

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 TF Mountain Warrior JOC, FOB Fenty, Jalalabad, AFG	2. DATE (YYYYMMDD) 2009/10/19	3. TIME 2330 local	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS O-4/AD	
8. ORGANIZATION OR ADDRESS HHC, 4-4 IBCT (TF Mountain Warrior), FOB Fenty, Jalalabad, Afghanistan			

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

1. (b) How many US servicemembers and Afghan National Security Forces were occupying COP Keating? What units were present at the time of the attack? Response: There were 51 US / 2 Latvian OMLT / 20 ANA. The unit was B Troop, 3-61 CAV and 3rd Coy, 6/2-201st ANA.

2. (j) When was COP Keating first occupied? Was COP Keating under construction at the time of the attack? Was the occupation and construction of COP Keating a planned operation? How were identified vulnerabilities mitigated? Response: COP Keating was established about 3 years ago. The COP was not under construction or was it in the process of destruction for the closure. Those activities were not going to occur for another week or so based on the execution timeline as the force protection measures were planned to be the final stage.

3. (k) Had COP Keating been attacked in the 30 days prior to this attack? If so, what was the extent of the attacks? Response: COP Keating had a history of harassing attacks in the past. I do not recall the number of times it was attacked in the 30 days prior to the event.

4. (l) Was there a current threat assessment? Had any intelligence reports been received indicating a possible attack in the 30 days prior to this attack? If so, what was that intelligence? What office was responsible for those reports? What actions were taken as a result of that intelligence? Were those actions appropriate? Were higher HQ made aware of any current intelligence? Response: There were often reports of fighters moving throughout the Kamdesh as this was a major infil route of fighters and equipment. Our threat assessment at the time of the attack was focused on the air threat, as that was a high value target for the AAF. As we were to be more active in the area without retrograde of equipment, I believed the air ambush was the most likely and largest threat to the area in/around Keating. The S2 sections at both BDE and Squadron levels are the responsible agency for the intel in concert with the other sections providing input for the commanders so to place all the responsibility on the S2 is not accurate. The troop at COP Keating was disciplined in their stand-to SOPs and were at alert, not only based on reporting, but for the illum conditions as well.

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

STATEMENT OF (b)(3), (b)(6) _____ TAKEN AT 2330 _____ DATED 2009/10/19 _____

9. STATEMENT (Continued)

5. (s) What impact did the commander's plan to abandon this camp in the future have on the ability to defend this camp at the time of attack? Was the drawdown in progress or were defenses at their normal rate? Response: There were zero impacts on the security measures based on the plan to realign from COP Keating. Manning, positions, equipment, force protection measures I believe were at the same standard as they were weeks before the attack. The only equipment that was probably packed up was non-mission essential equipment that we were going to start backhauling a load at a time.

6 (t) Recommendations concerning improvements, if any, to coalition force techniques, tactics and procedures to prevent future incidents from occurring? Response: Once an announcement is made to close a COP, have all the ANSF and local nationals be the first to depart. Maintian transperency in information and dialogue with the local elders and higher headquarters. Our plan was known up the chain of command and this prevented an IO victory for the AAF as well as thier massive losses that day did not allow the AAF to present a case they drove us out.

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

STATEMENT OF MAJ (b)(3), (b)(6) _____ TAKEN AT JAF DATED 19 OCT 09

9. STATEMENT (Continued)

This page not used (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.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(3), (b)(6) _____
g Statement)
Subs _____
rson authorized by law to
administer oaths, this 25 day of Oct, 2009
at FOIA SAF, AFgh

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

(I typed Name of Person Administering Oath)
Article 136, UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES