong point compound near the city center for the night and that Afghan(b)(1)1.4and additional Afghan forces were going to proceed with clearance of the NDS compound. I worked between my desk, returning my(b)(3), (b)(6)questions, emails, and phone calls and the fires radio, as needed on (b)(1)1.4a, (b)(1)1.4g to assist.

3. The information that I was tracking for USSF ground unit's support to the(b)(1)1.4clearance operations was that the(b)(1)1.4had the NDS facility as thier objective, and that USSF's, from their strongpoint, would control assets in support of that clearance.

4. I found out about the MSF facilities in Kunduz, to the best of my memory, on, or about 30SEP15. T(b)(3), (b)(6)d relayed it to me during a shadow of (b)(1)1.4a that visited the facility while I was controlling. The (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g that's visible in the front of the SOTF-A JOC was updated to reflect that as well.

5. The information that I was passed for the(b)(1)1.4clearance operation that night was that the OBJ was the NDS facility. No further information was passed to me. The NDS facility that we all were tracking as the OBJ was co-located with the prison in Kunduz. I did have the(b)(3), (b)(6)t and pass me a grid to that facility IOT update aircraft that were inbound for ground JTAC control, that had not yet established line of sight communications, due to range from Kunduz.

6. The information that I passed to the SOTF-A JOC personnel, pre-strike, (b)(1)1.4a, (b)(3), (b)(6)good two-way with ground JTAC, there had been a (b)(1)1.4g a possible point of origin for that surface to air threat (b)(1)1.4a, (b)(3), (b)(6)ed to me, and that (b)(1)1.4a, (b)(3), (b)(6)d going hot with an unreadable/broken grid to engagement. The speaker was turned up and no one copied anything past Going hot and the begining of a possible grid pass, unreadable. I made multiple attempts to get a resend of grid of engagement (b)(1)1.4a, (b)(1)1.4g was requested by the (b)(3), (b)(6) to make additional attempts. The (b)(1)1.4a, (b)(3), (b)(6) calls were either not acknowledge, or met with, "still engaging/hot", which I relayed to JOC staff. I had no awareness as to the ground forces' situation, or if they were in heavy contact at the time of the engagement and were utilizing(b)(1)1.4a, (b)(3), (b)(6)fires to saves lives in self-defense. The lack of traffic to me from(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)s not unusual, and the quickness of the going hot call led me to believe, from experience, that there was possibly a dire situation on the ground. I was not in control(b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6)d not blame them for the lack of comms. The passing of added situational awareness to my position never trumps fires and the comms needed to employ that may be saving lives on the ground. Continued on Page 2

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	(b)(3), (b)(6)	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 0235D DATED 2015/11/07

9. STATEMENT *(Continued)*

~~(S//NF)~~ 7. I did make attempts to get in contact with (b)(1)1.4a, (b)(3), (b)(6) IOT gain situational awareness on the targeted engagement area.

8. (b)(1)1.4a, (b)(3), (b)(6) found the engagement area, the on duty (b)(3), (b)(6) matched the area to the MSF facility.

9. We now maintain a NSL in the SOTF-A JOC. At the time of the engagement, I was unaware of access to the NSL in our JOC.

10. The call that (b)(1)1.4a was hot meant the airspace, with center point and dimensions was live and under control of the ROZ controller. The fires desk officer/NCO generally updates me when (b)(1)1.4a, (b)(3), (b)(6) has been advised (b)(1)1.4a, (b)(3), (b)(6) that the airspace is live, or when (b)(1)1.4a, (b)(3), (b)(6) advises that the ROZ is hot/live. The JOC staff generally has no need to know ROZ status, but will relay if asked, or if it's requested.

11. The passing of engagement grid was broken, unreadable, and not copied by myself, or anyone else monitoring the radio traffic through the loud speaker at SOTF-A JOC. We heard a direct comm from (b)(1)1.4a, (b)(3), (b)(6) without any prepatory comm (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) pass of message after response from operator (b)(1)1.4a, (b)(3), (b)(6) with unreadable numbers followed by going hot/rounds away. To my knowledge I asked for a, say again (b)(1)1.4a, (b)(3), (b)(6) no response.

12. The knowledge that I had of AOB-N operational comms impacts were that they were near black on batteries for comms. To my knowledge (b)(1)1.4a, (b)(3), (b)(6) was still operational to pass command updates. I was not tracking (b)(1)1.4a, (b)(3), (b)(6) was still operational. That system is (b)(1)1.4a and I receive minimal traffic passed to me from that system. The EWO was asked status, when the comms were copied, and still going hot/engaging was relayed back. Refer back to my answer to question 6 for further explaination. A similar situation was occuring with (b)(1)1.4a, multiple fires being utilized in self-defense, and traffic on employment was passed, post-strike. This is not uncommon, due to the task saturation during coordination and employment by ground JTACs and aircraft.

13. To my knowledge, the message referred to in question 13 was another attempt to gain grid and situational awareness on the engagement area.

14. There were, to the best of my memory, additional comm attempts by me, that were not received, or copied by (b)(1)1.4a, (b)(3), (b)(6) that period of time. The engagement was ongoing and hearing the (b)(1)1.4a, (b)(3), (b)(6) during that timeframe, there were many of my comms that were stepped on, or not received.

15. My comms to (b)(1)1.4a, (b)(3), (b)(6) was an attempt to get the MSF facility use run by the GFC(relay), in the event he was not tracking that information. At that time, I was still unaware if the compound had lost it's status due to decisive engagement of friendly forces.

16. During the confirmatory comms of the engagement area, the (b)(3), (b)(6) already began a (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to find the engagement area, after looking at the NDS compound for effects, with no effects observed. I cannot speak for every position, due to my location and focus on comms with (b)(1)1.4a, (b)(3), (b)(6) confirm engagement details. I did get multiple questions from the Battle (b)(3), (b)(6) and worked to build as much information on the engagement as possible for the staff. Once the MSF compound was in (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and the grid matched the same facility, I primarily concentrated on information on the lead up to the engagement to confirm the facility had lost status and the passed targets in that area by the JTAC. Were the (b)(1)1.4a being engaged to warrant the attack? Were the pax external the compound the target and the building took fire in the process? Why didn't they call up for approval to strike the compound under (b)(1)1.4a These are all the questions I had, based on ROE and TAC guidance, that drove my questioning of (b)(1)1.4a, (b)(3), (b)(6)

23. The cease fire was broadcasted in the (b)(1)1.4a, (b)(1)1.4g speaker, and I made a callout to JOC staff as well(verbal). During this time additional questions were being asked by the (b)(3), (b)(6) to clarify traffic I had received. I believe (b)(3), (b)(6) was then updating the (b)(3), (b)(6)

24. I was unaware of any specific phone calls made, or received during this time.

25. The SOTF-A JOC realized the target was a hospital after (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and a full grid was passed by (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) and was plotted.

26. The SOTF-A JOC, to my knowledge, attempted to establish direct comms with the GFC in Kunduz via all means available IOT gain lead up to attack and sitrep. I worked to gain information on any reason for loss of protected status, what exactly was passed as the target in that area, and any contact received by friendly force.

Nothing follows

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

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

STATEMENT OF (b)(3), (b)(6) TAKEN AT 0235D DATED 2015/11/07

9. STATEMENT *(Continued)*

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENC

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

ment)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006 APD PE v1.01ES

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