SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

:INCIPAL 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 Fenty, Afghanistan	2009/11/14	2110	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	O4/MAJ

8. ORGANIZATION OR ADDRESS

TASK FORCE MOUNTAIN WARRIOR, 4th BRIGADE COMBAT TEAM, 4TH INFANTRY DIVISION

9.

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

PLS COMPLETE A TYPED, SIGNED AND WITNESSED DA FORM 2823 (SWORN STATEMENT) INCLUDING YOUR FULL NAME, SSN, UNIT AND ASSIGNED DUTY POSITION ON 8 SEPT 2009.

MAJ (b)(3), (b)(6) TF Mountain Warrior

PLS ADDRESS THE FOLLOWING QUESTIONS:

'WRT TO THE SITUATION ON THE GROUND DURING THE ACTION, WHAT DID THE BCT BATTLESTAFF KNOW AND HEN DID THEY KNOW IT? AT WHAT POINT DID IT BECOME CLEAR THAT THIS WAS A SIGNIFICANT EVENT .EQUIRING BCT COMMANDER ATTENTION?

L-It was reported that
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(b)(2)High L-It was reported that (b)(2)High
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L (b)(2)High

These were the major points that happened with respect to the contact.

I informe((b)(2)High after we learned of them prior to 0800L. Once we received the report of the (b)(2)High and (b)(2)High I again informed the BCT CDR and at this point I knew that this was a very significant contact.

WHAT ASSETS, RESOURCES OR ACTIONS WERE REQUESTED FROM 4/4BCT ICW THIS EVENT AND WHEN? WHAT WAS PROVIDED AND WHEN?

Sometime between 0700 and 0710 we received a request fo(b)(2)Highupport for this operation. The (b)(2)High at (b)(2)High I am not sure when the request for CAS was processed as this is done through the JTAC channels and not through the BCT. Once we determined they had casualties we pushed the Medevac aircraft to ABAD to stage it for the coming MEDEVAC missions.

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

'DITIONAL 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.

9. STATEMENT *(Continued)*

WHAT DECISIONS DID YOU MAKE AS THE BCT CHOPS ICW THIS EVENT?

The biggest decision that had to be made in conjunction with this mission was to pull assets from TF Lethal who had conducted an (b)(2)High into the Shuriak valley the night prior. That operation was a TF level Air Assault deep into a valley where they historically took contact. All of the BCTs assets had been postured to support that operation. All of the TFs knew prior that this was the focus of the BCT. When I was informed that operation (b)(2)High was going to happen without TF Chosin being a part I was concerned. I was not even informed that it was going to happen until approx 1400L on 7 SEP. I informed MAJ (b)(3), (b)(6) who was the acting S3 at TF Chosin that I did not have any assets to dedicate to this operation due to (b)(2)High the (b)(2)High into the Shuriak.

DID EXISTING FORMAL OR INFORMAL TASK ORGANIZATION AND/OR COMMAND RELATIONSHIPS PLAY A ROLE IN THE OUTCOME OF THIS OPERATION?

I can't say that the task organization was at fault what I believe was that the ANA/ETT was not tied into the operations the BCT was conducting and chose to conduct the operation even when we did not have assets to dedicate to the operation.

DID THE COMISAF " (b)(2)High CONSTRAIN, LIMIT OR PREVENT THE USE OF ANY SUPPORTING FIRES OR AVIATION DURING THIS EVENT SO FAR AS YOU KNOW?

As far as I am aware the ' (b)(2)High ' did not limit or prevent the use of any supporting assets in this engagement.

) YOU HAVE ANYTHING ELSE TO ADD?

I believe that this was truly a case where the ANA were lured into an ambush. It was truly a situation where once the reports of the missing ANA and Marine ETT were received I had no choice but to pull assets from TF Lethal even though I knew that I was hanging them out to dry. The ANA chose to conduct this operation without the support of TF Chosin and TF MW.

This whole event although still a big part of my memory has been overwritten by several other large events we have had since this day.

**********NOTHING FOLLOWS**********

STATEMENT OF (b)(3), (b)(6) TAKEN AT FOB Fenty DATED 2009/11/14

9. STATEMENT *(Continued)*

THIS PAGE NOT USED

AFFIDAVIT

I, MAJ (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 INFLUENC

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

Statement)

WITNESSES:

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

SSG, US Army

HHC, 704BSB, FOB Fenty, Afghanistan

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14th day of November, 2009

at FOB Fenty, Afghanistan

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

th)

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

(Typed Name of Person Administering Oath)

Article 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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