

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 FOB Bostick, Afghanistan	2. DATE (YYYYMMDD) 2009/10/22	3. TIME 1000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS O-3	
8. ORGANIZATION OR ADDRESS B Troop, 3-61 CAV, 4IBCT, 4ID, FOB Bostick, APO, AE 09354			

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

I deployed to Afghanistan on 03 June 2009 as the assistant S-3 for 4BSTB, 4ID to Nangarhar, Afghanistan until 27 August 09 when I transferred to FOB Bostick as the incoming commander of B Troop, 3-61 CAV. From 27AUG to 02SEP I focused on change of command inventories. On 31 August I received my inbrief and initial counseling from the Squadron Commander, LT (b)(3), (b)(6) who discussed the importance of the COIN fight and the importance of instilling discipline in the soldiers. Additionally, we discussed the possibility of future operations based out of COP Keating and OP Fritsche and how it was important to reestablish and develop relationships with the villagers in the troop area of operation. On 02 SEP 09 I flew into OP Fritsche, conducted inventories and assessed 2nd Platoon and on 04 SEP 09 I patrolled down to COP Keating. During my first patrol down from OP Fritsche to COP Keating, I remember cresting above the switchbacks, looking down at COP Keating and immediately assessing that COP Keating was tactically vulnerable. There were many locations where someone could cache weapons and ammunition, there were many locations for cover from indirect fires (from Keating), and AAF could easily infil and exfil without being detected by forces located on the COP. From 04 to 20 SEP 09 I conducted a right-seat-ride with CPT (b)(3), (b)(6) the outgoing Troop Commander, and on 20 SEP 09 I took command of B Troop at COP Keating, Afghanistan. Prior to the change of command, the Squadron had published a WARNO for Operation Mountain Descent, which called for the closure of fixed-sites in the Kamdesh District, to include COP Keating, OP Fritsche, and COP Lowell. When I took command, I was operationally focused on closing the COP from 09 to 15 OCT and the OP from 15 to 20 OCT.

During my initial assessment and counseling with the platoon leaders, I gathered a series of recommendations for how to improve the Force Protection on the COP, and we discussed a plan to rebuild the ECP if we did not close in the near future (and would, hence, stay in Kamdesh through Spring). The Soldiers, NCOs, and officers seemed to have high morale, and I identified very few discipline issues with the unit.

On 20 SEP 09, CO (b)(3), (b)(6) and I held a shura with the ANA CDR, ANP Chief, NDS Chief, and a local mullah. During the conversation, CO (b)(3), (b)(6) asked the ANA CDR what would happen if CF left the Kamdesh and the ANA CDR replied by saying that Taliban would take over COP Keating within 24 hours. After the change of command ceremony, CO (b)(3), (b)(6) at down and inbriefed me as the commander. He discussed the importance of instilling discipline, providing oversight and leading the Troop, and using necessary means to keep the men combat effective.

The ANA company that was stationed at COP Keating was consolidated with soldiers from each of the other Kandaks. I only observed them during Ramadan, but assessed that they patrolled a few times per week but were not closely tied to the coalition forces at COP Keating. During KAMGOWs, ANA would regularly run off the COP and try to set on a helicopter to exfil from COP Keating. Additionally, it was common to find ANA go on leave and never come back (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 4 PAGES
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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 CPT (b)(3), (b)(6) TAKEN AT FOB Bostick DATED 2009/10/22

9. STATEMENT (Continued)

One Platoon of the QRF and my element from B Trp air inserted into OP Fritsche at 1230 and we organized our plan to patrol down. We were expecting the second platoon to fly in but a storm blew in and weather kept the other platoon from flying in "for the unforeseeable future." CPT (b)(3), (b)(6) is a little uncomfortable with patrolling with only 40 soldiers, as the original plan necessitated the use of his entire company. With an understanding that there would be a "weather call" at 1400, we planned to SP then with the intent of the other platoon catching up with us. The concern was that if we continued to wait that the situation at COP Keating would further deteriorate, as they were still under heavy contact from the switchbacks (the only navigable route from our current location). We began our movement at 1400, as planned, and within 30 minutes the other platoon was in route. Our patrol took 5 hours to get to the switchbacks, and an additional hour to set the support by fire position (at the 2nd switchback) and clear the western half of COP Keating. On our way down to COP Keating, we came into contact twice: once with RPGs and PKM fire about ¾ of the way down, and at the linkup point just above the switchbacks we were ambushed by a team of AAF with RPGs, AK-47s, and (b)(2)High. We knew they were nearby, as (b)(2)High and 1LT (b)(3), (b)(6) from OP Fritsche reported it to us. The two fighters didn't even have a chance to get a shot off when a section came up on top of them and engaged and killed them on the spot. With little time for SSE, we gathered their weapons and equipment and carried it onto COP Keating with us. As we entered COP Keating, we found SGT Hardt's body located on the east side of the maintenance by, just south of the "big rock" and shower trailer. He was lying face down, and I was not able to observe his injuries. Shortly after, an aid and litter team retrieved his body and took it to the aid station.

Once on COP Keating and the HLZ was secure, an air medevac helicopter arrived and LT (b)(3), (b)(6) entered the COP. At this time the heroes and serious WIAs were evacuated. Hammer Company immediately cleared the remainder of the COP, set fighting positions, and secured the COP from then on. The plan would be for B Troop to gather any salvageable equipment and personal belongings, load them into slings, and exfil from COP Keating with equipment and personnel over the course of the next several days.

The next morning LTC (b)(3), (b)(6) and I began surveying the COP, identifying the locations that AAF broke through the COP, assessing battle damage, and retracing the battle with SGT (b)(3), (b)(6) and SSG (b)(3), (b)(6). Soon after, elders from Urmul came to the ECP, asking if they could go into Urmul to bury any dead bodies that they found. I said yes, but only them and women – no military-aged males – and only for the next two hours. The two elders then told me that Taliban had come into the town at around 0300 hours and cleared the village of Urmul. Apparently, many of the villagers were located near Agro, and they wanted to know if they could move back into their homes. I said no, because at the time I assessed that there was still a threat and I didn't want the Taliban to infil with the civilians and try to reengage us (this had been a TTP that was reportedly used by the Taliban that I remember reading somewhere). I then dispatched Blue Platoon, with a section of Red, to clear Urmul with the two elders IOT assess damage to the village and identify AAF positions.

Blue Platoon (+) identified several new fighting positions in and around the ANP headquarters, along with several uniforms spread all around. 1LT (b)(3), (b)(6) explained it as if they were thrown around like the ANP had taken them off and thrown them to the side. The ANP HQs was completely destroyed, and a mosque was also. All said, 1LT (b)(3), (b)(6) did not report identifying any civilian casualties. He did see dead bodies, but said that they were wearing para-military gear and/or had weapons on them. The same day the ANA sub-CDR asked if he could look for any ANA dead outside the wire. He explained that some of his soldiers could have tried to run away and others were kidnapped and taken off the COP. I said yes and his patrol returned two hours later. When he returned he did not report finding any dead ANA, and I didn't see him return with any bodies.

On 05 OCT the Kamdesh Shura came to see me at the ECP; there were roughly 10 elders. They said there were at least 30 dead Taliban fighter behind the switchbacks (southwest), and there were several more along the road from COP Keating to Kamdesh (east and south) and down the road to Agro (west). They asked if they could go and pick up all the dead. I asked them why they would want to pick up the dead Taliban when, and they said because of "human rights." I told them that only elders and women could pick up the dead for the next two hours, but no military-aged males. I also specified that they could only retrieve bodies along the road to Kamdesh, as we were still aware of living Taliban in the other areas and we didn't want confuse them with enemy. They agreed, and left to pick up the dead bodies. (b)(3), (b)(6)

INITIALS OF PERSON MAKING STATEMENT

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

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9. STATEMENT (Continued)

Based on the reports I received from my TOC, the Apache pilots, and the CAS, I believe there to have been in excess of 300 fighters that attacked COP Keating. Additionally, reports indicate that anywhere from 75 to 100 fighters attacked OP Fritsche simultaneously. For the first three hours of the battle of COP Keating, mortar rounds continued to impact the COP and OP every 15 seconds. Each of the six gun trucks sustained direct hits from RPGs, some of them having as many as 8 direct hits each. Reports and fighting TTPs indicate that the force that attacked COP Keating and OP Fritsche was much better trained and planned than previous attacks had been on COP Keating, Specifically, the closure of coalition involvement in BargeMatal in the weeks prior could have easily pushed the foreign fighters and Taliban south into Kamdesh. Those fighters, combined with the HiG fighters that were local to Kamdesh, seemed to unite forces and resources to coordinate the attack. That being said, intelligence from higher headquarters was always circular. Anything we received was reported by us (b)(2)High

MA(b)(3), (b)(6)y predecessor, claimed that he consistently reported that he was short on manning, and because of this did not engage with the locals for many operations. His operations were limited to those that supplemented force protection. When I took command on 20 SEP, the COP's defensive positions, I am told, were the same as those that then CP(b)(3), (b)(6)nd Black Knight Troop fell in on in May 2009. Despite recommendations from platoon leaders on the inadequacies of the ECP and use of mortars, little improvements were made during the time leading up to the attack on 03 OCT. All said, MA(b)(3), (b)(6)nd B Troop had planned to close COP Keating in July, in accordance with the Squadron mission and Brigade directives. MA(b)(3), (b)(6)ntinued to plan for the closure of his fixed sites during the duration of his time at COP Keating. For the 12 days I was in command at COP Keating, I did the same thing. We were set to begin backhaul and closure of both fixed sites on 09 OCT 09, so my operational focus was on reducing the COP, which we would do with minimal manning and a restricted timeline.

While OP Fritsche provided not direct overwatch of COP Keating, it did provide indirect fire redundancy and overwatch of the infil routes to COP Keating from the "north face" overlooking the COP. Most importantly, OP Fritsche served as a retrains site for COP Keating, enabling the COP to communicate with Squadron Headquarters for information and coordination. For the fight itself, I was aware that once BargeMatal closed, air medevac and CCA was at least an hour out from BAF and/or JAF. (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 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, C

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

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WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22nd day of October, 2009 at FOB Bostick

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

15G

B TRP 3-61 ORGANIZATION OR ADDRESS

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

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

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1371 2001 ORGANIZATION OR ADDRESS

CPT

(Typed Name of Person Administering Oath)

JA

Article 136 UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

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