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	2009/09/19	0004	

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

8. ORGANIZATION OR ADDRESS

9.

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

I was called into the TOC at 0500L and was asked if we had any aircraft available. 0502L, I (b)(2)High (BDE JTAC) and asked them if there was any CAS available. I was told that (b)(2)High CAS was the only thing available (b)(2)High minute response times). I was told by the Battle Captain not to declare (b)(2)High C and that they wanted to engage with (b)(2)High

A(b)(2)High he element was still taking sporadic small arms fire and I was asked again by the Battle Captain as well as the FECC element if I could work (b)(2)High However, I was instructed, by (b)(2)High that there was too much going on in Op (b)(2)High Brigade instructed that all CAS in our AO was dedicated to three TICs other (b)(2)High BNs, which I reported to my Battle Captain. The Battle Captain was advised that the only CAS available was (b)(2)High CAS. Since, Air TICS are only opened at the request of the ground commander, the Battle Captain did not want to open an air TIC at that time. Then (b)(2)High TOC started receiving report(b)(2)High hat a element from Combat Company was being sent out to provide support for the ETT. (b)(2)High Fires continued to engage the reported enemy with (b)(2)High

A (b)(2)High TOC received the first reports of 4xETT members missing. At which time, I declared (b)(2)High C at 0931L and we were sent (b)(2)High (b)(2)High checked in a(b)(2)High nd they began to work comms with the elements on the ground to find accountability for the ETT element and confirm if we have missing personnel(b)(2)High was the first to establish comms with the ETT element leader on the ground. Once (b)(2)High TOC had confirmed reporting of missing members I instructed (b)(2)High to start talking with the ground leader to get us confirmation on the status of his personnel. A(b)(2)High e got confirmation throug(b)(2)High (b)(2)High (b)(2)High (b)(2)High embers of (b)(2)High team made it to their (b)(2)High and were able to drive out of Gangegal. A(b)(2)High e received confirmation that the four missing members were found KIA by the ETT element, after they rolled back in under the cover o(b)(2)High a(b)(2)High ircraft.

Overall, when the event started the initial reports stated the ground element was receiving sporadic small arms, and did not represent an urgent need f(b)(2)High Additionally, there was another BN outside the wire taking heavy contact involved in another T(b)(2)High les away. Once reports of possible missing US personnel, an Air TIC was immediately declared and we received aircraft overhead.

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

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

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

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

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STA[illegible] OF _____ [illegible] AT _____ DATED _____

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

Exhibit BR

STATEMENT OF TSgt (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 19 Sep 09

9. STATEMENT (Continued)

(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 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.

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

(Signature of Person Making Statement)

WITNESSES:

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

HHC, 1 (b)(3), (b)(6)

FOB Joyce, Afghanistan APO AE 09354

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

HHC, 1-32 IN (b)(3), (b)(6)

FOB Joyce, Afghanistan

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of September, 2009 at FOB Joyce

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

(For Person Administering Oath)

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

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

(Typed Name of Person Administering Oath)

Investigating Officer

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

DA FORM 2823, NOV 2006

APD PE v1.00