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
FOB Joyce	2009/09/08	0530	

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

8. ORGANIZATION OR ADDRESS

ETT 2-8

9.

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

I am the (b)(2)High and served in that capacity on 8 Sept. On 3 Sept, 36 ANA (b)(2)High and 60 ABP (b)(2)High with a sniper team from Chosin in overwatch conducted a cordon and search/KLE on the village of Dam Dara (adjacent to the village of Ganjigal village). The ANA established the outer cordon by isolating the village of Ganjigal while ABP conducted a search for weapons systems employed against Coalition and ANSF and conducted the KLE. This operation was successful, the villagers were thankful of the fact that ABP conducted the house searches and were cordial. During exfiltration, ANA received contact (PKM and RPG) from AAF from the Gajigal Village and between Ganjigal Village and Dam Dara. Enemy was suppressed. TIC closed a few minutes later. The ABP XO and ANA CO met and discussed the next operation being ANA lead with 60 troops and 30 ABP. ANA would lead the effort in Ganjigal Village. Following this operation, the elders from Gangigal Village met with the Coalition and renounced AAF, inviting Coalition into the town. A radio recording was made with them renouncing the Taliban. The village elders were promised projects for this effort. The village elders stated they preferred ANSF to come into the town vice the Coalition. On Monday, 7 Sept. (b)(2)High to the village to discuss plans for a Mosque rehabilitation project. The next operation into the valley was scheduled for Monday, 7 Sept to conduct a (b)(2)High census of Military Aged Males in the village. Plans were made with ABP, ANA and TF Chosin reps present. ANA briefed the op on the 7th with ANA, ABP and TF Chosin present. A later brief was conducted with only ETT and Coalition. This day was picked because there was dedicated air cover available. On the final coordination meeting on 6 September, the ABP, citing a scheduling conflict with an escort mission, decided they didn't want to participate. Because the (b)(2)High (b)(2)High They decided that the ABP could participate if the operation went on the 8th. It was decided to conduct the operation on the 8th. CP (b)(3), (b)(6) TF Chosin Ops/Planning, assured air would be available within 5-10 minutes if in contact and although we couldn't use (b)(2)High in the village we could put (b)(2)High
The morning of 8 September, a (b)(2)High from TF Chosin inserted into their overwatch positions. Prior (b)(2)High mounted platoon from TF Chosin occupied an attack by fire position at the mouth of Gangigal valley. ANA SP'd (b)(2)High Moving out of Camp Joyce, we picked up the ABP personnel and moved into the valley. ANA ORP was occupied by (b)(2)High ANA dismounted and moved into the valley and into two overwatch positions on either side of the valley. The ABP continued mounted into the valley to their ORP and established a mounted support by fire position and MEDEVAC platform with their (b)(2)High

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 5 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 FOB Joyce DATED 2009/09/13

9. STATEMENT (Continued)

ANA dismounted element continued to conduct dismounted movement into the valley to establish an overwatch/SBF position East of the village. (b)(2)High AAF initiated ambush with RPG followed by PKM on the lead elements of the ANA column. Initial assessment was 5-10 AAF in the mountains East of the village, in the vic of the intended ANA SBF position. ANA returned fire whi(b)(2)High called for (b)(2)High Preplanned targets took nea(b)(2)High minutes for first rounds to splash. (b)(2)High (b)(2)High It was then that we requested immediate Air Support and (b)(2)High n the deck to obscure our movement into more advantageous positions. Coalition responded on the radio that air would be on station (b)(2)High (b)(2)High Coalition then informed us that they did not hav(b)(2)High for use. We chose to fire (b)(2)High and tried to put some between ANA positions and those targets. After a couple rounds we determined that it didn't create enoug(b)(2)High to be of value and wasn't close enough to the AAF to be effective. During this time (b)(2)High down, eventually firing on ANA from 3 sides. It was then we realized we were fighting a much larger force, estimated at 40-50. We continued returning fire with our organic weapons systems and began a tactical withdrawal. During this time we received fire from the village itself. We continually called for Air Support, at one point being told that air was not available. We continued to impress that air was needed and got the (b)(2)High time back again. Machine gun fire continued in intensity from all three sides, including the village. Our second overwatch position overlooking Dam Dara and Gangigal village received heavy fire. During this time we incurred friendly casualties. Three ANA casualties were the first we received. ETT in the lead of the column radioed that they were held up in a house with fires coming from adjacent structures. I was wounded in the arm and 1stS(b)(3), (b)(6) as concussed by an RP. Around this time SSgt Kenefick, in the lead column called and tried to ge(b)(2)High to cover his withdrawal but it wasn't available. SFC Westbrook was shot in the face and neck around this time. QRF was requested from ANA and Coalition. AAF, after the first ANA KIA, got on the radio and called on us to surrender. AAF closed to within 50 meters. (b)(3), (b)(6) threw a grenade. Air came on station and we got air panels out. Air engaged targets and resulted in a decrease in AAF rate of fire. We decided to move to a suitable LZ for Medevac with SFC Westbrook and 1 ANA. It landed at suitable location with CCA coverage and evaced SFC Westbrook and ANA soldier. At this time ANA terp was killed and(b)(3), (b)(6) SSg(b)(3), (b)(6) showed up from the ORP in a HMMWV and (b)(3), (b)(6) and (b)(3), (b)(6) took an ABP Ranger and attempted to go back to assist at the head of the column. I stayed with 1stS(b)(3), (b)(6) the Medevac site. They found too many casualties to get to the head of the column and offered aid as required. Enemy fire shifted to aircraft locations. AAF fires didn't stop, particularly from the village. Aircraft informed they wouldn't/couldn't fire on the village. (b)(3), (b)(6) went back to the ORP and got a (b)(2)High and went back into the valle(b)(3), (b)(6) (b)(3), (b)(6) ayed with 1stS(b)(3), (b)(6) and me. We discussed 1stSgt's condition and decided he needed a MEDEVAC. (b)(3), (b)(6) returned from the ORP with (b)(3), (b)(6) entered the Vic and went forward. 1stS(b)(3), (b)(6) and I got in an ANA (b)(2)High and returned to the ORP. At this time, approximately 1200, I gave command of the ETT to (b)(3), (b)(6) At the ORP I repeatedly asked why the coalition wasn't pushing forward but didn't get an answer. ANA QRF pushed into the valley and provided assistance. 1stS(b)(3), (b)(6) had to be forced to leave the ORP to go back in coalition MRAP to FOB Joyce for Medical attention. I escorted him back and received medical attention on my arm. Before I could return to the ORP, SGM(b)(3), (b)(6) and (b)(3), (b)(6) entered the medical tent and informed me that our KIAs had been recovered. I stayed with the KIAs and escorted them, with 1stSGt (b)(3), (b)(6) BAF. There we both received additional medical care and I attended the Ramp Ceremony.

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009/09/13

9. STATEMENT (Continued)

During the fight, our forward-most ETT Marines were KIA. 1stLt Michael Johnson, GySgt Edwin Johnson, SSgt Aaron Kenefick, and HM3 Jason Layton were attempting to (b)(2)High They were killed while engaging the enemy, attempting to call for fire. HM3 Layton was providing aid to Lt Johnson. These Marines were embedded mentors to the ANA and under my command. They were (b)(2)High (b)(2)High (b)(2)High They were unaccounted for after we lost comms with them when they were KIA. Unsure as to their status we used the term missing. ANA were killed and medevaced, resulting in some confusion as to where they may be. I am unaware of any Nationals killed or injured. I didn't witness women or children fighting or aiding the enemy.

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

(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 5. 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, [illegible] ENT

(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 13 day of September 2009 at FOB Joyce

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

(Oath)

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

(Typed)

Investigating Officer

(Authority To Administer Oaths)

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

DA FORM 2823, NOV 2006

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