SWORN STATEMENT

November

My name is (b)(3), (b)(6). My current unit U.S. Army NATO, located in Madrid, Spain. I am a Major in the U.S. Army.

In July 2008, my unit was the 173rd Airborne Brigade Combat Team, Headquartered in Jalalabad, Afghanistan. At that time I was the Brigade Engineer.

In July 2008, I had been with the 173rd since July 2006. When I initially arrived at the Brigade, I was assigned as the S-3 for the Special Troops Battalion. After our deployment to Afghanistan I moved over to become the Brigade Engineer.

The Brigade Engineer's duties vary. I devoted about 80 percent of my time to overseeing U.S. construction projects—that is, projects on the bases we occupy; 10 percent of my time on construction for the Afghan National Security Force, and the other 10 percent of my time on Counter IED and other issues.

In the 173rd, we had one Engineer Company that was organic to the Brigade. The Engineer Company was part of the Special Troops Battalion. They had two sapper platoons and an equipment section that consisted of bucket loaders, bulldozers, and other engineer equipment. There was an Engineer Brigade within the CJTF that we could tap into on occasion. I worked closely with them to ensure that they were working where we needed them the most.

During my time as the Brigade Engineer I was involved in the establishment of various other COPS in Afghanistan besides Wanat. I did not have a template for establishing a new COP. Basically, the design of the COP was individually tailored for the unit that would be occupying it. There are commonalities when building COPS—they all need force protection measures-- but there are also differences depending on the COP.

I first learned that Task Force Rock planned to put a new COP near Wanat in April 2008. In mid-April 2008 I was involved in a Wanat coordination meeting that included the Rock XO, a Rock Captain, a rep from the Engineer Brigade, and a rep from Chosen Company. During this initial meeting, the discussion centered on the requirements for the COP; what the unit wanted to achieve

there, and how many people needed to be housed at the COP. With respect to the COP at Wanat, Rock wanted to house approximately 40 U.S. personnel plus 25 ANSF for ANA. At the meeting, we discussed the remoteness of Wanat, the condition of the road from Camp Blessing to Wanat, and issues surrounding the procurement of the land from the locals. When Rock came to me they were looking at Wanat as the location for the FOB. They wanted stone and mortar walls for force protection and they mentioned reusing the shower/latrine trailer that we were going to move out of COP Bella. They also wanted hard huts.

The Brigade XO talked to me and shared his concerns about establishing a COP in the low grounds at Wanat versus using the high ground surrounding it. I looked at an alternate site that was about 500 meters away from the site that was selected for the COP at Wanat. The alternate site was on higher ground up on a ridge line. However, to build there would have involved a significant amount of construction. I sent an e-mail to the Battalion XO discussing what I thought it would take to build on the alternate location - it would take months to build this road. However when I learned that they were no longer going to consider that alternate site I did not do anymore analysis on this site. I did not get any feedback from the Battalion XO on my e-mail concerning the alternate site.

The BDE XO provided me an example from 1-503's recent construction of FOB Kushamond. The BDE XO sent this example to the Rock XO and I provided it to the Rock engineer. This COP was built on high ground after the top of the hills were flattened. It served as a strong point and had great fields of fire. They had overwatch over the nearby town and could do a good job in killing the enemy and affecting that area. In late April 2008, the leadership at Rock seemed pretty much set on the location for the COP at Wanat, as they wanted to be close to the district center and police station.

My notes of approximately 9 July 2008 show that a contract was awarded to a local national construction company for a bulldozer, a loader, and an excavator. I did not know the delivery date. My notes also indicate that Wanat had issues with drainage, lack of available fill, and dig assets. On or

about 11 July the heavy equipment slated to go to Wanat was at Camp Blessing and ready to go to Wanat; however, there were some issues with the local national construction company not wanting to move to Wanat to start work. They wanted security to go along with them and they wanted the U.S. to agree to pay if their vehicles were damaged by the enemy. Rock documented the equipment with photos and engaged the Joint Contracting Office for help with modifying the contract to indicate that the U.S. would provide compensation if the equipment was damaged by the enemy.

In hind sight I do not believe the establishment of Wanat should have begun near a RIP with the new Brigade. When the battle occurred my replacement was already on the ground. I am not saying that to say that I was distracted by that but the fact is we had been there for 14 months and quite naturally we were all very tired at that point.

The engineer element that went with the Platoon up to Wanat was from Charlie Company 62nd Engineers. They consisted of a vertical engineer squad, and two equipment operators, and I believe an engineer survey team as well. The engineer squad was there to specifically build hard huts and the equipment operators were to supervise the local national contractors. The equipment operators could also run the small Bobcat if needed.

I saw the design for the COP at Wanat that was completed by the Engineer BDE design team and approved by the JFUB. The completed design was provided to TF Rock after JFUB approval in early to mid-June. The design showed HESCO walls, the location of the hard huts and the latrines, and parking area. In my opinion, there was little to no detail in the battalion's overall plan after the troops got to Wanat. I knew that it would take months to build up Wanat and I believe that TF Rock understood this as well. During the planning phase for Wanat, there was minimal consideration given to using U.S. engineer assets to build the COP. Engineers were constantly busy on all of our bases improving conditions and supervising LN contractors. In particular, in early July, the engineer equipment platoon was working on Route Norlina in the vicinity

of FOB Khoganyi. In July 2008, the priority for the Brigade was Wanat, and the RIP.

During my time with the Brigade, we conducted some combined arms rehearsals, in particular, I remember one for an operation called "Rock Avalanche". For operation Rock Move, I don't recall any rehearsal. I do know our CHOPS and Brigade S-3 locked in helicopters and the movement of PAX for all operations, and we all worked hard to keep our remote bases supplied; that was something they were on top of. If the Battalion conducted a rock drill for operation Rock Move, I don't think I would have been invited. TF Rock may have done one at Camp Blessing, internally.

At the time of Operation Rock Move, every base had an ongoing construction project, everything from force protection, DFAC, billets, guard towers, to improvements on existing structures. Wanat would have been a higher priority than others because it was a new base.

The Battalion was responsible for contracting and managing Afghan contractors. A unit could advertise and talk to people in the local village to solicit workers and contractors. The solicitation could have been done by an infantry company XO in a FOB Mayor role. He could literally look at two proposals and decide to go with contract A or B and then notify the Joint Contracting Office. The Battalion would pick the contractor. The only way to vet a contractor was to have knowledge of their prior performance. There wasn't a listing of reliable contractors for the Battalion to choose from; that wasn't available. The Afghan contractors really couldn't be counted on to keep a schedule. I have no idea what, if any, efforts were made to mitigate these construction issues at COP Wanat.

To clarify my interview, I tracked and managed the employment of engineer troops throughout AO Bayonet. The effort was something I was managing in conjunction with the Engineer Company Commander. Based on ongoing construction projects in early July, there was only one engineer squad available for the initial construction on Wanat. With just one squad at Wanat, it would have taken approximately nine weeks to build one hard-hut. Once other ongoing projects were completed those engineers would be shifted to Wanat.

The Engineer Brigade design management section developed the JFUB package which included the final layout for COP Wanat as well as the cost estimate, timeline, and the necessary bill of materials. I reviewed the JFUB package and argued for its approval at the CJTF's JFUB meeting in early June.

As mentioned, the JFUB package lays out a general time line for how long it's going to take to complete hard-huts, stonewalls and Hescos. A time schedule was part of the JFUB process. I believe we sent the Battalion a copy of the approved JFUB packet for Wanat in early June and requested their comments. We didn't get anything back from the Battalion indicating there weren't enough engineers.

If there was a shortage of sandbags, Hescos, or other materials at Wanat, that should have been identified in pre-execution checks before the operation was launched. All the required Hescos, lumber, sand bags, and equipment wouldn't have been at Wanat for the start of construction; it wouldn't have fit. I'm not sure if there was a specific plan that laid out when the unit planned to bring up the next loads of Class IV.

The Engineers from Alpha Company Special Troops Battalion, 173rd STB were in the middle of the RIP/TOA and unavailable to support the construction at Wanat. I believe they could have supported Wanat at a different timeframe. Alpha Company Special Troops Battalion had their own battle space; its AO was Nangahar Province. So the way the Brigade employed the Alpha Company really precluded them from supporting the rest of the Brigade in an engineer operation.

The unit wanted stone walls at Wanat, but stone walls take a long time to build and do not provide immediate force protection; Hescos can go up a lot quicker than stone walls. Stonewalls for a COP would normally be two-and-half feet wide and seven feet tall. It would normally stop an RPG, but it would definitely take a lot longer than using Hescos. You'd also have to rely on Afghan contractors to build the stone walls. You'd have to watch them to insure the wall was built right.

To clarify my interview, every Thursday I would conduct a project review of all ongoing projects in AO Bayonet by the battalion task force with my two NCOs and one officer. We would send these updates to task force engineers and battalion XOs via email. Project updates most often were received from the task

force engineers. For at least three weeks in June, my comment for Wanat on the project review was something like "What is the Wanat timeline and what are the conditions that must be met prior to execution?" I never received a specific response to this question.

Falcon

I communicated with 1LT (b)(3), (b)(6) in June about Wanat and other projects. He was also working on an estimate to expand other bases in Task Force Rocks AO for the arrival of Task Force 2-2 Infantry (FOB Joyce, FOB Fortress, and Asadabad PRT). In late

Copper

June, I found out that CPT (b)(3), (b)(6) from Task Force Rock had come to FOB Fenty between 23 through 25 June to work the Wanat contracts with the Joint Contracting Officer (JCO), he returned to Camp Blessing on 26 June 2008. I did not speak with CPT

Copper

(b)(3), (b)(6) during his visit and was surprised that he didn't stop by the brigade engineer office to provide me a quick update on the status of the contracts or to seek assistance in resolving any

Falcon

problems. 1LT (b)(3), (b)(6) redeployed in early July as he was part of the 173rd Special Troops Battalion. My notes reflect that on the

Delta

29th of June, Col (b)(3), (b)(6) asked TF Rock the timeline for the Wanat COP-this occurred during the Bayonet Commander's call in the evening.

AFFIDAVIT

November

I, Major (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 6. 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 WIT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFL

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

November

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 27th day of Oct 2009 at Ft Benning, GA

WITN (b)(6)

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

Owl

(Signature of Person Administering Oath)

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

Owl

(Typed Name of Person Administering Oath)

(b)(6)

HQ MARFORCOM

ORGANIZATION OR ADDRESS

Judge Advocate

(Authority To Administer Oaths)

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