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 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB Fenty, Jalalabad, Afghanistan	2009/09/10	1430L	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	W-2/AD

8. ORGANIZATION OR ADDRESS
C Co. 1-168th GSAB, TF Palehorse

9.

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

At approximately (b)(2)High on 08 September 2009, my crew and I of (b)(2)High, while staged at FOB Wright, were notified by 'ABad TOC' of a '9-line' that (b)(2)High would be dropping in the near future. I asked 'ABad TOC' if they had any information on patients or location to which they replied they had nothing yet. I further advised them that we were without an escort aircraft and would be unable to respond without one. 'ABad TOC' stated they would advise ' (b)(2)High

At approximately (b)(2)High we were notified by 'ABad TOC' of the '9-Line' and that a scout weapons team was on station. My crew and I were ready to depart FOB Wright at approximately (b)(2)High We were advised by (b)(2)High to hold until the TIC had cleared before launching. Approximately (b)(2)High minutes later, (b)(2)High advised us over (b)(2)High that we did have launch approval and to advise when we were 'wheels up' with the scout weapons team. I made the decision to launch and proceed to the '9-line' location, as it was just a few kilometers south of FOB Wright. We departed FOB Wright at approximately (b)(2)High Upon arrival on station, I contacted (b)(2)High and advised them we were on station holding in the vicinity of FOB Joyce. He replied that the ground element was in heavy contact from three directions with the exception of the west. Contact with the ground element revealed they now had five patients of which all were believed to be in serious to critical condition to include one KIA. I advised (b)(2)High (b)(2)High if he felt comfortable covering my aircraft, that I would be willing to approach the location of the five reported patients. I further explained that it was my intent to land on top of the injured soldiers to facilitate a timely extraction and minimize the amount of time spent on the PZ. I explained to him if he was comfortable with this, to have the ground personnel mark their PZ and to stay down while the aircraft was landing next to them and not to move until one of my crewmembers told them to do so. He relayed my instructions to the ground force commander, (b)(2)High who acknowledged. (b)(2)High then cleared me inbound and I descended to approximately (b)(2)High and began flying up the wash to the east. Upon arrival over the scene, there were several individuals, ANA, AN (b)(2)High, scattered along the terraces. The ground element had not marked the PZ yet so, we were unable to determine the PZ location as most of the individuals were seeking cover behind the terrace walls. I elected not to loiter over the area due to the heavy contact the ground element had been receiving and began to egress back down the wash. I advised (b)(2)High who stated he saw a soldier placing a (b)(2)High as we began flying down the wash. I advised him I was turning back inbound for a second attempt to which he notified the ground element we were inbound again. Upon flying back up the wash, my crew chief (S (b)(3), (b)(5), (b)(6) and I noticed the soldier crouching with the (b)(2)High on the edge of a terrace, which was just across the wash from Ganjgal village. As we landed (at approx (b)(2)High in the narrowest of the terraces, I placed the aircraft as close as possible to the terrace wall to ensure the aircraft was masked from the enemy locations. My flight medic (SGT (b)(3), (b)(6) exited the aircraft and assisted a soldier in carrying a wounded soldier, who was covered in blood, into the aircraft. The soldier assisting him stated there were more casualties; however, they were still up the wash and they were unable to reach them due to the very heavy and effective fire. SG (b)(3), (b)(6) and S (b)(3), (b)(6) loaded into the aircraft and as we departed, I heard SG (b)(3), (b)(6) begin firing with his M-4 out the left gunners window. As I turned westbound, S (b)(3), (b)(6) began firing with his M-4 yelling over the intercom system, 'Go! Go! Go!' Once SG (b)(3), (b)(6) was back up on comms, he explained that he saw at least seven muzzle flashes to our 7-o'clock, across the wash, at the base of the hill, along the terraces. I advised (b)(2)High of this and he said he was attempting to suppress that area. I explained to (b)(2)High that we were only able to get one patient as the other four were still pinned down further up the wash. I further advised him that the patient we had on board was shot in the neck and was bleeding to death and we were en-route to ABad. (b)(2)High advised that he would very shortly need to re-arm and refuel but would most likely be able to remain on station if we returned to pick up the others. While en-route to ABad, I contacted (b)(2)High over (b)(2)High and advised them we were taking fire on the LZ and requested (b)(2)High and CAS support immediately.

Upon arriving at FOB Wright (ABad) at approximately (b)(2)High it became apparent that it was going to take longer than expected to offload the patient and return for the others, as (b)(2)High was unable to reach their FST to receive our patient. We later found out this was due to the FST already being overloaded with patients. SG (b)(2)High met up to the day shift PZ controller and told him of our situation and the grave condition of the patient to which he responded to the aircraft with a 'Gator' to drive the injured soldier to the FST. SG (b)(3), (b)(6) and CPT (b)(3), (b)(6) placed the wounded soldier on a litter, loaded him on the 'Gator' and transported him with the PZ controller to the FST. During this process, I advised (b)(2)High of what was going on and of our delayed return. (b)(2)High advised he would be returning to ABad to re-arm and refuel. While at ABad (b)(2)High stated he didn't feel we needed (b)(2)High CAS support as he felt that he could handle the engagement. I reluctantly accepted his explanation and th (b)(2)High and CAS support were subsequently denied by (b)(2)High

10. EXHIBIT	11. INI (b)(3), (b)(6) SON MAKING STATEMENT	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 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 1430L DATED 2009/09/10

9. STATEMENT *(Continued)*

Approximately twenty minutes la(b)(2)High we departed back to the Ganjgal valley to extract the other patients. Upon arrival, it became very apparent the situation had deteriorated during our absence as the ground forces were again receiving heavy fire. I held my aircraft just outside the Ganjgal valley whil(b)(2)High attempted to suppress the enemy locations. Whil(b)(2)High as attempting to adjust his fire from (b)(2)High he had dropped, the ground contact, "Highlander 5" seemed to get more and more frustrated as he began yelling into the radio of the 3 locations they were taking heavy fire from. One of these locations was the Ganjgal village itself to which (b)(2)High requested(b)(2)High "suppress the village! Shoot the village! (b)(2)High esponded that he was unable to fire on the village. (b)(2)High yelled into the radio that he had just lost contact wi(b)(2)High (b)(2)High ho were pinned down further up the wash. It was around this time that S(b)(3), (b)(6) (b)(2)High (b)(2)High y copilot) stated an RPG had just been fired from the southern ridgeline towards the wash. (b)(2)High stated he was taking a "Humvee" up the wash in an attempt to extract as many wounded as possible. As we watched him drive up the road, alongside the wash at a very high rate of speed, he announced that he was beginning to take "pot-shots" which quickly escalated into heavy contact from multiple locations. On several occasions, he announced over the radio that we did not have the combat power on station to sustain this rescue operation or for them to ex-fill (b)(2)High ept pointing out soldiers laying in the wash, some not moving, some moving, some attempting to seek cover behind rocks in the wash to which (b)(2)High stated again that he had rescued who he could but was taking too much fire to get to the others(b)(2)High almost as though he did not hear. (b)(2)High stated to him over the radio again that he was driving by another soldier down in the wash. (b)(2)High yelled back into the radio, "I can't get to him!! I'm taking too much fire!!" Almost immediately after that transmission, he announced that his vehicle had been disabled and he was unable to ex-fill back to the PZ. During this time, I had my crew chief send th(b)(2)High ssages to (b)(2)High and tell them I wanted Apaches out here right now. Following these messages, (b)(2)High contacted me on(b)(2)High sking why I wan(b)(2)High port. I explained to them that the scout weapons team was doing the best they can; however, it was not good enough as there were soldiers bleeding to death in the wash and the ANA and U.S. soldiers attempting to rescue them were taking very heavy and very effective fire from three directions. (b)(2)High asked(b)(2)High he thought we needed Apache support on station to which he replied, "Who is requesting Apache support?" (b)(2)High advised him that I was requesting the support and he asked me why. I explained to him that I know he is doing the very best he can but right now, it was not good enough and there are soldiers on the ground bleeding to death that we are unable to reach because of all the fire. Further, the rescuers were now becoming victims themselves. He stated to me that if I wanted the Apaches to show up then he would just leave. The end result was my request for Apache support being denied again.

Immediately following this, another scout weapons tea(b)(2)High as moving up the Konar valley and contacted me on the air-to-air frequency, requesting the frequencies for the MEDEVAC/TIC we were involved in. After givin(b)(2)High e frequencies, he contacte(b)(2)High egarding the engagement. I missed some of the exchange betwee(b)(2)High (b)(2)High ue to radio traffic on the ground frequency; however, their conversation was ended whe(b)(2)High esponded with, "Whoa, hey man, I'm just trying to help. I'm not trying to steal any of your thunder." (b)(2)High hen proceeded up the Konar valley.
Following this, CPT(b)(2)High noticed two aircraft flying down the Konar, which he thought might be Apaches. I attempted to contact the attack weapons team on their internal frequency and after no response, attempted over air-to-air. The response I received was from the two Air Force (b)(2)High returning from FOB Bostick. I explained our situation to th(b)(2)High aircraft and asked if they would be able to asstst. They quickly replied that they would and would be returning to ABad to drop off th(b)(2)High patients they had on board. I explained to them that the ABad FST was currently overloaded and would not be able to accept any patient(b)(2)High stated he would leave them with his other aircraft and they would respond with us. I advise(b)(2)High at the(b)(2)High would be joining the fight to assist us in extracting the remaining patients. At this point, the ANA/ANP had reached (b)(2)High in their pick-ups and had moved them to cover just up the valley from the first PZ (b)(2)High dvised me there were three patients at that location that needed immediate extraction. I advise(b)(2)High at I would be inbound to pickup the patients and to cover me. I again approached at approximately (b)(2)High , landing on a terrace next to the ANA/ANP vehicles on the roa(b)(2)High Upon landing, it became apparent there were at least five patients on the PZ that were in critical condition. S(b)(3), (b)(6) d CP(b)(3), (b)(6) ssisted the soldiers in quickly loading the first three patients who were in heavily blood-soaked uniforms. As we departed the P(b)(2)High e ANA attempted to wave me off as they had two more patients in the bed of a white pick-up. As I began to fly down the wa(b)(2)High ecked in that he was off of ABad heading to our location. Before I could acknowledge his transmissio(b)(2)High ated to him that there were no more patient(b)(2)High sponded stating that (b)(2)High had requested his assistance. I interjected over the radio and advise(b)(2)High at there were still at least two patients on the PZ and more up the wash. Upon nearing the end of the wash, I(b)(3), (b)(6) entified the (b)(3), (b)(6) raft and I contacted him and advised him to turn left and he would see me in a right break. I further advised him I would guide him back into the PZ and initiate a right break over the top of it. S(b)(3), (b)(6) ed if I wanted him to throw a (b)(2)High as we passed over and I told him to do so. I advised t(b)(2)High aircraft we would be marking w(b)(2)High d then returning to JAF with our patients. Upon arrival at the P(b)(2)High lled over the radio asking where the patients were(b)(2)High eplied with, "I told you there were no more patients." I quickly interjected and stated (b)(2)High ere is a white pick-up on the southeast side of the PZ, which has at least two patients in the bed. He replied with, "Roger, we have two patients. Where are the rest?" I advised him they were further up the wash; however, the ground element was taking heavy contact from all three directions with the exception of the west. Upon leaving the Ganjgal valley(b)(2)High ain checked on and advised me that they were to my escort back to JAF. I advised them that I was passing FOB Joyce accelerating through 150 knots and needed to make the best possible time due to the condition of the three patients. I requested they keep me in-sight until I reache(b)(2)High JAF ring, at which time I would release them. Following this conversatio(b)(2)High ontacted (b)(2)High and advised them the Apaches were needed on station. We passed the attack weapons team(b)(2)High at which time I gave them a brief update of the ongoing TIC at Ganjgal. We landed at JAF and offloaded our patients (b)(2)High pon post-flight inspection, there was no visible damage to the aircraft.

----------Nothing Follows----------

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

INITIALS OF PERSON MAKING STATEME (b)(3), (b)(6) PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1430L DATED 2009/09/10

9. STATEMENT (Continued) NOTHING FOLLOWS

(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 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 WITHOU THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENC

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

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

(Signature of Person Making Statement)

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

WITNESSES: (b)(3), (b)(6)

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

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

B CO 3-101

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

d sworn to before me, a person authorized by law to administer oaths, this 11 day of September, 2009 at Fob Fenty

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

(Oath)

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

(Oath)

Commander

(Authority To Administer Oaths)

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