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	2009/09/16	1200	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	O-4

8. ORGANIZATION OR ADDRESS

HHC/4-4 ID TF Mountain Warrior FOB Fenty APO AE 09310

9.

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

1) What is your duty position? Battalion Operations Officer at Kunar.

2) What was the mission and initial plan? Include composition of ANSF and U.S. forces, assets available, concept of the operation, commo plan, and constraints? Who had operational control of the U.S. Marines? What did you understand to be their mission? what was the Fire Support plan for the operation. How did the fire support play carry out during the engagement? Operation (b)(2)High was a Key Leader Engagement by the ANA with the elders of Gangagal. The ANA lead and planned this operation with 60 ANA, 30 ABP and their ETT. 1-32 IN would provide a scout squad in overwatch of the village the night before, then the ANA and ABP would move to the village, arriving near first light. They would meet with the elders and then search the village. ANA/ABP ETT would have radio communication with the Scout Platoon who could relay about to 1-3(b)(2)High case of radio problems. The ETT was part of ANA and were under their own operational control. The Fire Support plan was limited to Artillery and Mortar support initially. There was no CCA on station due to other ongoing operations. The ANA and ABP leadership knew that they would have no CCA.

3) What was the threat assessment for this mission? Medium to Low, the elders of Gangagal made speeches inviting the CF and ANSF into the village.

4) What are the facts and circumstances surrounding the attack on the ETT and ANA Soldiers? (5Ws) Describe the nature of the attack and response from the ETT and ANA forces. Was terrain a factor in the attack? What was the size of the enemy element? The ETT and ANA were ambushed from multiple locations when their lead elements entered the town. AAF fired at them from inside the town, and on three of the surrounding hillsides. The ANA and ETT reacted by attempting to suppress and move into the town. Terrain was a major factor with the AAF holding the higher ground, and being firmly entrenched in the town. The enemy was estimated about 60 fighters.

5) Initial reports indicate that a number of U.S. Servicemembers may have been missing and unaccounted for during the engagement. Provide any factors that may have attributed to that status. How long were the U.S. Servicemembers unaccounted for? Be as specific as possible. The AAF were able to suppress the ANA and ETT, preventing them from consolidating their forces. Individual groups were separated by whatever available cover was near them. With units separated, there was no ability to positively located where each group was, thus preventing the use of indirect fire weapons. The ANA and ETT managed to finally start consolidating groups and used CCA to cover their movement. The 4xETT were unaccounted for (b)(2)High

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT FOB Joyce DATED 2009/09/16

9. STATEMENT *(Continued)*

6) Were any non-combatant Afghan Nationals killed or injured as a result of the engagement? If so, where were they located during the engagement, how were they injured or killed, and by whom? No

7) Are you aware of any reports of women and children providing support to the AAF or firing on U.S. or ANSF forces during the engagement? ETT reported seeing women running between buildings with ammunition. They also reported very young fighters shooting at them.

8) What recommendations concerning improvement, if any, to coalition force tactics, techniques, and procedures will help avoid this type of incident in the future? None

----------NOTHING FOLLOW(b)(3), (b)(6)----------

Nothing follows MPC

AFFIDAVIT

I, (b)(3), (b)(6) _____, HAVE READ OR HAVE HAD READ T TATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF TH ATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BO (b)(3), (b)(6) H PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR ITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLU

(b)(3), (b)(6) _____
king Statement)

W

(b)(3), (b)(6) _____ administer oaths, this 16 day of September 2009 (b)(3), (b)(6) person authorized by law to

HHC 1-32 (b)(3), (b)(6) _____ at Fo _____

FOB Joyce, Afghanistan APO AE 09354 _____ (b)(3), (b)(6) _____
ESS (S ath)

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

C.CO 1-32 IN _____ MAJ (b)(3), (b)(6) _____
(Typed

FOB JOYCE, AFGHANISTAN APO AE 09354 _____ Investigating Officer
ORGANIZATION OR ADDRESS (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

DA FORM 2823, NOV 2006

APD PE v1.00