HEADQUARTERS
UNITED STATES FORCES-AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

REPLY TO
ATTENTION OF:

ISAF/ USFOR-A CDR (11-021) 3 September 2011

MEMORANDUM FOR RECORD

SUBJECT: Action Memo – Army Regulation (AR) 15-6 Investigation; Civilian Casualty (CIVCAS) Incident Resulting in the Death of Ahmad Omid Khpalwak

1. I have reviewed the AR 15-6 investigation into the facts and circumstances surrounding the death of Ahmad Omid Khpalwak. Mr. Khpalwak died on 28 July 2011 during the course of a complex attack launched by insurgents in Tarin Khot, Uruzgan Province. Insurgents armed with small arms, suicide vests and vehicle-borne improvised explosive devices attacked the Provincial Governor's Compound and the Radio Television Afghanistan compound, where Mr. Khpalwak was killed.

2. The Investigating Officer's (IO) findings are approved. I take the following action concerning the recommendations:

a. In the event that a condolence payment has not been made to Mr. Khpalwak's family, I authorize a payment up to the amount of (b)(6)

b. I hereby direct the investigation be forwarded to the Commander, NATO Training Mission-Afghanistan and Commander, Combined Security Transition Command-Afghanistan for consideration and implementation, as appropriate, of the IO's recommendations at paragraphs 5b and 5e-g of the IO's memorandum that address mentoring of Afghan National Police (ANP) and Afghan National Security Force (ANSF) partners. I direct that a copy of the investigation be forwarded to the Commander, ISAF Joint Command, for the same purpose. I further direct that the investigation be forwarded to the Commander, Regional Command-South, to share to the extent possible and as applicable with local ANP and ANSF partners.

c. I approve the recommendations at paragraph 5c and 5d of the IO's memorandum that address the need to establish whether civilians are present at the scene of any potential engagement and the need to continue to emphasize guidance to exercise tactical patience in operations. To be clear, the tragic shooting of Ahmad Omid Khpalwak was not a violation of the Law of Armed Conflict or Rules of Engagement in light of the circumstances as detailed by all available evidence and the IO's findings. Consistent with the IO's recommendations, I direct that Rules for the Use of Force, Rules of Engagement and Escalation of Force training remain a priority for all coalition units throughout their deployments in the CJOA-A.

d. I disapprove the recommendation at paragraph 5h of the IO's memorandum that addresses training for the local populace.

3. I direct that the lessons learned from this investigation be incorporated into the USFOR-A AR 15-6 Investigation Lessons Learned Review Board quarterly distribution of lessons learned.

4. I give the USFOR-A SJA and USFOR-A DSJA the authority to further release this investigation as he or she determines appropriate.

5. I would like to express my deepest sorrow over the death of Mr. Khpalwak. His death is a great loss to his country and all humanity. Though no words can assuage the grief that accompanies such a loss, I hope that his family and friends are able to find some measure of comfort in this trying time.

JOHN R. ALLEN
General, United States Marine Corps
Commander
International Security Assistance Force/
United States Forces-Afghanistan

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

30 August 2011

MEMORANDUM FOR Commander, United States Forces – Afghanistan, Kabul, Afghanistan, APO AE 09356

SUBJECT: Findings and Recommendations of AR 15-6 Investigation for the Civilian Death of Ahmad Omid Khpalwak on 28 July 2011 in the City of Tarin Kowt, Uruzgan, Afghanistan.

1. (U) On 3 August 2011, I was appointed by General John Allen, Commander, United States Forces Afghanistan (USFOR-A) to conduct an investigation, pursuant to Army Regulation 15-6, concerning a civilian casualty (CIVCAS) incident. My observations, conclusions, and recommendations are provided in the following format: background, facts, findings, and recommendations.

2. Background

~~(S//REL)~~ On 28 July, 2011 insurgents initiated a complex attack in the city of Tarin Kowt, Uruzgan, Afghanistan. The attack was unlike any other recorded in the area, in that no previous suicide IED incident in Uruzgan has matched the level of complexity and planning that was evident in this attack. (Exhibit 2, SUPINTREP 044-11 dated 16 August 2011, pg 1). Insurgents attacked the Governor's Compound, the Police Headquarters (PHQs) and the Kandak Amniante Uruzgan (KAU) HQs/ Radio Television Afghanistan (RTA) Compound. (See Exhibit 3, Overhead photograph of Complex Attack on Tarin Khot City). Two Suicide Vehicle-borne IEDs (SVBIEDs), two Motorcycle VBIEDs, and four Personnel-borne IEDs (PBIEDs) were utilized in the attack. (Exhibit 4, Complex Attack in Tarin Kot 28 July 2011). Another VBIED was later found by the Governor's compound. (Exhibit 5, CJTF Paladin report).

~~(S//REL)~~ (b)(1)1.4c

(b)(1)1.4c

(b)(1)1.4c. This investigation focuses on the attack at the KAU HQs/RTA Compound and the facts and circumstances surrounding the death of Ahmad Omid Khpolwak.

3. Facts

a. ~~(S//REL)~~ The RTA building supported the Government of the Islamic Republic of Afghanistan (GIRoA) radio broadcasts, (Exhibits 47, 50; Interviews of (b)(3), (b)(6) (b)(3), (b)(6) and is adjacent to the KAU compound (b)(3), (b)(6)

the Kandak Amniante Uruzgan (KAU). (Exhibit 3, 6; Overhead Photo of Complex Attack and First Impression Report). The KAU is an armed militia which provides security on key routes. (Exhibit 61 , Interview of (b)(3), (b)(6) and (b)(3), (b)(6)). Because the RTA compound and KAU compound are adjoining, initial reports identified the RTA building as being part of the KAU compound. (Exhibit 6, First Impression Report).

b. ~~(S//REL)~~ On 28 July at approximately 1216 Hours (Hrs), insurgents initiated an attack with the detonation of a Suicide Vehicle-borne IED (SVBIED) outside the wall of the RTA compound. (Exhibit 4, Complex Attack in Tarin Kot 28 July 2011). The RTA compound includes the RTA building, a radio tower, a generator and other small buildings. (Exhibit 7, (b)(1)1.4a, (b)(1)1.4c Photograph of RTA Building). The RTA building is a heavy brick structure, with double-brick inner walls and three-brick outer walls construction. (Exhibit 8, Photograph of walls/damage to RTA building; Exhibit 7, (b)(1)1.4a, (b)(1)1.4c Photograph of RTA Building).

c. ~~(S//REL)~~ The SVBIED breached the gate of the compound and destroyed a small building along the perimeter. This provided access to the compound for two insurgents with suicide vests, referred to in the remainder of this document as Person-Borne IEDs (PBIEDs). (Exhibit 4, Complex Attack in Tarin Kot 28 July 2011; Exhibit 9, (b)(1)1.4b, (b)(1)1.4c (b)(1)1.4b, (b)(1)1.4c. The two insurgents with suicide vests ran into the compound, throwing grenades and engaging personnel in the compound with small arms fire. (Exhibit 4, Complex Attack in Tarin Kot 28 July 2011). A uniformed Afghan (whether ANP or KAU is unconfirmed) was killed as a result of the SVBIED blast; his body was removed from the rubble during recovery operations at the scene. (Exhibit 54, Interview of (b)(6)).

d. ~~(S//REL)~~ The insurgents (INS) tried to enter the KAU compound from the RTA compound, but were unable to gain access. INS then entered the RTA building. From the RTA building, insurgents fired at KAU elements at the scene. (Exhibit 51, Interview of (b)(6)).

e. ~~(S//REL)~~ At the time of the explosions US forces were staged at the Multi National Base – Tarin Kowt (MNB-TK) main gate, preparing to transport visitors to a new Provincial Chief of Police Headquarters being built in the city of Tarin Kowt. The forces consisted of Personal Security Detachment (PSD) elements of 4-70 Armor and the (b)(3), (b)(6) (b)(3), (b)(6) with a total of 7 vehicles, acting as VIP transportation and escort. Following the explosions, the VIPs who were going to be transported to the event were offloaded from the vehicles. (Exhibit 59, Interview of (b)(3), (b)(6) (b)(3), (b)(6)).

f. ~~(S//REL)~~ At approx 1230 Hrs the Battalion Commander (Bn Cdr) went forward up (b)(1)1.4a (b)(1)1.4a, the main road through Tarin Kowt, with four vehicles to investigate the source of the explosions and assess the situation (Exhibit 24,59; Interview of (b)(3), (b)(6)

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Statement of (b)(3), (b)(6)). The (b)(3), (b)(6) initially waited at the gate for EOD. (Exhibit 59, Interview of (b)(3), (b)(6) and (b)(3), (b)(6)).

g. ~~(S//REL)~~ Upon arriving at the intersection of (b)(1)1.4a and the road leading to the RTA compound, the (b)(3), (b)(6) and his element were waved down by forces initially identified as ANP. (Exhibit 42, Statement of (b)(3), (b)(6). The (b)(3), (b)(6) saw remains of a vehicle IED and the destroyed wall at the RTA compound (Exhibit 8, 17; Photograph of walls/damage to RTA building and Interview of (b)(3), (b)(6)). The (b)(3), (b)(6) dismounted his vehicle to assess the situation and talk to individuals initially identified as ANP (Exhibit 24, 42; Witness Statement of (b)(3), (b)(6) and (b)(3), (b)(6)).

h. ~~(S//REL)~~ The forces at the scene were primarily KAU. While the members of the KAU do not necessarily differentiate between themselves and ANP, ISAF forces do not recognize them as the same. ISAF recognize the KAU as an armed militia, not ANSF. (see Exhibits 40, 44, 51, 61; Statement of (b)(3), (b)(6) and Interview of (b)(3), (b)(6)).

i. ~~(S//REL)~~ As soon as they dismounted, the PSD element began to receive small arms fire (SAF) from the vicinity of the RTA bldg. (Exhibits 17, 24; Statement of (b)(3), (b)(6)). The initial reaction of friendly forces was to return fire with small arms (Exhibits 17, 24; Statement of (b)(3), (b)(6)). After hearing that the (b)(3), (b)(6) is receiving SA fire, the (b)(3), (b)(6) moved forward with the remaining three (3) vehicles to join the (b)(3), (b)(6). (Exhibits 13, 17, 61; CTU Timeline, Statement of (b)(3), (b)(6) and Interview of (b)(3), (b)(6).

j. ~~(S//REL)~~ The Headquarters and Headquarters Company (HHC) Command Post informed the Scout Platoon Bravo Section that the (b)(3), (b)(6) is in contact at the KAU compound. The element is directed to mount up, depart their current location and link up with the (b)(3), (b)(6) (Exhibit 40, Statement of (b)(3), (b)(6)). The KAU representative at the site, (b)(6) informed the (b)(3), (b)(6) that there were two insurgents in the RTA building; he was not aware of any civilians in building. (Exhibit 51, Interview of (b)(6)). The (b)(3), (b)(6) requested an (b)(1)1.4a (b)(1)1.4a and reported there were two (2) suicide bombers in RTA building. (Exhibit 17, Statement of (b)(3), (b)(6)).

k. ~~(S//REL)~~ An (b)(1)1.4a (b)(1)1.4a (b)(6) Individuals initially identified as ANSF were observed in the vicinity of the KAU compound pointing to the KAU compound at the scene, but did not appear to be actively responding to the situation in an organized manner. (Exhibit 10, 44; (b)(1)1.4a and Statement of (b)(3), (b)(6)). It is not clear whether any of the initial forces that responded and linked up with ISAF forces were actual ANSF.

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l. ~~(S//REL)~~ Early in the engagement and prior to the arrival of (b)(3), (b)(6) element, an insurgent was observed to throw a grenade from the single west-side door of the building at which time the (b)(3), (b)(6) allowed return fire with crew-served weapons. Soldiers then began returning fire with crew-served weapons. (Exhibits 17, 24; Statements of (b)(3), (b)(6)).

m. ~~(S//REL)~~ At approx. 1255 Hrs the (b)(3), (b)(6) with the remaining three PSD vehicles, arrived in the vicinity of the RTA building. (Exhibit 13, 17; CTU Timeline and Statement of (b)(3), (b)(6)). When the (b)(3), (b)(6) arrived his element received fire and began to engage with crew-served weapons (Exhibit 22, Statement of (b)(3), (b)(6)). At approx 1255 Hrs, the (b)(1)1.4a arrived on-station. The (b)(3), (b)(6) vehicle drove along North side of RTA Bldg still taking SAF, when an INS threw another grenade from the west-side doorway. (Exhibits 17, 24; Statements of (b)(3), (b)(6)). The (b)(3), (b)(6) directed (b)(1)1.4a fire to the west side of the RTA building where the INS were firing from. At approx 1300 Hrs (b)(1)1.4a conducted the first of three engagements on the RTA building using 30mm gun. (Exhibits 17, 24; Statements of (b)(3), (b)(6)).

n. ~~(S//REL)~~ At approx 1310 Hrs, (b)(3), (b)(6) was wounded in neck and bicep with small arms fire. (Exhibits 35,36; Statements of (b)(3), (b)(6)). (b)(3), (b)(6) was MEDEVACed back to Role-2 at MNB-TK by Scout Section Bravo Section vehicles. (Exhibits 13, 30, 31; CTU Timeline, Statements of (b)(3), (b)(6)).

o. ~~(S//REL)~~ (b)(1)1.4g (b)(1)1.4g (Exhibits 17,22, 24, 31; Statements of (b)(3), (b)(6)). Over the course of the engagement, muzzle flashes were seen coming from locations throughout the building. (Exhibit 22, Statement of (b)(3), (b)(6)).

p. ~~(S//REL)~~ After Scout Platoon Bravo Section completed transport of (b)(3), (b)(6) to MNB-TK Role 2 medical facility , they linked up with Alpha Section at MNB-TK and moved to the KAU compound.. (Exhibits 30, 31, 40; Statements of (b)(3), (b)(6)). Sustained small arms fire was continuing to come from the building upon arrival of the Scouts (Exhibit 31, Statement of (b)(3), (b)(6)). While there were individuals at the scene wearing Afghan National Police (ANP) uniforms, the Scout Platoon did not recognize any of the individuals as ANP who the unit usually partners with. (Exhibits 40, 41; Statements of (b)(3), (b)(6)). The Provincial Reconstruction Team (PRT) Platoon Group commenced movement to the KAU Compound but did not play a key role in events during the assault on the building.

q. ~~(S//REL)~~ After an (b)(1)1.4a performed the third and final gun run on RTA building, the PSD dismounted and Scout leadership gathered with the (b)(3), (b)(6) to plan the next actions.

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(Exhibits 31, 40, 41; Statements of (b)(3), (b)(6)). The (b)(3), (b)(6) directed that the PSD element would enter the building and clear the RTA building; the Scouts would establish a support position. (Exhibits 3, 31; Overhead of Complex Attack and Statement of (b)(3), (b)(6)).

r. ~~(S//REL)~~ Three grenades were thrown by the PSD element towards the RTA building into the northern courtyard; two detonated and the third failed to detonate. (Exhibits 11, 18, 31; (b)(1)1.4a, (b)(1)1.4c (b)(1)1.4a, (b)(1)1.4c Statements of (b)(3), (b)(6)). At approx 1330 the first clearing element stacked on the east side of the gap in the compound wall created by the SVBIED. (Exhibits 10,11, 31; (b)(1)1.4a, (b)(1)1.4c and Statement of (b)(3), (b)(6)). The Scout element moved to a small, broken up wall on the west side of the RTA compound to provide overwatch. They were not receiving SAF or grenades, and did not see movement through the door. They called out what they could and could not see to PSD/ assault force that was preparing to enter and clear the building. (Exhibits 18, 40, 41; Statement of (b)(3), (b)(6)).

s. ~~(S//REL)~~ The PSD/ 1st clearing team moved from the SVBIED hole and stacked next to west side door of the RTA building. (Exhibits 10,11, 31; PTDS and (b)(1)1.4a, (b)(1)1.4c and Statement of (b)(3), (b)(6)). The Soldiers positioned along the west wall of the RTA building, starting closest to the door, were (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6). The Soldiers positioned (b)(1)1.4a along the broken wall approximately twenty meters west of the RTA building, in approximate order starting furthest from the South, were (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6). The Scout Platoon Sergeant, (b)(3), (b)(6) positioned himself by an (b)(1)1.4a on line with the Scouts (b)(1)1.4a; their medic, (b)(3), (b)(6), stayed to the north of the 1st clearing element and provided security from the vicinity of the compound wall. (Exhibits 40,41; Statements of (b)(3), (b)(6)).

t. ~~(S//REL)~~ The first clearing team entered the door on west side of building, led by SSG (b)(3), (b)(6) As (b)(3), (b)(6) turned to enter the first room of the building on the southwest side, the first PBIED detonated in the same room. (Exhibits 10,11, 12, 31; (b)(1)1.4a, (b)(1)1.4c Statement of (b)(3), (b)(6)). Approximately five seconds later the second PBIED detonated in the northwest room of RTA Bldg. The overpressure of the explosions collapsed the walls of the building and threw members of the clearing party several feet. Members of the first clearing team were trapped under heavy brick debris. (Exhibits 10,11, 12, 31; (b)(1)1.4a, (b)(1)1.4c, Statement of (b)(3), (b)(6)). Following the PBIED blasts, (b)(3), (b)(6) (b)(3), (b)(6) took charge as the on-scene commander, as the Bn Cdr had become incapacitated. (Exhibits 31, 61; Statement of (b)(3), (b)(6) and Interview w/ (b)(3), (b)(6)).

u. ~~(S//REL)~~ (b)(3), (b)(6) moved from the Scouts' (b)(1)1.4a position and rushed to the aid of the injured Soldiers. (Exhibit 31, Statement of (b)(3), (b)(6) told (b)(3), (b)(6) to get the (b)(3), (b)(6) to cover since the area was still not clear; (b)(3), (b)(6) moved to the courtyard with (b)(3), (b)(6)

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(Exhibits 23, 30, 31; Statements of (b)(3), (b)(6) and (b)(3), (b)(6) ran into the courtyard to aid the victims of the explosion; then (b)(3), (b)(6) and (b)(3), (b)(6) moved forward to assist in recovery efforts (Exhibits 18, 31, 34, 40, 41;Statements of (b)(3), (b)(6) (b)(3), (b)(6)).

v. ~~(S//REL)~~ (b)(3), (b)(6) remained in (b)(1)1.4a position at the broken wall as other members of the Scout Platoon moved to aid the first clearing team buried under debris. (Exhibits 31, 37; Statements of (b)(3), (b)(6)). PSD drivers and gunners rushed into RTA courtyard to help in the recovery efforts, including (b)(3), (b)(6) (b)(3), (b)(6) (Exhibits 19, 20, 21, 22, 26, Statements of (b)(3), (b)(6) moved into the front (west side) of the building. He positioned himself by a broken pillar at the northeast corner of the destroyed southwest room of the building, and directed a nearby group of Soldiers (b)(3), (b)(6) (b)(3), (b)(6) to clear the building. (b)(3), (b)(6) also joined the team. (Exhibits 19, 20, 31; Statements of (b)(3), (b)(6)).

w. ~~(S//REL)~~ The Soldiers (referred to here as the second clearing team) stack in the hallway in order of (b)(3), (b)(6) (Exhibits19, 20, 30; Statements of (b)(3), (b)(6)). Two of the Soldiers were from the PSD element (Exhibits 19, 20, 22; Statements of (b)(3), (b)(6)) and two of the Soldiers were from the Scout Platoon (Exhibits 23, 30; Statements of (b)(3), (b)(6)). Outside the building two Scouts, (b)(3), (b)(6) and (b)(3), (b)(6), remained (b)(1)1.4a from the same broken wall they were at when the two explosions occurred. (b)(3), (b)(6) instructed (b)(3), (b)(6) to continue to overwatch his assigned sector of fire. (Exhibit 37, Statement of (b)(3), (b)(6)).

x. ~~(S//REL)~~ The second clearing team bypassed the first room (later determined to be the bathroom) because it was blocked by debris, and stacked outside the second remaining room on the north side of the building. (Exhibits 19, 20; Statements of (b)(3), (b)(6). From his vantage point to the west of the building, (b)(3), (b)(6) saw movement of a military aged male, quickly moving his head, through the hole broken in the wall of the northern room. He assessed the situation to determine if the individual was friend or foe. (Exhibit 39, Statement of (b)(3), (b)(6)).

y. ~~(S//REL)~~ (b)(3), (b)(6) believed there might still be another suicide bomber in the building. As he approached the doorway to the second room on the north side of the building he fired a single round around the corner with the intent of inducing a response from a potential suicide bomber while still allowing maximum cover for the members of the stack. After he fired the round, his weapon did not eject the spent brass casing. He dropped to his knee, yelled malfunction, and the remainder of the element continued room clearing procedures. (Exhibit 22, 63; Statement of (b)(3), (b)(6) and Movement of Troops Timeline).

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z. ~~(S//REL)~~ (b)(3), (b)(6) heard firing from the building, assessed it to be coming from the northern room with the man he observed , and assessed that individual to be enemy. (b)(3), (b)(6) (b)(3), (b)(6) aimed and took one shot at the individual but it was high. (Exhibit 39, 63; Statement of (b)(3), (b)(6) and Movement of Troops Timeline). (b)(3), (b)(6) was in the courtyard clearing rubble when he heard gunfire, then heard a single round pass between (b)(3), (b)(6) and himself and he ducked. (Exhibits 40, 41; Statements of (b)(3), (b)(6) was also in the courtyard clearing rubble when he heard small arms fire he believed was coming between himself and (b)(3), (b)(6) (b)(3), (b)(6) (Exhibits 34, 40, 41; Statements of (b)(3), (b)(6)).

aa. ~~(S//REL)~~ In the (b)(1)1.4a, (b)(1)1.4c an individual in the courtyard is seen to crouch quickly as if reacting to small arms fire. The individual immediately turns towards the southwest, and then to the northeast. He then appears to be directed with hand and arm signals and runs north out of courtyard. The (b)(1)1.4a, (b)(1)1.4c zooms out and begins scanning to the north. Per discussion with the (b)(1)1.4a operators, they were responding to radio messages indicating contact from the north. (Exhibit 10; (b)(6), (b)(1)1.4a, (b)(1)1.4c).

bb. ~~(S//REL)~~ (b)(3), (b)(6) asked (b)(3), (b)(6) what he shot at; (b)(3), (b)(6) stated "Guy in the left corner". (Exhibits 37, 39; Statements of (b)(3), (b)(6) called out to warn (b)(3), (b)(6), and then called to (b)(3), (b)(6) that there is someone in the left corner (Exhibit 37, Statement of (b)(3), (b)(6) also yelled to (b)(3), (b)(6) then (b)(3), (b)(6) to alert them

(Exhibit, Statement of (b)(3), (b)(6) heard (b)(3), (b)(6) yelling they had visual contact on the left. He grabbed his weapon and began looking to the north of the building, thinking that was where the firing was coming from. (b)(3), (b)(6) called out "front left room". (b)(3), (b)(6) heard him and realized that is the location (b)(3), (b)(6) has identified, and believes that to be the source of the firing. (Exhibit 37, 40, 41; Statements of (b)(3), (b)(6)).

cc. ~~(S//REL)~~ (b)(3), (b)(6) heard (b)(3), (b)(6) calling regarding movement in a room to the north. (b)(3), (b)(6) does not engage further due to friendly forces in his field of fire. (Exhibit 37, Statement of (b)(3), (b)(6). After (b)(3), (b)(6) cleared his weapon malfunction he moved to the west side of the building to continue assisting with casualties. (Exhibit 22, Statement of (b)(3), (b)(6)). Once the rest of the second clearing team had completed clearing the rooms they moved to the west side of the building to continue clearing rubble off the trapped Soldiers. (Exhibits 19, 20; Statement of (b)(3), (b)(6)).

dd. ~~(S//REL)~~ (b)(3), (b)(6) called out that there was firing coming from the room across the hall, which was heard by (b)(3), (b)(6). The second clearing team again stacked up against the north side of the hallway. (Exhibits 19, 20, 22, 31; Statements of (b)(3), (b)(6) was convinced that small arms fire was coming from the room across the hall (the bathroom). He dropped to a knee near the pillar where he had been

standing and fired into the bathroom. (Exhibit 31, Statement of (b)(3), (b)(6)). (b)(3), (b)(6) saw (b)(3), (b)(6) (b)(3), (b)(6) take cover in the southwest room by the remnants of the hallway wall and fire approximately three rounds into the bathroom. (Exhibits 40, 41, 63; Statements of (b)(3), (b)(6) and Movement of Troops Timeline). (b)(3), (b)(6) called to (b)(3), (b)(6) on the radio and asked for grenades to eliminate the threat (Exhibits 40, 41; Statements of (b)(3), (b)(6)).

ee. ~~(S//REL)~~ (b)(3), (b)(6) directed (b)(3), (b)(6) to move up to the broken wall of the bathroom to attempt to neutralize the threat (Exhibit 31, Statement of (b)(3), (b)(6)). As (b)(3), (b)(6) moved up and looked through the bathroom door, he observed a foot sticking out from the partition. He could also see the large hole in the bathroom wall facing the courtyard, and realized it had a direct line of sight to the majority of the casualties still being treated outside the building. (Exhibit 22, Statement of (b)(3), (b)(6)).

ff. ~~(S//REL)~~ As (b)(3), (b)(6) moved around the west wall of the bathroom he saw a military aged male with a beard and what appeared to be tan clothing. He observed something clinched in a fist in one hand; as soon as the individual made eye contact with (b)(3), (b)(6) he reached for something on his person with his other hand. Believing he may be another suicide bomber, (b)(3), (b)(6) fired at him. (Exhibit 22, 63; Statement of (b)(3), (b)(6) and Movement of Troops Timeline).

gg. ~~(S//REL)~~ (b)(3), (b)(6) ran out of ammunition and moved to the to the left (north) side of the hole in the wall, not knowing what effect his shot had. (b)(3), (b)(6) provided suppressive fire until (b)(3), (b)(6) had reloaded and called "up". (b)(3), (b)(6) then leaned back over the wall and fired again until he believed the individual no longer posed a threat. (Exhibits 22, 42; Statements of (b)(3), (b)(6)).

hh. ~~(S//REL)~~ When shots were being fired inside the building, an M240 in the outer cordon began firing at the RTA building; (b)(3), (b)(6) called for a cease fire and all firing immediately ceased (Exhibit Statement of (b)(3), (b)(6) asked for a status on the individual in the bathroom, and (b)(3), (b)(6) stated "he is dead." (Exhibits 22, 31 Statement of (b)(3), (b)(6) ordered all Scout Platoon drivers to dismount and follow him to help the injured Soldiers. (b)(3), (b)(6) directed the drivers to help and pick-up sensitive equipment. (Exhibit 37, Statement of (b)(3), (b)(6)).

ii. ~~(S//REL)~~ The last Soldier out of the rubble was (b)(3), (b)(6) and he was put into a vehicle for evacuation. (Exhibits 31, 34; Statement of (b)(3), (b)(6) directed a third clearance team to recheck the building except for the bathroom because of concerns that it contained an IED. (Exhibit 31, Statement of (b)(3), (b)(6)). After discovering live grenades in courtyard; US Forces withdrew from the building and the courtyard until EOD could clear the area of unexploded ordnance. (Exhibit 31, Statement of (b)(3), (b)(6)). The HHC Commander, (b)(3), (b)(6)

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(b)(3), (b)(6) arrived and assumed command at the scene after the shooting had ceased. (Exhibits 44, 31; Interview of (b)(3), (b)(6) Statement of (b)(3), (b)(6)).

jj. ~~(S//REL)~~ In the latter stages of the recovery effort, KAU and/or ANP forces moved to the scene and aided with the recovery operations and the search for equipment. (Exhibits 10, 11, 51; (b)(1)1.4a, (b)(1)1.4c and Interview of (b)(3), (b)(6)). In the immediate aftermath of the shooting, (b)(3), (b)(6) had difficulty obtaining a clear picture from KAU of the situation on the ground; it remained confusing as to whether the entire compound had been cleared and there was concern there may be more explosives or another suicide bomber hiding elsewhere in the compound. (Exhibit 44, Interview of (b)(3), (b)(6)).

kk. ~~(S//REL)~~ (b)(3), (b)(6) was not aware of any "real" ANP forces on the scene initially; all seemed to be KAU. The KAU members at the compound are primarily considered militia but elements are also part of the ANP Tashkil; there is a gray area regarding who is militia and who is part of ANSF. Their organization was unclear because they all wear the same uniform. (Exhibit 44, Interview of (b)(3), (b)(6)). Elements of the Scout Platoon evacuated the injured Soldiers to the Role 2 Hospital on MNB-TK. (Exhibit 40; Statement of (b)(3), (b)(6)).

Removal and Initial Identification of the Body

~~(S//REL)~~ Prior to EOD clearing the site, KAU and ANP elements entered and began going through the site. (Exhibit 31, Statement of (b)(3), (b)(6)). After ISAF forces withdrew from the building and courtyard, KAU elements found and removed Ahmad Omid Khpalwak's (Mr. Khpalwak's) body from the bathroom. (Exhibit 51, Statement of (b)(6)). Bullet holes in the wall and blood stains indicate the specific location of Mr. Khpalwak when he was shot (Exhibit 48, Photographs of Mr. Khpalwak and location where his body found).

~~(S//REL)~~ The body was recognized as Ahmad Omid Khpalwak (Mr. Khpalwak) only after it was removed from the building. (Exhibit 51, Interview of (b)(6) stated that until that time he was unaware that Mr. Khpalwak or any civilian was in the building, and believed that ISAF forces also did not know Mr. Khpalwak was inside. (Exhibit 51, Statement of (b)(6) (b)(6) stated that he considered Mr. Khpalwak as a friend, and said he had shared food with him a day earlier. (Exhibit 51, Interview of (b)(6)).

~~(S//REL)~~ The KAU and ANP forces at the scene did not have a camera and ISAF forces had not taken any photos before the body was moved. (Exhibit 51, Interview of (b)(6)). No weapon or equipment was found near the body. (Exhibit 51, Statement of (b)(6)). Sometime after the body was brought outside, an ANP or KAU member brought the deceased's ID card outside to (b)(6) and said the ID card was found in Mr. Khpalwak's hand and his cell phone was found next to the body. (Exhibit 51, Statement of (b)(6))

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Some Site Exploitation

~~(S//REL)~~ After the area was cleared of known unexploded ordnance, site exploitation was performed with the help of the 4-70 Armor's Law Enforcement Professional (LEP), (b)(6) (b)(6) and EOD personnel. Because ANSF forces did not preserve the scene prior to the investigation, there was no documentation of the site of the shooting before the body was moved. (Exhibits 31, 44; Statement of (b)(3), (b)(6) Interview of (b)(3), (b)(6)). After evacuating injured soldiers and an initial site exploitation, the Scout Platoon escorted EOD personnel to the Governor's compound. (Exhibits 31, 40, 41; Statements of (b)(3), (b)(6)).

Ahmad Omid Khpalwak (AOK)

~~(S//REL)~~ There have been multiple spellings of Ahmad Omid Khpalwak's name used in a variety of references. Based on information obtained from (b)(6) (b)(6), and his friend and fellow reporter (b)(3), (b)(6), the appropriate spelling is Ahmad Omid Khpalwak. (b)(6) refer to the deceased as Omid. (Exhibits 47, 49; Interviews of (b)(3), (b)(6)).

~~(S//REL)~~ According to (b)(6), Omid worked at the RTA building often, as it was the main radio station in Uruzgan and commonly used by the journalists in the area. Prior to the attack, Ahmad Omid Khpalwak (referred to throughout the rest of this report as Omid or Mr. Khpalwak) was at the RTA building working on a story regarding a large graduation ceremony at the local police academy. When Omid's friend, (b)(6)), told him he was leaving to go home for lunch, Omid decided to stay to finish his story. (Exhibits 47, 49; Interviews of (b)(6) and (b)(6)).

~~(S//REL)~~ According to (b)(6) on that day Omid wore typical Afghan clothes which included a waistcoat. (b)(6) stated Omid's shirt was yellow with buttons and collar, and the vest was silver-gray. Omid did not carry a weapon, but did have a cell phone with him and reportedly carried his BBC credentials and ID cards on a lanyard around his neck. (Exhibits 47, 49; Interviews of (b)(6)).

(b)(6) **Statement**

~~(S//REL)~~ (b)(6) fellow reporter and friend of Omid, left the RTA building just minutes before the attack (Exhibit, Statement of (b)(6)). (b)(6) heard the initial explosions after he arrived home for lunch. He climbed on his house, and it appeared to him that one of the explosions came from the RTA building. (b)(6) tried to call Omid, but all he got from Omid was

hello; he did not speak further. (b)(6) tried to return to the RTA building but was stopped by uniformed Afghan forces. (Exhibit 47, Interview of (b)(6)).

~~(S//REL)~~ (b)(6) returned home and then went back to the RTA building an alternate way. He arrived back at the RTA building after the aircraft had completed firing. The ANP and ISAF forces stopped him. After about thirty minutes, at approximately 1430 Hrs, Omid's (b)(6) (b)(6) went into the compound. (b)(6) followed using his journalist credentials to get in. When he got into the compound, he saw Omid's body and that of a uniformed Afghan. The bodies were laying ten to twenty meters from the building. (b)(3), (b)(6) asked (b)(3), (b)(6) not to take any photos (b)(6) (b)(6) (Exhibit 47, Interview of (b)(6)).

Omid's (b)(3), (b)(6) Statement

~~(S//REL)~~ According to (b)(6), Omid contacted (b)(6) via text messages at 12:20 and at 12:40 PM while hiding in the bathroom. (b)(6) arrived inside the RTA compound after Ahmad Omid's body had been removed from the RTA building and moved to a grassy area outside. The body was taken to the hospital with a police pick-up truck. There (b)(6) and doctors washed the body. A cell phone video showing the wounds was made after the body was washed. The body was transported to the family's home and at nine pm they buried him. (Exhibit 49, Interview of (b)(6)).

Evaluation of Wounds

~~(S//REL)~~ (b)(6) provided an electronic copy of the video showing the wounds on the body to the Investigating Officer (IO). The video was reviewed by the Commander and by the Chief of Trauma of the Role 3 Hospital at Kandahar Airfield (KAF). The Chief of Trauma assessed the wounds as appearing consistent with small caliber high velocity assault rifle wounds, and not consistent with larger caliber weapons (such as 30mm). (Exhibit 62, Interview of (b)(6)). The investigator used the video to develop the attached photographs. (Exhibit 48, Photographs of Mr. Khpalwak).

Afghan National Police (ANP) Response and Communications

~~(S//REL)~~ The QRF positioned at the OCC-P did deploy quickly. However, there is not a holistic approach on how to employ the multiple ANSF QRF forces, and that hinders their effectiveness. (Exhibit,Statement of (b)(3), (b)(6)). The ANP forces of Tarin Kowt are capable of leading building clearing operations. The role of ISAF forces is normally to train and enable. (Exhibit 46, Interview of (b)(3), (b)(6)).

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~~(S//REL)~~ During the events of that day the focus of the ANSF was the fight at the Governor's compound where they led the response. (Exhibits 46, 61; Interviews of (b)(3), (b)(6) and (b)(3), (b)(6)).

~~(S//REL)~~ The uniformed elements initially at the RTA compound were primarily KAU. The ANP that TF 4-70 usually works with did not have a significant organized presence prior to ISAF Forces' entry to the RTA building. The first individual member of the ANP recognized by (b)(3), (b)(6) was Commander (b)(6) who directed the clean-up of the scene. (Exhibits 31, 40, 41, 54; Statements of (b)(3), (b)(6) and Interview of (b)(6)).

~~(S//REL)~~ The Operations Coordination Center-Provincial (OCC-P) on Multi-National Base Tarin Kowt (MNB-TK) performs coordination between ISAF and ANSF forces. The ANSF forces represented there include Afghan National Army (ANA), Afghan National Police (ANP), and National Directorate of Security (NDS). The KAU is also represented there. The ANSF forces use radio, Roshan cell phones, and runners to communicate to the OCC-P. While the OCC-P did act as a coordination center, it is not currently intended to be an element that issues orders. (Exhibits 46, 58; Interviews of (b)(3), (b)(6)).

(b)(3), (b)(6), (b)(1)1.4b

~~(S//REL)~~ The ANP relied on cell phone as their primary means of communications. On the day of the complex attack the (b)(1)1.4b (b)(1)1.4b (b)(1)1.4b (b)(1)1.4b (b)(1)1.4b Leadership needs to be in right places and use the radios for them to be effective. (Exhibits 46, 58; Interview of (b)(3), (b)(6) (b)(3), (b)(6)).

~~(S//REL)~~ At the RTA compound, (b)(1)1.4a prevented cell phones from working. Even after the shooting stopped, the HHC Commander refused to turn (b)(1)1.4a because he did not know what other threat the unit may be facing at the scene. (Exhibit 44, Interview of (b)(3), (b)(6)).

~~(S//REL)~~ There are SOPs for coordinating with the ANP which are used daily in routine operations, (b)(1)1.4a. For TF-4-70, face-to-face coordination became the primary means of communications with

Afghan forces. TF 4-70 has considered using checkpoints as link-up points, but based on the way ANP operate, the checkpoints may or may not have a leader and a radio present when ISAF forces arrive. Even the police HQ is not considered an ideal place to link up with ANP, because key leaders may leave that location in times of crisis action. (Exhibit 44, Interview of (b)(3), (b)(6)).

Consequence Management

General Actions and Initiation of Investigation

~~(S//REL)~~ Upon discovering the possibility that there was a civilian casualty associated with the fighting at the RTA building on 28 July, the commander, (b)(6), directed a Commander's Inquiry on 30 July into the circumstances. (Exhibit 52, Interview of (b)(3), (b)(6)). The Combined Team Uruzgan Public Affairs Officer (CTU PAO) has responded to media inquiries with appropriate themes and messages to counter insurgent allegations and assertions. (Exhibit 52, Interview of (b)(3), (b)(6)).

Contact with the Family

(U) After becoming aware of the death of AOK, the CTU PAO visited the family's house to express condolences on behalf of the commander. One of the female members of the command was also present and met separately with the female members of the family. (Exhibit 59, Interview of (b)(3), (b)(6)).

(U) On 10 August the commander met with AOK's father, uncle, and other male members of the family for an Iftar-like meal in the commander's office. The commander expressed his condolences, and informed the family that an independent investigation was being conducted and they would be informed of the results. (Exhibits 52, 59; Interviews of (b)(3), (b)(6)).

~~(C//REL)~~ CTU has had regular communication with the family through the CTU PAO and the brother. The commander plans to make a condolence payment for the widow, regardless of the outcome of the investigation. CTU is waiting for the appropriate time to make the payment and provide it directly to the widow. (Exhibit 52, Interview of Lancaster).

Working with the Community

(U) In support of the local community there have been numerous missions conducted to the site of the RTA building to re-establish a temporary capability to broadcast from the site. There is also an effort to examine long-term solutions with the assistance of the Provincial Reconstruction Team (PRT). (Exhibit 59, Interview of (b)(3), (b)(6)).

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(U) The Public Affairs cell has provided a camera to local journalists to help them in publishing local stories. They also supported a wake held in remembrance of AOK with production of media materials for the event and individual donations to an Iftar-type meal. (Exhibit 59, Interview of (b)(3), (b)(6)).

(U) An Australian engineer team repaired the break in the outer wall of the Governor's compound. Repairs have been made to solar lighting around the bazaar in the vicinity of the Governor's compound and work is ongoing to enable repairs to windows and doors. There are also several other projects initiated to repair damage related to the attack in other portions of the city. (Exhibit 57, Interview of (b)(3), (b)(6)).

Task Organization

~~(S//REL)~~ The key units on the ground involved in the operation at the RTA compound at the time of the shooting were all elements of HHC, 4-70 AR. (Exhibits 44, 45; Interview of (b)(3), (b)(6) Task Organization List)

Training and TTPs

~~(S//REL)~~ (b)(1)1.4a (b)(1)1.4a (b)(1)1.4a The training is reinforced periodically. (Exhibit 44, Interview of (b)(3), (b)(6). The battalion maintains a task tracker; the extract (Exhibit 14, Battalion Task Tracker) documents completion of training in EOF that was directed in March and July 2011.

~~(S//REL)~~ (b)(1)1.4a (b)(1)1.4a The The Scout Platoon and PSD element trained on those battle drills regularly. The type of operation performed was not outside the normal capabilities and operations of the unit. (Exhibit 44, Interview of (b)(3), (b)(6). The Scout Platoon and PSD training was usually performed at platoon level. The platoons had significant experience in cordon and search operations, but had not normally maneuvered together. (Exhibit 44, Interview of (b)(3), (b)(6).

~~(S//REL)~~ While most TTPs in building entry and clearing were followed, normally the ANP would be out in front. (b)(1)1.4a (b)(1)1.4a

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(b)(1)1.4a (Exhibits 40, 41, 44; Interview of (b)(3), (b)(6) and Statement of (b)(3), (b)(6)).

Intelligence Updates

~~(S//REL)~~ The intelligence collection, (b)(1)1.4c was rated as very good by the unit. The flow of information was also rated as very good. However, it was challenging to separate clutter and rumor from real threats. (Exhibit 44, 56; Interviews of (b)(3), (b)(6) (b)(3), (b)(6)).

~~(S//REL)~~ (b)(3), (b)(6), (b)(1)1.4c

(b)(3), (b)(6), (b)(1)1.4c

4. ~~(S//REL)~~ Findings. My investigation was based on numerous individual statements, printed documents, and official correspondence, in addition to AR 15-6. I find as follows:

a. ~~(S//REL)~~ On 28 July, 2011 insurgents initiated a complex attack in the city of Tarin Kowt, Uruzgan, Afghnistan. The targets attacked included the Provincial Governor's Compound and the Radio Television Afghanistan (RTA) compound. At the RTA compound two insurgents armed with small arms and suicide vests used a vehicle-borne IED to destroy the gate and section of the wall to gain access to the compound. From the RTA compound they were unable to gain access to the adjoining Kandak Amniante Uruzgan (KAU) compound and instead entered the RTA building. The likely purpose of their attack was to assassinate (b)(3), (b)(6) leader of the KAU which is a paramilitary force that provides security in the local area. From the RTA building, insurgents exchanged fire with KAU members in the KAU compound and immediate vicinity.

b. ~~(S//REL)~~At the time the attacks were initiated US forces, elements of TF 4-70, were staged at the Multi National Base Tarin Kowt (MNB-TK) main gate, preparing to transport visitors to a new Provincial Chief of Police Headquarters building being built in the city of Tarin Kowt (TK). The visitors were offloaded from the vehicles, and an element led by the battalion commander went forward to investigate the source of the explosions in the city. When they arrived at the RTA station, US forces were flagged down by uniformed Afghans.

c. ~~(S//REL)~~As soon as they dismounted the US forces began to receive small arms fire from the insurgents and US forces responded with small arms fire, and then with crew-served weapons. The battalion commander (Bn Cdr) was informed by KAU leadership that two suicide

bombers were in the RTA building, and they were not aware of any civilians present. Additional US forces arrived at the scene and one Soldier was wounded by small arms fire. When return fire from the ground was not effective in neutralizing the insurgents, the Bn Cdr directed (b)(1)1.4a engagements with 30mm gun on the RTA building. After the last engagement with 30mm gun the firing from the building ceased.

d. ~~(S//REL)~~The Bn Cdr led a building clearing operation using elements of the battalion Personal Security Detachment (PSD) to enter the RTA building, and elements of the Scout Platoon to provide observation and support (b)(1)1.4a When the first individual of the clearing team turned to enter the first room, the first Suicide Vest IED (PBIED) was detonated in the southwest room of the RTA building. Approximately five seconds later the second PBIED was detonated in the northwest room. The overpressure of the explosions collapsed the walls of the building and members of the clearing team were trapped under heavy brick debris.

Pages 19 through 27 redacted for the following reasons:
- -
(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)
(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)
(b)(3), (b)(6), (b)(1)1.4a, (b)(1)1.4g
(b)(3), (b)(6), (b)(1)1.4a, (b)(1)1.4g,

e. ~~(S//REL)~~ **FACTS AND CIRCUMSTANCES**

~~(S//REL)~~ Afghan forces at the scene found the body in the bathroom of the RTA building and moved it to the courtyard; the body was that of Ahmad Omid Khpalwak. During the fighting the forces at the scene did not know a civilian was in the building. He was only identified by Afghan forces after his body was removed from the building.

f. ~~(S//REL)~~ **NATURE AND CAUSE OF DEATH; WOUNDS SUSTAINED; SPECIFICALLY WHETHER US FORCES CAUSED**

~~(S//REL)~~ Ahmed Omid Khpalwak was killed by small arms fire from an M-4 rifle, fired by a US Soldier at close range through the hole in the broken wall.

g. ~~(S//REL)~~ **TYPE OF AMMUNITION**

~~(S//REL)~~ The ammunition fired was 5.56 mm.

h. ~~(S//REL)~~ **MEDICAL TREATMENT**

~~(S//REL)~~ There was no medical treatment rendered as he was immediately assessed to be dead, and the Soldiers did not want to move the body due to concerns he was another suicide bomber.

i. ~~(S//REL)~~ **MISSION OF UNIT, ROE**

~~(S//REL)~~ The unit's mission began as a VIP escort, changed to an investigation of the source of the explosions and assessment of the situation, and then changed to building clearing. Upon arrival at the RTA compound the unit received direct fire and grenades from the insurgents and returned fire in self defense. After the two PBIED explosions in the building, multiple soldiers believed there was firing coming from the specific location that Ahmad Omid Khpalwak was located. (b)(3), (b)(6) fired the fatal rounds in self defense, based on his belief that he was firing on a suicide bomber who was about to detonate an IED that posed a lethal threat to numerous Soldiers in the immediate area.

j. ~~(S//REL)~~ **AOK APPEARANCE; WHAT WEARING; WHAT DOING; ANY EQUIPMENT**

~~(S//REL)~~ Ahmad Omid Khpalwak was unarmed; no weapon was found nearby. It appears that rounds fired by US forces were incorrectly perceived by multiple Soldiers at the scene as originating from his specific location.

~~(S//REL)~~ That day Ahmad Omid Khpalwak was wearing typical Afghan clothing which included a yellow shirt with collar and a vest or waistcoast that was silver-gray. He was a young man in his twenties and had a short beard and moustache. He did not carry a weapon, but did have a cell phone with him and probably had his ID cards and credentials on a lanyard around his neck.

~~(S//REL)~~ He was present at the RTA building that day working on a story regarding a graduation ceremony at the local police academy.

k. ~~(S//REL)~~ **WHERE BODY FOUND; RELATIONSHIP TO INSURENT ACTIVITY**

~~(S//REL)~~The room Ahmad Omid Khpalwak was killed in was immediately adjacent to the room where one of the suicide bombers had detonated his PBIED, and across the hall from the other detonation, just minutes before.

~~(S//REL)~~ Because of the danger posed by unexploded ordnance, the US Soldiers withdrew from the site as soon as friendly forces were extracted from the rubble of the IED blasts. ANSF forces entered the scene without regard to the hazards and moved the body without documenting the scene first, which hindered subsequent investigation of the incident.

l. ~~(S//REL)~~ **UP-TO-DATE THREAT ANALYSIS**

~~(S//REL)~~The unit had up to date threat analysis information. However, because this threat originated from outside the local area, was conducted with little coordination with the local population, and was planned and executed in a compartmented manner, there were no apparent signs that there would be an attack that day and no early warning provided.

m. ~~(S//REL)~~ **TASK ORGANIZATION; TRAINING AND EXPERIENCE IN WORKING TOGETHER; PARTNERING**

~~(S//REL)~~ All of the ground units at the scene were elements of the Headquarters and Headquarters Company (HHC), 4-70 Armor Battalion. There were no ANSF forces inside the RTA building at the time of the shooting, only US forces were present. The Mortar Section was detailed to act as a Personal Security Detail (PSD), and was OPCON to the battalion S3. Both the Mortar Section and Scout Platoons were well trained on the tasks of entering and clearing buildings. While the platoons had participated together in operations, their training in maneuvering together was limited. I do not find any limitations in their experience in working together to be a significant factor in the outcome of the events in the RTA building.

(b)(1)1.4a

~~(S//REL)~~ Coordination with the ANP was hindered by their focus on operations at the Governor's compound, (b)(1)1.4b, (b)(1)1.4a

(b)(1)1.4b, (b)(1)1.4a

n. ~~(S//REL)~~ **TRAINING ON LOW AND EOF**

~~(S//REL)~~ The unit was trained in Law of War and Escalation of Force (EOF) prior to deployment and again upon arrival in Afghanistan. The training on EOF is continually reinforced; it is conducted when directed by higher headquarters and routinely as part of preparation for missions.

o. ~~(S//REL)~~ **RECOMMENDATIONS ON IMPROVEMENTS TO TTPs**

See Recommendations Paragraph Below.

p. ~~(S//REL)~~ **CONSEQUENCE MANAGEMENT**

~~(S//REL)~~ Upon discovering the possibility that there was a civilian casualty the commander directed a Commander's Inquiry on 30 July into the circumstances. The Combined Team Uruzgan Public Affairs Officer (CTU PAO) has responded to media inquiries with appropriate themes and messages to counter insurgent allegations and assertions. The CTU PAO visited the family to express condolences on behalf of the commander and on 10 August the commander met with Ahmad Omid Khapalwak's father, uncle, and other male members of the family for a meal in the commander's office. The commander expressed his condolences, and informed the family that an independent investigation was being conducted and they would be informed of the results. CTU has had regular communication with the family. The commander plans to make a condolence payment for the widow, regardless of the outcome of the investigation and is waiting for the appropriate time to provide it directly to the widow.

~~(S//REL)~~ In support of the local community there have been numerous missions conducted to the site of the RTA building to re-establish a temporary capability to broadcast from the site. There is also an effort to examine long-term solutions with the assistance of the Provincial

Reconstruction Team (PRT). The Public Affairs cell has provided support to local journalists and supported a wake they held in remembrance of Ahmad Omid Khpalwak.

~~(S//REL)~~ The CTU has been involved in repairs to the damage that was done in other locations around the city during the 28 July attacks, including repairs to the break in the outer wall of the Governor's compound and repairs to solar lighting around the bazaar.

5. ~~(S//REL)~~ Recommendations.

a. ~~(S//REL)~~ Continue to emphasize guidance to partner with Afghans; have Afghans lead operations whenever feasible. Seek means to enable this partnering in all situations.

(b)(1)1.4a, (b)(1)1.4b

c. ~~(S//REL)~~ Continue to emphasize the need to establish whether civilians are present at the scene of any potential engagement.

d. ~~(S//REL)~~ Continue to emphasize guidance to exercise tactical patience in operations.

e. ~~(S//REL)~~ Mentor ANSF on effective C2 arrangements that allow them to understand the situation, and maintain control of forces, across their entire area of operations.

f. ~~(S//REL)~~ Mentor ANSF in establishing plans and SOPs for immediate reaction to incidents that facilitates coordinated responses between forces.

g. ~~(S//REL)~~ Mentor ANP to document events and collect evidence at the scene following an attack and before the site is disturbed. This will make it simpler to investigate incidents and quickly assess the facts of what occurred.

h. ~~(S//REL)~~ Consider educating Afghan civilians on actions to take if they are caught in an incident, in order to prevent them from being considered combatants. In SERE training service members are taught what actions to take and not take if being rescued so they will not be considered hostile. Similar education of Afghans may help ISAF and ANSF forces discriminate between insurgents and noncombatants during engagements.

6. (U) The POC for the investigation is (b)(3), (b)(6). Please contact (b)(3), (b)(6) at (b)(2), (b)(3), (b)(6)

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2 Encls
1. Index of Exhibits
2. Exhibits

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

Pages 33 through 34 redacted for the following reasons:
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Withheld in it's entirety - Duplicate Document of MFR

EXECUTIVE SUMMARY (UNCLASSIFIED)

On 28 July, 2011 insurgents initiated a complex attack in the city of Tarin Khot, Uruzgan, Afghanistan. The targets attacked included the Provincial Governor's Compound and the Radio Television Afghanistan (RTA) compound.

At the RTA compound two insurgents armed with small arms and suicide vests used a vehicle-borne IED to destroy the gate and section of the wall to gain access to the compound. They entered the RTA building and exchanged fire with uniformed Afghan forces in the immediate vicinity.

When US forces arrived at the compound they began to receive small arms fire from the insurgents. US forces first responded with small arms fire, and then with crew-served weapons. The unit was informed by uniformed Afghan leadership at the scene that two suicide bombers were in the RTA building; they were not aware of any civilians present.

Additional US forces arrived at the scene and one Soldier was wounded by small arms fire.

(b)(1)1.4a

As a significant proportion of ANSF forces were committed to the fight at the Governor's compound, US forces led a building clearing operation to confirm the insurgents no longer posed a threat. Upon US soldiers entering the RTA building the two suicide bombers detonated their explosives, collapsing the front walls of the building and trapping members of the clearing team under heavy brick debris.

While some Soldiers rushed to the aid of the injured, others remained in overwatch to provide security. While those operations were ongoing, a small team of soldiers was directed to continue clearing the remains of the RTA building.

During the clearing operation a Soldier (b)(1)1.4a identified movement of a young adult male in the building through a large hole in a broken wall. The room the man was in was immediately adjacent to the room where one of the suicide bombers had detonated his suicide vest IED, and across the hall from the other suicide vest detonation, just minutes before. The Soldier then heard a shot that he perceived came from the man's exact location. It is probable that the shot he heard was actually fired by a Soldier inside the building during the building clearing.

The Soldier (b)(1)1.4a assessed the individual he observed to be enemy and fired a single round which did not strike him. In the stress and urgency of the moment, it is highly probable that Soldiers in the courtyard outside the building incorrectly perceived that shot as having been fired by the man in the building. Multiple Soldiers believed he was shooting, and called out warnings.

A Soldier was directed to move up to the broken wall where the man was seen. As the Soldier approached he observed a young adult male with a beard with something clinched in one of his fists and reaching for something on his person with his other hand. Based on the events of the preceding minutes, the Soldier assessed the actions as those of a suicide bomber who was taking steps to detonate an IED that posed a lethal threat to numerous soldiers in the immediate area. He shot the individual with his M-4, killing him.

Because of the danger posed by unexploded ordnance, the US Soldiers withdrew from the building as soon as friendly forces were extracted from the rubble of the IED blasts. Afghan forces removed the body from the building; it was that of Ahmad Omid Khpalwak. He was unarmed; no weapon was found nearby. It appears that all the rounds perceived as coming from his location were instead fired by US Soldiers.

In summary, Ahmad Omid Khpalwak was killed in a case of mistaken identity. He was shot by US forces who believed he was an insurgent that fired on them with a weapon and was subsequently taking action to detonate a suicide vest IED.

EXECUTIVE SUMMARY ~~(CLASSIFIED)~~

On 28 July, 2011 insurgents initiated a complex attack in the city of Tarin Khot, Uruzgan, Afghanistan. The targets attacked included the Provincial Governor's Compound and the Radio Television Afghanistan (RTA) compound.

At the RTA compound two insurgents armed with small arms and suicide vests used a vehicle-borne IED to destroy the gate and section of the wall to gain access to the compound. They entered the RTA building and exchanged fire with uniformed Afghan forces in the immediate vicinity.

When US forces arrived at the compound they began to receive small arms fire from the insurgents. US forces first responded with small arms fire, and then with crew-served weapons. The battalion commander was informed by uniformed Afghan leadership at the scene that two suicide bombers were in the RTA building; the individual was not aware of any civilians present.

Additional US forces arrived at the scene and one Soldier was wounded by small arms fire

(b)(1)1.4a

(b)(6), (b)(1)1.4b, (b)(1)1.4a

The battalion commander led a building clearing operation. Upon US forces entering the RTA building the two suicide bombers detonated their explosives, collapsing the front walls of the building and trapping members of the clearing team under heavy brick debris.

While some Soldiers rushed to the aid of the injured, others (b)(1)1.4a provide security. (b)(1)1.4a (b)(1)1.4a While recovery operations were ongoing, the platoon leader directed a team of Soldiers to clear the building.

During the clearing operation a Soldier (b)(1)1.4a outside the building, identified movement of a young adult male in the building through a large hole in a broken wall. The room the man was in was immediately adjacent to the room where one of the suicide bombers had detonated his suicide vest IED, and across the hall from the other detonation, just minutes before. The Soldier then heard a shot that he perceived came from that individual's exact location. It is probable that the shot he heard was actually fired by a Soldier inside the building during the building clearing.

The Soldier (b)(1)1.4a assessed the individual he observed to be enemy and fired a single round at him which went high. It is highly probable that Soldiers in the courtyard outside the building perceived that shot as having been fired by the individual in the building; multiple Soldiers called to the platoon leader to notify him that an individual identified as a threat had

been spotted inside the building. The platoon leader also perceived that firing was coming from the room the individual was located in.

The platoon leader directed a Soldier to move up to the broken wall to neutralize the threat. As the Soldier approached he observed a young adult male with a beard with something clinched in one of his fists and reaching for something on his person with his other hand. Based on the events of the preceding minutes, the Soldier assessed the actions as those of a suicide bomber who was taking steps to detonate an IED that posed a lethal threat to numerous soldiers in the immediate area. He shot the individual with his M-4 at close range, killing him.

Because of the danger posed by unexploded ordnance, the US Soldiers withdrew from the building as soon as friendly forces were extracted from the rubble of the IED blasts. Afghan forces removed the body from the building; it was that of Ahmad Omid Khpalwak. He was unarmed; no weapon was found nearby. It appears that all the rounds perceived as coming from his location were instead fired by US Soldiers.

In summary, Ahmad Omid Khpalwak was killed in a case of mistaken identity. He was shot by US forces who believed he was an insurgent that fired on them with a weapon and was subsequently taking action to detonate a suicide vest IED.

Investigation Timeline

Tues, 2 Aug

Received Briefing from (b)(3), (b)(6))
Travel to Tarin Khot
Introduction with w/ Bde Cdr

Wed, 3 Aug

Reviewed investigation documentation already prepared by Bn and Bde
Developed outline of approach to 15-6 Investigation
Site Visit w/ already scheduled PAO
Interview w/ Bn XO and CSM
Obtain and review video extracts (Disc 1; consisted of brief recordings of a variety of specific events)
Obtained prepared statement and Interviewed Sct Plt Ldr

Thur, 4 Aug

Follow-up Interview w/ Sct Plt Ldr
Requested other video footage - greater time coverage of selected areas and times
Received and reviewed appointment orders
Received and read prepared statements from members of Sct Plt
Reviewed statements. Worked to reconcile accounts and events on the scene
Reviewed new video and refined timeline
Sought still more video footage; delay in receipt due to ongoing operations
Worked through reconciling statements by position on the ground

Fri, 5 Aug

Seeking further information regarding units present and task org of units on ground
Received information on Task Org
Received statements from 2nd Clearing Team
Reconciled available statements, developed probable positioning of forces and sequence of events

Sat, 6 Aug

Sought statements form Afghan nationals
Sought and obtained relevant ROE documentation
Reviewed ROE documents, Tactical Directive
Obtained (b)(1)1.4a and determined it was not suitable for the investigation
Travel to (b)(1)1.4a. Review of multiple video feeds and views and obtain copies of relevant views
Review of ROE

Sun, 7 Aug

Review of ROE implications
Further statements of individuals in cordon area
Reconciling statements and reviewing ROE implications
Completed initial working notes on ROE implications

Mon, 8 Aug

Began development of timeline of events seen on (b)(1)1.4a
Travel to Prov Governor's compound for interviews with Afghan nationals
Completed interviews of three Afghan nationals
Wrote MFRs to record interview of Afghan nationals
Continued work on timeline of events seen on (b)(1)1.4a
Sought further video to reconcile actions at RTA building

Tuesday, 9 Aug

Finalized timeline of events on (b)(1)1.4a
Sought further (b)(1)1.4a
Worked w/ USAF 451st EOG to determine what (b)(1)1.4a available
Continued work draft narrative and findings information
Finalized narrative and sources of information
Established questions for (b)(6) and interviewed him
Assembled notes from interview of (b)(6)

Wednesday, 10 Aug

Updated Narrative to reconcile difference is accounts
Sought further video from surveillance assets
Obtained photos from PAO
Continued to seek statements from (b)(3), (b)(6) gunner for PSD 1
Sought help downloading video of AOK's body and transferring to useful format
Obtained video of AOK's body that could be displayed on computer
Continued to update narrative to reconcile differences in accounts
Reconciled differing accounts of vehicle movement to the scene
Updated RFIs
Developing questions to witnesses based on RFIs and discrepancies or further detailed required from statements
Met w/ new JAG assistant, (b)(3), (b)(6) provided orientation

Thursday, 11 Aug

Attempted to meet w/ (b)(6) 1st ANP – He did not show
Reviewed information gathered with (b)(3), (b)(6)
Review of available information with
Review of probable sequence of events w/ (b)(3), (b)(6)

Friday, 12 Aug

Met w/ (b)(6), 1st ANP
Transcribed account of (b)(6) interview
Refinement of Narrative and documenting references
Worked w/ PRT, Bde Staff, Bn Staff regarding scheduling final interviews w/ Afghan nationals

Saturday, 13 Aug

Interviews at Provincial Police HQ
Transcribing interviews
Evaluation of interviews and how information fit with other information obtained

Sunday, 14 Aug

Review of unit and KAU/ ANP actions
Further review of ROE and Tactical Directive Issues
Review of Draft of Report Recommendation
Request for site visit w/ PRT
Review list of information still required, individuals to interview, and interview questions
Development of tasks to perform during final site survey

Monday, 15 Aug

Reviewed ROE
ID outstanding issues; ID individuals to interview, consolidate questions for interview
Obtain (b)(1)1.4a begin review
Review of (b)(1)1.4a reconcile timelines of observed events with statements
Finalize list of individuals to interview and questions
Interview (b)(3), (b)(6) HHC Cdr

Tuesday, 16 Aug

Interviews with Soldiers to clarify details of the events.
Second site survey at RTA compound; obtain measurements and additional photos.
Meeting with 4-70 Law Enforcement Professional
Meeting with CTU Weapons Intelligence Team

Wednesday, 17 Aug

Interview of last Afghan witness.
Collection of background information and information to answer questions specified in appointment orders
Interview w/ members of Bn Staff
Collection of information from Bn S2

Thursday, 18 Aug

Inteviews with Bn and Bde Staff

Friday, 19 Aug

Final interviews n MNB-TK
Return to KAF

Saturday, 20 Aug – Tues, 30 August 2011

Draft, Compile, Proofread report and exhibits

Pages 42 through 44 redacted for the following reasons:
- -
Withheld as duplicate - investigation timeline
Withheld as duplicate - investigation timeline

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS

For use of this form, see AR 15-6; the proponent agency is OTJAG.

IF MORE SPACE IS REQUIRED IN FILLING OUT ANY PORTION OF THIS FORM, ATTACH ADDITIONAL SHEETS

SECTION I - APPOINTMENT

Appointed by General John Allen, Commander, United States Forces Afghanistan (USFOR-A)
(Appointing authority)

on 3 August 2011 *(Date)* *(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

SECTION II - SESSIONS

The *(investigation) (board)* commenced at Multi National Base Tarin Khot, Uruzgan, Afghanistan *(Place)* at 1730 *(Time)*

on 2 August *(Date)* *(If a formal board met for more than one session, check here* ☐ *. Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.)* The following persons *(members, respondents, counsel)* were present: *(After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)*

The following persons *(members, respondents, counsel)* were absent: *(Include brief explanation of each absence.) (See paras 5-2 and 5-8a, AR 15-6.)*

The *(investigating officer) (board)* finished gathering/hearing evidence at 2000 *(Time)* on 26 Aug *(Date)*

and completed findings and recommendations at 0800 *(Time)* on 30 Aug *(Date)*

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES	YES	NO 1/	NA 2/
1 Inclosures *(para 3-15, AR 15-6)*			
Are the following inclosed and numbered consecutively with Roman numerals: *(Attached in order listed)*			
a. The letter of appointment or a summary of oral appointment data?	X		
b. Copy of notice to respondent, if any? *(See item 9, below)*			X
c. Other correspondence with respondent or counsel, if any?			X
d. All other written communications to or from the appointing authority?			X
e. Privacy Act Statements *(Certificate, if statement provided orally)?*			X
f. Explanation by the investigating officer or board of any unusual delays, difficulties, irregularities, or other problems encountered *(e.g., absence of material witnesses)?*			X
g. Information as to sessions of a formal board not included on page 1 of this report?			X
h. Any other significant papers *(other than evidence)* relating to administrative aspects of the investigation or board?			X

FOOTNOTES: 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

		YES	NO 1/	NA 2/
2	Exhibits *(para 3-16, AR 15-6)*			
	a. Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report?	X		
	b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	X		
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	X		
	d. Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated?	X		
	e. Are descriptions or diagrams included of locations visited by the investigating officer or board *(para 3-6b, AR 15-6)?*	X		
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded in a verbatim record?	X		
	g. If official notice of any matter was taken over the objection of a respondent or counsel, is a statement of the matter of which official notice was taken attached as an exhibit *(para 3-16d, AR 15-6)?*			X
3	Was a quorum present when the board voted on findings and recommendations *(paras 4-1 and 5-2b, AR 15-6)?*			
B.	COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS *(Chapter 5, AR 15-6)*			
4	At the initial session, did the recorder read, or determine that all participants had read, the letter of appointment *(para 5-3b, AR 15-6)?*			
5	Was a quorum present at every session of the board *(para 5-2b, AR 15-6)?*			
6	Was each absence of any member properly excused *(para 5-2a, AR 15-6)?*			
7	Were members, witnesses, reporter, and interpreter sworn, if required *(para 3-1, AR 15-6)?*			
8	If any members who voted on findings or recommendations were not present when the board received some evidence, does the inclosure describe how they familiarized themselves with that evidence *(para 5-2d, AR 15-6)?*			
C.	COMPLETE ONLY IF RESPONDENT WAS DESIGNATED *(Section II, Chapter 5, AR 15-6)*			
9	Notice to respondents *(para 5-5, AR 15-6):*			
	a. Is the method and date of delivery to the respondent indicated on each letter of notification?			
	b. Was the date of delivery at least five working days prior to the first session of the board?			
	c. Does each letter of notification indicate –			
	(1) the date, hour, and place of the first session of the board concerning that respondent?			
	(2) the matter to be investigated, including specific allegations against the respondent, if any?			
	(3) the respondent's rights with regard to counsel?			
	(4) the name and address of each witness expected to be called by the recorder?			
	(5) the respondent's rights to be present, present evidence, and call witnesses?			
	d. Was the respondent provided a copy of all unclassified documents in the case file?			
	e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?			
10	If any respondent was designated after the proceedings began *(or otherwise was absent during part of the proceedings):*			
	a. Was he properly notified *(para 5-5, AR 15-6)?*			
	b. Was record of proceedings and evidence received in his absence made available for examination by him and his counsel *(para 5-4c, AR 15-6)?*			
11	Counsel *(para 5-6, AR 15-6):*			
	a. Was each respondent represented by counsel?			
	Name and business address of counsel:			
	(If counsel is a lawyer, check here ☐)			
	b. Was respondent's counsel present at all open sessions of the board relating to that respondent?			
	c. If military counsel was requested but not made available, is a copy *(or, if oral, a summary)* of the request and the action taken on it included in the report *(para 5-6b, AR 15-6)?*			
12	If the respondent challenged the legal advisor or any voting member for lack of impartiality *(para 5-7, AR 15-6):*			
	a. Was the challenge properly denied and by the appropriate officer?			
	b. Did each member successfully challenged cease to participate in the proceedings?			
13	Was the respondent given an opportunity to *(para 5-8a, AR 15-6):*			
	a. Be present with his counsel at all open sessions of the board which deal with any matter which concerns that respondent?			
	b. Examine and object to the introduction of real and documentary evidence, including written statements?			
	c. Object to the testimony of witnesses and cross-examine witnesses other than his own?			
	d. Call witnesses and otherwise introduce evidence?			
	e. Testify as a witness?			
	f. Make or have his counsel make a final statement or argument *(para 5-9, AR 15-6)?*			
14	If requested, did the recorder assist the respondent in obtaining evidence in possession of the Government and in arranging for the presence of witnesses *(para 5-8b, AR 15-6)?*			
15	Are all of the respondent's requests and objections which were denied indicated in the report of proceedings or in an inclosure or exhibit to it *(para 5-11, AR 15-6)?*			

FOOTNOTES: 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation or board.*

SECTION IV - FINDINGS *(para 3-10, AR 15-6)*

The *(investigating officer)* ~~*(board)*~~ , having carefully considered the evidence, finds:

See Attached Memorandum.

SECTION V - RECOMMENDATIONS *(para 3-11, AR 15-6)*

In view of the above findings, the *(investigating officer)* ~~*(board)*~~ recommends:

See Attached Memorandum.

SECTION VI - AUTHENTICATION *(para 3-17, AR 15-6)*

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE. *(If any voting member or the recorder fails to sign here or in Section VII below, indicate the reason in the space where his signature should appear.)*

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

(Recorder)

(Investigating Officer) (President)

(Member)

(Member)

(Member)

(Member)

SECTION VII - MINORITY REPORT *(para 3-13, AR 15-6)*

To the extent indicated in Inclosure _____, the undersigned do(es) not concur in the findings and recommendations of the board.

(In the inclosure, identify by number each finding and/or recommendation in which the dissenting member(s) do(es) not concur. State the reasons for disagreement. Additional/substitute findings and/or recommendations may be included in the inclosure.)

(Member)

(Member)

SECTION VIII - ACTION BY APPOINTING AUTHORITY *(para 2-3, AR 15-6)*

The findings and recommendations of the *(investigating officer) (board)* are *(approved) (disapproved) (approved with following exceptions/ substitutions). (If the appointing authority returns the proceedings to the investigating officer or board for further proceedings or corrective action, attach that correspondence (or a summary, if oral) as a numbered inclosure.)*

See attached memorandum.

HEADQUARTERS
UNITED STATES FORCES – AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

REPLY TO
ATTENTION OF:

USFOR-A-SJA (11-021)

03 AUG 2011

MEMORANDUM FOR (b)(3), (b)(6) USFOR-A

SUBJECT: Appointment Order - Investigating Officer (IO) Pursuant to Army Regulation (AR) 15-6; Incident Resulting in the Death of Ahmad Omid Khpolwak Occurring on 28 July 2011 in Tarin Kowt, Uruzgan Province

1. You are hereby appointed by General John Allen, Commander, United States Forces-Afghanistan (USFOR-A), as an Investigating Officer (IO) pursuant to AR 15-6, Chapter 2, *Procedures for Investigating Officers and Boards of Officers*, to conduct an investigation to determine the facts and circumstances surrounding the death of Ahmad Omid Khpolwak on 28 July 2011 at Tarin Kowt, Uruzgan Province, Afghanistan. This investigation is your primary mission until you tender your completed findings and recommendations to me, no later than 15 days from the date appointed. If you need an extension, submit requests to me through the Staff Judge Advocate, USFOR-A. Unless I release you sooner, your appointment remains in effect until you complete the investigation and I determine that no further investigation is required. You may request the appointment of additional experts to assist you in your investigation. You should coordinate their appointment through your legal advisor.

2. The scope of your investigation is as broad as necessary. You will, however, at a minimum determine the following:

a. The facts and circumstances surrounding the incident (including the 5 W's).

b. The nature and cause of Ahmad Omid Khpolwak's death, to include what wounds he sustained, the suspected cause of those wounds, and who/what caused the wounds sustained by Ahmad Omid Khpolwak that lead to his death. Specifically address whether US forces and/or coalition forces caused Ahmad Omid Khpolwak's death.

c. If Ahmad Omid Khpolwak sustained gunshot wounds, what type of ammunition caused the wounds? What types of ammunition were any US forces and/or coalition forces associated with this incident using?

d. The medical treatment provided to Ahmad Omid Khpolwak and whether such procedures were timely and appropriate under the circumstances.

e. The mission at the time of the incident including the ROE authority that was used during the engagement; the experience level of the participants with this type of mission; the tactics, techniques, and procedures (TTPs) typically employed when responding to complex attack; and whether the TTPs were followed.

f. What was Ahmad Omid Khpolwak's appearance before his death? At the time of his death, what was Ahmad Omid Khpolwak wearing? What was Ahmad Omid Khpolwak doing at the time of his death? At the time of his death, was Ahmad Omid Khpolwak carrying any equipment?

g. Where, exactly, was Ahmad Omid Khpolowak's body found, and where was his body found in relation to suspected and/or actual insurgent activity?

h. Was there an up-to-date threat analysis?

i. The task organization of the forces involved in the mission to include any partnered Afghan forces and the roles of the forces. Whether the assembled forces worked together previously and/or had rehearsed for this type of mission.

j. Training on the Law of War and Escalation of Force that the involved Soldiers received prior to and during deployment.

k. Recommendations concerning improvement, if any, to coalition tactics, techniques, and procedures that may help avoid this type of incident.

l. What consequence management actions the unit has taken, if any, as a result of the incident.

m. Any other matters pertaining to this incident that you deem relevant.

3. Before you begin your investigation, you must receive a briefing from your appointed legal advisor, (b)(3), (b)(6) He can be reached at (b)(2), (b)(3), (b)(6) or SVOIP (b)(2), (b)(6) (b)(2), (b)(6) You must consult with your legal advisor regarding all aspects of this investigation, including developing an investigative plan.

4. You are to conduct this investigation using the procedures outlined in Chapter 3, AR 15-6. No individual has been named as a respondent at this time. All witnesses will be sworn-in prior to their interview. You are to thoroughly document all witness interviews in writing, preferably on a DA Form 2823 (Sworn Statement). You will interview all witnesses in person, if practical. Reduce any oral statements to memorandums for record.

5. If, in the course of your investigation, you come to reasonably suspect that a person committed a crime, you must advise him/her of his/her rights under Article 31, UCMJ (right against self-incrimination, outlined in DA Form 3881 warnings), or the Fifth Amendment, as appropriate. Witness waivers of their Article 31 or Fifth Amendment rights will be documented on DA Form 3881 (Rights Warning Procedure/Waiver Certificate). In addition, you may need to provide a witness with a Privacy Act statement before you solicit any personal information. You are strongly encouraged to consult your legal advisor in the event you suspect someone of an offense or if you have questions regarding these procedures.

6. You may interview and examine documents of personnel senior to you. If, in the course of your investigation, you determine that the investigation will require you to examine the conduct or performance of duty of a service member senior to you, or to which you have a moral or ethical conflict, then you shall report that fact to your legal advisor immediately.

7. From the evidence, and in concert with your legal advisor, you will make findings and recommendations.

a. Findings will be as thorough as necessary to fully capture the facts and circumstances surrounding the scope of this investigation and will be supported by evidence in the record. Your report should cite to the documents that support your conclusions. You have the discretion to use any of the following investigative methods: examination of relevant documents; visiting relevant locations; evaluating procedures; conducting inventories; taking pictures; viewing available imagery and interviewing witnesses, documenting all in writing or otherwise. You are not limited to these means of investigation, and your legal advisor may provide you with additional guidance.

b. In developing your recommendations, ensure that your findings support your recommendations. Develop in your recommendations any courses of action that seem appropriate to resolve any issues or problems raised by your findings, and recommend whether judicial proceedings, non-judicial proceedings, or further investigations are warranted.

8. Your final report will include a table of contents, and all exhibits will be tabbed. Address your findings and recommendations to the appointing authority. Submit the completed report, along with the completed DA Form 1574, to the Office of the Staff Judge Advocate, USFOR-A, for a legal review immediately following completion of your investigation. In assembling your report, ensure that you also include the following:

a. This memorandum of appointment;

b. An executive summary (classified and unclassified versions);

c. An index of exhibits and all exhibits labeled in successive order;

d. A chronology of your investigation;

e. A list of all people interviewed and those from whom no statements were taken; and

f. Proper classification markings for each paragraph, page, and exhibit.

9. This appointment authorizes priority 1 travel status throughout the AOR in order to conduct the investigation.

10. The point of contact for this memorandum is (b)(3), (b)(6) USFOR-A, (b)(3), (b)(6) (b)(3), (b)(6) at SVOIP (b)(2), (b)(6).

FOR THE COMMANDER:

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

Pages 53 through 55 redacted for the following reasons:
- -
Withheld in it's entirety - Duplicate Document of MFR

HEADQUARTERS
UNITED STATES FORCES-AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

REPLY TO
ATTENTION OF:

USFOR-A SJA (11-021)

15 August 2011

MEMORANDUM FOR (b)(3), (b)(6), USFOR-A

SUBJECT: Request for Extension of Deadline to Complete Investigation

I have reviewed your request for an extension of the deadline to complete the AR 15-6 Investigation into the facts and circumstances surrounding the death of Ahmad Omid Khpolwak on 28 July 2011 at Tarin Kwot, Uruzgan Province, Afghanistan. Your request is hereby approved. Submit your findings and recommendations no later than 25 August 2011.

FOR THE COMMANDER:

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

United States Forces - Afghanistan

Page 57 redacted for the following reason:
- -
(b)(2), (b)(3), (b)(5), (b)(6)

ADMIN DATA	ROUTING	INITIALS
DATE: 2 SEP 11	LEGAD	(b)(3), (b)(6) 2 SEPT 2011
SUBJECT: Army Regulation (AR) 15-6 Investigation Into Civilian Casualty (CIVCAS); Incident Resulting in the Death of Ahmad Omid Khpalwak	COMUSFOR-A	
RETURN TO: LEGAD		

BLUF: Sir, on 28 July 2011, insurgents armed with small arms, suicide vests and vehicle-borne improvised explosive devices launched a complex attack against the Provincial Governor's Compound and the Radio Television Afghanistan (RTA) compound in Tarin Khot, Uruzgan Province. US forces responded to the attack and closed with the insurgents at the RTA. During the course of the clearing operation at the RTA compound, Ahmad Omid Khpalwak, a civilian reporter, was killed. You appointed an AR 15-6 Investigation on 3 August.

DISCUSSION: US forces responded to the insurgents who attacked and entered the RTA compound. There was a simultaneous attack on the Provincial Governor's compound, and the Investigating Officer (IO) determined that ANSF partners were primarily occupied by that engagement . Accordingly, the US forces led the response at the RTA compound. When US forces arrived, they took small arms fire (SAF) and grenade attacks from insurgents within the RTA compound. US forces responded with SAF, crew-served weapons and engagement with an (b)(1)1.4a The US ground forces then attempted to clear the RTA compound, at which time two suicide bombers self-exploded, injuring and trapping several members of the clearing team under debris. A small group of Soldiers continued to clear the compound while a larger group sought to provide aid to the injured and trapped.

The IO concluded that Mr. Khpalwak was killed by 5.56 mm rounds fired by a US Soldier with an M4. The IO determined that through the course of an engagement, multiple US Soldiers misperceived Mr. Khpalwak as a threat based on what they identified as SAF being shot at them from Mr. Khpalwak's location. A Soldier observed that Mr. Khpalwak was holding something in one hand and his other hand reaching for something, causing him to believe Mr. Khpalwak was another potential suicide bomber.

The IO recommended continued emphasis on the need to establish whether civilians are present at the scene of any potential engagement and the need to continue to emphasize guidance to exercise tactical patience in operations. The IO further recommended increased mentoring and training of ANSF and ANP partners. The IO also proposed educating the local populace on steps to take during combat hostilities to avoid perception as a threat. The action memorandum recommends disapproving this recommendation.

The enclosed action memorandum presented for your signature approves the findings of the IO. It approves the IO's recommendations, as modified, and directs the appropriate Command to consider the recommendations. The results of the investigation will go to all relevant commands. The action memo also directs the CDR, RC-S (where the incident occurred) to share the results of the investigation to the extent possible with the ANSF.

Recommendation: Sir, if you approve, please endorse the attached memorandum.

FOR SIGNATURE

V/R

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

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

3 September 2011

MEMORANDUM FOR RECORD

SUBJECT: Addendum to the Findings and Recommendations of AR 15-6 Investigation for the Civilian Death of Mr. Ahmad Omid Khpalwak on 28 July 2011 in the City of Tarin Kowt, Uruzgan, Afghanistan

1. This memorandum is an addendum to my 30 August 2011 Findings and Recommendations concerning the civilian death of Mr. Ahmad Omid Khpalwak on 28 July 2011 during a complex attack in the city of Tarin Kowt. This memorandum is intended to memorialize an additional finding.

2. Based on my review of the evidence, my evaluation of the credibility of the witnesses, and my analysis of the facts, I find that the actions of the US Soldiers involved in this incident complied with the laws of armed conflict, the rules of engagement, and were reasonable under the circumstances. I further find that this determination is consistent with all previous findings and recommendations provided in my 30 August 2011 report.

3. The POC for this addendum is undersigned at (b)(2), (b)(3), (b)(6) or (b)(2), (b)(6)

(b)(3), (b)(6)
Investigating Officer

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DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

1 September 2011

MEMORANDUM FOR RECORD

SUBJECT: Investigating Officer Statement Regarding Battalion Commander, (b)(3), (b)(6) (b)(3), (b)(6)

1. On 3 August 2011, I was appointed by General John Allen, Commander, United States Forces Afghanistan (USFOR-A) to conduct an investigation to determine the facts and circumstances surrounding the death of Ahmad Omid Khpolwak on 28 July 2011 at Tarin Kowt, Uruzgan Province Afghanistan. During the course of the investigation, I did not interview the Battalion Commander of 4-70 AR, (b)(3), (b)(6). Due to the severity of his injuries, (b)(3), (b)(6) (b)(3), (b)(6) was hospitalized and evacuated from Afghanistan.

2. (b)(3), (b)(6) was incapacitated by the Personnel-borne IED blasts and did not play a leading role in the events that followed when Ahmad Omid Khpalwak was killed. Because there were numerous witnesses and sufficient evidence available from other sources, I did not deem his testimony necessary to determine the essential facts of the case.

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

Investigating Officer

HEADQUARTERS
UNITED STATES FORCES-AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

USFOR-A SJA (11-021) 2 September 2011

MEMORANDUM FOR RECORD

SUBJECT: Discussion with Investigating Officer of 15-6 Investigation Concerning the Death of Mr. Ahmad Omid Khpalwak

1. On 2 September 2011, I had a phone conversation with (b)(3), (b)(6), the Investigating Officer (IO) in the AR 15-6 Investigation concerning the death of Mr. Ahmad Omid Khpalwak. This memorandum memorializes the pertinent points of discussion.

2. I asked the IO whether he had the opportunity to form definite conclusions regarding the actions by US Soldiers involved in the shooting of Mr. Khpalwak and whether the action violated the laws of armed conflict or the rules of engagement. The IO, who discussed all evidence during the course of the investigation with a legal adviser, stated that the actions of US Soldiers complied with the laws of armed conflict, the rules of engagement and were reasonable under the circumstances. The IO stated that the shot or shots fired that killed Mr. Khpalwak were tragic, but that they were justified under the circumstances. He further relayed that these determinations were consistent with and provided the basis for the findings and recommendations he made for the investigation.

3. I am the point of contact for this memorandum for record. I am available at DSN and VOSIP (b)(2), (b)(6). My SIPRNET address is (b)(2), (b)(3), (b)(6)

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

Page 63 redacted for the following reason:
- - - - - - - - - - - - - - - - - - - -
Withheld in it's entirety - Duplicate Brief

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Investigating Officer Statement

1. On 3 August 2011, I was appointed by General John Allen, Commander, United States Forces Afghanistan (USFOR-A) to conduct an investigation to determine the facts and circumstances surrounding the death of Ahmad Omid Khpolwak on 28 July 2011 at Tarin Kowt, Uruzgan Province Afghanistan. During the course of the investigation, over twenty-seven (27) statements were provided, with about half of the statements with oaths provided by (b)(3), (b)(6) two by (b)(3), (b)(6) (b)(3), (b)(6) and one by (b)(3), (b)(6). Chapter 3, paragraph 6 of AR 15-6, references UCMJ 136. Article 136 does authorize (b)(3), (b)(6) to provide and sign the oath portion. The statements with oaths and signed by (b)(3), (b)(6) have been redone by an authorized individual.

2. To ensure compliance, those that provided the statements have been given the oath properly, and by an authorized individual. They have read the statement, re-signed and re-dated the document. The authorized person who provided the oaths, has so indicated on the sworn statement.

3. Lastly, most of the statements were provided contemporaneously to the events, when the events are most fresh in the minds of the witnesses. Any follow-up interviews will be conducted to provide additional necessary information and not to rewrite or redo statements that have already been created.

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

Investigating Officer

INDEX OF EXHIBITS

1. Index of Exhibits
2. Combined Team Uruzgan SUPINTREP 044-11, 16 August 2011, 12 pages
3. Overhead photograph of Complex Attack on Tarin Khot City, 1 page
4. Complex Attack in Tarin KOT Involving eight IED Incidents, 28 July 2011 (Report compiled by Australian EOD, US EOD and the CTU Weapons Intelligence Team), 33 pages
5. CJTF Paladin report of VBIED Find (Complete) 31 July 2011, 11 pages
6. First Impression Report, 31 July 2011, 4 pages
7. PTSD Video Photograph of RTA Building, 1 page
8. Photograph of walls/damage to RTA building, 7 pages
9. (b)(1)1.4c
10. (b)(1)1.4a 2 Videos
11. (b)(1)1.4a Video
12. (b)(1)1.4a Video
13. CTU Timeline 28 July Attack, 8 pages
14. Battalion Task Tracker, 2 pages
15. Witness Statement of (b)(3), (b)(6), dated 1 August 2011, 3 pages, ratified/adopted on 16. August 2011
16. Witness Statement of (b)(3), (b)(6) dated 1 August 2011, 2 pages
17. Witness Statement of (b)(3), (b)(6), dated 6 August 2011, 4 pages, ratified/adopted on 18 August 2011
18. Witness Statement of (b)(3), (b)(6) dated 1 August 2011, 2 pages
19. Witness Statement of (b)(3), (b)(6) dated 30 July 2011, 4 pages (includes 2 copies of page 1/one with and without pen markings)
20. Witness Statement of (b)(3), (b)(6) dated 18 August 2011, 2 pages
21. Witness Statement of (b)(3), (b)(6), dated 31 July 2011, 3 pages
22. Witness Statement of (b)(3), (b)(6) dated 2 August 2011, 3 pages
23. Witness Statement of (b)(3), (b)(6) dated 4 August 2011, 2 pages
24. Witness Statement of (b)(3), (b)(6), dated 6 August 2011, 3 pages, ratified/adopted on 18 August 2011
25. Witness Statement of (b)(3), (b)(6) dated 31 July 2011, 3 pages
26. Witness Statement of (b)(3), (b)(6) dated 30 July 2011, 4 pages (includes 2 copies of page 1/one with and without pen markings)
27. Witness Statement of (b)(3), (b)(6) dated 1 August 2011, 2 pages
28. Witness Statement of (b)(3), (b)(6) dated 1 August 2011, 2 pages
29. Witness Statement of (b)(3), (b)(6) dated 1 August 2011, 2 pages
30. Witness Statement of (b)(3), (b)(6) dated 28 July 2011, 2 pages
31. Witness Statement of (b)(3), (b)(6), dated 30 July 2011, 3 pages
32. Witness Statement of (b)(3), (b)(6) dated 6 August 2011, 3 pages, ratified/adopted on 18 August 2011
33. Witness Statement of (b)(3), (b)(6), dated 6 August 2011, 3 pages, ratified/adopted on 18 August 2011
34. Witness Statement of (b)(3), (b)(6), dated 1 August 2011, 2 pages
35. Witness Statement of (b)(3), (b)(6), dated 28 July 2011, 2 pages

36. Witness Statement of SPC (b)(3), (b)(6), dated 6 August 2011, 3 pages, ratified/adopted on 18 August 2011
37. Witness Statement of (b)(3), (b)(6), dated 30 July 2011, 3 pages
38. Witness Statement of (b)(3), (b)(6) dated 30 July 2011, 3 pages
39. Witness Statement of (b)(3), (b)(6) dated 1 August 2011, 2 pages
40. Witness Statement of (b)(3), (b)(6), dated 31 July 2011, 3 pages
41. Witness Statement of (b)(3), (b)(6), dated 18 August 2011, 2 pages
42. Witness Statement of (b)(3), (b)(6) dated 3 August 2011, 3 pages
43. Witness Statement of (b)(3), (b)(6), dated 30 July 2011, 3 pages
44. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6) HHC Cdr, 4-70 AR at Multi-National Base Tarin Khot (MNBTK), Uruzgan, Afghanistan, 3 pages
45. Task Organization List undated, 1 page
46. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6) TF 4-70 Combat Advisor to the Afghan National Police, MNB-TK, Uruzgan, 1 page
47. Memo For Record dated 27 August 2011, Interview of (b)(6) who worked with Ahmad Omid Khpalwak, 2 pages
48. Photographs of Ahmad Omid Khpalwak (pages) and Photograph of location where body found, 1 page
49. Memo For Record dated 27 August 2011, Interview of (b)(3), Brother of Ahmad Omid Khpalwak, 3 pages
50. Memo For Record dated 27 August 2011, Interview of (b)(6) Police, Uruzgan, 1 page
51. Memo For Record dated 27 August 2011, Interview of (b)(6) 1st ANP, 20 pages
52. Memo For Record dated 27 August 2011, Interview of (b)(6) (b)(6) Combined Team Uruzgan (CTU), MNB-TK, Uruzgan, 2 pages
53. Memo For Record dated 27 August, Witness Interview of (b)(6) (b)(6) 1 page
54. Memo For Record dated 27 August 2011, Witness Interview of (b)(3) 1st ANP, 2 pages
55. Memo For Record dated 27 August 2011, Witness Interview of (b)(6) (b)(6) who examined the body, 2 pages
56. Memo For Record dated 27 August 2011, Witness Interview of (b)(3), (b)(6) Battalion S-2, 4-70 AR, 1 page
57. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6) Provisional Reconstruction Team (PRT), MNB-TK, Uruzgan, 1 page
58. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6) Operations Coordination Center – Provincial (OCC-P), MNB-TK, Uruzgan, 1 page
59. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6) Public Affairs Officer, Combined Team Uruzgan (CTU), 2 pages
60. Memo For Record dated 27 August 2011, Interview of (b)(6) (b)(6), 2 pages
61. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6) (b)(3) 4-70 AR, 2 pages
62. Memo For Record dated 27 August 2011, Interview of (b)(3), (b)(6), 1 page
63. Movement of Troops Timeline, 2 pages

64. Other Individuals Interviewed, 1 page

Pages 68 through 83 redacted for the following reasons:
- -
(b)(1)1.4a
(b)(1)1.4b
(b)(2), (b)(1)1.4a

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
Multi-National Base Tarin Kowt, Afghanistan	2011 08 01 (b)(3), (b)(6)	1600	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR. 170th BCT

9.
I (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 28th of July, 2011 at approximately 1220, (b)(1)1.4a section heard two explosions and smoke clouds. (b)(1)1.4a called up to (b)(1)1.4a Main asking what the cause of the explosions were. (b)(1)1.4a came over the net saying that we needed to move to the KAU compound. (b)(1)1.4a asked about our (b)(1)1.4a but (b)(1)1.4a said to go anyway. Around (b)(1)1.4a we left (b)(1)1.4a, (b)(1)1.4a section loaded up and headed to the KAU compound we arrived around (b)(1)1.4a As soon as (b)(1)1.4a section arrived, we took contact from the northwest side of the compound. (b)(3), (b)(6) waved my truck down and opened the door saying they had a casualty. (b)(3), (b)(6) (b)(3), (b)(6) was loaded up into my truck and we left the KAU compound heading back to MBTK. In the mean time (b)(3), (b)(6) performed buddy aid. (b)(1)1.4a section arrived at the roll two around (b)(1)1.4a (b)(3), (b)(6) and I helped (b)(3), (b)(6) into the roll two. (b)(3), (b)(6) and I loaded back up in to our truck and met up with (b)(1)1.4a, (b)(1)1.4g section at the north gate. Around (b)(1)1.4a we left MNB TK and heading back to the KAU compound. We arrived around (b)(1)1.4a, (b)(1)1.4g As soon as we arrived, (b)(1)1.4a took contact from the northwest side of the compound. (b)(1)1.4a came over the net coordinating a gun run with (b)(1)1.4a element. An (b)(1)1.4a made a gun run on the north east building of the compound. Then (b)(3), (b)(6) got out of the truck and met up with the rest of the Dismounts. I sat and listened to (b)(1)1.4a main and PLT net. Someone over (b)(1)1.4a net said they were sending in a dismounted team. As I sat on my truck I heard one explosion immediately followed by another one. (b)(3), (b)(6) came over the PLT net asking for medics and a few minutes later he asked for grenades but I didn't have any in my truck. (b)(3), (b)(6) came over the PLT net yelling to cease fire from the cordon. My gunner wasn't shooting. Around (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) came over the net and told all drivers to dismount to the front of the convoy. (b)(3), (b)(6) and I got out of our trucks and ran to the front. (b)(3), (b)(6) told us to help with recovery. I ran into the courtyard to see (b)(3), (b)(6) applying buddy aid to (b)(3), (b)(6) I then saw a soldier pulling another soldier away from the rubble. I leaned over to help and then heard (b)(3), (b)(6) yelling for people. I ran to (b)(3), (b)(6) and he said that we needed to clear three rooms but to be careful they might be booby trapped. (b)(3), (b)(6) and I cleared the three rooms. After the three rooms were cleared I walked back into the courtyard and saw (b)(3), (b)(6) getting a litter ready. I helped him carry it out to see if anybody needed it, but no one did. Then I heard someone saying we needed to get the injured personnel gear into a truck, so (b)(3), (b)(6) (b)(3), (b)(6), and I did. We then heard gun shots from the north. (b)(3), (b)(6) told us to keep moving. I threw the gear I had in back of ar (b)(1)1.4a and took cover. Then I heard someone yell for the drivers to get back into the trucks. I ran back to my truck and got in. A little bit later (b)(3), (b)(6) got in the truck and we left to drop off EOD at the governor's compound. ----------
-----NOTHING FOLLOWS-- (b)(3), (b)(6) ----------

(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 "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 MBTK, Afghanistan DATED 2011 08 01

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

Statement)

WITNESSES:

HHC, TF 4-70TH AR APO AE 09380
ORGANIZATION OR ADDRESS

HHC, TF 4-70TH AR APO AE 09380
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of AUGUST, 2011 at MBTK, AFGHANISTAN

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

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNB-TK DATED 18 Aug 2011

9. STATEMENT *(Continued)*

I, (b)(3), (b)(6) made the preceding statement on 1 Aug 2011. I now ratify and adopt that previous statement as true and accurrate.

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 1. 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)

WITNESSES:

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

HHC 4-70th AR

ORGANIZATION OR ADDRESS

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

HHC 4-70th AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of August, 2011 at Multinational Base Tarin Kowt

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

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

(Typed Name of Person Administering Oath)

US Army Judge Advocate

(Authority To Administer Oaths)

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

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
Multi-National Base Tarin Kowt, Afghanistan	20110801	1625	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.

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

On the 28th of July at approximately (b)(1)1.4a platoon was headed north on (b)(1)1.4a upon arrival at the KAU compound, we started to take small arms fire from the building that the insurgents were held in. The (b)(1)1.4a platoon dismounts on the ground were: (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) They began moving to the compound and linked up with PSD elements already on site. (b)(1)1.4a gave the (b)(1)1.4a element permission to fire on the building the insurgents were held in. The PSD trucks on the north side of the compound began to engage the insurgents inside the building. The (b)(1)1.4a element was then cleared again for another gun run on the compound. After the building was engaged by the (b)(1)1.4a. (b)(1)1.4a organized an assault team to enter the compound. Before the team moved in the PSD element threw two grenades, at the target building, which exploded outside the building next to the outer wall. (b)(3), (b)(6) moved to the wall that was on the west side of the compound to provide security for the assault team before they move in. As the assault team moved in, the 2 suicide vests inside detonated. (b)(1)1.4a dismounts and PSD dismounts began to provide recovery and aid to the casualties. As they were providing aid, I heard gunfire come from the compound and saw two soldiers returning fire into the compound. At that time (b)(3), (b)(6) came to the inner cordon and told the drivers to dismount and help out with the recovery. As my driver was dismounting we started to receive fire coming from the west. After the fire subsided the drivers went to the blast site. They recovered gear, assisted with casevac, and cleared the building. As the drivers were coming back to the vehicles we started receiving fire from the north. When the drivers mounted back up, we pushed down further into (b)(1)1.4a to set up blocking positions. Meanwhile, the initial investigations on the compound were taking place. ----NOTHING FOLLOWS----- (b)(3), (b)(6) -------

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 2011 08 01

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)

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 02 day of AUGUST, 2011 at MBTK, AFGHANISTAN

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

HHC, TF 4-70TH AR APO AE 09380
ORGANIZATION OR ADDRESS

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

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

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

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

(Typed Name of Person Administering Oath)

HHC, TF 4-70TH AR APO AE 09380
ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

SWORN STATEMENT

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

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
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
MNB Tarin Kowt	2011 08 06	1400	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. [redacted]	7. GRADE/STATUS
(b)(3), (b)(6)	(b)(3), (b)(6)	(b)(3), (b)(6)

8. ORGANIZATION OR ADDRESS
HHC S-3 4-70 AR

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

At approx. 1200 on 28 July 11 I was in HQ-6 driving for (b)(3), (b)(6), parked outside of the CTU area on base when we heard 2 large explosions in the direction of TK city. The (b)(3) decided we were going to investigate since we were already spun-up. We left behind (b)(1)1.4a and (b)(1)1.4a trucks to wait for EOD. We left with our truck and (b)(1)1.4a to include their 6 & 3 trucks. As soon as we turned north on (b)(1)1.4a, ANP personel started to point us north, towards the KAU compound. As we rolled by, the (b)(3), (b)(6) spotted the remnants of a VBIED, and an estimated 30m section of the northern wall of the KAU compound that was destroyed. The (b)(3), (b)(6) also called up that the KAU forces were arranged to defend against somebody in the compound. Almost as soon as he dismounted, we started coming under small arms fire. The dismounts took cover behind the trucks or the wall to our right (~~east~~ (b)(3), (b)(6) side of road). I called up the contact report to (b)(1)1.4a at that time. I heard (b)(1)1.4a radio that he was leaving EOD behind and coming to assist. My gunner, (b)(3), (b)(6) had been returning fire with his M4, but after the enemy threw the first grenade, he switched over to his .50 cal. (b)(3), (b)(6) had me maneuver the truck back to get him a better firing angle on the enemy, who were holed up in one building. The (b)(3), (b)(6) came to my door, using our truck as cover, and used my headset to call up that there were 2 (b)(3), (b)(6) suicide bombers, and to request (b)(1)1.4a. At about this time the (b)(1)1.4a element arrived and took up position slightly south of us.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ 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 1400 DATED 2011 08 06

9. STATEMENT *(Continued)*

The (b)(3), (b)(6) then got back in the truck, and directed me to move the truck off the road, and [redacted] (b)(3), (b)(6) towards the building we were firing on. This was the first time I was in position to see the enemy we were engaging. As we were moving up, I saw one of the enemies pop out in the doorway and lob a grenade at us. It did not come close enough to cause any damage. The one who tossed it did not appear injured at that time. We stopped and had the other trucks push in behind us. [redacted] [redacted] I heard (b)(1)1.4a call up a casualty report at that time. We continued to push [redacted] (b)(3), (b)(6) along the wall while (b)(3), (b)(6) continued to fire into the building, over the wall and in the windows. (b)(1)1.4a arrived on station at this point. We pushed further [redacted] to take for side security, and the (b)(3), (b)(6) instructed (b)(1)1.4a to conduct a total of 3 gun runs on the target. After (b)(1)1.4a fired the first set of 30mm, the enemy returned fire. After the 2nd and 3rd sets by (b)(1)1.4a, no more fire or movement was observed from inside the building. The (b)(3), (b)(6) estimated that the enemy was either KIA or unable to fight any longer. He then dismounted to coordinate the dismount teams assault on the building. Approx 5-10 minutes passed while the (b)(1)1.4a (I do not know when they arrived) and (b)(1)1.4a dismount teams moved into position. I heard 2 grenades detonate aprox 15 seconds apart, followed shortly by 2 extremely large explosions. Somebody on the other side of the building called a mass-cas. We continued to provide for side security, and I did not directly observe any of the cas-evac activities. We stayed behind with a radio on the battalion net. (b)(3), (b)(6) TCed to provide (b)(3), (b)(6) our truck back to MNB TK at aprox 1730.

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

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

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

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

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1400 DATED 2011 08 06

9. STATEMENT *(Continued)*

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

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

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

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

AFFIDAVIT

(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 INFLUENCE OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

HHC 4-70th AR

ORGANIZATION OR ADDRESS

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

HHC 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____

at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNB-TK DATED 18 Aug 11

9. STATEMENT *(Continued)*

I (b)(3), (b)(6), made the preceding statement on 6 Aug 11. I now ratify and adopt that previous statement as true and accurrate.

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 1. 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 4-70 AR
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
HHC 4-70 AR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of August, 2011 at Multinational Base Tarin Kowt

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

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

US Army Judge Advocate
(Authority To Administer Oaths)

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

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
Multi-National Base Tarin Kowt, Afghanistan	20110801	1628	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 July 2011, at about 1250, A Section (b)(1)1.4a platoon was given a warning order about Troops in Contact. We immediately rushed to our motor pool and prepared our trucks for the mission. By (b)(1)1.4a, (b)(1)1.4a we were at (b)(1)1.4a, (b)(1)1.4a and began to move towards the North gate of Multinational Base Tarin Kowt. There we linked up with our B Section who had already completed the first casualty evacuation (CASEVAC) and were on their way back to the KAU compound the site of the contact. Reports we heard over the radio were that there was a vehicle borne Improvised explosive device (VBIED) that had detonated and there was small arms contact from inside the building. Around (b)(1)1.4a Platoon arrived at the KAU compound which was being suppressed by the vehicles in the outer cordon and (b)(1)1.4a (b)(3), (b)(6) conducted linkup with (b)(3), (b)(6) who directed our dismounts to consolidate beside an (b)(1)1.4a for cover. The (b)(1)1.4a dismount team consisted of (b)(3), (b)(6) (b)(3), (b)(6) went to get more information from (b)(3), (b)(6), the (b)(1)1.4a platoon leader. (b)(3), (b)(6) was consolidating the dismounts and coordinating with the driver to shadow our move around the side of the compound and (b)(3), (b)(6) was still directing the trucks into better position to support the outer cordon. Once the entire dismount team was consolidated beside the (b)(1)1.4a it moved around the corner and set just behind another which was providing cover for the (b)(1)1.4a dismount element. (b)(3), (b)(6) briefed the (b)(1)1.4a dismount team that the (b)(1)1.4a dismount team would be the clearance team and (b)(1)1.4a would provide security and support by fire. The (b)(1)1.4a dismount team consisted of (b)(3), (b)(6) The (b)(1)1.4a dismount team moved to their position along the north wall of the compound while (b)(1)1.4a along with (b)(3), (b)(6), established ourselves behind the northern wall of the courtyard. (b)(1)1.4a was providing over watch of the building while (b)(1)1.4a prepared to throw grenades to further suppress the building. Three grenades were thrown towards the building two detonated in the buildings courtyard and the third failed to detonate. The dismounts from (b)(1)1.4a then stacked along the outside of the building the (b)(1)1.4a dismounts stayed in place at the western wall. I was unable to see over the wall into the courtyard but the (b)(1)1.4a dismounts to my right and left where positioned at cutaway sections of the wall and were screaming their observations of the interior of the building and the surrounding area to the dismounts on the ground. Soon after the first of the (b)(1)1.4a dismounts entered the building I heard two large explosions almost simultaneously, one from the northwest corner and one from the southwest corner of the building. (b)(3), (b)(6) immediately ran into the cloud of dust and began to uncover the (b)(1)1.4a dismounts that were then lying in the courtyard of the building trapped under debris from the wall that exploded and collapsed on top of them. (b)(3), (b)(6) (b)(3), (b)(6) were ordered to remove (b)(3), (b)(6) until the building was cleared properly. (b)(3), (b)(6) then rushed forward and began to uncover the injured soldiers. I shifted to the left to the position that (b)(3), (b)(6) had occupied to provide security but was soon called forward to assist with the casualties from the blast. (b)(3), (b)(6) remained in their support by fire position. They continued to yell their observations and instructions to the dismounts in and around the building as well as coordinate with the drivers of the vehicles in the outer cordon to bring litters forward to assist in casualty evacuation. (b)(3) (b)(3), (b)(6) was organizing a (b)(1)1.4a to clear the rooms of the building. This team consisted of (b)(3), (b)(6) (b)(3), (b)(6). ---TURN TO NEXT PAGE----------

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 MBTK, Afghanistan DATED ~~2011/07/3~~ (b)(3), (b)(6) 20110801

9. STATEMENT *(Continued)*

They were clearing the building from East to West when they were pinned in the hallway by fire coming out of closest room on the northwest side of the building (b)(3), (b)(6) who had arrived to reinforce the clearance and CASEVAC teams saw one military age male through a large hole in the western wall of that room and opened fire through the hole to clear the immediate threat. Once the fire ceased from the room (b)(3), (b)(6) continued to assist with CASEVAC. Once all the casualties were evacuated another search team was sent through the courtyard and building to secure the sensitive items and equipment of the wounded soldiers. After all personnel and equipment was accounted for the majority of the dismounts pulled back away from the building leaving only a few to provide security for EOD as they searched and cleared any remaining explosive threats and conducted post blast analysis. At that time control of the area was turned over to Afghan security forces and coalition forces soon left to begin our follow-on missions.--

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

(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, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of AUGUST, 2011

at MNBTK, AFGHANISTAN

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 (b)(3), (b)(6) 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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
MNB-Tarin Kowt, Afghanistan	2011/07/30	1700	

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

8. ORGANIZATION OR ADDRESS
HHC, TF 4-70 AR

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 28th of July 2011, around 1200 the (b)(1)1.4a element, containing (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and myself (b)(3), (b)(6), parked behind the CTU building, after about 30 minutes of being there I witnessed two explosions North on (b)(1)1.4a, (b)(1)1.4g At that time we were ordered to release all VIPs. I was gunning on HQ38, (b)(3), (b)(6) was driving and (b)(3), (b)(6) (b)(3), (b)(6) was my TC. (b)(3), (b)(6) took 4 vehicles with him and started heading towards the site of the first explosion. HQ38 stayed back along with two other vehicles to wait for the EOD team. Roughly (b)(1)1.4a the command was given to continue mission without EOD, so we left MNB TK. About (b)(1)1.4a we arrived on the scene of the explosion where the first group of trucks were already taking small arms fire. HQ38 was located on (b)(1)1.4a facing north, approximately 75 meters to the West of the building firing at us. My turret was facing East towards the building and I was using suppressive fire on the door and hallway. At about 1355 (b)(1)1.4a, showed up on location. The request for them to fire on the building was made. They fired on the building that held the enemy (b)(1)1.4a. Small arms fire continued to come from the building. Approximately 1445 a team of U.S. soldiers approached the building. At roughly 1450 I saw two explosions come from the house. At that time I had my driver maneuver HQ38 to the North side of the building where I could better assess the situation. At roughly 1455 I removed my harness and grabbed my M4 and exited the vehicle. As I approached the accident I noticed we had casualties in the rubble, so I began helping to dig out our soldiers and their equipment. At around 1510 Myself, (b)(3), (b)(6) and (b)(3), (b)(6) were ordered to make sure the rest of the building was clear. There were 3 rooms left, 2 on the North side and 1 on the South side. The 1st room on the North side was blocked by rubble so we bypassed it and headed to the 2nd door on the North side. (b)(3), (b)(6) had a weapon malfunction so the rest of our team went around him and finished clearing. It was roughly 1520 when I heard (b)(3), (b)(6) say that there was still a guy in the room we were unable to get into and there was small arms fire coming from the room. At about 1525 I was told the threat had been neutralized so myself and the other soldiers on the ground began moving the casualties to the different trucks. I saw (b)(3), (b)(6) carrying the (b)(3), (b)(6) to the trucks and when the (b)(3), (b)(6) was in the trucks our medic (b)(3), (b)(6) began to do what little he could for (b)(3), (b)(6). We left the site at about 1530 to take casualties back to the ROLE 2 on MNB TK, I was gunning for HQ38 still with (b)(3), (b)(6) driving and (b)(3), (b)(6) in the TC seat. We had (b)(3), (b)(6) (b)(3), (b)(6) in the back as casualties. At roughly 1540 HQ38 arrived at the ROLE 2 and began to unload our injured personnel. It was about 1600 we consolidated our crew serve rounds and split them up between the trucks. At about 1615 HQ38 and the other two trucks in the convoy left MNB TK to link up with the other group of people back at the site of the explosion. At this time I was a passenger in HQ38 with (b)(3), (b)(6) driving, (b)(3), (b)(6) as the TC, and (b)(3), (b)(6) as the gunner. Around 1625 we arrived back to the site of the explosion and linked up with (b)(3), (b)(6). Roughly 1640 we left for the Governor's compound to pick up (b)(3), (b)(6) I was in the TC seat of PSD 4 at this point, with (b)(3), (b)(6) driving and (b)(3), (b)(6) as our gunner. At roughly 1650 PSD4 approached our destination to find Australians, ANSF troops and vehicles outside of the compound and a firefight taking place inside. (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

Page 96 redacted for the following reason:
- - - - - - - - - - - - - - - - - - - -
Withheld in its entirety - Duplicate Sworn Statement

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 1700 DATED 2011/07/30

9. STATEMENT *(Continued)*

Around 1700 our convoy moved into the compound and PSD4 took up security in the Northwest corner. At about 1725 PSD4 was moved to the Northwest corner of the Deputy Governor's house to pull security. At roughly 1800 ANSF went inside the house and cleared it of all enemies. At about 1815 EOD was called to come out to our location. Around 1845 EOD collected up what UXOs they could and at about 1905 the UXOs were blown up. At about 2030 PSD4 and the rest of our convoy assumed REDCON 1 Status and prepared to move back to Fob Tarin Kowt. It was about 2045 when our convoy left the Governor's compound and roughly 2100 when we arrived back on MNB TK.

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1700 DATED 2011/07/30

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 INFLU

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

(Signature of Person Making Statement)

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

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

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

RC-S 10th MTN Division

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of August, 2011 at Multi National Base Tarin Kowt, Uruzgan, Afghanistan

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

R.O. 15-6

(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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).

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Multi-National Base Tarin Kowt	2011/08/18	1930 hrs	

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

8. ORGANIZATION OR ADDRESS

HHC, 4-70th AR BN (PSD-1)

9.

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

When I arrived at the site I began helping to dig Soldiers out from the very front of the building. I was pulling rubble off of (b)(3), (b)(6) (b)(3), (b)(6) told me and the others closest to the hallway to clear the rest building. Our group stacked in the hallway. There were three rooms on the north side of the building and one on the south side. We passed the first doorway because it was blocked, and stacked on the second. The order of our stack was (b)(3), (b)(6) myself, then the two scouts. (b)(3), (b)(6) came partway around the door and fired a round into the middle of the room. He had a weapons malfunction, stepped back, took a knee, and did not clear any other rooms. The rest of us cleared the room at the end of the hall, and then the room across the hallway on the south side of the building. (b)(3), (b)(6) moved to the west side of the building, the rest of us followed. After we finished the room clearing we started to clear rubble again. Soon after that (b)(3), (b)(6) said there was firing coming from the bathroom. We stacked in the hallway again, I was facing east, the two scouts were facing west. We were along the north wall between the first and the second room. While I was stacked along the wall, the machine gun fired and then a cease-fire was called. I heard that the threat had been neuttralized, and continued digging Soldiers out of the rubble.

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 MNB-TK DATED 18 Aug 2011

9. STATEMENT *(Continued)*

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 ____. 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)

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

ORGANIZATION OR ADDRESS

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

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of AUG, 2011 at MNB-TK

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

(Typed Name of Person Administering Oath)

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

US Army Judge Advocate

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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
MNB Tarin Kowt, Afghanistan	2011/07/31	1100L	

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

8. ORGANIZATION OR ADDRESS
HHC 4-70 AR

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 281200(L)JUL2011 I was involved in a complex attack on the Kandak Amniante Uruzgan (KAU) compound outside of MNB-TK with the following personnel: (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) When I arrived at the KAU, building A1993, I was the lead vehicle in our patrol. I was driving (b)(1)1.4a which had (b)(3), (b)(6) as the TC and (b)(3), (b)(6) as the gunner. At about the same time we arrived on scene to investigate an explosion our convoy received enemy fire from a building to our east. After several minutes of gun fire (b)(3), (b)(6) engaged with 30MM fire on building A1993 where the enemy was located. I was still located at the north side of the building facing down the road to our 12 o'clock, providing security for our convoy, while the (b)(3), (b)(6) came up with a plan to try and enter the building to stop the enemy forces. Our PSD dismounted element was then linked up with the Scout platoon to try and infiltrate the building and neutralize the threat. They were split into two teams, PSD element and Scout element. PSD elements moved to throw in three fragmentary grenades, of which only two actually exploded, and then prepared to enter the building to begin clearing procedures. Shortly after the third grenade was thrown two separate explosions occurred and damaged the building, covering all of the PSD element that was trying to enter the building with debris. I then exited my vehicle to assist in recovery of potential injured members of my team. I was about seventy five meters north and by the time I got to the scene of the explosions I saw (b)(3), (b)(6) who had been injured by the blast attempting to walk back to our vehicles that had cordoned off the building. I assisted him to the rear of an (b)(1)1.4a where (b)(3), (b)(6) then helped him into the back of his vehicle. The next person I saw was (b)(3), (b)(6) who was being helped back and hopping on one leg. He has suffered an injury to his foot and after trying to help him further back away from the blast he assured me that he was okay to help others. I then ran to the location where (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) were buried by debris from the explosion. The first personnel I helped free was (b)(3), (b)(6) during which we began to take more enemy fire. I continued to free (b)(3), (b)(6) until was able to walk on his own power, then proceeded to free (b)(3), (b)(6) with (b)(3), (b)(6). At the time we were still taking enemy fire so (b)(3), (b)(6) and myself were forced to move (b)(3), (b)(6) to a safer location approximately twenty meters behind cover . At that location he was helped by others to a vehicle to be CASEVAC'd back to MNB-TK. I then went back to help free (b)(3), (b)(6). At the time I was getting the debris off of (b)(3), (b)(6) moved on the enemy who was still firing and shot him. At that time our forces were able to move more freely to get the rest of the men out of the rubble. After getting (b)(3), (b)(6) uncovered enough for others to come with a spine board I took his weapon and brought it back to our vehicles. The next Soldier I helped was (b)(3), (b)(6) who had his leg trapped under a piece of concrete that was to heavy for (b)(3), (b)(6) and myself to move. With the assistance of (b)(3), (b)(6) we were able to get the rock off his leg long enough for someone to pull his leg free.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

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 1100L DATED 2011/07/31

9. STATEMENT *(Continued)*

After he was free (b)(3), (b)(6) one afghan national policemen, (b)(3), (b)(6), and myself loaded him onto the litter that the Afghan national policemen brought and took him to truck PSD 2. I went back after loading up (b)(3), (b)(6) to see if anyone else needed help and that's when I was told that (b)(3), (b)(6) was still trapped under debris and a large piece of concrete. With the help of other Soldier's, we were able to get the large block of concrete off of him. I then went back to see if I could find a CASEVAC vehicle or if anyone else needed assistance. This is where I came in contact with (b)(3), (b)(6) and he moved a CASEVAC vehicle closer to the wounded. After seeing two other Soldiers help (b)(3), (b)(6) into a vehicle to be moved back to MNB-TK, I then proceeded back to my original vehicle where I linked up with (b)(3), (b)(6) and began to monitor the radio. I then saw (b)(3), (b)(6) trying to back vehicles out so we could move back to MNBTK and asked (b)(3), (b)(6) f I should assist him. He told me to help so I ran to see if there was anything I could do. He then had me drive PSD 9 (b)(1)1.4a which at the time only had (b)(3), (b)(6) as the gunner. After (b)(3), (b)(6) turned our vehicle around we moved to the road to stage, where I became the last vehicle of 4 to move back to MNBTK. Shortly after arriving back to MNBTK we were notified that we had to get three gun trucks ready to roll back out to assist with other operations. This included (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and myself. I became then became the gunner of PSD 2 (b)(3), (b)(6) (b)(3), (b)(6) was the driver and (b)(3), (b)(6) was the TC. We then began our movement to stage around five hundred meters south of KAU building A1993 to find out our next orders. This is where we picked up (b)(3), (b)(6) We were then told that we had to move to the Uruzgan Provincial Governor's Compound to assist in the recover of (b)(3), (b)(6) whom was there where a separate attack was taking place. By the time we moved to the governors compound there had already been multiple explosions and we could still hear gun fire. We occupied the north side of the building that was being occupied by a man with a suicide vest. We pulled security while Afghan forces neutralized the threat and cleared the building. Our team then had to wait for EOD to dispose of a suicide vest and RPG that was found. Shortly after we linked up with (b)(3), (b)(6) American and Australian EOD we moved back to MNBTK.

----------NOTHING FOLLOWS----------

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1100L DATED 2011/07/31

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 FREE (b)(3), (b)(6) BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INF (b)(3), (b)(6) L INDUCEMENT.

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

ure of Person Making Statement)

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

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

HHC TF 4-70 AR

ORGANIZATION OR ADDRESS

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of July, 2011

at

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

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

(Authority To Administer Oaths)

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

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).

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
MNB-Tarin Kowt, Afghanistan	2011/08/02	1840	

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

8. ORGANIZATION OR ADDRESS
HHC, TF 4-70 AR

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 281200(L)JUL2011, I was the gunner on a (b)(1)1.4a that consisted of PSD-1: (b)(3), (b)(6) (b)(3), (b)(6); PSD-2: (b)(3), (b)(6) and myself; PSD-4: (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6); PSD-9: (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) HQ-6: (b)(3), (b)(6) (b)(3), (b)(6) We were staged in front of the Combined Team Uruzgan (CTU) headquarters building waiting to pick up visiting leaders. At approximately 1215, I witnessed a large explosion that appeared to be near (b)(1)1.4a. I immediately informed my TC, (b)(3), (b)(6) Approximately 1 minute later, I witnessed another explosion slightly northwest of the first one. At that time (b)(3), (b)(6) (b)(3), (b)(6) informed the visiting passengers that they needed to dismount our vehicles. He then called (b)(3), (b)(6) over to his position. They came up with a course of action. PSD-1, PSD-4, PSD-9 and HQ-6 would proceed to the Kandak Amniante Uruzgan (KAU) compound to investigate the explosions while PSD-2, (b)(1)1.4a and HQ-7 would remain staged near the front gate to escort Explosive Ordnance Disposal (EOD) to the blast sites. Approximately 5 minutes after the first element departed for the KAU compound, they reported back over the radio that they were taking small arms fire from the KAU compound and that there were at least two suicide bombers (b)(1)1.4a at the location. After waiting approximately 10 more minutes for EOD, (b)(1)1.4a decided to proceed to the KAU compound without them. We arrived at the KAU compound at approximately (b)(1)1.4a, (b)(1)1.4a Our vehicles were all facing north on (b)(1)1.4a. I began pulling rear security south up (b)(1)1.4a Approximately 5 minutes after we arrived, we began taking small arms fire from building A1993 on the northeast corner of the KAU compound. I could not gain positive identification of any of the shooters in the building, so I continued to pull rear security. Shortly after the firing began (b)(3), (b)(6) (b)(3), (b)(6) directed all of the vehicles to begin to engage the building. I then began firing on the building with PSD-2's M2 .50 caliber machine gun. My trucks position on (b)(1)1.4a allowed me to see roughly halfway into the buildings west facing door. Over the course of the next 30 minutes, I saw multiple muzzle flashes come from every internal doorway that was visible to me. I continued to return fire, but never witnessed any positive effect on the barricaded insurgents inside. At approximately 1320 (b)(1)1.4a (b)(1)1.4a, which consisted of (b)(1)1.4a, did a south to north gun run with their 30mm cannon. We continued to fire and receive fire. (b)(1)1.4a then conducted a second south to north gun run approximately 5 minutes later. At approximately 1340 (b)(3), (b)(6) (b)(3), (b)(6) repositioned my truck, PSD-2, on the side road about 30 meters northwest of the target building. At approximately the same time we were beginning to reposition, elements from the Scout Platoon arrived. Their dismounted element moved to cover behind my vehicle and the vehicle in front of mine and linked up with our dismounted (b)(1)1.4a element which consisted of (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) then called for a third and final gun run by (b)(1)1.4a Once (b)(1)1.4a had finished their gun run, he directed the Scout platoon to set up a support by fire position behind rubble on the northwest corner of the concrete wall that surrounded the target building. Once they were set, the dismounted (b)(1)1.4a element moved to the windows on the north side of the building and threw approximately 1 M67 fragmentation grenade in each window.

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

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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 1840 DATED 2011/08/02

9. STATEMENT *(Continued)*

They then stacked on the west side of the building that was facing (b)(1)1.4a Once they were set (b)(3), (b)(6) walked to the front of the stack approximately 2 times before finally moving behind the northwest corner of the building. As the dismounted (b)(1)1.4a element began moving, (b)(3), (b)(6) turned east into the entrance of the building. Approximately 10 seconds later, there was a large explosion from the southwest corner of the house. Approximately 5 seconds after that, another large explosion came from the northeast corner of the house. I immediately reported to (b)(1)1.4a Main on the command net that we had two explosions in the building and unknown casualties at that time. Approximately 10 seconds after the call, I witnessed (b)(3), (b)(6) staggering out of the dust. Due to the fact that dust and smoke were obscurring the Scout element and knowing that one of the two medics on the ground were in the stack of personnel that had entered the building, I quickly exited the turret and began assessing (b)(3), (b)(6) As we passed the driver's side door of PSD-2, I instructed (b)(3), (b)(6) to lower the ramp. I removed (b)(3), (b)(6) helment and did a quick blood sweep and visual assessment. His body armor was still intact and he was lucid with what appeared to be only cuts and bruises. Once I had established that he didn't have any life threatening injuries, I moved to the western side of the building where casualties were still trapped underneath rubble from the damaged building. I began helping to remove some of the debris that were covering a casualty, who I later learned was (b)(3), (b)(6). Approximately 2 minutes after I arrived at building, the Scout's Platoon Leader, (b)(3), (b)(6) yelled that there was someone in the back room, which was on the northeast corner of the building. (b)(3), (b)(6) myself and two members of the Scout platoon moved down the hallway to the door. I began to approach the doorway at an angle, to maximize cover while allowing me to see into the room, until I felt I couldn't go any farther without exposing myself to the room to my rear. I then fired a single round around the corner with hopes of inducing a response from a potential suicide bomber while maximizing cover for the members of the stack. After I fired the single shot, I realized that my M4 had failed to eject the casing from the chamber. I yelled malfunction and took a knee as (b)(3), (b)(6) flowed into the room with the two Scouts in tow. Approximately 5 seconds later, (b)(3), (b)(6) yelled that the room was clear. I began making my way back to the western side of the building to continue assisting with the casualties. As I was almost to the front of the building, (b)(3), (b)(6) yelled that someone was firing from the room directly to my right. It was the first room on the left if entering from the west side of the building. I began to pie the corner and noticed it was a short room with a partition about half way into it. I then saw what I believed to be a foot sticking past the bottom of the partition. There was a hole that I could see directly in front of where I believed the insurgent to be. I immediately realized that it had a direct line of sight to the majority of the casualties that were still being treated at the entrance of the building. I moved to the outer northwest corner of the building and began pieing the hole. About halfway through my movement I passed the partition and saw a military aged male with a beard and what appeared to be tan clothing. He was clinching something in a fist in one of his hands and began reaching for something on his person with his other hand as soon as he made eye contact with me. Due to the fact that there had already been two suicide vests detonated in the house, I immediately fired approximately 3-5 rounds into his head and upper body. At that point my weapon was out of ammunition and I quickly moved to the left of the hole without being able to verify that he was dead. I yelled that I was out of ammo and reloading. (b)(3), (b)(6) who was in the middle of treating a casualty approximately 3 meters from the hole in the wall, immediately picked up his rifle and begin laying down suppressing fire on the hole with his M4. I finished reloading my weapon and yelled that I was up again. I began moving towards the hole and fired approximately another 8-10 rounds as I approached. Once I reached the hole again, (b)(3), (b)(6) asked if he was dead. I informed him that he was. I then began trying to help with the efforts to remove the rubble from the top of (b)(3), (b)(6) Once he was clear, I asked (b)(3), (b)(6) to verify that (b)(3), (b)(6) was still okay in PSD-2. Upon arriving at PSD-2, we noted that (b)(3), (b)(6) was loaded on a litter inside the back of the truck and (b)(3), (b)(6) (b)(3), (b)(6) was in the front seat. One of the Scouts medics said that they were ready to CASEVAC back to role 2 on FOB MNBTK. I climbed into the gunner's turret, and (b)(3), (b)(6) began driving the vehicle back to the FOB. Upon arrival, we unloaded (b)(3), (b)(6) and (b)(3), (b)(6) Once they were turned over to the medical personnel, we drove back to the (b)(1)1.4a pad to refit and rearm. We rolled back out to the KAU compound with (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) I was driving PSD-4 with (b)(3), (b)(6) as my TC and (b)(3), (b)(6) as the gunner. We arrived at KAU and were quickly told that we needed to move to the Governors compound to secure (b)(3), (b)(6) dismounted and (b)(3), (b)(6) assumed operational control of our convoy. We headed north down (b)(1)1.4a towards the Governor's compound. We arrived and staged roughly 100 meters outside of the gate to the Uruzgan Provencial Governor's compound while (b)(3), (b)(6) coordinated with the Australians on site. We then followed the Australian LAV's into the compound. We moved to the rear of the outer compound and immediately made contact with (b)(3), (b)(6) When then helped with security as the ANSF and ANP dealt with the remaining insurgents in the Deputy Governors building. At approximately 1945 we departed the governor's compound and returned to MNBTK.

//NOTHING FOLLOWS//

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1840 DATED 2011/08/02

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)

re of Person Making Statement)

WITNESSES

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

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

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

HHC TF 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 02 day of AUG, 2011

at

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

h)

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

(Authority To Administer Oaths)

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

DA FORM 2823, NOV 2006

APD PE v1.01ES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Multi-National Base Tarin Kowt, Afghanistan	2011/08/04	1030	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 JULY 2011, at about 1225, (b)(1)1.4a Bravo section while conducting a KLE at checkpoint Talani and acting as a QRF for our 6 man SKT that was observing a soutern poo site we observed two explosion from inside the city. (b)(1)1.4a Main reported that the explosion's were VBIEDs and that (b)(1)1.4a element was taking small arms contact and that (b)(1)1.4a Bravo section was to go to the KAU compound to support around 1245. When Bravo section arrived to support the element in contact my vehice was flagged down by (b)(1)1.4a (b)(3), (b)(6)) to medevac (b)(3), (b)(6) to the (b)(1)1.4a . I loaded the wounded solider into my vehicle and got him to the ROLE 2 around 1300. Once we dropped the wounded solider off at the ROLE 2 Bravo Section linked up with Alpha Section which was getting ready to SP to the KAU HQs. Once we arrived at the KAU compound (b)(3), (b)(6) request that (b)(1)1.4a get him a dismounted team to his position. The dismounted team consists of (b)(3), (b)(6) (b)(3), (b)(6) and myself. While (b)(3), (b)(6) was getting guidance from (b)(3), (b)(6) immmediately began stacking the dismounted team next to a (b)(1)1.4a that was staged on (b)(1)1.4a because we were still receiving small arms fire from the east where the target building was located. The PSD element was moving closer torwards to the target building when we started to restack in the order we would be entering the house. They traveled east down an alley way that lead to the northern wall of the radio station. (b)(3), (b)(6) told the (b)(1)1.4a driver to drive down the same alley way so we could have cover as we moved closer to the target building (b)(3), (b)(6) told us that we would not be the inttial entry team bet instead we would set up a supprot by fire position along the western wall of the radio station. Once we were staged behind the PSD element (b)(3), (b)(6) ran from beside our vehicle to the lead vehicle were (b)(3), (b)(6) and the soliders from the first assault team were staged. A few minutes later, (b)(3), (b)(6) an back to our positonm and informed us that we would still be the second team in the building but before anyone entered the build (b)(1)1.4a would be firing 30mm at the north wall of the building and immediately following PSD would toss two grenades over the north wall into the building. We were told that we would move on the second grenade explosion. The PSD clearing element consisted of (b)(3), (b)(6) (b)(3), (b)(6), and (b)(3), (b)(6) . once the PSD element threw the two grenades and we heard the last grenade explode we moved towrads the western wall. We were forced to immediatley hold our move when we heard a third" FRAG OUT". Out team got back behind the (b)(1)1.4a and took cover and waited for the third grenade to explode. The third grenade never exploded but we moved to the wall anyways which was about 8 meters from the west entrance of the target building. Once we got to our positon we immediatley start setting up sectors of fire and describing what we could see. The PSD element moved from the northern wall to the open door on the west wall of the radio station. Once the point man went into the building and transitioned to the right side of the hallway the first explosion went off. The first explosion occurred in the south/west of the building. There was a delay, folled by the second explosion. The force of the blasts knocked down the south/west section of the wall and threw members of the assualt team into the path of the second explosion. The second blast threw the soliders about 6 feet away from the building and the soliders were pinned down from the wall of the radio station. As soon as the dust cleared (b)(3), (b)(6) ran to the aid of the soliders and I immediatley followed him to try an dbring him back to cover. As we started to provide aid to the wouned soliders we started to take contact from the front left room of the radio station. ---(TURN PAGE)----------

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 _____

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STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 2011/08/04

9. STATEMENT *(Continued)*

(b)(3), (b)(6) quickly reacted and was able to eliminate the threat. I took a small team into the building to ensure the rest of the building was cleared before we continue to assist the wounded. Once the radio stationed was cleared and we stopped receiving small arms fire I came back and started to help get (b)(3), (b)(6) out from under the broken wall. Once we were able to get SSG (b)(3), (b)(6) free, (b)(3), (b)(6) checked him out then we loaded him up into the medavac vehicle. Once all of the casualties were loaded up in the (b)(1)1.4a and taken back to the MNBTK we secured the area and started looking for sensitve items. At the same time EOD went into the building to ensure there was no more explosives. Once we were complete at the KAU HQ's we escorted EOD the Uruzgan Province Governor's compound and remained there securing the compound until 2230, when we were relieved by an Australian element.-------NOTHING FOLLOWS-- (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)

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 04 day of AUGUST, 2011 at MNBTK, Afghanistan

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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 Tarin Kwot, Afghanistan	2011/08/06	1350	

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

8. ORGANIZATION OR ADDRESS
HHC 4-70th AR 170th IBCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 28th of July, while waiting at the back gate of the CTU compound on FOB Tarin Kowt, I (b)(3), (b)(6) just got done helping the Aussie's General. General Scott get situated in my (b)(1)1.4a. My Driver was (b)(3), (b)(6) Aka (b)(6). Also My TC is (b)(3), (b)(6) Aka "(b)(1)1.4a". This was at 1200 hours on the 28th of July we all heard the first explosion and seen the cloud in which looked like it had came from the KAU compound. Once my driver had called up to Battalion requesting a grid from where it came from. The second explosion went off, at that point (b)(1)1.4a made the call that it was not safe enough for the General to go out. Then gave the order that we were to go investigate. There were 4 trucks that rolled out with us right away. It was (b)(1)1.4a When all the trucks arrived on scene, (b)(1)1.4a and myself stopped on (b)(1)1.4a at the KAU compound and notice where the VBIED had went off against the North wall of the KAU compound. (b)(1)1.4a, (b)(6) got on the ground to investigate what had happened. (b)(1)1.4a and myself start to take fire from the Radio station in the compound. I first start returning fire with my M4. But once one of the suicide bombers reached out of one of the doors in the radio station and threw a grenade in our direction. At that point I put down my M4 and Charged the 50cal. once I got the ok to fire from (b)(1)1.4a I shot 15 to 25 50cal. bullets in the target area of the house. By this time (b)(1)1.4a was back in the (b)(1)1.4a (b)(1)1.4a gave (b)(1)1.4a the order to back up to and head down the road which went along side the Radio station. I was the 1ST (b)(1)1.4a entering the road along side the building. as we moved up I maintained my focus on the door with my 50cal. I would engage with 5-10 rounds if there was movement in the door. Our truck just kept creeping on the road until we were right next to the radio station. I received fire from the window right in from of me when I was changing out our 50cal. ammo, That point I would engage with the 50cal. or switch from M4. I also had (b)(1)1.4a Gunner was (b)(1)1.4a on my backside, and was working on firing at the this building. Then (b)(1)1.4a had the (b)(1)1.4a fire 30MM 3 times before he got on the ground to coordinate with the squad getting read to go in. At this point I watched a few attempts to throw a grenades into the Radio Station, at this point I see the squad enter the hallway. Then I see (b)(3), (b)(6) make the first step to go in. All I see is an explosion. Then I called up on battalion net "HBVIED" Then right after the second suicide vest was blown. At that point I started send up sit rep as much as possible to (b)(1)1.4a until HHC Commander (b)(3), (b)(6) (b)(3), (b)(6) came on seen as the on seen commander. Then I was at the scene until EOD was complete with their investigation. Then (b)(3), (b)(6) (b)(3), (b)(6) jumped in as our TC until we returned to the FOB at 1730.

(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 _____ 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 1350 DATED 2011/08/06

9. STATEMENT *(Continued)*

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

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

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

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

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. 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)

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

ORGANIZATION OR ADDRESS

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

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNB-TK DATED 18AUG2011

9. STATEMENT *(Continued)*

I, (b)(3), (b)(6), made the preceding statement on 6AUG2011. I now ratify and adopt that previous statement as true and accurrate.

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 1. 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)

WITNESSES:

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

HHC, 4-70 AR

ORGANIZATION OR ADDRESS

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

HHC, 4-70 AR

ORGANIZATION OR ADDRESS

Sub... ...w to administer oaths, this 18 day of August, 2011

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

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

(Typed Name of Person Administering Oath)

US Army Judge Advocate

(Authority To Administer Oaths)

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

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
MNB-TARIN KOWT, AFGHANISTAN	2011/07/31	1100L	

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

8. ORGANIZATION OR ADDRESS
HHC, TF 4-70 AR

9.

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

On 281200(L)JUL2011, I was involved in a complex attack on the Kandak Amniante Uruzgan (K.A.U.) building A1993 near MNB-Tarin Kowt. I originally started off as the driver of the (b)(1)1.4a which consisted of: PSD1 (b)(3), (b)(6) (b)(3), (b)(6) PSD2 (b)(3), (b)(6) (b)(3), (b)(6) PSD9 (b)(3), (b)(6) PSD4 (b)(3), (b)(6) (b)(3), (b)(6) HQ6 (b)(3), (b)(6) HQ7 (b)(3), (b)(6) (b)(3), (b)(6) HQ38 (b)(3), (b)(6) (b)(3), (b)(6) to escort some V.I.P.s to the Police Headquarters in downtown Tarin Kowt. As we staged to begin movement I noticed a large plume of smoke rising from downtown. A few moments later I heard the explosion (b)(3), (b)(6) called up (b)(1)1.4a Main to get more information on it. I then observed a second explosion in approximately the same area. (b)(3), (b)(6) (b)(3), (b)(6) then decided to split the section into two teams. (b)(3), (b)(6) team left to investigate as (b)(3), (b)(6) team, which I was in, waited for E.O.D. After about 20 minutes of waiting (b)(3), (b)(6) decided to have E.O.D. link up with the scout platoon and had our team leave to link up with (b)(3), (b)(6). It took approximately ten minutes to make the link up. (b)(3), (b)(6) then maneuvered my vehicle onto the northwestern corner of the K.A.U. complex where we were receiving direct fire from. My gunner (b)(3), (b)(6) (b)(3), (b)(6) then started suppressing fire on the building. After receiving air support from an (b)(1)1.4a (b)(3), (b)(6) then decided to have a team enter and clear the building. Two explosions then came from the target house, building A1993. (b)(3), (b)(6) then directed me onto the road that ran along the northern wall of the complex. He then dismounted to assist in casualty evacuation and suppressing the enemy still left in the building. I then saw (b)(3), (b)(6) calling for more help so I dismounted my vehicle and ran over to assist. (b)(3), (b)(6) and I then dragged (b)(3), (b)(6) out of the rubble and loaded him into a vehicle. We then went back and assisted in loading another causalty, (b)(3), (b)(6) onto a litter and carried him to another vehicle. I then noticed (b)(3) (b)(3), (b)(6) being carried by two soldiers and directed them toward my vehicle which, by then also had (b)(3), (b)(6) in it on a spine board. I then hopped down from my vehicle and called for a medic. Noticing (b)(3), (b)(6) running by, I asked him to check out the Soldiers in the back of my vehicle. I then caught up to (b)(3), (b)(6) and had him jump into my vehicle as the Truck Commander and yelled for (b)(3), (b)(6) to get back on the weapon system. We then backed out and returned to base to the Casualty Collection Point where I assisted (b)(3), (b)(6) in removing (b)(3), (b)(6) We then returned to our pad to consolidate our ammunition and the recovered weapons and gear. (b)(3), (b)(6) then came over and informed us that we had to go back out and secure (b)(3), (b)(6) from the Uruzgan Provincial Governors Compound. We then left a second time with the following personal (b)(3), (b)(6) (b)(3), (b)(6) Mr. (b)(3), (b)(6) and (b)(3), (b)(6) the Linguist to conduct the recovery mission. We then stopped at the KAU complex on our way through to drop off (b)(3), (b)(6) and (b)(3), (b)(6) and pick up (b)(3), (b)(6). Then we continued on our way to the Uruzgan Provincial Governors Compound. Upon arriving we found out there were gun shots coming from the building and that the building was on fire. (b)(3), (b)(6) then talked with the Australians on site and worked out a plan through them and (b)(1)1.4a Main to infiltrate the complex in order to rescue (b)(3), (b)(6) (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

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 1100L DATED 2011/07/31

9. STATEMENT *(Continued)*

We then followed the Australians as they took the main gate. As we pulled in to secure the second gate leading to the Governor's house (b)(3), (b)(6) spotted (b)(3), (b)(6) then informed (b)(3), (b)(6) that he was safe and secure and that the situation was being controlled by the Afghan National Army (A.N.A.). He also informed (b)(3), (b)(6) that neither the he nor the governor was going anywhere. We were then told by (b)(1)1.4a Main that we were to stay on site to provide the A.N.A. support while they neutralized the two suicide bombers still left in the building. (b)(3), (b)(6) then called up an E.O.D. ten-line for the unexploded ordinance and the suicide vests that were recovered. We stayed on site while E.O.D. blew the ordinance in place and then we left to return to base. We had (b)(3), (b)(6) the American E.O.D. team and the Australian E.O.D. team with us. We returned to MNB-Tarin Kowt at about 21[illegible] hours. (b)(3), (b)(6)

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

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

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

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

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

DA FORM 2823, NOV 2006

APD PE v1.01ES

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1100L DATED 2011/07/31

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, TF 4-70 AR

ORGANIZATION OR ADDRESS

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of August, 2011 at MNB Tarin Kowt Afghanistan

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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).

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
MNB-Tarin Kowt, Afghanistan	2011/07/30	1800	

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

8. ORGANIZATION OR ADDRESS
HHC, TF 4-70 AR

9.
I (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

281200(L)JUL2011, PSD Team 1 consisting of (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) 4 with (b)(3), (b)(6), and myself as gunner. HQ6 with (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) HQ7 with (b)(3), (b)(6) (TC) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and HQ38 with (b)(3), (b)(6) (TC), (b)(3), (b)(6) (driver), and (b)(3), (b)(6) (b)(3), (b)(6), were staged outside the Combined Team Uruzgan (CTU) headquarters awaiting arrival of VIP'S which we were to escort to Afghan National Police (ANP) Provincial Headquarters. As we were waiting I observed two separate explosions North by North East, approximately 800 meters from our location. Upon observing these explosions the VIP's who had mounted the vehicles were dismounted and returned into the CTU headquarters. The dismounts on the ground were remounted and HQ6 with (b)(3), (b)(6) along with PSDs 4, 2 and 9 proceeded to the vicinity of where the explosion occurred for further investigation. While we were traveling North on (b)(1)1.4a we observed movement by ANA/ANP personal. At this time we assumed a security halt near Kandak Amniante Uruzgan (KAU) headquarters, at which point (b)(3), (b)(6) dismounted along with (b)(3), (b)(6) (b)(3), (b)(6) as his security team. While the dismount team was on the ground gathering information on the events that had taken place, we began to receive small arms fire from building A1993 approximately 70 meters South East of our location. Upon receiving small arms fire PSD 2, PSD 4 and HQ6'S vehicles moved East off the road to secure the West side of building A1993. Once the vehicles were in place and positive identification was established we received the order from (b)(3), (b)(6) to suppress the building with small arms fire and crew serve weapons consisting of M240B's and M2 50 caliber machine guns. After approximately 15 minutes of suppressing fire, we were ordered to cease fire and to move our vehicles back to a safe distance due to incoming 30MM machine gun run (b)(1)1.4a. After the (b)(1)1.4a completed (b)(1)1.4a (b)(1)1.4a on building A1993 we resumed our positions on the West side of the building. We then received word from (b)(3), (b)(6) via radio that all fragmentation grenades were to be consolidated and dismounts were to prepare to throw grenades into the house in preparation of breaching the building. Over the radio I heard three grenades were thrown with one failing to detonate. At this time (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) assumed a stacked posture, ready to breach the building with Scout platoon elements providing near side security. Once (b)(3), (b)(6) and (b)(3), (b)(6) entered the doorway a series of two explosions approximately 5 seconds apart caused parts of the building to collapse on top of the entire breach team. At this point the remaining PSD Team 1 vehicle crews dismounted to provide security and recover the breach team personnel. Once I was dismounted I assisted (b)(3), (b)(6) in placing (b)(3), (b)(6) inside PSD 4 where (b)(3), (b)(6) remained continuing treatment on (b)(3), (b)(6) injuries. I then returned to the explosion site were (b)(3), (b)(6) was being loaded onto a spine board. I, (b)(3), (b)(6) and some ANP personnel placed (b)(3), (b)(6) into another CASEVAC vehicle. I then proceeded to the main road to clear a path for CASEVAC vehicles to exit. After a path was clear I assumed the TC position in PSD 4 and proceeded to (b)(3), (b)(6) with (b)(3), (b)(6), (b)(3), (b)(6) and (b)(3), (b)(6) as my driver. (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

Page 116 redacted for the following reason:
- - - - - - - - - - - - - - - - - - - -
Withheld in its entirety - Duplicate Sworn Statement

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 1800 DATED 2011/07/30

9. STATEMENT *(Continued)*

After escorting the wounded to Role 2 we began to consolidate and reorganize to move back to the KAU headquarters. Once ready, we departed with PSD4 with (b)(3), (b)(6) (b)(3), (b)(6) and myself as gunner, HQ38 with (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6), and PSD 2 with (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6). Upon arriving at the KAU headquarters, (b)(3), (b)(6) and (b)(3), (b)(6) dismounted and (b)(3), (b)(6) assumed the TC duties for HQ38 and (b)(3), (b)(6) assumed TC duties for PSD 4. We then received word to proceed to the Uruzgan Provincial Governor's compound to extract (b)(3), (b)(6) the Provincial Chief of Police (PCOP) and possibly the Uruzgan Provincial governor. Arriving outside the Uruzgan Provincial governor's compound we linked up with Australian personal to coordinate movement into the Uruzgan Provincial compound. Once we received word to enter we followed the Australian vehicles into the main compound. Once inside the Australian's broke off from us to provide security as we moved towards the governor's mansion. While moving we noticed (b)(3), (b)(6) was on the ground directing ANA/ANP personal. (b)(3), (b)(6) positioned my vehicle PSD 4 facing North West to provide security. Once we were set in place we pulled security while ANA/ANP personal attempted to resolve any remaining threats on the ground. After several hours the compound was declared clear. EOD was called and disposed of any remaining explosives. We remained in place until word was given to return back to MNBTK.

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

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

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

(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 1800 DATED 2011/07/30

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

WITNESSES:

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

HHC, TF 4-70 AR
ORGANIZATION OR ADDRESS

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

HHC, TF 4-70 AR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of August 2011 at MNB-Tarin Kowt, Afghanistan

(b)(3), (b)(6)
(Signature of Person Administering Oath)

(b)(3), (b)(6)
(Signature of Person Administering Oath)

(Authority To Administer Oaths)

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

DA FORM 2823, NOV 2006

APD PE v1.01ES

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
Multi-National Base Tarin Kowt, Afghanistan	20110801	1625	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.

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

On July 28th 2011 while on patrol at Check Point Talini with (b)(1)1.4a Bravo section we heard and saw two explosions come from the direction of Tarin Kowt city. Upon hearing and seeing the explosions I (b)(1)1.4a requested information about the explosions from (b)(1)1.4a At that time (b)(1)1.4a (b)(3), (b)(6) informed me that two VBIEDS had gone off at KAU headquarters and that (b)(1)1.4a, (b)(1)1.4g (b)(3), (b)(6) and his element (b)(1)1.4a were taking heavy small arms fire from the KAU compound. At this time (b)(1)1.4a (b)(3), (b)(6) stepped back into the truck and I briefed him on the situation. (b)(1)1.4a Bravo section departed CP Talani enroute to KAU headquarters. Upon arriving at KAU we immediately receiving small arms contact. No sooner did we arrive at KAU (b)(1)1.4a (b)(3), (b)(6) came over platoon net saying that we have a man down (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) loaded (b)(3), (b)(6) into their truck. (b)(3), (b)(6) had received shrapnel wounds to the neck and shoulder, at this time (b)(3), (b)(6) started performing CLS on (b)(3), (b)(6) (b)(1)1.4a Bravo section returned back to MNBTK to drop (b)(3), (b)(6) at the Role 2. Upon dropping (b)(3), (b)(6) at the ROLE 2 (b)(1)1.4a Bravo section linked up with (b)(1)1.4a section to return to KAU headquarters. When we arrived back at KAU headquarters, (b)(1)1.4a platoon was North on Route (b)(1)1.4a on the West side of the KAU headquarters. (b)(1)1.4a (b)(3), (b)(6) ordered all dismounts to rally at this truck. I reported to (b)(1)1.4a that our dismount team were rallying at (b)(1)1.4a (b)(3), (b)(6) truck then were going to move to (b)(1)1.4a (b)(1)1.4a (b)(3), (b)(6) truck. (b)(1)1.4a (b)(3), (b)(6) came across the net stating we were to switch from platoon internal to (b)(1)1.4a, (b)(1)1.4g platoon internal net (b)(1)1.4a This was to be the net that the fight was on. I informed all (b)(1)1.4a elements both mounted and dismounted to drop to (b)(1)1.4a While I was switching nets I heard only a brief statement of (b)(1)1.4a plan. A few seconds later (b)(3), (b)(6) (b)(1)1.4a and I heard two explosions back to back. We thought that they were grenades but they were two suicide bombers going off. (b)(1)1.4a (b)(3), (b)(6) came across the net (b)(1)1.4a stating that men were down and they needed help (b)(3), (b)(6) and I dismounted our truck with our W.A.L.K. Kit upon hearing this to the northwest corner of the KAU compound. Upon getting to the compound we started helping dig out the guys that were in the blast. (b)(3), (b)(6) ordered (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and I had to reclear the area that small arms fire was coming from. After clearing those rooms and checking for any (b)(1)1.4a we told (b)(3), (b)(6) that the rooms were clear and there were no vest found. (b)(3), (b)(6) and I provide security in the area that we just cleared. After being relieved I returned to my truck and reassumed my duties as the gunner and radio traffic officer with (b)(1)1.4a After the KAU compound was cleared we escorted EOD to the governors' compound. We staved at the Governor's compound until relieved by the Australian MTF unit at 2200 hours. -------NOTHING FOLLOWS---(b)(3), (b)(6)----------

(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 "STATEMENT OF (b)(3), (b)(6) 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 MBTK, Afghanistan DATED 20110801

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 1. 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)

WITNESSES:

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of AUGUST, 2011

at MBTK, AFGHANISTAN

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

(Typed Name of Person Administering Oath)

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

(Authority To Administer Oaths)

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

PAGE 1 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

SWORN STATEMENT

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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.

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Multi-National Base Tarin Kowt, Afghanistan	20110801	1625	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.

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

On the afternoon of 28 July 2011 the scout platoon received a report that we had troops in contact inside Tarin Kowt city. Bravo section of the scout platoon had moved from Talani checkpoint to the KAU headquarters where the sustained contact was coming from. Alpha section of the scout platoon moved from MNB Tarin Kowt to the same location shortly after. Alpha section moved north on (b)(1)1.4a towards the KAU headquarters. We arrived at the KAU headquarters on (b)(1)1.4a stopping at the west end of the compound blocking off traffic and providing over watch. From there the truck commander's and dismounts were instructed to link up with (b)(1)1.4a (b)(3), (b)(6) and (b)(1)1.4a (b)(3), (b)(6). I (b)(1)1.4a assumed responsibility of the (b)(1)1.4a truck after (b)(1)1.4a (b)(3), (b)(6) and (b)(1)1.4a (b)(3), (b)(6) dismounted. The alpha section dismount team moved towards the NW corner of the compound making contact with the ground commander. (b)(1)1.4a (b)(3), (b)(6) came over the radio as the ground commander asking all elements for all grenades available. He (b)(3), (b)(6) split the (b)(1)1.4a and (b)(1)1.4a elements instructing them to take positions one separate sides of the outer wall. The order to throw grenades into the compound was given. Once the grenades were thrown I saw (b)(3), (b)(6) (b)(1)1.4a (b)(3), (b)(6) (b)(1)1.4a and (b)(1)1.4a (b)(3), (b)(6) move into the courtyard and take cover behind cement barriers on the west side of the building. Sporadic fire was being taken from the building. (b)(1)1.4a cleared (b)(1)1.4a a "gun run" on the building the fire was being taken from. (b)(1)1.4a requested all drivers to dismount and link up with him (b)(1)1.4a (b)(3), (b)(6) dismounted). The (b)(1)1.4a dismounted element moved forward and prepared to enter the building. Immediately after they (b)(1)1.4a entered the west entrance of the building two explosions happened in quick succession. Shortly after the explosions (b)(1)1.4a (b)(3), (b)(6) came over the radio requesting spineboards and litters. I quickly checked the back of my (b)(1)1.4a to verify we had one. I replied that we did have one available (b)(3), (b)(6) then instructed me to bring it forward. I announced over the radio that I was dismounting, ran to the NW corner of the compound; made link up with (b)(3), (b)(6) handing off the w.a.l.k. kit then; returned to my truck. (b)(1)1.4a then, took control of the casevac element and escorted the wounded back to the role 2 on MNBTK. (b)(1)1.4a then: requested permission to take bravo section and pick up our (b)(1)1.4a element that had been left unsupported SE of Checkpoint (b)(1)1.4a (b)(1)1.4a denied (b)(1)1.4a request since an A Co. 4-70th unit had been dispatched from Cop Tabar to pick them up. Once (b)(1)1.4a (b)(3), (b)(6) returned to our location we escorted EOD to the Provincial Governor's compou which had been taking sporadic gun fire and had a VBIED breach the west wall of the compound.---NOTHING FOLLOWS (b)(3), (b)(6)

(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 "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 MBTK, Afghanistan DATED 20110801

9. STATEMENT *(Continued)*

(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 1. 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

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

(Signature of Person Making Statement)

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

TF 4-70TH AR, MB TARIN KOWT, AFGHANISTAN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of AUGUST, 2011

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

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

TF 4-70TH AR, MB TARIN KOWT, AFGHANISTAN

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 1 (b)(3), (b)(6) 2 PAGES

DA FORM 2823, NOV 2006 APD PE v1.01ES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Multi-National Base Tarin Kowt, Afghanistan	20110901	1625	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 July 2011, around 1320 (b)(1)1.4a Alpha section arrived on the west side of the KAU compound. Then a plan was to get a dismounted team from (b)(1)1.4a and PSD to clear the compound. Then (b)(1)1.4a a 30mm gun run. Shortly after that there were two explosions in the compound. (b)(3), (b)(6) came over the net and asked if anyone had fragmentation grenades in their truck, I didn't have any. After it was clear, (b)(3), (b)(6) called over the net for the all of the drivers to get out and meet him in front of the convoy. I went to the meeting point along with (b)(3), (b)(6) (b)(3), (b)(6), and (b)(3), (b)(6). Then, all of the drivers followed (b)(3), (b)(6) into the courtyard. Then (b)(3), (b)(6) told (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) to clear the rest of the building. In the mean time, I was pulling security. Then I helped to gather up gear and sensitive items. Then I was told to go back to my truck. We then left the KAU compound to escort EOD to the governer's compound.-------
-----NOTHING FOLLOWS---(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)	

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STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 20110801

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. (b)(3), (b)(6) 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, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of AUGUST, 2011

at

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

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

DA FORM 2823, NOV 2006

APD PE v1.01ES

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Multi-National Base Tarin Kowt, Afghanistan	2011/07/28	1628	

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

8. ORGANIZATION OR ADDRESS
HHC, 470th AR,170th BCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 July 2011, around 1330 (b)(1)1.4a calls on the radio that (b)(1)1.4a was in contact at the KAU compound in Tarin Kowt city and that he needed us over there "right now". (b)(1)1.4a bravo section mounted up and left the Talani checkpoint. Bravo section rushed over to the KAU compound, arriving at (b)(1)1.4a, (b)(1)1.4a my truck was stopped by (b)(3), (b)(6) and he said "I have a casualty, I need you to MedEvac him back to TK." As we were evacuating (b)(3), (b)(6) back to the FOB I was performing CLS on the wounds he got from a bullet ricocheting in his turret. As we arrived at (b)(3), (b)(6), (b)(3), (b)(6) escorted him inside. Bravo section left Role 2 and met up with (b)(1)1.4a Alpha Section at the North gate. All of (b)(1)1.4a platoon left the fob and went to the KAU compound where we staged our trucks on (b)(1)1.4a on the west side of the compound from which my platoon was taking contact. The dismounts were called out of the trucks and were to stage near one of PSD's (b)(1)1.4a The dismounts for (b)(1)1.4a platoon were (b)(3), (b)(6), (b)(3), (b)(6), (b)(3), (b)(6) and I (b)(3), (b)(6) were giving the dismounts and I the plan next to the (b)(1)1.4a. We were told that after the PSD dismounts moved we were to move to their location next to the (b)(1)1.4a they were positioned. PSD's dismounted team consisted of (b)(3), (b)(6), (b)(3), (b)(6) and (b)(3), (b)(6) As their dismounted element moved up to take cover on the Northern most building in the compound, we moved up to where they were next to the (b)(1)1.4a (b)(3), (b)(6) threw 3 grenades into the compound only 2 exploded, after the grenades exploded Saber's dismounts moved up to take cover behind a wall on the west side of the compound. (b)(3), (b)(6) was on the Southern most side of the wall and (b)(3), (b)(6) was on the Northern most side next to me (b)(3), (b)(6) (b)(3), (b)(6) stayed back with (b)(3), (b)(6) as the casualty collection point. PSD's dismount team ran from the building where they were taking cover , to the building we were trying to clear. As they ran in I heard 2 big explosions from the suicide bombers detonating themselves. I looked up after the smoke and the debris was gone I saw (b)(3), (b)(6) running into the courtyard where the soldiers were covered by the debris from the collapsed building. (b)(3), (b)(6) and I were ordered to run and grab (b)(3), (b)(6) at the same time (b)(3), (b)(6) and (b)(3), (b)(6) came running over from their position to assist us and to provide medical aid to the injured personnel. Shortly after, I saw (b)(3), (b)(6) and (b)(3), (b)(6) climb the wall into the courtyard. (b)(3), (b)(6) and (b)(3), (b)(6) stayed back to pull security. (b)(3), (b)(6) led the evacuation as we removed debris to get the first dismounted team out. All of a sudden I heard (b)(3), (b)(6) yell we need 3 guys to clear this building so (b)(3), (b)(6) and I started to clear the building starting at the most Northeast room. As we cleared all the rooms we got to the last room, which was the most northwest room, as we were getting ready to clear it we started to take fire out of the room. (b)(3), (b)(6) and I got pinned up outside the door when at the same time someone from the cordon started firing a 240B through the middle northern door which was directly behind us. (b)(3), (b)(6) attempted to kill the person shooting from the room by firing 2-3 shots into the room. After the military aged male was killed we started digging more of the guys out of the pile of rocks. (b)(3), (b)(6) called for all the drivers to get out of the trucks the drivers were (b)(3), (b)(6) (b)(3), (b)(6), and (b)(3), (b)(6) who then started helping us carry the guys out. (b)(3), (b)(6) ordered for the rooms to get cleared one more time to make sure there were no more enemies or booby traps. (b)(3), (b)(6) and I cleared the rooms one more time. After the rooms were cleared (b)(1)1.4a dismounts left the compound's courtyard and got EOD to clear any remaining explosive hazards.

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 _____

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STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 2011/7/28

9. STATEMENT *(Continued)*

(b)(3), (b)(6) and I cleared the rooms one more time. After the rooms were cleared (b)(1)1.4a dismounts left the compounds courtyard and got EOD to clear any remaining explosive hazards. Nothing Follows

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

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

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

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

AFFIDAVIT

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

(Signature of Person Making Statement)

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

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 02 day of AUGUST, 2011

at MBTK

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

SWORN STATEMENT

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1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
MNBTK, Tarin Kowt, Afghanistan	2011/07/30	1020	

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

8. ORGANIZATION OR ADDRESS

HHC 4-70AR, FOB Tarin Kowt, APO, AE 09380

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

On 281250JUL11 my Platoon was employed to help a developing situation at the KAU headquarters in Tarin Kowt, Uruzgan, Afghanistan. One of my sections was diverted from their daily mission at checkpoint Talani and directed to KAU headquarters as well. They were the first element of my Platoon on site, and immediately evacuated the first U.S. casualty, (b)(3), (b)(6) back to MNBTK by ground evacuation. Once they got back to MNBTK and dropped the casualty off at Role 2, they linked up with Alpha section at the Northern ECP and we headed back to KAU headquarters with 5 trucks. As we SP'd to KAU headquarters, I switched one of my radios to BN net and heard the preparation for the (b)(1)1.4a gun run on the target compound which was being directed by (b)(1)1.4a (b)(3), (b)(6) My Platoon continued to the compound, and as we arrived we were directed to link up with (b)(1)1.4a (b)(3), (b)(6) We linked up with him on (b)(1)1.4a on the West side of the KAU compound and at that point, we were taking sustained small arms contact from the target building. (b)(3), (b)(6) told us that we needed to provide a dismount team to help with the clearance of the target building which was on the Northeastern side of the compound. All of the ANP, KAU, and ANA were on the West side of the compound or standing on the roofs watching the fight. We moved our (b)(1)1.4a (b)(1)1.4a team to the Northern side of the compound to link up with (b)(1)1.4a, (b)(1)1.4g (b)(3), (b)(6) and switched our net to (b)(1)1.4a which was the net that the fight was on. At that point, (b)(3), (b)(6) was beginning to lay out the plan to assault the target building. His direction for the two dismount teams that were on the ground was that (b)(1)1.4a dismount team was to move to the left side (east) of the hole in the compound wall that had been previously blown by a VBIED earlier in the day. My dismounts were directed to move to the Right side of the hole (West) and provide support for the first dismounted team. He then told us that three grenades were going to be thrown over the Northern wall of the compound, and that he would then move with the dismount team to the target building. At that time, I again moved to have a face to face conversation with (b)(3), (b)(6) I told him that he, for no reason, should allow (b)(3), (b)(6) to be in the stack that moves to the building. He told me that there was really nothing he could do to revent (b)(3), (b)(6) from coming to the building with him. I told him again, with (b)(3), (b)(6) present, that he should not be at the building with the first dismount team. We then confirmed which team was going to which side of the blast hole to enter the building. (b)(3), (b)(6) told us that (b)(3), (b)(6) wanted the (b)(1)1.4a element to move to the building first. I moved back to the (b)(1)1.4a that my dismount team was taking cover behind, and layed out the plan for the assault of the building. While we were still behind the (b)(1)1.4a on the Northwest side of the compound, the (b)(1)1.4a element moved to link up with (b)(3), (b)(6) to employ the hand grenades. (b)(3), (b)(6) told me that he was going to move to link up with (b)(3), (b)(6) to go into the target building. I told him that he would not move to the stack, and that he would stay with my dismounted team and that he should not be involved in the initial assault of the building. He then told me "No, I am moving to link up with the Commander." I grabbed his plate carrier and told him again that he was not to move to link up with the commander, and that he would stay on the support by fire position with my dismounted team. He agreed, and the first two hand grenades were thrown which both detonated in the courtyard of the target building. The third grenade was thrown, but did not detonate. At that time, the (b)(1)1.4a dismounted team moved up to a staging point at the VBIED blast hole. My dismounted team moved to a small, broken up wall on the West side of the target compound courtyard approximately 6-8 meters away from the target compound. The member of my dismount team that were on

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

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 MNBTK, Afghanistan DATED 2011/07/30

9. STATEMENT *(Continued)*

the wall providing support by fire were: Myself, (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) We began to observe the target compound, and were not taking any kind of small arms fire or grenade contact from the building. We also did not see any movement in the hallway or any of the windows that were observable from our position. We were yelling what we could and could not see to the assault team, and once they were consolidated they began their movement to the target building from West to East. We lifted our observations and fires (we were not actively engaging the target house at any time), and the dismount team stacked on the Western side of the building. The dismounted team that was stacked consisted of: (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) was late to move to the target compound and was still at the staging point as the rest of the team stacked on the wall. (b)(3), (b)(6) began his movement with (b)(3), (b)(6) into the doorway and initial hallway of the target compound. As he turned to enter the first room of the building, there was a large explosion from the Southwest room of the compound, the room that (b)(3), (b)(6) was attempting to enter. The blast filled the courtyard with dust and debris, and it pushed us back from the wall that we were set on. I was looking through a head sized hole in the wall that my dismount team was set on. The blast blew me back from the wall a few feet, but did not knock any of us down. Within seconds, after trying to look back through the wall to see what was happening, the second blast initiated from the Northwestern room of the compound. It had the same magnitude of the first blast and again filled the courtyard with dust and more debris. Directly after the second blast (b)(3), (b)(6) (b)(3), (b)(6) jumped over the wall and began to move towards the blast site. I immediately took over as the on scene commander at the KAU headquarters compound. I sent (b)(3), (b)(6) to get the (b)(3), (b)(6) and the rest of the team waited for the debris to clear so we could assess the situation. Once the dust cleared, we called for as many personnel as possible to help with the recovery, and immediately moved to the blast site. (b)(3), (b)(6) and (b)(3), (b)(6) stayed at the wall and provided overwatch for the dismounts moving to the compound. (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and myself were the first five dismounts at the site, and immediately began to try to uncover the dismounts that were covered in rubble from the blast. We could not initially identify any of the dismounts because they were covered with debris, but we started to hear voices that led us to each of the Soldiers. We were joined immediately by (b)(3), (b)(6) and (b)(3), (b)(6) As we began pulling debris off of the WIA, I sent three Soldiers, (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) to the East side of the compound to clear the rest of the compound. As they entered the back two rooms of the compound, I heard (b)(3), (b)(6) yell at us that he saw movement in a room on the North side of the compound. Directly after that, we began to take small arms contact from one individual in the room. I dropped to a knee beside the remenants of a pillar in the room of the first SVIED, and started looking for the individual. I saw movement, and we continued to recieve small arms fire from the room, so I returned fire while keeping my dismounted clearance team stacked in the hallway ready to move into the room if necessary. I then directed (b)(3), (b)(6) to come up to the broken wall of the room where the contact was coming from, and attempt to neutralize the threat. He also began to engage the individual, and eventually killed the individual in the room. While that contact was going on inside of the building, the outer cordon also began to engage the East side of the building. As we were neutralizing the individual, I ordered all other fires to cease on the building due to the presence of friendly forces inside of the building. The fire immediately stopped. We then moved back to evacuating the wounded that were caught in the blast. When I turned around, the only Soldier still left in the rubble was (b)(3), (b)(6) We continued to pull off large pieces of debris, and finally got him out of the hallway. He was then carried by (b)(3), (b)(6) and (b)(3), (b)(6) to a medevac vehicle. (b)(3), (b)(6) was the on scene lead medic that gave initial treatment to all of the individuals. He was aided by (b)(3), (b)(6) (b)(3), (b)(6) who aided in the treatment of his fellow Soldiers after he was pulled out of the rubble. It only took about 8-10 minutes before all of the wounded Soldiers were pulled out of the rubble and put into medevac vehicles to be ground evacuated back to the MNBTK Role 2. As the last soldier was being taken off the scene to the vehicles, I had two dismounted teams consisting of my first dismounted team with the addition of (b)(3), (b)(6) (b)(3), (b)(6) re-clear the entire compound, minus the room with the KIA in it. We were concerned of a possible third SVIED so we did not enter that room at first. As we cleared the courtyard, we immediately noticed three live grenades that were strewn across the courtyard and rooms that we were currently in. After discussions with (b)(3), (b)(6) and (b)(3), (b)(6) we decided to clear out of the compound until we could get an EOD asset to clear the compound of any additional explosives that were still on site. After we had pulled off and were trying to get accountability of personnel and sensitive items that had been recovered, the ANP and KAU began going through the site. At this point, (b)(1)1.4a (b)(3), (b)(6) arrived on site and became the on ground commander. I walked him through what had happened prior to his arrival, and the current situation on the ground. We then shared duties on the scene to provide continuity. The ANP dug out one KIA from the Northwest corner of the compound where the initial VBIED blast occured. He was a member of the KAU. They also pulled the KIA out of the first room in the compound where he had been shot by US forces. When I returned to the scene, both bodies were covered and laying in the courtyard. I asked the ANP onsite commander who they pulled out of the building, and he told me that it was a BBC reporter. EOD came onsite and began their clearance of the area with help from myself and our

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

APD PE v1.01ES

DA FORM 2823, NOV 2006

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNBTK, Afghanistan DATED 2011/07/30

9. STATEMENT *(Continued)*

We walked them through the events, and talked them on to the grenade sites. They initially found two grenades with no fuses, spoons, or pins and one US grenade with the pin and spoon still attached.They exploited the scene of the VBIED as well as the two SVIEDs, with help from our Law Enforcement Professional, (b)(1)1.4a and the rest of our (b)(1)1.4a Platoon dismounts. We found remains of (b)(1)1.4a one in each room on the West side of the compound where our clearance team was entering. The ANP also found two burkas at a nearby compound that had been left. It was his opinion that they wore the burkas to get close, and then penetrated the compound after the VBIED went off. After EOD cleared the compound of known explosives, myself (b)(3), (b)(6) (b)(1)1.4a and a few others began the search for any gear, or sensitive items that needed to be recovered. We were not exactly sure what had already been recovered, so we began to search through the rubble. We found one M4 with an ACOG and a PEQ-15 on it near where (b)(3), (b)(6) was pulled out of the rubble. Near that site, while going through more rubble, we found one more grenade without the fuse, spoon, or pin. It appeared that they had been part of the vests that were set to explode after the main charges. The entire time we were doing our exploitation and further clearance of the building, we could hear continuous small arms fire coming from the Governor's compound. After we had done our sweep through the rubble, I linked up with (b)(3), (b)(6) and made a plan for follow on missions to the Governor's compound. After a few more minutes of talking with our law enforcement professional (b)(3), (b)(6) (b)(3), (b)(6) and my dismounts, we loaded up and left the KAU compound headed towards the Governor's compound to drop off another EOD team.

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 WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of JULY, 2011 at MNBTK, AFGHANISTAN

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

(Signature)

WITNESSES:

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

GU HQ

ORGANIZATION OR ADDRESS

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

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

(Typed Name of Person Administering Oath)

Judge Advocate

(Authority To Administer Oaths)

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

TN HQ

ORGANIZATION OR ADDRESS

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

PAGE 3 OF 3 PAGES

APD PE v1.01ES

A FORM 2823, NOV 2006

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 Tarin Kowt	2011/08/06	1855	

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

8. ORGANIZATION OR ADDRESS
HHC 4-70 AR

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On July 28, 2011 around 1300 Alpha section was spun up to assist the PSD elements with troops in contact. A section SP around 1330, from MNB-TK to KAU compound located in Tarin Kowt, Afghanistan. All of the dismounts went to the north side of the compound to provide security for the PSD entry team. I overheard the entry team was entering the building, then all of a sudden I saw 2 explosions which was the 2 SVIED's that detonated causing the wall the entry team was stacked on, to collapse onto them. I then heard over the net that the entire entry team was down. After that I heard (b)(3), (b)(6) call for all the (b)(1)1.4a drivers to dismount and follow him towards the compound. We quickly expedite our move to the compound. Once we arrived on scene, I immediately went to the first person I saw who was down, which was (b)(3), (b)(6) I then started pulling ruble and debris off of him and (b)(3) (b)(3), (b)(6) After we got both men out from under the ruble and to medical assistance, (b)(3), (b)(6) called for a 4 man clearing team to clear the rest of the rooms on the bottom floor. Myself, (b)(3), (b)(6) and (b)(3), (b)(6) then stacked on the wall prepared to enter the first room on the left down the hallway. We entered the first room led by (b)(3), (b)(6) myself (b)(3) (b)(3), (b)(6), an (b)(3), (b)(6) We found no one in that room, so we backed out and stacked on the 2nd room on the left side of the hallway, we entered the 2nd room and found no one inside. We then backed out and stacked on the 3rd room at the end of the hallway on the right side led by myself (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) Again we found no one in the last room. The rooms were now clear. Afterwards I went back into the courtyard and then proceeded helping evacuate the wounded. I went back to the courtyard and then started policing up the gear from the wounded.

(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 "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 1855 DATED 6 Aug 11

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 1. 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, O (b)(3), (b)(6).

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

(Signature of Person Making Statement)

WITNESSES:

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

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

U MHC-470TH

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 08 day of Aug, 2011 at 19:06

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

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNB-TK DATED 18 Aug 11

9. STATEMENT *(Continued)*

I, (b)(3), (b)(6) made the preceding statement on 6 Aug 11. I now ratify and adopt that previous statement as true and accurrate.

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 1. 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 INTERFERENCE.

(b)(3), (b)(6)
(Signature of Person Making Statement)

WITNESSES:

(b)(3), (b)(6)
MNC 3rd BSTB

ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
CTU HQ

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of August, 2011 at Multinational Base Tarin Kowt

(b)(3), (b)(6)
(Typed Name and Grade of Person Administering Oath)

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

US Army Judge Advocate
(Authority To Administer Oaths)

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

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
FOB Tarin Kwot, Afghanistan	2011/08/06	1350	

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

8. ORGANIZATION OR ADDRESS
HHC 4-70th AR 170th IBCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On the 28th of July, while waiting to sp to the PHQ with a 7 truck convoy with 4 VIPs. While waiting, we over heard an explosion about 800 meters from our location on the back half of the TOC area. (b)(3), (b)(6) called up the 1st explosion, the (b)(3), (b)(6) called up the 2nd explosion within the TK area. Immediately after calling up the second explosion, (b)(3), (b)(6) made the decision to take the VIPs off the trucks. Once the VIPs were off the trucks, (b)(3), (b)(6) truck and 3 of (b)(1)1.4a trucks took off to assess the explosion in TK. The second element of the convoy, waited to take EOD down to the site. While waiting for EOD, (b)(3), (b)(6) element received SAF from the blast site from 2 individuals wearing suicide vest. The second element of (b)(3), (b)(6) (b)(3), (b)(6) element of (b)(1)1.4a lefted EOD to provide support to (b)(3), (b)(6) element at the blast site(KAU). Once (b)(3), (b)(6) element rp'd the blast site, (b)(3), (b)(6) dismounted along with other dismounts of his element to meet up with the (b)(3), (b)(6) dismounted element. While (b)(3), (b)(6) and (b)(3), (b)(6) talked strategy to assault the building, then the element received SAF and INS threw a grenade. Then (b)(3), (b)(6) gave the order to open fire on the building to suppress the INS SAF. During this event, (b)(3), (b)(6) was wounded in the neck and arm by the INS SAF. (b)(3), (b)(6) immediately dropped down and stated that he had being shot. (b)(3), (b)(6) called up over the net for a medic but got no response to the call, so (b)(3), (b)(6) and (b)(3), (b)(6) got out of the truck to yell for a medic. (b)(3), (b)(6) the medic, immediately responsded to the yelling to assist (b)(3), (b)(6) wounds. After (b)(3), (b)(6) moved (b)(3), (b)(6) to a (b)(1)1.4a and MEDEVACed back to role 2 at MNB-TK. Once (b)(3), (b)(6) was MEDEVACed out of the area, (b)(3), (b)(6) came over to be the gunner in (b)(1)1.4a, (b)(1)1.4g, (b)(3) (b)(3), (b)(6) truck). During that time, the other elements were still laying down suppressive fire on the building. (b)(3), (b)(6) called up to the (b)(1)1.4a to help with the events on the ground. The (b)(1)1.4a was asked to do (b)(1)1.4a passes on the building to ensure that the building was safe for the dismounted elements to search the building. The (b)(1)1.4a and (b)(1)1.4a dismounts account for the two elements to go search the building. The (b)(1)1.4a breach team would be the first element to go into the building. Before entering the building, (b)(3), (b)(6) threw some grenades just to make sure the building was clear, but once the element started to clear the building one of the suicide vest was denotated and 3 to 5 seconds later the second vest went off. Immediately following the explosion the call came over the net stated for more dismounts to help get the wound soldiers out of the area. (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6), and other soldiers help get the wounded soldiers out of the debris. (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6). Once getting the wounded out (b)(3), (b)(6) element sp'd the site to take (b)(3), (b)(6) to role 2, while the other elements stayed to assess the KAU

(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 "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 1350 DATED 20110806

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)

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

HHC 4-70th AR
ORGANIZATION OR ADDRESS

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

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

HHC 4-79 AR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNB-TK DATED 20110818

9. STATEMENT *(Continued)*

I (b)(3), (b)(6), made the preceding statement on 20110806. I now ratify and adopt that previous statement as true and accurrate.

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 1. 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)

(b)(3), (b)(6)
HHC 4-70 AR
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
HHC 4-70th AR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of August, 2011 at Multinational Base Tarin Kowt

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

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

US Army Judge Advocate
(Authority To Administer Oaths)

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

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
Multi-National Base Tarin Kowt, Afghanistan	20110801	1625	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 July 2011 (b)(1)1.4a platoon (Scouts) were conducting a 48hr mission with a (b)(1)1.4a Small Kill Team (SKT) emplaced in sector. The SKT was to end on the 28th at approximately 2200 hours. The rest of the platoon was acting as a Quick Reaction Force (QRF). Before lunch, on the 28th, (b)(1)1.4a Bravo section was at Check Point Talani conducting a Traffic Control Point (TCP). Two explosions went off in the distance towards the city of Tarin Kowt. We inquired to (b)(1)1.4a if the explosions were controlled detonations or attack. (b)(1)1.4a main came across saying that KAU headquarters within the city was under attack. Also that (b)(1)1.4a (b)(3), (b)(6)) and his Personal Security Detachment (b)(1)1.4a was taking contact. We mounted up in our trucks to head to KAU headquarters. Upon arriving at KAU (b)(1)1.4a (b)(3), (b)(6)) along with (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) (b)(1)1.4a put (b)(3), (b)(6) who was wounded with shrapnel into (b)(1)1.4a truck (b)(3), (b)(6) (b)(3), (b)(6) provided CLS to (b)(3), (b)(6) while we were enroute back to MBTK to deliver him to Role 2. After dropping (b)(3), (b)(6) off at the Role 2, the (b)(1)1.4a that I was in went down and I was transferred to (b)(1)1.4a (b)(3), (b)(6) truck (b)(1)1.4a Bravo section linked up with (b)(1)1.4a Alpha section and went back to KAU headquarters. When we arrived back at KAU I dismounted with the rest of (b)(1)1.4a and linked up at (b)(1)1.4a s (b)(3), (b)(6)) truck. At this time I noticed (b)(1)1.4a trying to coordinate a plan to see what would be our next move. I was on the road (b)(1)1.4a with (b)(1)1.4a (b)(3), (b)(6) he ordered an (b)(1)1.4a to move into the driveway to provide cover for the dismounts trying to gain a foothold at the compound. We were taking small arms fire from the compound while our crew served weapons we returning fire trying to gain fire superiority. The plan that I saw come together was that the (b)(1)1.4a element was to be the first team into the building with (b)(1)1.4a being the second team. The (b)(1)1.4a element along with (b)(1)1.4a threw three grenades of which only two went off. After the grenades went off the (b)(1)1.4a element moved into position so they could breach the compound. The team consisted of (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) . While (b)(1)1.4a, (b)(1)1.4a moved into position to be the second team in, it consisted of (b)(3), (b)(6) (b)(3), (b)(6) and myself. I then heard two explosions that went off. I estimated that they suicide bombers detonated their vest in an effort to kill the breach team. I am not sure what happened in the building. After the explosions I saw (b)(3), (b)(6) go to the building followed by (b)(3), (b)(6) and I ran in from the north/west into the courtyard near all the rubble. Once inside the courtyard, I called out "is anyone alive", at that time (b)(3), (b)(6) and (b)(3), (b)(6) called out. I noticed that (b)(3), (b)(6) right foot was pinned under a block of wall. I then noticed that everyone in the breach team was buried on cement blocks from the building. I started trying to uncover two Soldiers at the same time, I believe they were (b)(3), (b)(6) and (b)(3), (b)(6) While trying to uncover them small arms fire started to pick up again. Rounds were coming between (b)(3), (b)(6) and I, who was also trying to uncover (b)(3), (b)(6) I called for security while I was trying to uncover the wounded. While I was working on getting (b)(3), (b)(6) and (b)(3), (b)(6) out (b)(3), (b)(6) with other soldiers started to dig out (b)(3), (b)(6) At this time (b)(1)1.4a drivers came running up to help clear the building, dig out and carry the wounded. The wounded were loaded up in (b)(1)1.4a to be casevac'd back to MNBTK. After getting (b)(3), (b)(6) and (b)(3), (b)(6) out I assessed their wounds and they were loaded into the (b)(1)1.4a After that, I went to work on (b)(3), (b)(6) I cut his shirt and blouse to see if he had any puncture wounds. After this the aid and litter teams took him to the casevac vehicles. (TURN PAGE)----------

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 2011 0801

9. STATEMENT *(Continued)*

(b)(3), (b)(6) who was in the blast himself was able to treat (b)(1)1.4a and get him with the help of other into the casevac vehicles. Before I loaded into the (b)(1)1.4a I asked if there were anymore wounded and I received the green light to go back to MBTK while providing care for the wounded. (b)(3), (b)(6) coherent even though he was in the blast went into the vehicle that contained (b)(3), (b)(6) and (b)(3), (b)(6) I mounted up in the vehicle that contained (b)(3), (b)(6) I continued to conducted rapid trauma assessments and gained access to start fluids. When we arrived at MNBTK I notified the medical team on standby of my patient's wounds. I then proceeded to unload the other wounded soldiers. After clearing the KAU compound we headed to the Governors compound to provide security.----NOTHING FOLLOWS---(b)(3), (b)(6)----------(b)(3), (b)(6)

(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, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 02 day of AUGUST, 2011

at MNBTK AFGHANISTAN

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

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

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

PAGE 1-2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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
MNB- Tarin Kowt Afghanistan	2011/07/28	1200	

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

8. ORGANIZATION OR ADDRESS
HHC, TF 4-70 AR

9.

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

On 281215(L)AUG2011 the (b)(1)1.4a platoon which consisted of (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and myself were staged outside of the Combined Team Uruzgan (CTU) headquarters. Our mission was to escort some VIPs in the local Tarin Kowt area. Before the VIPs loaded into our vehicles, I saw the smoke clouds from explosions in two different locations in the down town Tarin Kowt area. We quickly reconfigured our crews for the trucks and I was moved from PSD2 into PSD9 with (b)(3), (b)(6) as the Truck Commander (TC), (b)(3), (b)(6) as the gunner, (b)(3), (b)(6) was the driver and myself as dismount and medic. At this time 4 trucks left MNB-TK under (b)(3), (b)(6) command, leaving three trucks with the (b)(3), (b)(6) We then proceeded to drive to the suspected location of one of the explosion, arriving at approximately 1230. Upon arrival there (b)(3), (b)(6) dismounted with intentions of talking to some locals about the explosions. At this time (b)(3), (b)(6) and I dismounted to provide security on the ground. Shortly after our time on ground we received small arms fire from building A1993 in the Kandak Amniante Uruzgan (KAU) compound to the north east of our location. The gunners fired their crew serve weapons to cover us as we moved back to the cover of the vehicles. The convoy with the (b)(3), (b)(6) arrived on scene. Only a few minutes into their engagement (b)(3), (b)(6) who was a gunner on a .50 caliber machine gun, took a bullet to the left side of his neck and left bicep. I ran to his location and assessed his injuries, made sure there was no major bleeding and loaded him into a casualty evacuation vehicle (CASEVAC). Around this time the scout platoon arrived on the scene and there were (b)(1)1.4a engaging building A1993. We started breaking up into teams for the clearing of building A1993. As we moved to the objective (b)(3), (b)(6) threw two M67s fragmentation grenades into building A1993 and (b)(3), (b)(6) also threw one M67 into the objective. We attempted to move into the compound and our first point of entry was blocked with debris. We found a way around the blockage. We started our stack on the building at this time (b)(3), (b)(6) (b)(3), (b)(6) as point man, (b)(3), (b)(6) as second man, (b)(3), (b)(6) as third man, (b)(3), (b)(6) as fourth man, myself as the fifth man and (b)(3), (b)(6) as our last man in the stack. As (b)(3), (b)(6) began his breach the first explosion went off, stopping our forward movement threw the doorway. Approximately 5 seconds later a second explosion went off on the left side of the house that ended up bringing down the wall, that we were stacked on, on top of our team. (b)(3), (b)(6) was the first person I saw after I was buried by the wall and he began to dig me out, he also began digging (b)(3), (b)(6) also. Upon standing I realized something was wrong with my left hip and walking was difficult (b)(3), (b)(6) and (b)(3), (b)(6) dragged the (b)(3), (b)(6) and me into the back of PSD4 where I ended up staying with (b)(3), (b)(6) and began my medical assessments and treatments on him. Once I secured a driver (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) we began our CASEVAC to (b)(3), (b)(6) on MNB-TK. Upon arrival to Role 2 we loaded (b)(3), (b)(6) onto a spine board, I briefed the next medical provider of his suspected injuries and then I too was admitted as a patient into Role 2 for my hip injuries for further assessment and treatment. (b)(3), (b)(6)

10. EXHIBIT	(b)(3), (b)(6)	SON MAKING STATEMENT	PAGE 1 OF 2 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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1200 DATED 2011/07/28

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 1. 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 IN

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

(Signature of Person Making Statement)

WITNESSES:

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of August 2011

at MNB Tarin Kowt, Afghanistan

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

SWORN STATEMENT

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

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
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
MNBTK, CAMP HELMAND	20110806	1350	

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

8. ORGANIZATION OR ADDRESS
HHC 5-3 4-70TH AR

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

ON 28 JULY, 2011, (b)(3), (b)(6) ELEMENT AND (b)(3), (b)(6) ELEMENT WERE STAGED BY CTU AWAITING VIP'S FOR ESCORT. ONCE VIP'S WERE LOADED, WE WERE AWAITING REDCON STATUS. OUR TRUCK INCLUDED (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) AND MYSELF. SUDDENLY, WE HEARD AN EXPLOSION AND FOLLOWING IT WAS A BIG PLUME OF SMOKE ABOUT A THOUSAND METERS FROM OUR LOCATION. WE ALSO HAD A LINGUIST WITH US. (b)(3), (b)(6) CALLED UP TO (b)(1)1.4a MAIN ASKING IF THERE WAS ANY INFO ON SAID EXPLOSION. ABOUT A MINUTE LATER, ANOTHER EXPLOSION WAS HEARD AND SEEN EVEN FURTHER, IT LOOKED NEAR THE PHQ. (b)(1)1.4a MAIN WASN'T TRACKING ANY CONTROLLED DET, SO THEY GAVE US THE GRID TO THE FIRST BLAST. (b)(3), (b)(6) THEN TOLD US TO GET THE VIP'S OUT AND THAT HE WANTED TO SPEAK TO ALL TC'S TO PLAN THE SITUATION. AFTER THAT WE BEGAN MOVEMENT WHEN (b)(1)1.4a (b)(1)1.4a CALLED US AND SAID THAT WE NEEDED TO ESCORT EOD ALONG WITH US, SO (b)(3) TRUCK AND THREE (b)(1)1.4a TRUCKS CONTINUED ON, AS (b)(3), (b)(6) AND TWO (b)(1)1.4a TRUCKS STOOD BY. FIFTEEN-TWENTY MINUTES LATER, (b)(3), (b)(6) CAME ON THE NET SAYING SHOTS FIRED. AFTER (b)(1)1.4a MAIN COULDN'T GET IN CONTACT WITH THEM, (b)(3), (b)(6) CALLED (b)(1)1.4a MAIN AND SAID FOR EOD TO STANDBY, WE'RE LEAVING TO ASSIST. AS WE MADE A LEFT ON (b)(1)1.4a (b)(1)1.4a WE COULD SEE (b)(3), (b)(6) ELEMENT STOPPED AND IN AN L-SHAPED FORMATION OUTSIDE THE KHAN COMPOUND. WE PULLED UP BEHIND THEIR LAST TRUCK AND SCANNED SECTORS. WE CONTINUED TO RECEIVE SMALL ARMS FIRE AND WHAT SEEMED TO BE A GRENADE THAT WENT OFF INSIDE THE COMPOUND. (b)(3), (b)(6) RECEIVED CONFIRMATION THAT THERE WERE 2 CONFIRMED SUICIDE BOMBERS INSIDE THE BUILDING. HE THEN SAID THEY ARE ALLIED. IMMEDIATELY AFTERWARDS, THE INSURGENTS BEGAN FIRING AND ALL GUNNERS INCLUDING MYSELF ENGAGED THE ENEMY. AFTER SEVERAL ROUNDS MY CREW SERVE JAMMED, I DID TWO ATTEMPTS TO FIX IT, NOTHING. SWITCHED OVER TO MY PERSONAL AND FIRED ONCE AFTER POSITIVE ID. I ASKED (b)(3), (b)(6) TO MOVE FORWARD A LITTLE FOR A BETTER ANGLE, RE-ENGAGED, AND THAT'S

10. EXHIBIT

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

PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ 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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1350 DATED 20110806

9. STATEMENT *(Continued)*

WHEN I FELT THE PRESSURE ON MY NECK AND ARM, I DROPPED DOWN AND TOLD (b)(3), (b)(6) "I THINK I'VE BEEN SHOT, I NEED A MEDIC." HE MOVED THE TRUCK OFF THE ROAD AND CALLED FOR A MEDIC BUT THERE WAS TOO MUCH RADIO TRAFFIC. I OPENED THE DOOR AND YELLED AT THE DISMOUNTS FOR A MEDIC. (b)(3), (b)(6) CAME RUNNING, I SAT DOWN AS HE PULLED MY RIP-CORD, AND REMOVED MY ACH. AND APPLIED PRESSURE TO MY WOUNDS. (b)(3), (b)(6) THEN RAN OVER AND ASKED IF I COULD RUN, I SAID YES, (b)(3), (b)(6) STOPPED ONE OF THE SCOUTS TRUCKS AND I CLIMBED IN THE BACK SEAT. I WAS THEN RUSHED TO ROU 2 WHERE THEY TREATED MY WOUNDS. /// NOTHING FOLLOWS /// (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 4-70th AR

ORGANIZATION OR ADDRESS

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

HHC 4-70th AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MNB-TK DATED 18 AUG 2011

9. STATEMENT *(Continued)*

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

I, (b)(3), (b)(6) made the preceding statement on 18 AUG 2011. I now ratify and adopt that previous statement as true and accurrate.

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 1. 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 UNLAW (b)(3), (b)(6)

(b)(3), (b)(6)
(Signature of Person Making Statement)

WITNESSES:

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

HHC 4-70 AR

ORGANIZATION OR ADDRESS

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

HHC 4-70th AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18 day of August, 2011 at Multinational Base Tarin Kowt

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

US Army Judge Advocate
(Authority To Administer Oaths)

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

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 Tarin Kowt, Afghanistan	2011/07/30	1251	

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

8. ORGANIZATION OR ADDRESS
HHC 4-70AR, Fob Tarin Kowt, APO AE 09380

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 July 2011 approximately 1320 (b)(1)1.4a Platoon A Section left Fob Tarin Kowt to assist the Battalion PSD who were in a sustained fire fight with the enemy. We arrived at the KAU headquarters which is connected to the Tarin Kowt radio station at approximately 1325. We stopped on (b)(1)1.4a next to the KAU Headquarters. I, being the lead truck commander, made link up with (b)(3), (b)(6) who was on the ground directing his PSD element. I asked him where he needed my vehicles he answered, "I need a dismount team right now!". I relayed the request over our platoon net and prepared my dismount radio. I gave my gunner a general sector of fire and dismounted my vehicle. Once on the ground I linked up with the rest of the (b)(1)1.4a Platoon dismount team consisting of 8 Soldiers. The Soldiers on the team were (b)(3), (b)(6) Myself (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6), (b)(3), (b)(6) and (b)(3), (b)(6) When I got to their position (b)(3), (b)(6) was walking with (b)(3), (b)(6) to try and get more information on what was needed from our team. I lined the team up flat against the (b)(1)1.4a we were standing next to since there was still sporadic machine gun fire coming from the east. I then positioned them in the order we would use to stack on a building and pushed the Medic, (b)(3), (b)(6) to the rear of the stack telling him not to initially enter the building with us. At that point (b)(3), (b)(6) came back to the dismount team. The (b)(1)1.4a we were lined up against, then started to move east off (b)(1)1.4a through an alley towards the radio station that the machine gun fire was coming from. I moved to the front of the stack and we walked along side of the (b)(1)1.4a. As we were walking (b)(3), (b)(6) told us that we would not be the initial entry team but instead set up a support by fire position along the western wall of the radio station. The (b)(1)1.4a stopped about 5 feet behind another (b)(1)1.4a that was already in the alley immediately next to a huge hole in the northern wall of the radio station compound. Next to that MRAP was another dismount team also taking cover from the machine gun fire coming out of the radio station. (b)(3), (b)(6) then walked over to (b)(3), (b)(6) behind the other (b)(1)1.4a I also moved forward to speak with (b)(3), (b)(6) in order to get more information on what was actually going on. (b)(3), (b)(6) pointed out the radio station building from which they had been taking machine gun fire. He also pointed out another building Immediately under the radio station antenna tower that possibly housed another fighter. I moved back to our dismount team and briefed them on what I knew. Then I got on our platoon net and also briefed the gunners so they had a better understanding of what was happening and where (b)(3), (b)(6) came back to the team and explained that after two grenades were thrown and had exploded we were to move to our support by fire position. As he was talking the first "Frag out!" sounded. We ducked down even lower behind the (b)(1)1.4a and waited for the explosion. Then the second grenade was thrown and exploded. I was about to move out when I heard "Frag out!" for the third time. We held our position but an explosion never came. About a minute had gone by when I was told by (b)(3), (b)(6) to move toward my position so we moved out. Six of us moved online along the western wall of the radio station compound. I was the furthest south then (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) back closer to the (b)(1)1.4a so that (b)(3), (b)(6) would be able to respond to any medical emergencies. As soon as I found a broken spot in the wall that I could easily look over, I stopped and started to report on what I saw. "Hallway clear, three doors left, no movement in the windows!" (b)(3), (b)(6) moved immediately to my left so that he could also get a good view over the wall. I told him to cover the windows on the first level and I would watch the large open area in the attic wall immediately under the roof. (TURN PAGE)----------

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

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 FOB Tarin Kowt DATED 2011/07/30

9. STATEMENT *(Continued)*

I heard the other members of our team report what they saw and then the entry team started to move toward the open hallway door in the middle of the radio station. They stopped for a few seconds under the north/west rooms window and then moved into the hallway. As the lead member of the team moved to the right side of the hallway there was a large explosion in the room on the south/west side of the building. It was the room closest to me about 8 to 10 meters in front of the 5 foot wall my team was taking cover behind. The Explosion pushed the wall back against (b)(3), (b)(6) and I, moving us backwards. As we moved forward again to take back our position on the wall a second large explosion occurred in the room on the north/west side. The two explosions were about 2 seconds apart and threw dust and debris everywhere. It took a little while for the dust and debris to settle. When it did, I could see that the entry team was buried in what had previously been the two western rooms of the radio station. Immediately after the dust settled I saw that (b)(3), (b)(6) and (b)(3), (b)(6) had moved into the court yard of the radio station to assist the injured entry team. I reported up to our cordon on the radio that the entry team was down and we needed all the medics form the cordon vehicles. (b)(3), (b)(6) then took most of the support by fire team over the wall to assist the wounded. I ordered (b)(3), (b)(6) to remain with me and continue to over watch his assigned sector of fire. A very short time after that (b)(3), (b)(6) fired a shot from his M4. I asked what he was shooting at and he told me, "There is still a guy in the left corner." I started to yell for (b)(3), (b)(6) who was in the process of sending a clearing team into the rest of the building. I finally got the attention of (b)(3), (b)(6) and screamed at him, "Hey there is still someone in the left corner!". He first looked around the left side of the building, the north side. When I yelled at him again, "In the front left room!" At that time single shots started to come out of the room I was trying to describe. It was impossible for (b)(3), (b)(6) and I to fire into the room since everyone that was searching through the rubble was now standing up between us and the target we needed to engage. (b)(3), (b)(6) was calling for a hand grenade but none of the Soldiers had any. At the same time (b)(3), (b)(6) from the Mortar Platoon, jumped up and into the crumbled room on the north/west side. He moved to the back wall of the room lifted his M4 over the half crumbled wall and fired at the threat. At this time one of the PSD gunners in the cordon also opened fire into the room. Since we had a three man clearing team already in the hallway (b)(3), (b)(6) and I immediately started to scream cease fire. I got on the Scout Platoon net and instructed someone to get him to cease fire. A few seconds later the firing from the cordon ceased. The three man clearing team consisting of (b)(3), (b)(6) and (b)(3), (b)(6) finished clearing the radio station. Once the clearing was complete and our overwatch position was no longer needed, I ran back to the (b)(1)1.4a Platoon vehicles and ordered all the drivers to dismount and follow me. The drivers that came with me were (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) I brought them back to the radio station to (b)(3), (b)(6) so that he could use them to help evacuate the wounded. Then I instructed (b)(3), (b)(6) to move out to where our vehicles were and ensure that our gunners were maintaining proper sectors of fire since there was contact in other parts of the city and we could still hear pop shots that sounded close by. Some of the ANP that were standing around pointed out a pineapple hand grenade to me that was laying in a door way on the south/west side of the compound. I informed (b)(3), (b)(6) of it's location who showed me another one laying in the blown out room on the south/west side of the building. (b)(3), (b)(6) had by this time completed moving all the injured to MedEvac vehicles and was ready to begin moving them back to FOB Tarin Kowt. I ran out to the (b)(1)1.4a, (b)(1)1.4g vehicles which were blocking (b)(1)1.4a and ordered the drivers to move the vehicles out of the way, ground guiding some, to make room for the MedEvac vehicles. I went back into the radio station compound to report to (b)(3), (b)(6) that all the wounded were being moved. (b)(3), (b)(6) was looking through the debris with (b)(3), (b)(6) when I got back. We talked about the grenades that were laying around for a few minutes and decided to clear out of the compound until EOD cleared the area. Before EOD arrived and could clear the compound ANP started to dig through the debris themselves, looking for their dead country men. We made them aware of the danger that the unexploded grenades posed and then I moved back to my vehicle for a much needed cold water break. Shortly after that EOD arrived and cleared the area of UXO. When EOD was complete we were ordered to escort them to the Governors compound. (NOTHING FOLLOWS)--(b)(3), (b)(6)

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT FOB Tarin Kowt DATED 2011/07/30

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)

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

HHC 4-70AR. Fob Tarin Kowt, APO AE 09380

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

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

HHC 4-70AR. Fob Tarin Kowt, APO AE 09380

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2 day of AUGUST, 2011

at MAIBIK, AFGHANISTAN

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

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

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
MNB-TARIN KOWT, AFGHANISTAN	2011/07/30	1200L	

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

8. ORGANIZATION OR ADDRESS

HHC, TF 4-70 AR

9.

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

At approximately 281200(L)JUL2011, the Mortar Personal Security Detachment (PSD) which consisted of (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) myself, (b)(3), (b)(6) were staged behind the Combined Team Uruzgan (CTU) compound to pick up the VIP element that we were scheduled to escort that day. At approximately 281215(L)JUL2011 (b)(3), (b)(6) (b)(3), (b)(6) and I witnessed two large explosions in the vicinity of downtown Tarin Kowt. It was at this point that (b)(3), (b)(6) decided to split our convoy into two sections to investigate the sites. We then moved the VIP element out of our convoy and back into the CTU compound. At this time HQ 6, with (b)(3), (b)(6) and their linguist, PSD 9 with (b)(3), (b)(6) and myself, PSD 4 with (b)(3), (b)(6) and (b)(3), (b)(6) and PSD 1 that had (b)(3), (b)(6) and (b)(3), (b)(6) then moved from Multi-National Base - Tarin Kowt (MNB-TK) to the approximate area of the first explosion. Upon arrival to the Kandak Amniante Uruzgan (KAU) compound (b)(3), (b)(6) (b)(3), (b)(6) dismounted and performed a link up with the Afghan National Police (ANP). Shortly after the link up the dismounted element began to receive small arms fire from building A1993. HQ 6 pulled forward off of the road to the north side of building A1993 and began to engage with their crew serve weapon. When the crew serve weapon on HQ 6 failed to function (b)(3), (b)(6) ordered (b)(3), (b)(6) and myself to maneuver PSD 9 to a position on the north side of building A1993 where we could engage from. Once I had moved PSD 9 into position (b)(3), (b)(6) was called over the radio by (b)(3), (b)(6) to engage building A1993 with preparatory fire. It was at this point that PSD 9 began to receive small arms fire from the doorway of building A1993. From the drivers seat I began to assist (b)(3), (b)(6) by spotting his rounds. I saw what appeared to be a man between the age of 18-30 appear in the inner doorway of the building. I saw a muzzle flash from his position at which time I directed (b)(3), (b)(6) fire onto him. I then overheard on the radio that (b)(3), (b)(6) had called an (b)(1)1.4a onto station. I was then directed to move PSD 9 back onto the road behind me. (b)(3), (b)(6) then had the (b)(3), (b)(6) fire on building A1993. After the (b)(1)1.4a completed firing on building A1993 I moved PSD 9 back into the previous position. We again received small arms fire and (b)(3), (b)(6) returned fire with his personal weapon. At this point (b)(3), (b)(6) ordered me to move PSD 9 to the east side of building A1993 so that the (b)(1)1.4a could re-engage building A1993. Once the (b)(1)1.4a completed fires on building A1993 (b)(3), (b)(6) had the dismounted PSD element and a dismounted element from the scouts to maneuver to building A1993 (b)(3), (b)(6) then came to PSD 9 to get a fragmentation grenade from (b)(3), (b)(6) (b)(3), (b)(6) then linked up with the dismounted PSD element. I overheard on the radio that (b)(3), (b)(6) announced that the dismounts had thrown grenades into building A1993. I then heard (b)(3), (b)(6) call that one of the grenades had failed to fire. It was at this point that I saw the first explosion that came from building A1993. Followed immediately by the second explosion from building A1993. After the second explosion I dismounted and ran to aid the dismounts.The first casualty I came to was (b)(3), (b)(6) I saw that he was breathing and I did not see any major bleeding so I moved to assess the next casualty.

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

10. EXHIBIT	11. (b)(3), (b)(6)	TATEMENT	PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____

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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 1200(L) DATED 2011/07/30

9. STATEMENT *(Continued)*

The next casualty I came to was (b)(3), (b)(6) had minor bleeding around his mouth but seemed to be stable. As I was continuing to assess (b)(3), (b)(6) I heard gunfire, I looked up and saw (b)(3), (b)(6) move to engage with his rifle. I then saw him move back quickly after firing approximately two shots. (b)(3), (b)(6) said he was out of ammo. I then saw that (b)(3), (b)(6) foot was being crushed by a section of wall. (b)(3), (b)(6) and myself together lifted this section enough to let someone pull (b)(3), (b)(6) foot free. I then helped put (b)(3), (b)(6) onto a litter, it was then I heard that there was still someone buried under the rubble. Myself and others rolled a large section of wall off of (b)(3), (b)(6) Once (b)(3), (b)(6) was carried to a vehicle I returned to PSD 9 with (b)(3), (b)(6) Shortly after I got into PSD 9 (b)(3), (b)(6) came and told me he needed a driver. I ran with (b)(3), (b)(6) to PSD 4 and got into the driver's seat. I saw (b)(3), (b)(6) performing aid on (b)(3), (b)(6) in the rear of the vehicle. (b)(3), (b)(6) led the small convoy back to MNB-TK. Upon arrival to the role two I helped put (b)(3), (b)(6) onto a spine board and take him to the medics who were standing by. I then drove PSD 4 back to the PSD pad where I unloaded all the sensitive items and gear out of the back of PSD 4 and put them with (b)(3), (b)(6) so that they could be accounted for and secured. At approximately 281530(L)JUL2011 (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) myself (b)(3), (b)(6) and Mr. (b)(3), (b)(6) and (b)(3), (b)(6) rolled back out to the KAU compound. Once at the KAU compound (b)(3), (b)(6) and (b)(3), (b)(6) dismounted and linked up with the troops on the ground. The PSD element then picked up (b)(3), (b)(6) from the KAU compound, where we found out we needed to link up with (b)(3), (b)(6) at the Governors compound. When the PSD element arrived at the Governors compound the ANP were in contact with the enemy outside of the compound as well as inside of the compound. The PSD element pulled the vehicles inside the compound to aid in support of the ANP who were under fire. Once inside and staged in the compound (b)(3), (b)(6) performed a link up with (b)(3) (b)(3), (b)(6) During this time the ANP began to clear (building number). While the ANP were clearing (building number) there were multiple gunshots. After approximately 10 minutes the ANP had finished clearing (building number) and the ANP threw a body off of the roof of (building number). The PSD element was then notified that there was live ordinance inside (building number) in the form of a suicide vest and an enemy combatant with an rocket propelled grenade (RPG) lodged into chest. At approximately 281800(L)JUL2011 Explosive Ordinance Disposal (EOD) arrived at the Governors compound and cleared (building number) of the live ordinance from inside. Upon disposal of the ordinance from (building number) the PSD element with EOD attachment returned to MNB-TK at approximately 282100(L)JUL2011.

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1200(L) DATED 2011/07/30

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 WI[redacted] THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENC[redacted]

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

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of July 2011

at

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMEN[redacted] (b)(3), (b)(6)

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD PE v1.01ES

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
Multi-National Base Tarin Kowt, Afghanistan	20110801	1625	

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

8. ORGANIZATION OR ADDRESS

HHC, 4-70th AR, 170th BCT

9.

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

On 28 July 2011, I was a dismount for the (b)(1)1.4a vehicle and attached to alpha section. (b)(1)1.4a was commanded by (b)(3), (b)(6) At 1240 (b)(3), (b)(6) came to my room and notified me that we had troops in contact. While alpha section was staged at the North Gate at MNBTK, (b)(1)1.4a and (b)(1)1.4a linked up with alpha section. The vehicle commander for (b)(1)1.4a was (b)(3), (b)(6) and (b)(3), (b)(6) for (b)(1)1.4a At 1325 (b)(1)1.4a Platoon arrived at the KAU Compound. Once on the ground, (b)(3), (b)(6) briefed (b)(3), (b)(6) (b)(3), (b)(6) on the situation. Our (b)(1)1.4a dismount team included (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) coordinated with one of the (b)(1)1.4a to provide cover for our dismounted element, while receiving small arms fire from the target building. Once in position (b)(3), (b)(6) linked up with the (b)(1)1.4a Platoon leader (b)(3), (b)(6), (b)(1)1.4a was going to be the assault element while (b)(1)1.4a was going to provide security and support by fire. Our Platoon Leader (b)(3), (b)(6) briefed our dismounted team that an (b)(1)1.4a was going to make one more pass at the building, followed by 2 grenades form (b)(1)1.4a Once the grenades had exploded (b)(1)1.4a was to assault the building. (b)(1)1.4a dismounted team consisted of (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) notified our team that the (b)(1)1.4a was making its final pass. Once rounds were complete, I saw (b)(3), (b)(6) throw 3 grenades into the KAU Compound. Only 2 of the grenades exploded. (b)(3), (b)(6) gave us the signal to move into our positions. Our dismounts moved to the western wall to provide security. The dismounts on the wall were (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) was to the left of the dismounts behind the wall. (b)(3), (b)(6) was positioned next to the wall behind one of (b)(1)1.4a vehicle. As (b)(1)1.4a dismounted element moved toward the building (b)(3), (b)(6) and I were pulled security along the western wall. I seen the seven man dismounted team stack on the wall, lead by (b)(3), (b)(6) While the dismounted team moved towards the first room on the southern part of the building, a very large explosion went off in south/west part of the building. A few moments later a second explosion just as powerful as the first went off on the north/west part of the building. As soon as the dust and debris cleared I could hear (b)(3), (b)(6) yelling for more medics. From my position I saw (b)(3), (b)(6) run out to the middle of the courtyard followed by (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) immediately began to uncover the Soldiers buried in the debris caused by the two explosions. The explosions caused the western side of the building to collapse trapping most of the 7 men dismounted team under debris. While providing security for the (b)(1)1.4a dismounts, that were uncovering and aiding the wounded Soldiers, trapped under debris, I saw a military aged male quickly poke his head out of a room that had been partially knocked down from the explosions on the North side of the building. I quickly assessed the situation to determining if he was friend or foe. I then heard several shots from his position. I then took aim and took a single shot to eliminate the threat. The shot I took was to high but enough for the individual to take cover. I then began yelling at the dismounts on the ground that there was an individual still in the building (b)(3), (b)(6) (b)(3), (b)(6) also helped notify the dismounts of the person still in the building. While the dismounts quickly took cover I could hear (b)(3), (b)(6) (b)(3), (b)(6) yelling for more grenades followed by more small arms fire from the same room. Moments later I saw a small dismount team stack to clear the room. I then saw (b)(3), (b)(6) clear the room with his M4 by poking his barrel threw the same hole I heard the shots being friend from.----TURN PAGE OVER----------

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 20110801

9. STATEMENT *(Continued)*

(b)(3), (b)(6) shot 8 to 10 rounds into the room q (b)(3), (b)(6) eliminating the threat. The rest of the dismounts continued to uncover and assist the casualties. ---NOTHING FOLLOWS---

(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 CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUE (b)(3), (b)(6) law to

WITNESSES:

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70TH AR APO AE 09380

ORGANIZATION OR ADDRESS

administer oaths, this 02 day of AUGUST, 2011

at MBTK, AFGHANISTAN

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

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

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

PAGE 2 OF 2 PAGES

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
Multi-National Base Tarin Kowt, Afghanistan	2011/07/31	1630	

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

8. ORGANIZATION OR ADDRESS
HHC, 4-70th AR, 170th BCT

9.
I (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 28 July 2011, while deployed to Tarin Kowt, Afghanistan in support of Operation Enduring Freedom, my Bravo section and I were on patrol at the Afghan National Police CP Talani. We were tasked as the QRF element for our Small Kill Team that was over watching one of the southern POO sites. At approximately 1225, while at CP Talani, I witnessed two huge explosions coming from the Tarin Kowt market area. I immediately told my Soldiers that I suspected it to be a VBIED and to report it immediately to (b)(1)1.4a. At approximately 1235, (b)(1)1.4a came over the radio and instructed us to move from CP Talani and link up with (b)(1)1.4a (b)(3), (b)(6) at the KAU HQs because they had small arms and suicide bomber contact. I immediately expressed to (b)(1)1.4a my concerns of leaving the SKT without a QRF and that their position was probably compromised, due to their earlier reports. (b)(1)1.4a said that we were to SP from Talani time now and link up with (b)(1)1.4a. We SP from Talani at 1245, headed east on route (b)(1)1.4a and link up with (b)(1)1.4a (b)(3), (b)(6). At about 1253, as we pulled up to the KAU HQs, I noticed that the PSD was in a serious fire fight with insurgents that were in the Tarin Kowt Radio Station building adjacent to the north of KAU HQs. I immediately jumped out of the truck and noticed (b)(3), (b)(6) flagging my lead truck forward and placed a Soldier into the truck, which was commanded by (b)(3), (b)(6). As I ran to their location, Soldiers from the outer cordon party were screaming at me to get back into the truck because I had to escort the casualty to the (b)(1)1.4a. I immediately jumped into the truck and called (b)(1)1.4a gave them a SITREP and requested the gate cleared. At approximately 1300, we arrived at the (b)(1)1.4a with (b)(3), (b)(6). We dropped him off and immediately linked up with my (b)(1)1.4a Alpha Section which was about to SP to the KAU HQs. Once back on the scene, I heard someone on the radio say that (b)(3), (b)(6) wanted a dismount team from the Scouts by his location. I got on the ground and ran to link up with (b)(3), (b)(6) and (b)(3), (b)(6). The Scout dismounted team consisted of (b)(3), (b)(6) and myself. (b)(3), (b)(6) continued to get guidance from (b)(3), (b)(6) immediately began stacking the dismounted team beside an (b)(1)1.4a that was staged on (b)(1)1.4a because we were taking machine gun fire from the east. As we restacked our Soldiers, I noticed that the PSD element was moving closer to the target. They traveled east on an alley way that lead to the northern wall of the Radio Station. I instructed the (b)(1)1.4a driver to drive down the same alley way behind the other vehicle and provided us cover as we moved east off Route (b)(1)1.4a in the direction of the machine gun fire. As we moved alongside the (b)(1)1.4a (b)(3), (b)(6) told us that we would not be the initial entry team but instead set up a support by fire position along the western wall of the radio station. The (b)(1)1.4a stopped about 5 feet behind the other (b)(1)1.4a that was already in the alley. I immediately noticed that the wall was severely damaged in two separate locations. From my position, I could clearly see the main entrance to the Radio Station which was located on the west side of the building. (b)(3), (b)(6) ran from beside our (b)(1)1.4a to the lead vehicle where (b)(3), (b)(6) and the Soldiers of the first assault element were staged. (b)(3), (b)(6) also moved to the other vehicle. I remained with the Soldiers and to reiterate to them about sectors of fires and PID. A few minutes later, (b)(3), (b)(6) ran back to our position and told us that we would still be second element into the building but first the (b)(1)1.4a would be firing 30mm at the north wall of the building and immediately following PSD would toss 2 grenades over the north wall into the building. My clearing team would move on the second grenade explosion. I watched as the (b)(1)1.4a, (b)(1) circled around and shot 30mm at the north wall of the building, followed by

10. EXHIBIT	11. INITIALS OF P (b)(3), (b)(6) S 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 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 MBTK, Afghanistan DATED 2011/07/31

9. STATEMENT *(Continued)*

the PSD element moving to the northern outer wall of the compound. The PSD clearing team consisted of (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6). The PSD element threw two grenades and after the second explosion my platoon began their move towards the western outer wall. My Scout clearing team was forced to hold their move when they heard a third "FRAG OUT". They backed behind the (b)(1)1.4a and took cover and waited for the third grenade to explode. The third grenade did not explode but my clearing team moved to the wall anyway, about 8 meters from the west entrance. As they were crossing to the wall, I noticed that my medic was in the stack. I immediately told (b)(3), (b)(6) (medic) that he would not go in to the building until it was cleared by the second element. I told him to stay to the left of our clearing element and pull security. I remained by the (b)(1)1.4a which was parallel to my Soldiers about 15 meters to the northwest of building. I heard my Soldiers immediately assigning sectors of fires and describing what they saw. I watched the PSD element move from the northern wall to the open door on the west wall of the radio station. The PSD clearing team paused then made their way in to the building. The point man went into the building and as he transitioned to the right side of the hallway, the first explosion occurred. The first explosion occurred in the south/west side of the building. There was a delay, followed by the second explosion. The force of the first blasts knocked down the south/west section of the wall and threw members of the first assault team of their feet and into the path of the second explosion. The second blast threw the Soldiers about six feet away from the building followed by the north-western section of the wall caving in and falling on them. I immediately took off running towards the building and yelled medic. (b)(3), (b)(6) came from behind the wall and ran alongside me to help the pinned Soldiers. As I ran into the courtyard I noticed (b)(3), (b)(6) rushing to the aid of the wounded and pursuing him was (b)(3), (b)(6) who was trying to bring him back behind cover. (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) followed shortly after. (b)(3), (b)(6) and (b)(3), (b)(6) remained in their over watch positions. When I reached the courtyard there was still dust in the air and when it cleared I noticed that all the Soldiers were somehow pinned down. The first Soldier I went to was (b)(3), (b)(6) he was covered in debris and dust. I removed all the debris which had him pinned and instructed Soldiers to move him to the MedEvac truck. The second Soldier I assisted was (b)(3), (b)(6) At first, I didn't recognize him due to all the debris and dust in his face. I also did not realize the extent of his injuries. He was totally pinned down with an estimate of 300 lbs of rubble on his lower body alone. While I was trying to help (b)(3), (b)(6), I heard a gunshots. Small arms fire was coming between (b)(3), (b)(6) and I, so we ducked. I then heard (b)(3), (b)(6) yelling that they had visual contact on the left. I grabbed my weapon and began looking towards the north of the building, thinking that was the direction of fire he was refering to. He yelled again and said "In the front left room", as I looked towards the room I realized that someone was shooting out of the room. As I scanned the area, I can see that (b)(3), (b)(6) was taking cover behind the south/west hallway entrance wall. I watched as (b)(3), (b)(6) took cover behind the wall and then fire about three rounds into the room which I saw SAF coming out of. With no time to really act and concerned with the safety of my Soldiers, I immediately called to (b)(3), (b)(6) and over the net that I wanted some grenades to finally eliminate the threat, but no one had any. I then saw (b)(3), (b)(6) move towards the room and shoot into it. Since (b)(3), (b)(6) was dealing with the threat, I refocused my attention to (b)(3), (b)(6) and all the casualties. They needed to be moved and moved fast. I continued removing the debris from the Battalion Commander's lower body. When complete, it was then that I realized who he was, (b)(3), (b)(6), our Battalion Commander. I immediately called for two Soldier who I saw entering the courtyard and instructed them to carry the BC out of the fire fight, and immediately. By the time I was done with the BN CDR there were other Soldiers in the courtyard assisting with the casualties. I next went to (b)(3), (b)(6) who was not that to covered in debris and was able to walk once freed. As I watched (b)(3), (b)(6) check on the wounded, I heard (b)(3), (b)(6) screaming. I rushed to his aid and removed some of the remaining debris off him. His foot was pinned underneath a huge piece of rubble. I tried to remove it but could not. I instructed some Soldiers to lift the huge bolder off (b)(3), (b)(6) foot and then realized that (b)(3), (b)(6) was being tended to. I immediately turned to (b)(3), (b)(6) and told him I was going to the casualty collection point to ensure they were being loaded into the trucks and were ready to go. When I got to the trucks, all the casualties were already being loaded into three (b)(1)1.4a As I got into the lead (b)(1)1.4a (b)(3), (b)(6) told me he had already called (b)(1)1.4a and gave them a SITREP and that (b)(1)1.4a was expecting them. I called (b)(1)1.4a anyway to make sure the north gate was cleared. Upon arrival to the (b)(1)1.4a I jumped out off the vehicle and began to assist in downloading the casualties. At the (b)(1)1.4a (b)(3) (b)(3), (b)(6) also helped download and treat the wounded. We moved from the (b)(1)1.4a and linked up with (b)(1)1.4a at the Mortars' pad. We dropped off all the collected sensitive items and gear with (b)(3), (b)(6). I had the mortars reorganized their crews and cross level ammunition prior to going back into the fight. I jumped back on the lead truck and lead the three truck convoy back to the KAU HQs to link up with my platoon and the remaining (b)(1)1.4a elements. By the time I returned to KAU HQs the situation was under control. I remained there for a few minutes when a call came over the net that EOD was needed at the Governor's compound. The Governor's compound had also been attacked by the insurgents and EOD was needed to handle a suicide vest. (b)(3), (b)(6) instructed me to take my section and take them there. We waited a few minutes until a motorcycle VBIED was cleared from the traffic circle. ---(TURN PAGE)----------

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

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

DA FORM 2823, NOV 2006 APD PE v1.01ES

STATEMENT OF (b)(3), (b)(6) TAKEN AT MBTK, Afghanistan DATED 2011/07/31

9. STATEMENT *(Continued)*

The Governor's compound had also been attacked by the insurgents and EOD was needed to handle a suicide vest. (b)(3), (b)(6) instructed me to take my section and take them there. We waited a few minutes until a motorcycle VBIED was cleared from the traffic circle. By that time, the rest of my platoon was ready to go. We escorted the EOD to the Uruzgan Province Governor's compound and remained there securing the compound until about 2230, when the Australians relieved us.----NOTHING FOLLOWS

---- (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 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 INFLU NT.

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

Making Statement)

WITNESSES

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

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

HHC, TF 4-70 AR, MB TARIN KOWT, AFGHANISTAN

ORGANIZATION OR ADDRESS

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

HHC, TF 4-70 AR, MB TARIN KOWT, AFGHANISTAN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 31 day of JULY, 2011

at MBTK AFGHANISTAN

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

ering Oath)

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

DA FORM 2823, NOV 2006

APD PE v1.01ES

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.

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Multi-National Base Tarin Kowt	2011/08/18	1410	

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

8. ORGANIZATION OR ADDRESS

HHC, 4-70th AR BN

9.

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

The first Afghan forces to arrive were KAU, the ANP only showed up after two explosions. I was disappointed the ANP did not show up earlier; I expected them to clear the building. Once the ANP showed up, later they pulled security around the area. After the explosions I went to dig out the casualties - I started on the first casualty I came to who was (b)(3), (b)(6). He was trapped in the rubble right in front of the building. (b)(3), (b)(6) moved to the NE corner of remains of the SW room of the building, kneeling by the pillar at the hallway. He was mostly stationary once he got there. I heard (b)(3), (b)(6) call for Soldiers to clear the building. I saw (b)(3), (b)(6) move to (b)(3), (b)(6) and (b)(3), (b)(6) move to the building. During this time I heard multiple reports of contact to the north of us, including word of 7 to 10 fighters to the north on rooftops. While still digging I heard one shot, that's all. It sounded like it came between (b)(3), (b)(6) and me. After the shot I called to everyone to pull security, and called for the grenades. We kept digging and pulling security. I saw (b)(3), (b)(6) fire into the room on the north side of the building. Then I saw (b)(3), (b)(6) move to the room and fire into it. I also heard machine gun fire. (b)(3), (b)(6) and I called for cease fire, and the firing stopped. I don't remember the exact sequence of (b)(3), (b)(6) firing and the machine gun, but the machine gun fire was the last dinstinct fire I remember hearing. NOTHING FOLLOWS (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 "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 1400 DATED 18 Aug 11

9. STATEMENT *(Continued)* NOTHING ELSE FOLLOWS (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 1. 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.

(b)(3), (b)(6)
(Making Statement)

WITNESSES:

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

(b)(3), (b)(6) HHC 4-70th

ORGANIZATION OR ADDRESS

(b)(3), (b)(6) HHC 4-70TH

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 18th day of AUG, 2011 at MNBTF

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

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)

US Army Judge Advocate
(Authority To Administer Oaths)

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

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.

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
MNB Tarin Kowt Afghanistan	2011/08/03	1300	

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

8. ORGANIZATION OR ADDRESS

HHC, TF 4-70 AR

9.

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

At 281215(L)AUG2011 the (b)(1)1.4a platoon, consisting of (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) was staged behind the CTU (Combined Team Uruzgan) headquarters loading VIPs into vehicles. I witnessed an explosion in downtown Tarin Kowt approximately 800 meters from our position. After several minutes a second explosion went off in the same area. At this time (b)(3), (b)(6) (b)(3), (b)(6) said we would leave the VIPs and move to investigate the explosions. Before making it to the gate the vehicle convoy was split into two separate convoys. (b)(3), (b)(6) took four vehicles including his own and (b)(3), (b)(6) stayed with the other two vehicles and waited for Explosive Ordnance Disposal (EOD). We then left Multi-National Base Tarin Kowt (MNB-TK) heading North on (b)(1)1.4a We drove 500 meters north on (b)(1)1.4a when an Afghanistan National Police officer (ANP) waved the convoy down (b)(3), (b)(6) and several others dismounted to talk with the ANP. The dismounts and vehicles received small arms fire from building A1993. During this time the remainder of the (b)(3), (b)(6) platoon and (b)(3), (b)(6) platoon arrived on scene and began forming teams to assault the building. Three vehicles, (b)(1)1.4a PSD 1 and PSD 4 converged fire on the shooters within the house. For the next 20 minutes the vehicles were repositioned constantly around the north side of building A1993. (b)(1)1.4a (b)(1)1.4a arrived on scene with (b)(1)1.4a and (b)(3), (b)(6) called for two separate engagements of 30 mm rounds on the north side of the house. The (b)(1)1.4a platoon dismounts consisting of (b)(3), (b)(6), (b)(3), (b)(6) and (b)(3), (b)(6) moved with (b)(1)1.4a platoon dismounts alongside the PSD 4 vehicle for cover to within 30 meters of the building A1993. The (b)(1)1.4a dismounts and (b)(3), (b)(6) moved against a wall 10 meters from the north wall of the house. The (b)(1)1.4a dismounts deployed three M67 grenades against the north side of building A1993, two detonating and one failing to detonate. The (b)(1)1.4a team led by (b)(3), (b)(6) then moved to within 10 meters of the house on the west side. The (b)(1)1.4a team then entered the house on the west side to clear it, upon entering the house (b)(1)1.4a team started moving towards the west entrance. The (b)(1)1.4a team moved approximately three meters inside the house, when there was an explosion. I watched (b)(3), (b)(6) get thrown 5 meters outside of the building while the roof and walls started collapsing. After approximately 10 seconds from the first explosion a second explosion went off farther into the house. At this time I dismounted PSD 4 and assisted in digging Soldiers out of the rubble. I assisted (b)(3), (b)(6) to the back of a vehicle and returned to the house. (b)(3), (b)(6) was buried from the waist down and complaining about his legs. At this time both (b)(3), (b)(6) and (b)(3), (b)(6) yelled that there was someone in the room closest to everyone and he was shooting. (b)(3), (b)(6) fired several rounds into an opening in the wall. (b)(3), (b)(6) yelled (b)(1)1.4a and took a knee. At this time I instructed (b)(3), (b)(6) "do not move right" and provided cover fire into the hole in the wall. (b)(3), (b)(6) (b)(3), (b)(6) announced (b)(1)1.4a and I ceased firing. (b)(3), (b)(6) leaned over a half wall and fired several rounds. (b)(3), (b)(6) called for a status of the shooter and (b)(3), (b)(6) said he was dead. (b)(3), (b)(6) began yelling from under a pile of rubble that he was trapped. Several Soldiers and I dug (b)(3), (b)(6) out and loaded him into a vehicle. (b)(3), (b)(6) yelled for a medic. I saw there was no medic in the immediate area and responded. (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

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 1300 DATED 2011/08/03

9. STATEMENT *(Continued)*

I began my tactical combat casualty care on (b)(3), (b)(6) in the back of a (b)(1)1.4a during CASEVAC to MNB-TK. (b)(3), (b)(6) had sustained a tension pneumothorax in the blast but the injury wasn't severe enough to render immediate aid. After assessing (b)(3) (b)(3), (b)(6) I then assessed (b)(3), (b)(6) presented no life threatening injuries. By the time both my initial assessments were done we had arrived at the (b)(1)1.4a medical facility on MNB-TK. The wounded Soldiers were quickly offloaded and I instructed the remaining personal to rally at the motor pool aside challet 15. At this time ammunition was consolidated and redistributed. the wounded Soldiers gear and sensitive items were accounted for and vehicle crews were designated (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) joined the remaining crews and I stayed behind with the vehicles and gear left behind. End of Statement.

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1300 DATED 2011/08/03

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 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 INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

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

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

HHC, TF 4-70 AR

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by ... administer oaths, this 03 day of AUG 2011

at

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

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

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
MNB-Tarin Kowt, Afghanistan	2011/07/30	2000	

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

8. ORGANIZATION OR ADDRESS
HHC, TF 4-70 AR

9.
I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On or about 281200(L)JUL2011, the (b)(1)1.4a /PSD elements were staged outside the CTU waiting to depart MNBTK. I heard two explosions in the distance (b)(3), (b)(6) then made the decision to go investigate the explosions. Myself, (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) then departed around 1215 and headed north on (b)(1)1.4a I was the gunner on a M240 Bravo machine gun on truck PSD 9 with (b)(3), (b)(6) as the driver and (b)(3), (b)(6) as the truck commander. Upon arrival to the Kandik Amniante Uruzgan (KAU) compound we started taking small arms fire (SAF) from the KAU building A1993. (b)(3), (b)(6) (b)(3), (b)(6) then called for all dismounts to get on the ground and at that time (b)(3), (b)(6) dismounted. I was then instructed by (b)(3), (b)(6) (b)(3), (b)(6) to pull my vehicle up into the driveway and keep eyes on the door. Shortly after my vehicle was in position we began taking SAF from building A1993 and at that time myself and (b)(3), (b)(6) who was the gunner on (b)(1)1.4a with a M2 50.cal machine gun began returning fire. While we were returning fire my driver (b)(3), (b)(6) then began calling out positions where he would see movement from inside the building or muzzle flashes. (b)(3), (b)(6) informed me that there was a military aged male peeking his head out of the doorway and popping off shots so I then oriented my fire into the doorway. At that time (b)(1)1.4a instructed (b)(1)1.4a that were on station to engage building A1993 with 30 mm machine gun fire. (b)(1)1.4a then had his vehicle move to the north east corner of the house so I moved up to where (b)(1)1.4a was and took up his sector of fire which was the windows on the north side of the building (b)(1)1.4a called up that there was a man sitting under the windows against the wall. I was instructed to fire through the windows at a downward angle and to also suppress the walls with heavy fire. (b)(1)1.4a then conducted two more gun runs. (b)(1)1.4a then had his dismounts meet with him on the ground and proceeded to have (b)(3), (b)(6) throw 3 frag grenades into the building of which only two went off. (b)(1)1.4a then had me pull up to the north east corner of the house and from there I lost visual contact of the dismounts. After about 2 minutes from me losing visual contact I saw an explosion from inside the house, about 10 seconds later I saw another explosion from the house. (b)(3), (b)(6) then dismounted to help assist with the casualties. From that point I was pulling security from my turret. It took about 20 minutes for all the casualties to be loaded into the vehicles and CASEVAC'd back to MNBTK. (b)(3), (b)(6) then jumped in my vehicle as the driver and we then proceeded back to MNBTK with (b)(3), (b)(6) leading the convoy . After we dropped (b)(3), (b)(6) off at the (b)(1)1.4a so he could have his injuries looked at we then headed back to our platoons staging area. Myself, (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) (b)(3), (b)(6) and (b)(3), (b)(6) and picked up our Platoon (b)(3), (b)(6) who had stayed at the site to continue to go through the rubble looking for sensitive items. We then proceeded to the Uruzgan Provincial Governments compound to link up with (b)(3), (b)(6) . Once we got to the compound myself and (b)(3), (b)(6) dismounted to link up with (b)(3), (b)(6) on the ground. After we got a brief by (b)(3), (b)(6) on the situation the three of us went into the Governors Building so (b)(3), (b)(6) could talk with the governor. We then provided security assistance for the Afghan National Police (ANP) and also the Afghan National Army (ANA) while they were trying to get a stronghold on the

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 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.

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 FOB MNB-TK DATED 2011/07/30

9. STATEMENT *(Continued)*

which was on fire and also believed to have suicide vests inside (b)(3), (b)(6) then got on ground and linked up with the three of us. (b)(3), (b)(6) who was relaying information from (b)(3), (b)(6) to the Battalion called for EOD. It took approximately 45 minutes for them to get on sight. While they were there they assessed the situation then they blew the unexploded ordinances in the building. We then escorted them and (b)(3), (b)(6) back to MNB-TK at approximately 2100.

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

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

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

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT FOB MNB-TK DATED 2011/07/30

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)

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

HHC, TF 4-70 AR

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

ORGANIZATION OR ADDRESS

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

HHC TF 4-70 AR

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 30 day of July, 2011

at

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

IO

(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6), HHC Cdr, 4-70 AR

1. On 15 August, 2011 I interviewed (b)(3), (b)(6) at Multi-National Base Tarin Khot (MNBTK), Uruzgan, Afghanistan. He is the commander of HHC, 4-70 Armor. The following is a summary of the interview:

2. (b)(3), (b)(6) did not arrive at the RTA building until after the shooting had occurred, but had been following events regarding the complex attacks across the city and was aware of events surrounding the shooting of AOK. One of the HHC Scout teams was performing an interdiction mission and the Support Platoon was performing a resupply mission. (b)(1)1.4a

(b)(1)1.4a

3. (b)(1)1.4a

(b)(1)1.4a

(b)(1)1.4a Unit training in Law of War and Escalation of Force started six months prior to deployment and focused on Afghanistan. The training was reinforced through STX, MRE, and classes when they reached KAF. The training is reinforced approximately every sixty days.

4. Regarding TTPs and SOPs for events such as those on 28 July, (b)(3), (b)(6) stated that each platoon has their own SOPs due to the variety of missions performed within the Company (such as Scouts versus Support Platoon). (b)(1)1.4a

(b)(1)1.4a

(b)(1)1.4a The battalion commander has stressed training on the tasks of entering and clearing buildings. Scout and Mortar Platoons have both trained on those battle drills regularly, though usually only within the same platoon, not with personnel mixed between platoons. They do train the battle drills regularly and keep skills sharp. While the Scout and Mortar Platoons have performed clearing operations with ANP, they have not normally maneuvered together. The platoons have significant experience in cordon and search operations; there are a lot of individuals with experience from Iraq. (b)(1)1.4a

(b)(1)1.4a

5. On the scene, the battalion commander did a good job of laying out what the unit faced – and described two suicide bombers inside the building. That information must have come from the

KAU/ANP forces on the ground, that's the only way he could have known. The battalion commander also identified the building to others on the ground (b)(1)1.4a. The unit performed Tactical Site Exploitation (TSE), but KAU had already walked in, and brought out grenades for disposal. It was approximately 30-45 minutes before the area was cleared of explosives and site exploitation could be performed. He could not get a clear picture from KAU on the situation on the ground, it remained confusing as to whether the entire compound had been cleared and there was concern there may be more explosives or another suicide bomber hiding elsewhere in the compound.

6. Regarding whether individuals on the scene were KAU or ANP, it was unclear because they all wear the same uniform. The KAU members at the compound are primarily considered militia but are also part of the ANP Tashkil, and this is a gray area regarding who is militia and who is part of ANSF. He was not aware of any pure ANP forces on the scene, all seemed to be KAU. There are SOPs for link-up, and the company CP (fixed facility an MNBTK) is used as a central location to coordinate between ANP and US forces. In spite of this, there was no link-up with official ANP officials at the site because the cell phone system was overloaded. (b)(3), (b)(6) took some US soldiers and KAU and cleared the remainder of the compound. (b)(3), (b)(6), a Law Enforcement Professional (LEP) has the information (photos) from the site exploitation. The EOD team member also took photos. Based on the effects of the explosives, it was estimated that each suicide bomber (b)(1)1.4a

7. In terms of recommended changes to SOPs, they plan to obtain as much standoff as possible and avoid rushing in to similar situations. Continually reiterate ANP first, even if they need a nudge from US forces to act. After the Afghan policeman and reporter were pulled from the rubble, (b)(3), (b)(6) asked who the reporter was, and stated that he (the reporter) had been shooting at us (US forces). The LEP took photos of the body of the reporter. The bodies were moved by the Afghans shortly thereafter. (b)(1)1.4a (b)(1)1.4a bu (b)(3), (b)(6) (b)(1)1.4a (b)(1)1.4a (b)(1)1.4a Regarding C2, the ANP have radios in the city, and can talk to substations.

8. While (b)(3), (b)(6) made five to six phone calls prior to leaving the CP, calls failed to go through thereafter. Therefore there was no real coordination with the ANP. ANP did block (b)(1)1.4a and establish TCPs on lateral routes. (b)(1)1.4a n (b)(1)1.4a, (b)(1)1.4b units regularly rehearse locking down the city, and have actually done so for multiple key events (b)(1)1.4a, (b)(1)1.4b

USFOR-A
SUBJECT: Witness Statement of (b)(3), (b)(6) (AR 15-6 Investigation)

(b)(1)1.4c

(b)(3), (b)(6)
Investigating Officer

Page 165 redacted for the following reason:
- -
(b)(3), (b)(6)

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6), TF 4-70 Combat Advisor to the Afghan National Police, MNB-TK, Uruzgan

1. On 18 August, 2011 I interviewed (b)(3), (b)(6) at Multi-National Base Tarin Khot (MNB-TK), Uruzgan, Afghanistan. He is the Combat Advisor to the Afghan National Police in Uruzgan. The following is a summary of key points from the interview:

2. (b)(3), (b)(6) acts as an advisor to the Afghan National Police and works closely with the Provincial Chief of Police (PCoP) of Uruzgan; on 28 July the PCoP was (b)(6). During the events of that day the focus of the ANSF was the fight at the Governor's compound where they led the response. (b)(1)1.4b

(b)(1)1.4b

3. Areas to improve upon include establishment of an effective C2 location where they can see themselves, see the enemy and assess the situation. Another area for improvement is tactical patience.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6) who worked with AOK

1. On 17 August, 2011 I interviewed (b)(6) at the PRT House on Multi-National Base Tarin Kowt. He stated he is a (b)(6) who had worked with AOK. He stated that journalists are neutral, do not take sides, and tell the truth. The following is a summary of the interview and his account:

2. (b)(6) stated that was working in the RTA building with Ahmad Omid Khpalwak that day. Omid was doing a story on police academy graduation – over 200 students graduated. (b)(6) told Omid he was leaving to go home for lunch. Omid said he should stay to work on story. He went home and heard explosion, then climbed up on his home and it appeared to him that the explosion was at the RTA building. Then he heard explosion at the provincial office. He went to the RTA. He tried to call Omid, but all he got from Omid was hello, but did not speak further. On his way to the RTA building he was stopped by ANA and ANP. He went back home and went back to the RTA an alternate way. He arrived back at the RTA building (b)(1)1.4a (b)(1)1.4a The ANP and ISAF forces stopped him; they were pushing everyone back. After about thirty minutes, about 2:30 PM, (b)(6) went into the compound. (b)(6) asked to go in using his journalist credentials. When he got into the compound, he saw Omid's body and that of a uniformed Afghan. The bodies were laying ten to twenty meters from the building. (b)(3), (b)(6) asked (b)(6) not to take any photos of the body.

3. He identified the correct English spelling of Omid's name to be Ahmad Omid Khpalwak, and his age as 25 years old. He stated that on that day Omid wore Afghan clothes, which included a waistcoat. He had BBC credentials and an ID card on a cord worn around his neck. The RTA building was the main radio station in Uruzgan, and every journalist used the building. Omid was always working there. He had a camera, computer, three telephones, and had his car parked in front of the RTA. His car was destroyed by the car bomb. The camera and other equipment were locked in another room. Before the attack, the only thing Omid carried with him was his cell phone. He never carried a gun; his only weapon as a journalist was his pen.

4. While it was not clear to him who killed Omid, he expressed concern about casualties that were inflicted by both sides. (b)(6) spoke of how Omid's death was a loss for all of Uruzgan and all of Afghanistan. Omid was always working hard, every time, every place. He did not sleep, and ate on the move. He was always working. He considered him a friend for 10 or eleven

years, working for media together. He reiterated how the death was a great blow to Uruzgan.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A 27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6) Ahmed Omaid Khpalwak (AOK)

1. On 9 August, 2011 I interviewed (b)(6), at the PRT House on Multi-National Base Tarin Kowt. He stated that (b)(6) Ahmed Omid Khpalwak (AOK). The business card he provided identified him as a (b)(6) but he stated (b)(6) (b)(6) When asked whether he would swear to tell the truth he said yes, and immediately began to tell the story (b)(6) The following is a summary of the interview:

2. He began by stating where (b)(6) was found, that (b)(6) had been shot, that American soldiers did not know that Omid was a journalist, and that numerous people witnessed the shooting but the police did not want to say how Omid died. His account jumped/ skipped from point to point regarding the events that day and his thoughts concerning the incident. He indicated that people from NDS and a provincial shura believed he was killed by the soldiers. All believed it was a misunderstanding that he was shot by Americans. When questioned, he stated Omid worked at the RTA, then went on to state that when (b)(6) showed his ID he was shot eleven times in the body. He said that Omid sent a SMS messages to him at 12:20 and 12:40 – the first one stated he was in a bad situation, the second one said that when he dies, to please bless him.

3. When the attack occurred, he was leaving the bazaar and traveling home. He drive his car to the compound of (b)(6), and indicated warning shots has been fired at his car by police and Americans while en-route. When he arrived at (b)(6) compound he stated police sent him away. Later (b)(6) received a phone call that (b)(6) was dead. He said that he was refused entrance to the RTA building by police, so he went to the adjacent compound controlled by (b)(6) He spoke to (b)(6) who let him in to the (b)(6) compound. From the (b)(6) compound he entered the RTA building area through a door in the wall between the compounds. He indicated that (b)(6) took video of the body. He stated that the Combined Team Uruzgan (CTU) (b)(6) wanted to meet with him the next day, 10 AUG 2011.

4. He reiterated when (b)(6) was shot it was very bad, a big misunderstanding. He spoke of how all his family worked for the government, and locals stated that this is what happens as a result of working with the government. He stated that (b)(6) was famous, known not only throughout Uruzgan but in Britain and Australia as well because of his reporting for the BBC.

He was concerned about whether anyone told the soldiers that no civilians were in the building, and if so who were they and why did they tell them that?

5. When he got near Omid's body, he heard a TK police translator state that (b)(6) looked like he was Arab or Pakistani. (b)(6) stated that they didn't know Omid was a civilian journalist. (b)(6) said he pulled (b)(6) credentials out of his pocket (and gestured a shirt pocket) to show that he was a journalist, and later indicated that his credentials were on a lanyard around his neck. He stated that when he asked for an ambulance to transport (b)(6) none was available. He said that police did not tell soldiers he was a journalist. He said he did not go to see the bathroom where (b)(6) died when he initially got to the RTA building, he only went to where (b)(6) body was in a grassy area near the road. He stated witnesses told him they knew who shot him. He stated AOK was wearing a yellow shirt with buttons and collar, as well as a silver-gray vest.

6. (b)(6) called (b)(6) to have a grave dug. He tried to speak with Mr. (b)(6), but he did not want to help. He asked the police for a Ranger pick-up, but the police would not provide one to transport the (b)(6) until the US forces asked. The body was taken to the hospital. The hospital was in bad condition (damaged). He and doctors washed the body, and took the body home in an ambulance. At nine pm they buried him. He stated AOK did not carry any equipment on him, only a cell phone, and that AOK did not carry a weapon and did not know how to use one. He stated he had a video on his cell phone, which he showed to me and provided to me on my cell phone. The video shows AOK's body after it had been washed with linen covering from his waist to his knees. He also stated he had shell cartridges with head stamp LC60, LC10, and LC88. He said he took two bullets from the bathroom wall. He indicated he had told the whole story, and there was nothing more. He said please investigate this case. It was a mistake. In all of Uruzgan, there is no one like Ahmed. He was an international journalist and was friends with people in Australia. It was a very big misunderstanding.

7. (b)(6) gave food to RTA workers for a while, later closed the door for RTA staff to get food on his compound and (b)(6) soldiers did not provide security anymore to the RTA. None of (b)(6) people were killed. The compound was left unguarded. There was a new (b)(6) – his name is (b)(6) (spelling?). (b)(6) stated that (b)(6) knew AOK was in RTA building, and should have called and told US forces – he was told this by new chief of RTA over the phone whom he contacted. The new (b)(6) had called (b)(6) and told him that AOK was in the RTA building. When asked how to contact (b)(6) stated he did not know how to contact him. (b)(6) asked for our contact information and provided his. He stated that he primarily uses gmail

and had (b)(6), and said he has them on 24 hours a day. He stated that it was getting late and he had to get home; we ended the interview. Roshan: (b)(2), (b)(6) (b)(2), (b)(6)

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6)

1. On 13 August, 2011 I interviewed (b)(6) (b)(6) in Tarin Kowt, Uruzgan. The interview was assisted by (b)(6), and interpreter who supports 4-70 AR. The following is a summary of the interview and his account:

2. When asked about the events on 28 July, (b)(6) stated that he was not at the scene but at a location a couple of miles away. He stated that he had invited individuals who were there at the HQ when the events occurred. He stated that the suicide bombers went to the (b)(6), (b)(1)1.4c, but did not care who else they killed. He stated that we lost somebody very important; AOK was a very important individual. When asked what can be done to help ensure teamwork between ISAF and ANSF, (b)(6) stated that it is really easy to work together when we get reports and location and if you arrive quickly, we can work together; we cannot do something by ourselves. (b)(3), (b)(6), (b)(1)1.4c (b)(6), (b)(1)1.4c. He was continuing to provide information to prevent future attacks. When asked whether the RTA building was a government facility he stated yes, but it also had equipment in it from BBC. By this time (b)(6), a witness to events at the RTA station on 28 July, had arrived. We asked to speak to him separately and ended the interview with (b)(6).

(b)(3), (b)(6)
Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6)

1. On 13 August, 2011 I interviewed (b)(6) in Tarin Kowt, Uruzgan. The interview was assisted by (b)(6), an interpreter who support 4-70 AR. When asked whether he was willing to swear that what he was about to say was the truth, (b)(6) stated that regarding the events of that day, he would tell the truth, he would tell the story of what happened that day. He stated his name as (b)(6), and that he was a (b)(6) When asked to specify whether he was ANP or KAU, he stated that all are the same. The following is a summary of the interview and his account:

2. He stated that at 1230 on the day of the incident, he was (b)(6) (b)(6) He heard an explosion and came outside and went up to the tower (of the KAU compound) and saw two suicide bombers. At the tower he saw one of the ANP in the tower had a concussion. Other ANP went up into the tower. After the incident he had ISAF blow up the unexploded grenades at the site. He said he organized ANP squads to surround the building and keep the suicide bomber from leaving the compound. The ANP prevented the suicide bombers from escaping. He saw two suicide bombers dressed in civilian clothes move towards their compound. When they could not gain access to the KAU compound they entered the RTA building. ISAF forces came to the location. He told them one suicide bomber had already killed himself, and two suicide bombers were still in the building. He spread out his ANP, and the enemy fought for 30 minutes. (b)(1)1.4a they thought the enemy was dead because the firing stopped. When the ISAF soldiers got close, the first suicide bomber detonated his explosives, and ISAF forces were trapped in the rubble, then the second suicide bomber detonated his explosives. He heard a few limited fires after the explosions, but no one knows what happened.

3. There was lots of smoke and dust, and they did not know what was happening. They (ANP) helped pull the ISAF forces from the rubble and helped look for equipment. ISAF evacuated the area, and then they found the body in the bathroom. (b)(6) stated he wanted to know who he was. They pulled the body outside, and then recognized him as reporter. He thought that ISAF did not know reporter was inside. In the bathroom the walls collapsed around him. He thought that when the suicide bomber detonated his explosives, it destroyed all the walls in the front of the building, including the one by the reporter. The situation was complicated by all the dust and debris. We did not know a civilian was inside the building. We took the wounded soldiers to the vehicles, and then saw the body in the bathroom and we pulled him out. (b)(6) (b)(6) considered Omid a friend, and said he had shared food with him days earlier. When I gave my condolences for the loss of his friend, (b)(6) stated that in the fighting, it happens sometimes; you cannot tell who is suicide bomber, enemy, or civilian.

4. (b)(6) said there were no photos taken of the body before they moved it. The police did not have a camera and ISAF forces had not taken any photos before the body was moved. (b)(6) (b)(6) did not see any type of equipment around the body; later an ANP brought Omid's ID card to him and said the ID card was found in Omid's hand and the cell phone was found next to the body. When asked if he had anything else to add, (b)(6) stated that he did not have anything else to say, that's all. He also offered to answer any other questions we may have; and said we could meet him at the compound to discuss the issue further.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6) Combined Team Uruzgan (CTU), MNB-TK, Uruzgan

1. On 18 August, 2011 I interviewed (b)(3), (b)(6) at Multi National Base Tarin Khot (MNB-TK), Uruzgan, Afghanistan. He is the (b)(6) of Combined Team Uruzgan (CTU). The following is a summary of key points from the interview:

2. Upon discovering the possibility that there was a civilian casualty associated with the fighting at the RTA building on 28 July, (b)(6) directed a (b)(6) Inquiry on 30 July into the circumstances. A phone call was made to the (b)(6) to determine whether it was appropriate to visit to pay condolences to (b)(6) A team from CTU visited the (b)(6) and (b)(6) and there has been regular communication with the family through the CTU PAO and the (b)(6). On 10 August the commander met with the (b)(6) in his office.

3. The PAO has responded to media inquiries with appropriate themes and messages to counter insurgent allegations and assertions. The commander planned to make a condolence payment for (b)(6) regardless of the outcome of the investigation. At that time the CTU was waiting for the appropriate time to make the payment and provide it directly to (b)(6)

(b)(3), (b)(6)
Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6)

1. On 8 August, 2011 I interviewed (b)(6) at the Uruzgan Provincial Governor's compound. He stated his job to be (b)(6) (b)(6) The interview was assisted by (b)(6), an interpreter. (b)(6) swore that the statements he would make would be truthful. The following is a summary of the interview:

2. He is a (b)(6) On the day of the incident, he had many phone calls, so he did not see the body himself. One of (b)(6) saw the body of Ahmed Omid Khpolwak (AOK) that day and reported its condition. Upon being asked what happened on the day of the incident, (b)(6) stated that there were suicide attacks on the radio station. After the explosions, AOK's body was taken to the hospital. (b)(6) stated that there were three types of wounds – multiple small wounds, wounds that appeared to be made by Kalashnikov-type rifles, and a third larger wound that created a large hole in AOK's neck. He stated that the small wounds were across his body, and would be the same as when a bomb explodes since wounds were over both arms and chest of AOK. He stated that it was not clear which wounds would have killed him.

3. When asked if there were any written or photographic records made of the body, he stated that a friend took pictures of his dead body. His name is (b)(6), a (b)(6) who is a friend of the family. (b)(6) washed the body, and took a picture. (b)(6) stated that he could send the photo to us through the Provincial Reconstruction Team. He stated that they do not make records of dead bodies (b)(6) He stated that one of the bodies brought in that day were of AOK and a policeman. It was hard to recognize whether AOK was shot by insurgents, ANP, or a helicopter. He stated that helicopters came and fired, so not clear what caused his death. He stated he was asked for information by many radio stations, and he gave the same account he was giving me. He said he also gave the same information to the journalist (b)(6)

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6) 1st ANP

1. On 12 August, 2011 I interviewed (b)(6), at the PRT House on Multi-National Base Tarin Kowt. He stated he was with the 1st ANP and served as a (b)(6) The interview was assisted by (b)(6), an interpreter. When asked whether he would swear to tell the truth about the events that day, (b)(6) stated that he wanted to tell the truth about the events that day. The following is a summary of the interview:

2. He stated he works with (b)(6). On the day of the event, he was (b)(6) in the vicinity of the bazaar. At this point in the interview, (b)(6) stated that he was (b)(6) (b)(6) For the rest of the interview, we used a sketch drawn by (b)(6) as an aid to communicating his testimony. (b)(6) then continued with his story. He was called by one of his soldiers, and they picked him up and took him to the bazaar, but it was closed. Next he went to the radio station, and tried to find out about the person who died. (b)(6) described the scene and stated that in a small building by the wall they found one rocket, one PK, and one AK – all those belonged to the police. He said that there were two suicide bombers inside the building. A gate/ wall was blown up, and one soldier was dead at that location. In his diagram he showed where he was told Ahmed Omid Khpalwak's (AOK's) body was found – that location was consistent with the location of the bathroom in the building. He also showed where the Taliban detonated their vests, it was consistent with the two rooms on the west side of the building. He said that people were injured when the wall collapsed from the explosions. He stated that each Taliban had an AK-47, and guessed the Taliban may have killed AOK.

3. His description of the damage to the house was consistent with photographs taken at the scene. He stated that they (apparently referring to ANP) tried to help soldiers and get them out. He stated he did not see the body himself while it was still inside the bathroom; he was told by people at the scene that the body had been found there. The first time he saw the body it was laid out in the grass outside the building. He described the wounds to his head and neck that were consistent with photos of the body. Others had brought AOK out of the building. He stated he arrived after all the Soldiers had been pulled from the rubble. When asked if there were any witnesses to how the body was found, he stated that friends of his were at the site.

4. When asked about who first responded to the events at the scene, he stated that first ones on the scene were (b)(6) people, and that the area belongs to (b)(6) He identified the other body as that of a soldier, but later stated that he was from the Police Headquarters (PHQ). He indicated that the individual was (b)(6) (b)(6). That body was crushed by falling debris of the wall destroyed by the

VBIED. When asked what else he would like to add, (b)(6) stated that he believed the suicide bombers (b)(1)1.4c He thought that Omid may have fought with, and been killed by, the Taliban who then killed themselves. He also stated that (b)(6) who he described as a detachment commander who worked for (b)(6), may have further information.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6) friend of family who examined the body

1. On 8 August, 2011 I interviewed (b)(6) at the Uruzgan Provincial Governor's compound. He stated his job to be the (b)(6) While (b)(6), the interview was assisted by (b)(6) an interpreter. (b)(6) (b)(6) swore that the statements he would make would be truthful. The following is a summary of the interview:

2. (b)(6) (b)(6) On 28 July at approximately 2:30pm a police vehicle, a green Ranger Pick-up arrived at the Tarin Khow hospital. There were two dead bodies in the back of the truck - one was police, the other was Ahmed Omid Khpolwak. There was blood on AOK's face and body. There were bullet wounds in his head, neck, and back. The wounds were from small arms, like a Kalashnikov. All the rounds went through his body. The bullet wound entrances were on the right side of the body, and the exit wounds on the left side. His body arrived covered in a shroud. He was told by the police driver that AOK was shot in the bathroom; the policeman was killed in the blast [Note: the policeman was assessed to have been killed by the initial vehicle-borne IED that destroyed the compound wall in the initial moments of the attack.]

3. According to religious practice, he washed AOK's body and laid it out. Then AOK's body was placed in an ambulance and sent to the family. The brother of AOK was present at the hospital. A journalist who had left just a few minutes before the incident was also at the hospital. The wounds on the body were all fired from a short distance; all bullets went through the body. The location of the wounds indicated the firer (the individual firing) was firing from an angle above AOK's location. His death was from the shooting; those were the only wounds. No autopsy or autopsy report was done; it is not common to do one in this area. There were two wounds in the head, one in the neck, and two in the back. He heard from the individual who brought the bodies in that AOK was killed in the bathroom, and that it was unknown whether it was caused by insurgents or others, but it could have been caused by a Soldier. (b)(6) stated that sometimes insurgents attack, and when the Army arrives, sometimes they don't understand [who is and is not enemy]. He repeated his comment that the Army must be very careful to understand; he has heard many stories, and stated that individuals without weapons must be considered as a civilian.

4. He displayed a video on his cell phone that showed two wrapped bodies in the back of a pick-up truck. The bodies were wrapped but the faces were exposed, and one clearly appeared to be AOK. Details of his wounds were not clearly apparent in the video.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6), Battalion S-2, 4-70 AR

1. On 17 August, 2011 I interviewed (b)(3), (b)(6) at Multi-National Base Tarin Khot (MNBTK), Uruzgan, Afghanistan. He is the (b)(6) The following is a summary of the interview:

(b)(1)1.4c

3. While there were ties to the insurgents seen after the fact, primarily through SIGINT, there was no real early warning that anything on this scale would occur on 28 July. (b)(1)1.4c

(b)(1)1.4c

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6) Provisional Reconstruction Team (PRT), MNB-TK, Uruzgan

1. On 19 August, 2011 I interviewed (b)(3), (b)(6) at Multi National Base Tarin Khot (MNB-TK), Uruzgan, Afghanistan. He is the (b)(6) of the Provisional Reconstruction Team (PRT) for Uruzgan. The following is a summary of the interview:

2. In the aftermath of the attacks on 28 July, there have been several efforts to assist the community. An Australian engineer team that was already performing work at the Governor's compound repaired the break in the outer wall of the compound. Repairs have been made to solar lighting around the bazaar in the vicinity of the Governor's compound and work is ongoing to enable repairs to windows and doors. There are also three major projects that the PRT has initiated and have requested bids for:

- Repair to damage done to the hospital caused by the VBIED that detonated by the Governor's compound
- Repair to the local bazaar damaged by a VBIED
- Repair to a mosque that was damaged by a VBIED

3. The PAO has also been engaged with efforts to get the radio station operating again.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6) (b)(6) – Provincial (OCC-P), MNB-TK, Uruzgan

1. On 18 August, 2011 I interviewed (b)(3), (b)(6) (AUS) at Multi-National Base Tarin Khot (MNB-TK), Uruzgan, Afghanistan. He is the (b)(6) The following is a summary of the interview:

2. (b)(1)1.4b, (b)(3), (b)(6)

(b)(1)1.4b, (b)(3), (b)(6)

3. (b)(1)1.4b (b)(1)1.4b (b)(1)1.4b (b)(1)1.4b. The (b)(6) and the (b)(6) were returning via helicopter when the attack began and moved to the OCC-P upon arrival at MNB-TK. (b)(6) left in his (b)(6) to go to the town where the fighting was ongoing, and the NDS (b)(6) stayed on MNB-TK. (b)(1)1.4b

(b)(1)1.4b (b)(1)1.4b

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A 27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6) Combined Team Uruzgan (CTU)

1. On 26 August, 2011 I interviewed (b)(3), (b)(6) (AUS) via phone. He is the (b)(3), (b)(6) (b)(3), (b)(6) of Combined Team Uruzgan (CTU) at Multi-National Base Tarin Khot (MNB-TK), Uruzgan, Afghanistan. The following is a summary of the interview:

2. After becoming aware of the death of AOK, (b)(3), (b)(6) went to the family's house to express condolences. There he met with AOK's (b)(6) and expressed condolences on behalf of (b)(6) One of the (b)(6) of the command was also present and met separately with the (b)(6) of the family. (b)(6) (b)(3), (b)(6) expressed the commander's desire to meet with the family in the near future for an Iftar-type evening meal.

3. Approximately one week later AOK's (b)(6), of the family met with (b)(6), (b)(3), (b)(6) and a translator for a sit-down meal in the commander's office. (b)(6) expressed his condolences, and informed the family of the investigation that was being conducted. He stressed that the investigation would determine the truth, that it was an independent investigation, and because it was independent he could not talk about the details of the investigation. He also told the family that they would be informed of the results.

4. In support of the local community there have been numerous missions conducted to the site of the RTA building, with the goal of re-establishing a capability to broadcast from the site. Electricians and carpenters have been down to the site and are close to providing a temporary arrangement. In addition to a temporary capability the command is also looking into a long-term solution with the Provincial Reconstruction Team (PRT).

5. The PRT has been involved in repairs to the damage that was done in the 28 July attacks.

6. The Public Affairs cell has provided a camera to local journalists to help them in publishing local stories. They also supported a wake held in remembrance of AOK with production of

media materials for the event and individual donations to an Iftar-type meal.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(6)

1. On 8 August, 2011 I interviewed (b)(6) at the Uruzgan Provincial Governor's compound. (b)(6) The interview was assisted by (b)(6), an interpreter. (b)(6) swore that the statements he would make would be truthful and that he could not lie since it is Ramadan. The following is a summary of the interview:

2. When the RTA building was attacked, he was in a Reserve Battalion building next to the RTA building. He specified that the Reserve Battalion (Bn) was part of the KAU, led by (b)(6) (b)(6) He stated that (b)(6) was not there that day, but was at home. (b)(6) stated that he often goes to the Reserve Bn, because he is friends with some of (b)(6) While at lunch, he first thought the explosions were a rocket attack. An individual on the roof was injured, so he went to the roof. There he saw two insurgents at the RTA station and witnessed fighting between the insurgents and (b)(6) guards. He took two wounded guards to the PRT. Upon returning from the PRT, he saw a helicopter shooting into the RTA building, so he went to (b)(6) home. After the fight was complete he went to the RTA building; he estimated the time as 3:00 pm.

3. When he arrived there, he saw ANP and coalition forces in the RTA building. While there was still shooting taking place at the Governor's compound, there was not any shooting taking place at the RTA. He did not see any bodies. (b)(6) stated that an individual, who he believed had been involved in moving AOK's body, told him that AOK was killed in the bathroom and there was lots of blood. (b)(6) went to the RTA building and saw partial remains of the insurgents and saw blood where he was told AOK was killed. Later, AOK's (b)(6) wanted to know how AOK was killed. (b)(6) stated that he did not have that information, so he told (b)(6) that he didn't know, he wasn't there at the time, and didn't have any information about that. (b)(6) stated that (b)(6) then asked him to make a statement that AOK was shot by ISAF; (b)(6) told him he did not know how he died, and cannot say he was shot by ISAF. (b)(6) stated that he provided the photos he had taken to (b)(6). (b)(6) stated that that (b)(6) then provided the same photos to a journalist, and told the journalist that (b)(6) could tell them how AOK died. (b)(6) stated the journalist came to him, and when asked he told the journalist that he could not say how AOK died.

4. (b)(6) also took photos of AOK's body after it was washed, and gave those photos to (b)(6) stated that those photos only showed AOK's head. (b)(6) stated that when he was at the RTA building site he was looking at the destruction to the building and did not take notice to any bullet holes where the body was or whether any weapons were present. (b)(6) stated repeatedly that AOK was his best friend, and was writing a biography of him. He also repeatedly stated that (b)(6)

tried multiple times to get him to state that ISAF had killed AOK. He stated that he took pictures in the RTA of the location where AOK was killed and the blood stains. (b)(6) stated that because of the way he took the photos (he indicated portrait layout) and what he photographed, they would probably not be of much use to know what was there. (b)(6) stated that he could pass his photos to us later using USB drive. (b)(6) offered that an individual named (b)(6) RTA building, was there that day, and that he may have information.

5. (b)(6) stated that he had one question of me – who told us that we needed to talk to him? There were numerous people there that day and their names were not used. Two of the journalists asked him who shot AOK, ANP, insurgents, ISAF? – (b)(6) told them it was not clear. (b)(6) believes his name may have been given to journalists by (b)(6) (b)(6) stated that (b)(6) may have some personal goals or tribal problems – and indicated that those may be reasons that (b)(6) is trying to have (b)(6) state that ISAF is to blame for AOK's death. (b)(6) specified that AOK was not only a friend, but his best friend, and stated that he lived close to his home. (b)(6) talked about his religious belief that AOK was innocent and martyred, and didn't want to give the wrong information. (b)(6) stated that he took the photos for AOK's (b)(6) (b)(6) specified that (b)(6) is not a friend.

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

Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6) (b)(3), (b)(6), 4-70 AR

1. On 3 August, 2011 I interviewed (b)(3), (b)(6) (b)(3), (b)(6) 4-70 AR. I also performed a follow-up interview with (b)(3), (b)(6) on 18 August. The following are key points from the interviews:

2. When the insurgents initiated the complex attack in Tarin Khot on 28 July, US forces were staged at the Multi National Base – Tarin Khot (MNB-TK) main gate, preparing to transport visitors to a new Provincial Chief of Police Headquarters being built in the city of Tarin Khot (TK). The forces consisted of Personal Security Detachment (PSD) elements of 4-70 Armor and the (b)(3), (b)(6) (b)(3), (b)(6) of (b)(6) There had not been any indication that an attack was imminent, and no expectation anything out of the ordinary would happen that day. The first indication of the attack was the detonation of the Vehicle-borne IEDs (VBIEDs) at the RTA compound and the Governor's compound. Following the explosions, the VIPs who were going to be transported to the event were offloaded from the vehicles. The (b)(3), (b)(6) went forward up (b)(1)1.4a the main road through Tarin Khot, with four vehicles to investigate the source of the explosions and assess the situation. The (b)(3), (b)(6) initially waited at gate in order to link up with the Explosive Ordnance Detachment (EOD). The (b)(3), (b)(6) went forward with the remaining three vehicles once the Bn Cdr was in contact with the insurgents.

3. The RTA compound is adjacent to the Kandak Amniante Uruzgan (KAU) compound, and there is potential confusion regarding whether it is actually part of the KAU compound. The KAU compound is (b)(6) (b)(6) is a key (b)(6) The KAU is an armed militia which provides security on key routes including (b)(1)1.4a, the primary route between Kandahar and Tarin Khot. The KAU has approximately (b)(1)1.4b (b)(1)1.4b of that number are counted in ANSF structure, but the KAU as an organization is not recognized as ANSF. The KAU has a charter and a mission, but we do not consider them to be ANSF and we do not partner with them. They do have representatives in the OCC-P for liaison.

4. ANSF forces did react to the complex attack that day but were slow to react to the RTA site. The PCoP and most of the ANA and ANP forces were focused up north at the Governor's compound. At the RTA compound, the (b)(3), (b)(6) controlled the (b)(3), (b)(6) and directed fire into areas where the enemy was firing from. They didn't realize the building was as thick as it was and how much it limited the effects of their weapons, and thought the suicide bombers were likely

dead. The (b)(3), (b)(6) decided to enter the building when conditions were set, with the enemy suppressed. The only forces that initially entered the building were Coalition; there were no ANSF partnered with the force at that time.

5. After the SBIED explosions the (b)(3), (b)(6) was incapacitated and (b)(3), (b)(6) Leader, took over the fight. (b)(3), (b)(6) focused on casualties. Other parts of the city were still under attack, and once the situation at the RTA and KAU compounds was under control, elements moved to secure the Governor's compound

6. All soldiers have been briefed on Rules of Engagement (ROE), Escalation of Force (EOF), and Positive ID (PID), the training is continually reinforced, and all new soldiers are briefed upon arrival at the unit. ROE, EOF, and PID are also briefed before each mission.

(b)(3), (b)(6)
Investigating Officer

DEPARTMENT OF DEFENSE
UNITED STATES FORCES – AFGHANISTAN SOUTH/SOUTHWEST
KANDAHAR AIRFIELD, AFGHANISTAN
APO AE 09355

USFOR-A

27 August 2011

MEMORANDUM FOR RECORD

SUBJECT: Witness Statement of (b)(3), (b)(6)

1. During the interview with (b)(6) on 9 August 2011, he provided an electronic copy of a video to the Investigating Officer which showed the wounds sustained by Ahmad Omid Khpalwak on 28 July 2011.

2. On 22 August 2011 the video was reviewed by the (b)(3), (b)(6) and by the (b)(6) at Kandahar Airfield (KAF). The (b)(6) (b)(6) assessed that the wounds could be consistent with small caliber high velocity assault rifle wounds, and were not consistent with larger caliber weapons (such as 30mm).

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

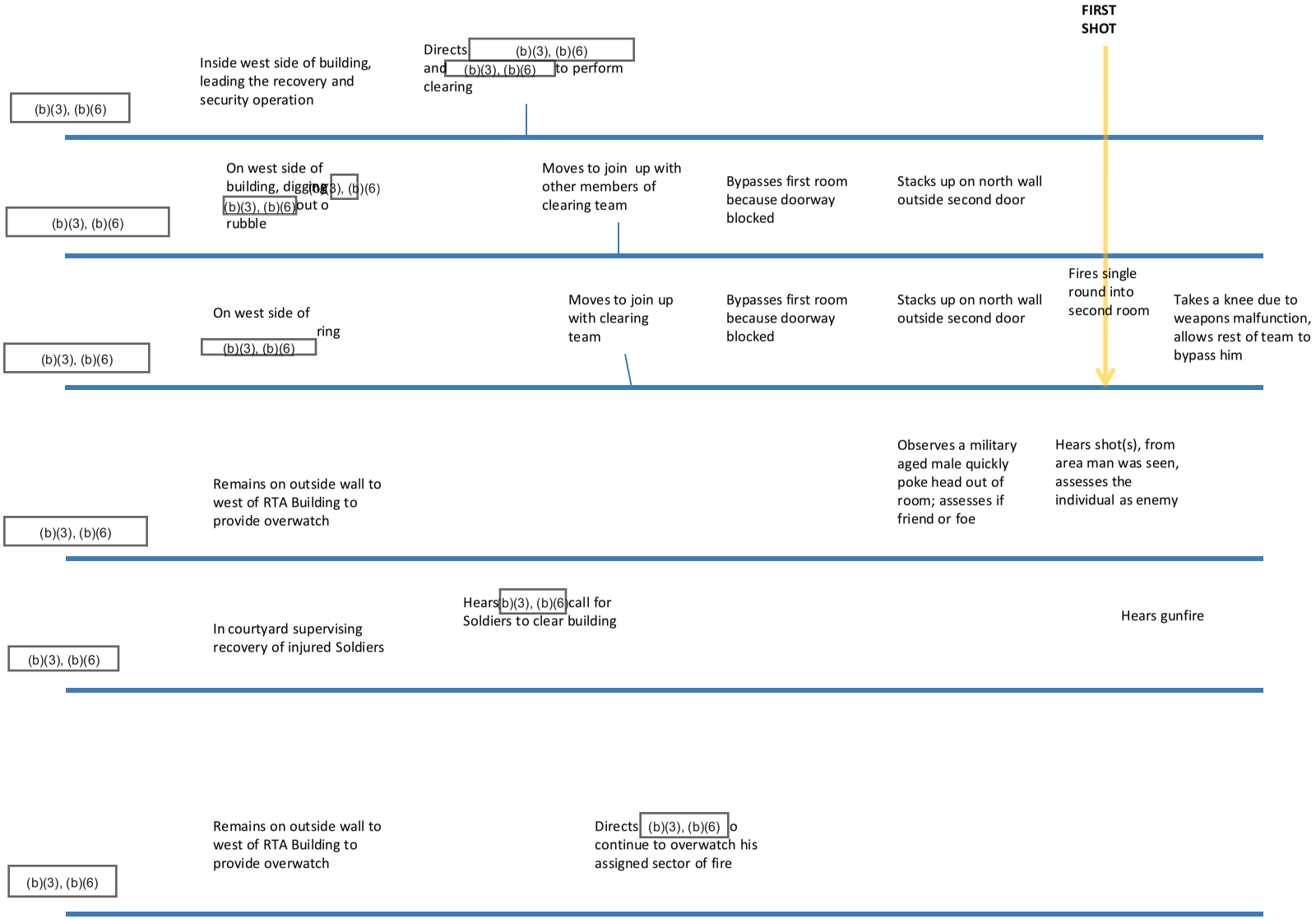
Investigating Officer

Other Individuals Interviewed

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

~~SECRET/ REL~~

Timeline of Events at the RTA Building

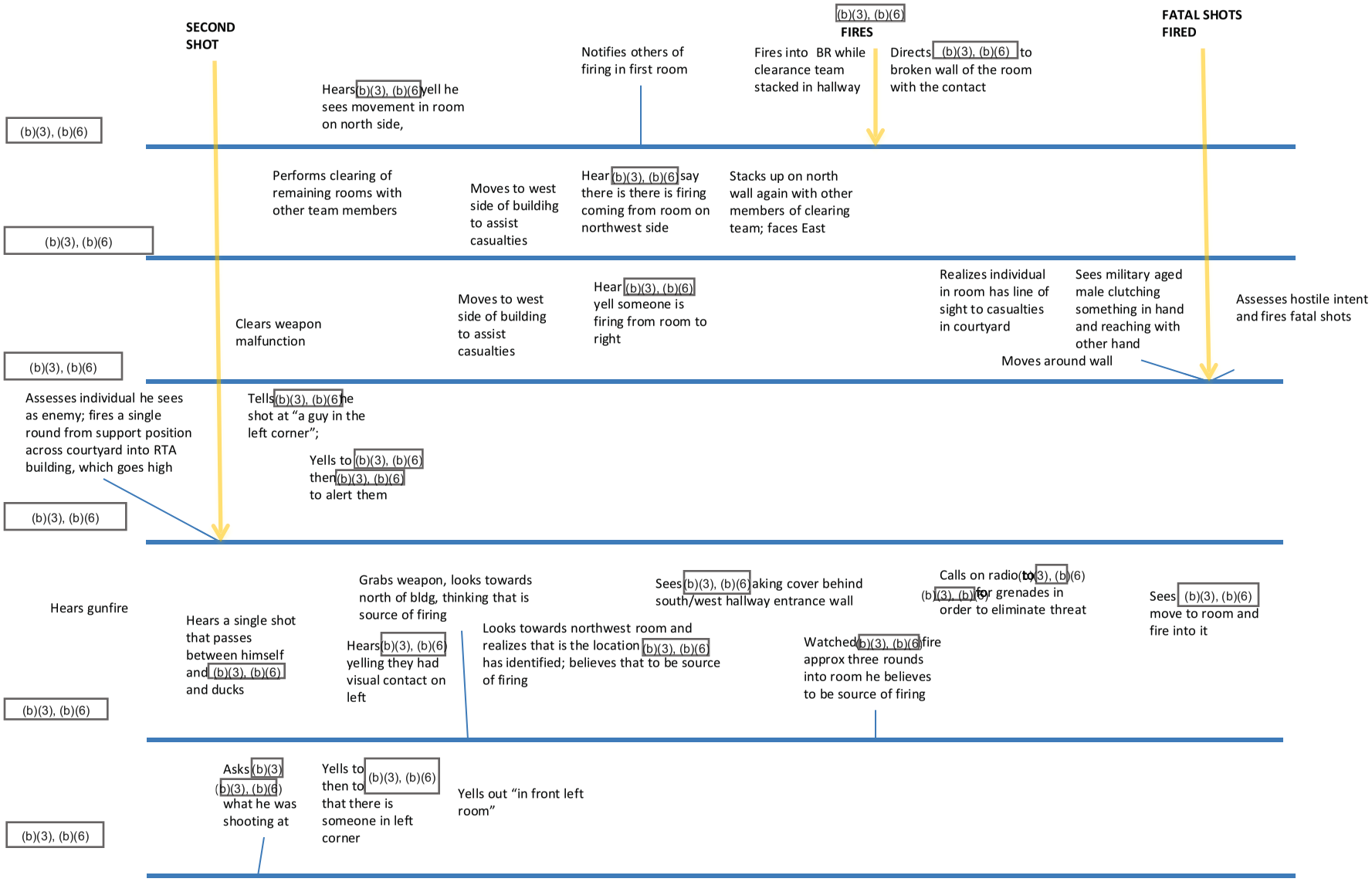


Note: This timeline shows events from the perspective of the individual witnesses and in estimated sequence; times between events are not to scale

~~SECRET/ REL~~

~~SECRET/ REL~~

Timeline of Events at the RTA Building (cont'd)



Note: This timeline shows events from the perspective of the individual witnesses and in estimated sequence; times between events are not to scale

~~SECRET/ REL~~

SECOND SHOT
Sees individual clutching something in hand and reaching with other hand
B
Directly after that took SAF from one individual in room
Notifies others of firing in first room
Fires a single round which goes high
Fires a single round which goes high
Directly after that took SAF from one individual in room
Notifies others of firing in first room
Completes clearing remaining rooms with other team members
Completes clearing remaining rooms with other team members
Heard (b)(3), (b)(6) yell he saw movement in room on north side,
Fires a single round from the support position across the courtyard into the RTA Building, which goes high
Quickly assessed situation to determine if friend or foe
Then heard several shots from his position
Fires a single round which goes high