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 Afghanistan	2009/11/17	1330	

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

8. ORGANIZATION OR ADDRESS

HHC 1-32 IN

9.

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

On the morning of 8 Sep 09 I was working in the BN TOC located at FOB Joyce, Afghanistan when the Marine ETT's in Ganjgal came under fire as the FECC Night Shift NCOIC with SFC (b)(3), (b)(6). At or around 0530 is when the incident started. The only knowledge we had prior to the mission kicking off was a (b)(2)High print off the area with approximate locations of the elements that would be involved with the operation. This information was provided by CPT (b)(3), (b)(6). When the contact started (b)(2)High CPT (b)(3), (b)(6) called (b)(2)High I relayed the info to (b)(2)High and after working the mission they could not range the target. I then sent the mission to (b)(2)High and they layed on target. Prior to firing this mission, someone I do not recall who, cancelled the mission and called an Immediate Suppression on a (b)(2)High One was fired using (b)(2)High and one was fired using the 155mm out of FOB Wright. After these missions were fired I tried numerous times to get a correction and could not get one for approximately (b)(2)High minutes. While or shortly after i heard a (b)(2)High check on the (b)(2)High and they were ENROUTE to FOB Wright for fuel. I called them on the same frequency and requested there assistance in the Ganjgal Valley. They responded that they were indirect support to TF Lethal and would require approval from there TOC before they could assist. I immediately called the (b)(2)High and spoke with someone (I do not recall who) explained the situation and requested the use of the SWT mentioned earlier. They said they had no issues with the re-tasking. I immediately tried to regain communication with the (b)(2)High and could not so i sent them a (b)(2)High stating their TOC approved the retaking and requested that they check in with the ground element as soon as they were in communication range to receive the situation update while in transit to the location. I only had communication with (b)(2)High (SSG (b)(3), (b)(6)) and this is why I requested they check in with the ground element and not me for the situation update. After sending the (b)(2)High to the SWT I told (b)(2)High that the birds were 5-10 minutes out to check on. Later in the morning (prior to 0800) i received a phone call from the (b)(2)High asking why i was sending (b)(2)High and re-tasking there birds without their knowledge. I responded mentioning the conversation from earlier and they said that they had a QRF SWT spinning up form FOB Fenty. I told (b)(2)High about the confusion and told them it would be approximately one hour till the SWT would be on station (b)(2)High minute flight time from FOB Fenty to FOB Joyce). After the SWT confusion (b)(2)High mission on enemy paxs. I informed (b)(2)High that this monition was a suitable monition based on the target description and changed the (b)(2)High This mission was fired with the (b)(2)High After the round landed it was relayed to me that it was ineffective and a new grid was passed. This grid was either directly on (b)(2)High position or within 50 meters (I do not recall which). I told them i could not approve this mission and told the BTL CPT (CPT (b)(3), (b)(6)) that i needed a Field Grade to approve this mission. I do not recall when or if he arrived in the TOC. The other events of the morning are hazy in my memory the other pieces i remember are when (b)(2)High called me and said that "these guys are getting fucked up down here". Other memories include delaying missions (I do not witch fire mission) because of lost communications with (b)(2)High and one of the ground elements. I was not totally aware of the severity of the situation until i returned for my shift that night. This is when I learned of the Marine ETT KIA's. I was not involved with the planning of this mission and was not given a clear task and purpose for the mission prior to the operation taking place.

10. EXHIBIT	11. INITIALS (b)(3), (b)(6)	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.

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

STATEMENT OF SSG (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009/11/17

9. STATEMENT *(Continued)*

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

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

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STATEMENT OF SSG (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009/11/17

9. STATEMENT *(Continued)*

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

AFFIDAVIT

I SSG (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 INF

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

(Signature of Person Making Statement)

WITNESSES:

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

17 Nov 2009

HHC 1 Sqd FOB Joyce

ORGANIZATION OR ADDRESS

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

(b)(3), (b)(6) 17 Nov 2009

HHC 1 Sqd FOB Joyce

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 17 day of November 2009 at FOB

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

(Typed Name and Grade)

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

CPT

(Typed Name

(Authority To Administer Oaths)

INITIALS OF PERSON M

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

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