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SWORN STATEMENT

My name is Major (b)(3), (b)(6). I am assigned to Headquarters, 1st Division, Australian Defence Force, Brisbane, Australia. In July 2008, I was the Operations Officer (S-3) for 2-503rd, 173d Brigade located at Camp Blessing, Afghanistan.

Prior to Operation Rock Move, 2-503d established COP Honaker-Miracle and OP Dallas.

For COP Honaker-Miracle (H-M), we did not use a deliberate CONOP process at the battalion level because a ground line of communication permitted the movement of supplies and equipment needed to establish the COP and it was already being used as a hasty patrol base by Able Company prior to conducting operations in the Watapur valley. The company commander did have a build plan and the local national contractors and CLIV were monitored by the company executive officer, the task force engineer, and the battalion executive officer. The battalion commander and company commander participated in multiple shura's with the Watapur elders, around the COP, to finalize the land rental agreement. I was also present at a few of those shuras. While a HESCO force protection wall was being built at COP H-M, contractors were also used to improve fighting positions and construct bunkers with thick overhead cover, using timbers, sandbags, tarps and plywood. During this initial process the Able Company element at COP H-M continued to fight and provide base security from their up armored HMMWVs.

For OP Dallas, the battalion developed a deliberate CONOP because aviation, ISR, CAS, and CCA assets were required. The company commander coordinated heavy equipment and contracted labor. We used "C" barriers and pre-filled sandbags. Within forty-eight hours, we had the OP established with overhead cover and good force protection.

Prior to a brigade commander's conference in Jalalabad in July 2007, I had a discussion with the battalion commander and the Chosen company commander on the establishment of a COP at Wanat because 1-32 IN initiated the construction of a district center there. This was in addition to COP Bella and COP Aranas, meaning at that time we had no plans to disestablish them. At some point soon after, I spoke with the brigade engineer about a COP at Wanat but never developed a CONOP or formal request to build it. The brigade engineer stated that the brigade only had enough Class IV for winterization of COP's within the brigade's AO and that those supplies and engineer assets would not be diverted to build a new COP unless the battalion really wanted to push the issue. At that time, the battalion did not pursue obtaining Class IV supplies or engineer assets for building a COP at Wanat.

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In March 2008, the brigade S-3 contacted me. He wanted the battalion to look at building a COP at Wanat. He told me that he was going to send engineers and CREST personnel to conduct a survey and obtain permission from local elders to construct a base. These personnel eventually travelled to Wanat with the battalion commander and the company commander to conduct the coordination for the land.

For Operation Rock Move, the S-3 shop focused on arranging air for the disestablishment of COP Bella and initial occupation of Wanat. My primary concern was the COP Bella portion of the CONOP, due to an increase in enemy activity. The endstate for the CONOP was the initial occupation of Wanat.

The timing of Operation Rock Move was dictated by the lunar illumination cycle, as we wanted the airlift out of Bella to be conducted at night in order to reduce the risk to aircraft. We planned to use our Pech resupply aircraft to conduct the operation. We often had to use blade-time from our routine CH-47 resupply due to limited aviation assets in an AO that constantly required RW assets for deliberate operations. We did have additional CH-47s for this CONOP but needed the Pech resupply aircraft to complete the mission.

We did not develop an engineer construction CONOP for the actual building of the COP at Wanat. The battalion executive officer, S-4, and company executive officer worked Class IV issues for the building of the COP. We planned to use local national contractors to build the COP in the same long term manner that Able Company used for COP H-M.

The mission assigned to Chosen Company was to initially occupy Wanat and establish force protection measures to withstand indirect fire. I envisioned that within the first week of occupation fighting positions would be dug, HESCO barriers emplaced, and concertina wire strung around the main part of the COP. I thought it would take several months to finish building the stone force protection walls, the bunkers with overhead cover, and the traffic control points that lead into the village, similar to what was accomplished at COP H-M. I am fairly certain the Chosen Company executive officer, the task force engineer and the battalion executive officer also had a similar build plan to what was developed for COP H-M but am not certain.

We had initially planned to execute on the 3d or 4th of July, but delayed execution following an incident in the vicinity of COP Bella. The ensuing AR 15-6 investigation involved the battalion commander and company commander.

Prior to July, we conducted detailed planning for our RIP with 1-26 IN. During July, the actual execution of the RIP did not

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require extensive participation by key leaders or the planning staff, we monitored the aircraft and the number of personnel coming in and leaving the AO but the process did not require our full attention all day and night. The RIP was our focus to ensure that key leaders and Soldiers remained for the LS/RS ride, but our main effort was disestablishing COP Bella and establishing Wanat.

We considered abandoning COP Bella and not establishing a new COP at Wanat. However, leaving the valley to the enemy would have been an IO failure, demonstrating to the locals that we had been forced out of the valley and were disconnected from the government in Wanat. Leaving the Waygul valley also would have exposed Camp Blessing to an unopposed attack from the north. Due to the amount of enemy activity in the vicinity of COP Bella, I considered it better for the incoming battalion to occupy a new COP that was connected to Camp Blessing by a good road then to occupy an air-centric COP at Bella with an increased enemy presence.

When I arrived at Wanat after the battle, I saw that the site had been nestled against the local population, as we had done with COP H-M. The site was in a good location for COIN, but not the best tactical location. I was impressed with the force protection that the soldiers had been able to achieve using only soldier labor. I did expect to see more overhead cover, but did not.

Prior to executing Operation Rock Move and prior to CPT (b)(3), (b)(6) Oscar travelling to COP Bella, I was present for a meeting in the Diamond battalion commander's office, with LTC (b)(3), (b)(6) and CPT (b)(3), (b)(6) Oscar. We Oscar discussed the fact that local national heavy engineer equipment and labor would not arrive in Wanat until the 13th. CPT (b)(3), (b)(6) Oscar expressed the desire to execute the operation as scheduled. LTC Diamond (b)(3), (b)(6) made the decision to continue to execute, with all of us knowing that the engineer equipment would not arrive until six days after the platoon initially occupied Wanat. To mitigate the risk, we added a bobcat to the initial equipment that would be taken to Wanat. We felt that the bobcat, engineer squad, and infantry labor would provide sufficient labor for force protection measures until the heavy engineer equipment arrived on the 13th of July. When I developed the CONOP, I envisioned local national labor constructing the COP and soldiers present only for security. We did not consider adding additional U.S. forces once soldier labor was identified as a requirement to construct initial force protection measures until the local national engineer equipment and personnel arrived on the 13th. The battalion could have sent an additional platoon, had the

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platoon been requested but at that time no one thought it was necessary or made that specific request.

When I arrived at Wanat on the 13th, I was surprised to learn that there had been issues with supplies. Had I known, the battalion could have sent a ground QRF with supplies or we could have requested an emergency air-resupply like we did on a few occasions with mortar and M777 ammunition.

On the 8th or 9th of July, a ground assault convoy (GAC) transported the Class IV to Wanat as part of the initial occupation force. The GAC transported sand bags, concertina, pickets, water, food, ammunition, and the ANA. The GAC was part of the CONOP and they moved under the cover of darkness. We had the Route Clearance Package clear ahead of them and CAS and CCA on station to provide additional security. I do not recall any issues related to the GAC's movement. For the platoon GAC, the company conducted the planning, PCIs, and PCCs. The battalion requested and synchronized the other assets as part of the CONOP process.

Prior to arriving at Wanat, I was not aware of issues with the bobcat being unable to fully elevate in order to fill HESCO's or that there had been a fuel shortage.

After I arrived in Wanat on the afternoon of 13 July, I learned for the first time that for almost three days after initial occupation, there were military-aged males at the bazaar and others walking past the position.

For Operation Rock Move, the plan for ISR included FMV for two hours prior to and two hours after initial occupation. The ISR coverage would then transition to steady state, where we would request assets as part of the normal battle rhythm. There were no indications that enemy was massing for an attack. Captain Magenta (b)(3),
(b)(6) never approached me and stated that the platoon at Wanat needed more ISR. On previous occasions, the battalion commander had called the brigade commander to obtain additional ISR. I am not aware of the battalion commander personally seeking additional ISR for Wanat based on reports from the S2 or company leadership.

Based on our experience with Full Motion Video, I am of the opinion that FMV would have detected enemy moving into positions in the draw and those establishing attack by fire positions on the high ground opposite the ravines to the northeast and northwest. Our routine requests for ISR and CAS were fulfilled as per our battle rhythm during non-CONOP periods but in this case it was pulled for a higher priority in a different AO. We had no justification at that time to request to keep the ISR if another unit was in a TIC situation, if that is in fact why it was pulled.

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Prior to Operation Rock Move, I did not consider the risk at Wanat to be significant. Based on our experience over the previous fifteen months, I expected the enemy would first conduct probing attacks with indirect fire or direct fire from the high ground. Although Wanat was approximately eight kilometers from COP Bella, I did not consider the threat at Wanat to be the same as at COP Bella, based on the fact that there were major valley systems and rough terrain that isolated Wanat from Bella, most of the enemy activity was at Bella, and my daily reading of our intelligence summaries did not indicate a significant build-up of enemy fighters.

To mitigate the assessed risk at Wanat, we ensured that the platoon would be supported by medium altitude SIGINT, tactical SIGINT, Full Motion Video, and LRAS. For fire support, the platoon would have priority of fires from the M777s at Camp Blessing, an organic 120mm mortar, an organic 60mm mortar, and an attached TOW launcher with ITAS. As I had no indication of a changed enemy situation in Wanat after the platoon arrived, I did not direct that additional assets be provided to the platoon.

I was not present for any discussions regarding whether to withdraw from Wanat, I was on the ground at Wanat and was not asked for my input.

Our battalion picked-up the term "vehicle patrol base" (VPB) from 1-32. In my opinion, a VPB could consist of HESCO's, triple standard concertina, and bunkers if the unit was to occupy the position long term. When I arrived, Wanat was still a VPB because the emplacement did not have fortified bunkers or fixed fighting positions with overhead cover. At some point after the attack, I was told to not call the emplacement "COP Kahler," but rather to call it "COP Wanat" or "VPB Wanat." I am not certain who put out the order but assumed it was the brigade commander. I understood the comment to be directed at avoiding confusion as the name "COP Kahler" had not been officially approved for use by higher headquarters.

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AFFIDAVIT

I, Major Gray (b)(3), (b)(6) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. 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)
(Typed name of Person Making Statement)

Gray

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of November 2009 at MARFORCOM, Norfolk, VA

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

Beta

(Typed name of Person Administering Oath)

10 U.S.C. 1044
(Authority To Administer Oaths)

MARFORCOM, Norfolk, VA

ORGANIZATION OR ADDRESS

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MARFORCOM
ORGANIZATION OR ADDRESS

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