

Pages 1 through 6 redacted for the following reasons:

(b)(1)1.4a and c, (b)(3) and (b)(6)
(b)(2)High
(b)(5)

5

SWORN STATEMENT

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

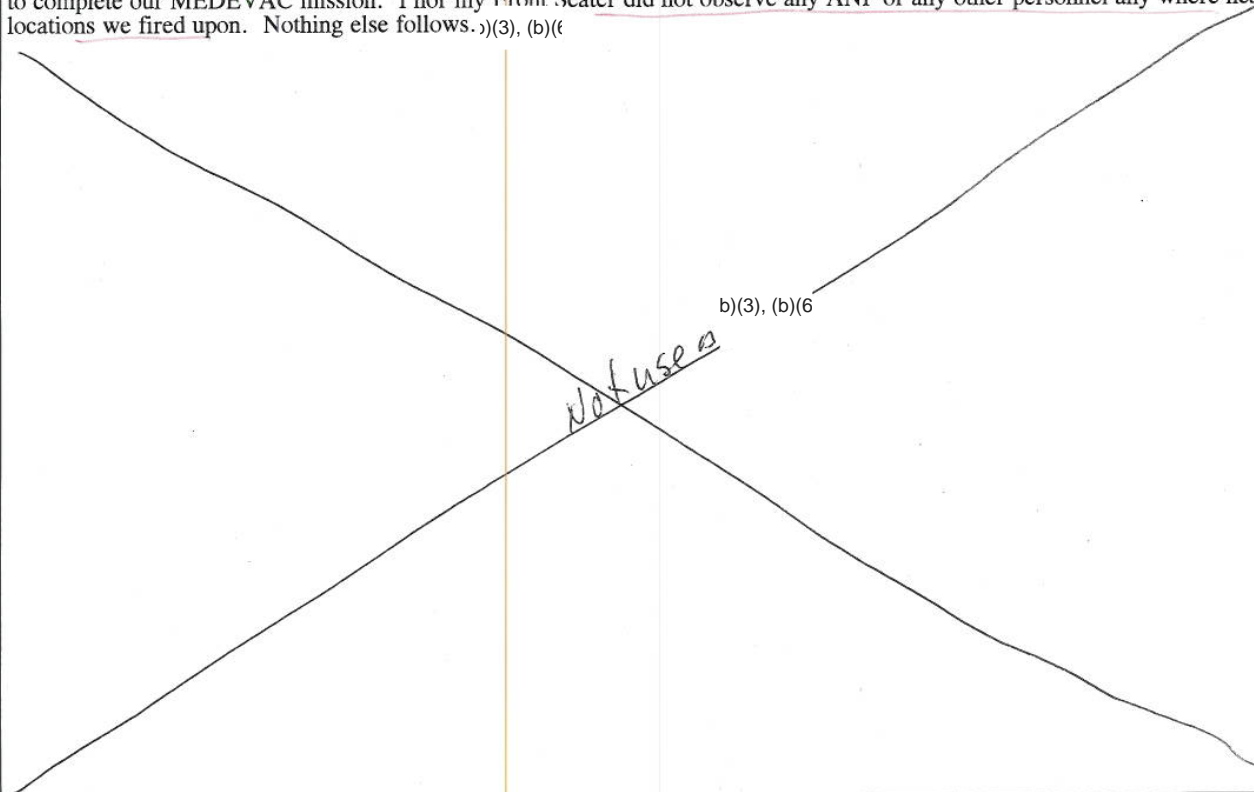
PRIVACY ACT STATEMENT

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 Jalalabad, Afghanistan	2. DATE (YYYYMMDD) 2007/09/30	3. TIME 1315z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS CW3/AZ ARNG	
8. ORGANIZATION OR ADDRESS B Co 1st Bn 285th ARB			

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

On 9 September 2007, as Pilot in Command (PC) of GM75 with CW2)(3), (b)(during a standard MEDEVAC mission I was contacted to make a deviation in the return route from picking up the patient to JAF. I was contacted by Sarkoni Control to recon an area that was suspected of having launched several rockets within the previous 30 minutes at FOB Sarkoni. I was given two grid coordinates that were considered the POO. We conducted our recon and observed several open areas that appeared to have been used as launch sites, sites had metal debris visible. We also observed a couple possible fighting positions. This information was transmitted to Sarkoni Control. I was requested to engage the sites that I reported and also the areas immediately in the vicinity of the sites. I acknowledged the request and performed several clearing passes over the areas and also any areas that might receive ordinance should there be a errant round. I observed no personnel nor living creatures that might be injured by accident. I made a couple passes on the sites and expended 120 total rounds. The sites and the areas around them were engaged. I did not observe any secondary explosions nor any injury to personnel or creatures. I reported back to Sarkoni Control and they released us to complete our MEDEVAC mission. I nor my Front Seater did not observe any ANP or any other personnel any where near the locations we fired upon. Nothing else follows.)(3), (b)(6



b)(3), (b)(6

Not use

10. EXHIBIT 5	11. INITIALS OF _____ MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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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.

T

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD, AFGHANISTAN	2. DATE (YYYYMMDD) 2007/10/07	3. TIME 1210z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS CW2/AZ ARNG	
8. ORGANIZATION OR ADDRESS B Co 1st Bn 285th ARB			

9. I, CW2 (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
The following statement was made in regards to the 22 September 2007 engagement in Sarkani District. The questions were posed by the investigating officer, COL(b)(3), (b)(6)

Q: In MGySgtb)(3), (b)(6) statement it says that you reported with both rockets and 30mm while your AAR/Debrief states that you only fired 120 rounds of 30mm. Did you fire rockets also? If so, how many?
A: We only fired 30mm.

Q: What type of 30mm rounds were fired (e.g. ball to tracer mix, other)?
A: It is high explosive, point detonating.

Q: MGySgtb)(3), (b)(6) statement says that "after two sweeps, the pilot reported to me that he took out both rocket positions and both firing positions and that there was no other movement of personnel or any secondary explosions." Is this correct?
A: We swept the target about four times.

Q: Did you see ACM?
A: We saw no people at all.

Q: Was there any evidence that would lead you to believe there were people there recently? If so, what was it?
A: Yes. The ground was disturbed. It did not have the "smooth" appearance that the terrain around it had. I could see 8-10 pieces of metal that looked out of place. It was at the top of a spur. It fit the description of typical POO sites we have seen in the past.

Q: So you were very confident, that you found the POO site?
A: Yes. About 3-400m away there were mud huts that you could conceal yourself in.

Q: Could you describe the fighting positions?
A: A wall made of stacked rocks with some earth dug out behind it. Also around the area the earth was very discolored that may have come from rocket propellant.

Q: When you fired, what were you shooting at?
A: We were shooting at the open areas, maybe 5-10m around the fighting positions.

Q: Did you observe any secondary explosions?
A: No.

Q: Did you see any people at all?
A: No.

Q: Is there anything else you would like to add?
A: There is nothing else that I can think of.

//////////////////////////////////////END OF STATEMENT//////////////////////////////////////

10. EXHIBIT T	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

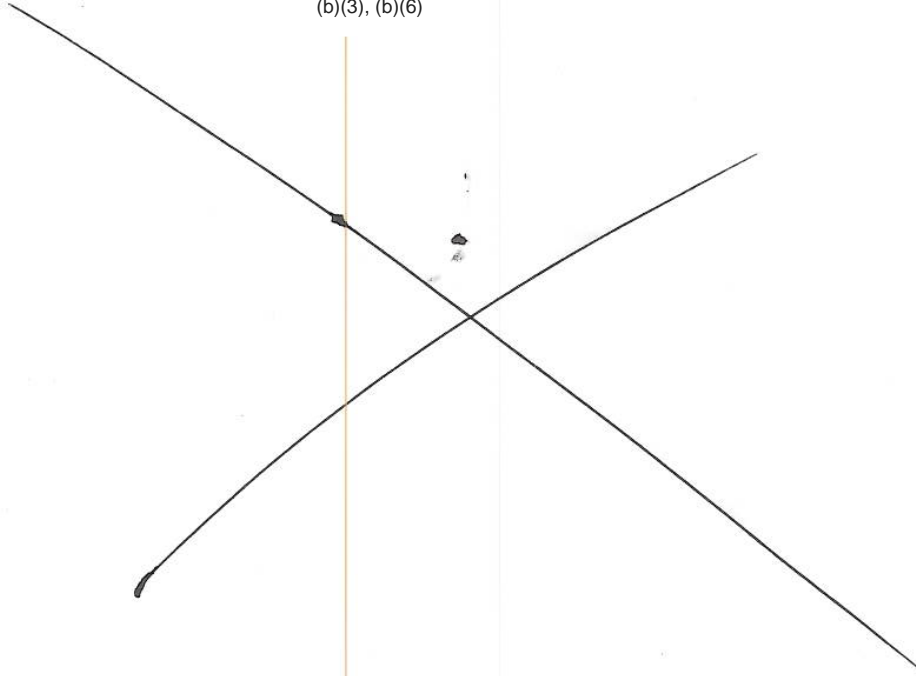
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF CW2 (b)(3), (b)(6) TAKEN AT Jalalabad Airfield DATED 2007/10/07

9. STATEMENT (Continued)

NOT USED.

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



AFFIDAVIT

I, CW2 (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 EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF FAVOR OR PUNISHMENT, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 7th day of October, 2007 at Jalalabad Airfield

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

(Signature)

(b)(3), (b)(6) COL IN
(Type Name of Person Administering Oath)

TF Bayonet Deputy Commander/Investigating Officer
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

Pages 11 through 17 redacted for the following reasons:

(b)(1)1.4a and c, (b)(2)High, (b)(3) and (b)(6)
(b)(2) High
(b)(2)High

Aircraft dropped off (b)(2)High (0820Z) at Destined. Aircraft were enroute to ABAD when they got a call from Sarkoni Base to investigate a recent IDF POO (b)(3), (b)(6) while inbound to investigate the crews were given an updated (b)(2)High While enroute to this grid both aircraft confirmed with Sarkoni Base that there were no friendly units in the area. The updated grid had 30 personnel with weapons(AK47s/RPGs) that could be seen by the crew members. All personnel were in manjams. Aircraft did a high orbit(500AGL) around the pax to confirm the weapons. Aircraft (b)(2)High did a second pass(200AGL) and confirmed weapons. Aircraft (b)(2)High then contacted Sarkoni to determine the course of action they wanted to take. At (0835Z)Sarkoni(initials-DRT) requested that the aircraft engage the 30 personnel. Aircraft (b)(2)High conducted a SW-NE low pass at 150AGL and right door gunner engaged(150 rounds) the personnel. Aircraft (b)(2)High then made a left turn coming back towards enemy personnel to conduct a second engagement to enemy personnel. Aircraft (b)(2)High did not engage on the second run due to enemy position. Sarkoni contacted aircraft (b)(2)High and informed them the engagements were successful and the enemy was being flushed out of their positions. Aircraft (b)(2)High made a right turn to attempt to engage. Aircraft (b)(2)High did not engage on this run due to a cease fire call with no further information from Sarkoni. Sarkoni requested aircraft (b)(2)High come to Sarkoni base to pick up an 11 person(9ANA 2US)(b)(2)High(b)(2)High went to Sarkoni while (b)(2)High picked up an orbit on station to keep eyes on enemy personnel.(b)(2)High then reported back to Sarkoni base that there were 2x ANP vehicles on the road (b)(2)High . Sarkoni reiterated the cease fire and said they were receiving reports of ANP in the area. During this (b)(2)High was on the ground at Sarkoni loading the (b)(2)High Departed Sarkoni with QRF and inserted them at (b)(2)High then returned to Sarkoni while (b)(2)High maintained an orbit IVO engagement. (b)(2)High waited on the LZ for further guidance from Sarkoni but were unable to contact them for approx 10 mins. After 10 mins (b)(2)High got a hold of Sarkoni on the radio and confirmed that Sarkoni wanted to infil more ANA soldiers to the engagement site. (b)(2)High inserted an additional 10 ANA to (b)(2)High . (b)(2)High at the engagement LZ asked aircraft to casevac wounded to ABAD. (b)(2)High then picked up 3x wounded and departed to ABAD. (b)(2)High requested that (b)(2)High casevac 4 additional casualties. (b)(2)High landed at the engagement LZ (b)(2)High loaded the wounded and departed to ABAD. (b)(2)High picks up off of ABAD as (b)(2)High is landing to off load the 4x wounded. Enroute to engagement LZ (b)(2)High picks up terp at Sarkoni. (b)(2)High continues to the engagement LZ and (b)(2)High requests additional wounded be casevaced. (b)(2)High landed and loaded 2 additional wounded onto the aircraft. (b)(2)High was landing at ABAD with 2x wounded when (b)(2)High was taking off. (b)(2)High went to engagement LZ to onload additional wounded. (b)(2)High loaded additional wounded on the aircraft and returned to ABAD. (b)(2)High then picked up at ABAD and landed at the engagement LZ. (b)(2)High then transported 1x KIA back to ABAD. (b)(2)High and (b)(2)High met back up at ABAD. While inbound to ABAD (b)(2)High requests exfil of QRF back to Sarkoni. Both aircraft depart ABAD and exfil the (b)(2)High back to Sarkoni. (b)(2)High departed Sarkoni for ABAD with mission pax and to refuel. (b)(2)High picked up 1 additional wounded from Sarkoni(injured pax got to Sarkoni on his own) and brought him to ABAD. (b)(2)High and (b)(2)High both shutdown at ABAD and conduct a quick cleaning of the aircraft. Crew got in contact with TalonJ from the ABAD TOC. TalonJ cancels the rest of the mission legs and gives crew guidance to pick up (b)(2)High at Destined and return to JAF. While enroute to Destined Base, Destined control informs crew that per (b)(2)High they are to pickup a causality in the Chowkay valley. (b)(2)High deviated to VPB Seray and picked up the injured soldier. Both aircraft departed and picked up AMR pax at Destined base. After pickup aircraft RTB (JAF). Aircraft dropped off pax at the base of the tower and ended mission.

CENTCOM 009582

W

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD AIRFIELD	2. DATE (YYYYMMDD) 2007/09/23	3. TIME 1400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(2)High	6. SSN (b)(2)High	7. GRADE/STATUS CW3	
8. ORGANIZATION OR ADDRESS JAF UH-60 DETACHMENT, TF TALON			

9. I, (b)(2)High, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

(PC of ACFT 299)(2)Hig I was the AMC for MSN 22-303, (b)(2)High Move. Shortly after dropping off our passengers at Destin Base, Sarkoni control requested "acft in vicinity of Sarkoni Base," (2)Hig responded. Sarkoni Base requested that we check a grid for possible ACMs and where they had received a rocket attack from. I told (2)Hig that we could do it. Earlier in our S2 brief we were told about ACMs in this area and this may have been related. They then gave us an updated grid. (2)Hig took the high area of the mountain and we took the lower portion, while enroute to the grid I spotted approximately 30 personnel on the ground. It was reported to Sarkoni base. As soon as I saw the large group of personnel I quickly maneuvered the aircraft out of range of weapons and to await further guidance and develop the situation. (2)Hig also spotted the personnel and said that they saw AK-47's and RPG's. (2)Hig called two times to Sarkoni base to ensure no friendlies in the area. I also called a third time to confirm no friendlies in the area. Sarkoni base said to engage the personnel that they were ACMs that fired on them earlier. (2)Hig then requested the initials of the individual approving the fire which was (b)(2)Hig. I then approved (2)Hig to engage. (2)Hig engaged. Sarkoni Base responded that the fire was good and that we were flushing them out of their positions. At this time we were setting up for a target hand off. Sarkoni base requested us (the flight) to pick up a (2)Hig at Sarkoni and move them to the engagement area. While we were moving in a "cease fire" came from Sarkoni base. We maintained eyes on. I then spotted two ANP vehicles. I advised Sarkoni Base that there are two ANP vehicles at the base of the mountain. They said "cease fire" again "we are working the situation." We circled the engagement area spotted many weapons and appeared to be two dead. (2)Hig then brought in the (2)Hig while we provided security. We maintained security while (2)Hig returned to Sarkoni to pick up additional (2)Hig. I attempted to contact Sarkoni base several times trying to get a situational update with no answer for approximately ten minutes. (2)Hig finally got a hold of them and moved in a second (2)Hig team. When they dropped off the (b)(2)High requested for them to take casualties to ABAD. (2)Hig moved casualties to ABAD. Then (b)(2)High requested us to move additional casualties. We made 2 turns, first turn 4 casualties, and second turn 3 casualties. Then we moved the (2)Hig off the ridge line back to Sarkoni Base. At Sarkoni Base we moved one more casualty to ABAD. We then shut down the aircraft at ABAD. I contacted (b)(2)High Maj(3), (b), to ensure he was aware of the situation and to get further guidance on our original mission. He stated that the rest of the mission was cancelled and that we were to bring (b)(2)High back to JAF and that all crewmembers were to report directly to the TAC when we got back. We returned to JAF. //NOTHING FOLLOWS// (3), (b)

10. EXHIBIT W	11. INITIALS OF PERSON MAKING STATEMENT (3), (b)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

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STATEMENT OF (b)(3), (b)(6) TAKEN AT Jalalabad, Afghanistan DATED 2007/09/23

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 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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

Subscribed and sworn to before me on this (b)(3), (b)(6) day of September, 2007 at Jalalabad, Afghanistan

HHC 582 CSAB (TF TALON)
OR

(b)(3), (b)(6)
HHC 582 CSAB (TF TALON)
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)
(Typed Name of Person Administering Oath)
CPT. AV
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES



SWORN STATEMENT

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1. LOCATION JALALABAD, AFGHANISTAN	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 1500z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS CW2	

8. ORGANIZATION OR ADDRESS
JAF UH-60 DETACHMENT, TF TALON

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

On the afternoon of 22 SEP 07 I entered the left seat of aircraft tail number 26219, callsign (b)(2)High As pilot in command. Our mission was moving from Pakistan into Afghanistan to target a female school in vicinity of Sarkoni. We departed JAF at 0800z with AMR passengers and took them to "Dawg LZ" (Destined Base). When calling for departure out of Destined, Destined control informed us of a fire mission from Abad to vicinity Camp Joyce just prior to us departing Dawg. After departing Dawg we continued north towards Abad because two of the eight passengers, which were loaded at JAF were going to Abad. While passing by Sarkoni to their west we received a call on CAG 57.850, "aircraft vicinity Sarkoni, this is Sarkoni." I, the pilot not on the controls responded, "this is (b)(2)Highgo ahead" (Sarkoni PZ control). "Do you have time to look at a grid, we just received a rocket attack and would like you to check out this grid (b)(2)High This is where the enemy is." I responded roger, repeated his statement to include the grid. I then called out to my crew over ICS, "left front is inside" and proceeded to enter the grid. I then said (3), (b) grid is on number one bearing pointer." CW2 (b)(3), (b)(6) then turned the aircraft and headed towards the given grid. As soon as he rolled out on the number one Sarkoni called us again to give us an updated grid of known enemy. I wrote down the 10 digit MGRS grid, entered it into the GPS and (3), (b) continued for the enemy location as I called Sarkoni, "Are there any friendly forces out here." They responded "NO". At this time we are 500' AHO. (b)(3), (b)(6) I am going to put them out the right door so you can see them. We observed a gathering of 30 personnel at the grid given to us. Sarkoni, "do you see the enemy personnel?" As (3), (b) now enters a descending right bank keeping the enemy personnel at our 3 o'clock position I am responding to Sarkoni, "roger we have approximately 30 personnel with weapons, what would you like us to do?" Sarkoni - "engage target", then I said roger can I get your initials. Sarkoni responded with his initials. By this time (3), (b) had done another complete orbit and is now approaching personnel from west to east. I cleared (2) Highgo engage and he did. He fired his 240 into the gathering. Sarkoni - "It looks like you are getting them and they are scattering down the hill - continue." (3), (b) banked left and now by the time he rolled out on the target personnel had fled down the hill and (3), (b) (did not engage. (3), (b) then came back around a third time. As he was lined up with the enemy (b)(2) High I said "I am going to aim at personnel with weapons." Before we got to the target we heard "cease fire" over CAG net with no further information. Sarkoni then requested us to return to Sarkoni so that we could pick up a (b)(2) High I said "roger". We landed at Sarkoni where eleven pax loaded (nine ANA, two U.S.). It was at this time where Sarkoni told us why they called cease fire. They said that they are looking into the possibility of ANP being in the area. Then I heard (b)(2) High call "There are some ANP trucks along the road over here." While he was still over the objective. We took the (2) Highgo an LZ near the engagement area to drop the (2) Highgo do a BDA. Then returned to Sarkoni to land and await further guidance. At this time no one would answer our radio calls to Sarkoni for what I believe to be about 10 minutes on the PZ. There were no U.S. forces observed. Just 20 more ANA who appeared to be waiting for us to signal them towards the aircraft. After 10 minutes elapsed Sarkoni called us and requested us to take a second team into the LZ. We headed back for the LZ and while inbound for landing we talked to (b)(2) High who was dropped off as part of the first QRF insertion. He has us land at the same location where we dropped off the first team to drop the second (2) High team and were asked by (b)(2) High to take on some wounded and take them to Abad. We did and while enroute to Abad we could hear a call being made by (b)(2) High for (2) Highgo land and pick up more wounded. We landed at Abad and dropped the wounded. At this time we would hear the request to return and pick up more wounded. We did as did (2) High this time (our second time going in to pick up wounded) we could hear (b)(2) High requesting from Sarkoni to send a terp to his location (the LZ) so we landed at Sarkoni, picked up one terp then landed at the LZ, dropped off the terp and loaded more wounded. We took them to Abad as (2) High also made an additional trip back to the LZ to pick up more wounded. We then received a request to go back a third time to pick up one more who was KIA. We took him to Abad where (2) High was already on the ground as we were offloading the KIA we received a request to exit the QRF back to Sarkoni, we departed Abad as a flight of two and we landed first took on QRF took them back to Sarkoni. We then departed Sarkoni, went to Abad, received fuel, repositioned to the keyhole and shut down. (2) High came inbound to Abad also shutdown. We then proceed to Abad TOC while they supported us by washing the aircraft. CW3 (3), (b) (called back to "Talon J" to receive further guidance which was to pick up our AMR passengers from Destined and RTB.//NOTHING FOLLOWS// (3), (b) (

10. EXHIBIT **X**

11. INITIALS C **(b)(3), (b)(6)** 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

JALALABAD

DATED

22 SEP 07

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 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 WITH THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 2007 at Jalalabad, Afghanistan.

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

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

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

CPT AV
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

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- E.

(b)(2)High

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- F. Looking South from Kunar River towards Enemy POO Sites
- G. Looking South from Camp Joyce towards Enemy POO Sites
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- J. MGySgt^{(b)(3), (b)(6)} USMC (ETT NCOIC at Camp Joyce) Statement
- K. Capt^{(b)(3), (b)(6)} USMC (ETT OIC at Camp Joyce) Statement
- L. SGT^{(b)(3), (b)(6)}(SecFor Medic at Camp Joyce) Statement
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- N. CDR^{(b)(3), (b)(6)}(Kunar PRT Commander) Statement
- O. MAJ (MD) ^{(b)(3), (b)(6)} (Kunar PRT/Surgeon for 160th Forward Surgical Team) Statement
- P. MAJ (MD) ^{(b)(3), (b)(6)} (Kunar PRT/Surgeon for 160th Forward Surgical Team) Interview with IO
- Q. Asadabad TOC Record of Fire by B Battery, 4-319th Airborne Field Artillery Regiment for 22 September 2007

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- S. CW3 ^{(b)(3), (b)(6)}(Pilot for ^{(b)(2)High} Statement
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- U. Air Mission Debrief for 22 September 2007 Bayonet 6 Move 220800SEP07/1130Z (pertains to Blackhawk crews W47 and W40)
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CENTCOM 009587

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- GG. "Report of Delegation by Kunar Province", 24 September 2007 (English)
- HH. "Report of Delegation by Kunar Province", 24 September 2007 (Pashtu)
- II. Pro-Sima Construction Company Accident Report, Contract# W917PM-06-C-0045
- JJ. MFR of Interviews with (b)(6) (Pro-Sima) regarding suspected Friendly Fire Incident, 29 September 2007
- KK. MFR of Interview with Captain (b)(6) (Sarkani District ANP Station) dated 3 October 2007
- LL. Photo – Captain (b)(6) at Site of Incident
- MM. Photo – Captain (b)(6) and two ANP at Site of Incident
- NN. MFR of Interview with Captain (b)(6) (ANA Officer in Charge of D30 at Camp Joyce) dated 3 October 2007

OTHER

- OO. CPT (b)(6) (D Co, 2-503d IN Commander) interview with IO
- PP. TF Bayonet TOC mIRC Window, 22 September 2007
- QQ. TF Rock TOC mIRC Window, 22 September 2007
- RR. MEDEVAC Request, 22 September 2007
- SS. TF Bayonet MEDOPS Patient Tracker, 23 September 2007

PHOTOS

- TT. Northwestern view of the Kunar River Valley from the site of the Incident
- UU. Southern view of the Vehicle Drop Off Point to the Site of Incident
- VV. Impact Location of second rocket at Camp Joyce on 22 September 2007
- WW. Impact Location of third rocket at Camp Joyce on 22 September 2007
- XX. Shrapnel from Rocket fired at Camp Joyce on 22 September 2007

CENTCOM 009588

Pages 25 through 26 redacted for the following reasons:

(b)(1)1.4a and c, (b)(2) High, (b)(3) and (b)(6)

D

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION: Fortress, Chowkay District, Konar Province, AF
2. DATE (YYYYMMDD): 2007/10/05
3. TIME: 1100L
4. FILE NUMBER:
5. LAST NAME, FIRST NAME, MIDDLE NAME: (b)(3), (b)(6)
6. SSN: (b)(6)
7. GRADE/STATUS: E6/HCT Team Leader
8. ORGANIZATION OR ADDRESS: B Co. STB 173D ABN BDE

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
My team arrived to Camp Joyce, Sarkani District on 22 September 2007. On 22 September while at Camp Joyce, we started receiving 107 MM Indirect Fire. After the IDF slowed down, my team and a security element went to the Sarkani District HQ. While at the Sarkani District I was able to break from the crowd of soldiers to speak with an ANP Official that I have been working with for a while. He gave me information concerning an attack that took place on 21 September 2007. The ANP told me that on the 21st, the road construction had ASG providing security for the construction crew. While providing the security, the Taliban came from the mountains and opened up with small arms fire on the ASG. He also said that some of the Taliban were in ANA uniforms. The ASG returned fire, but the Taliban managed to take two ASG hostage. The Taliban took the two ASG into the mountains as of the 21st of September (Reference DIIR TH134-0143-07). We took that ANP Official with us to help run a Tactical Check Point (TCP) just 2K north of the Sarkani District center. While at the TCP the ANP received a phone call from another ANP officer asking him to come back to the district center as soon as possible. I was told by my ANP Official that the ANP went up into the mountains to find the Taliban that took the two ASG hostage. The ANP Official told me that he did not know anything prior to the ANP moving to the mountain. The ANP Official did not know why would anyone from the Sarkani District center go up the mountain while 107 MM rockets were being launched from the same location that the ANP decided to go to.
On 24 September I was able to meet with the Chief of Police from Sarkani District. The Chief of Police did not seem too upset from the incident and was very cooperative with us. The Chief of Police told us that prior to his movement to the location where his ANP were shot, he informed the Afghan Border Police and the Afghan National Army that he and his men were moving up the mountain. The Chief of Police could not give us a name of the person he spoke with, nor could he give us the phone numbers which he claimed he dialed to talk to those personnel. After talking to my ANP Official in the Sarkani District he did not even know about the ANP moving to the mountain until he was called by the other ANP officer while he was with us.

Nothing Follows

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

10. EXHIBIT: D
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 BE INDICATED.

UNCLASSIFIED

SECRET/NOFORN

STATEMENT OF (b)(3), (b)(6)

TAKEN AT Fortress, Chackery DATED 5 OCT 07

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 ____ 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5 day of OCTOBER, 2007 at _____

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

IS Co 173rd SFB
ORGANIZATION OR ADDRESS

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

(Administering Oath)

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

DCO 2-503rd
ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

CPT [Name]
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE OF PAGES

UNCLASSIFIED

SECRET/NOFORN

CENTCOM 009592

Pages 29 through 33 redacted for the following reasons:

(b)(1)1.4a and c, (b)(2)High, (b)(3) and (b)(6)

I

TIC REPORT

Marines, Sailors, and Soldiers of the Afghan National Army (ANA) Embedded Training Team (ETT) assigned to 2d Kandak, 1st Brigade, 201st Corps, deployed to the Kunar Province, Islamic Republic of Afghanistan, and were involved in the following combat operations. These operations were conducted at Combat Outpost Joyce (b)(2)High on 22 September 2007.

SUMMARY:

22 September 2007: CAMP JOYCE, AFGHANISTAN

At approximately 1130 hours local time, Weapons Company, 2d Kandak, 1st Brigade, Afghanistan National Army (ANA) was test firing the D-30 122mm howitzer, when anti-coalition militia (ACM) attacked U.S. military personnel and ANA soldiers occupying Camp Joyce, (b)(2)High (The TOC duty became aware of the attack at 1130L, when an incoming 107mm rocket impacted approximately 500 meters north of Camp Joyce.) Immediately upon hearing the round impact, the TOC duty sounded the alarm while all personnel manned their battle stations and began coordinating with the ANA to return fire on suspected enemy positions. At approximately 1145, another 107mm rocket impacted inside Camp Joyce approximately 5 meters west of the D-30, (b)(2)High 5017. The ANA returned fire with the D-30 onto suspected points of origin (POO) while MGySgt (b)(3), (b)(6) coordinated fires with ABADTOC for 155mm artillery on registered target number KE-7686, grid, (b)(2)High Upon further consideration, the rocket was believed to be fired from the Nawalay Pass, (b)(2)High and (b)(2)High, based on the time of flight (TOF) and trajectory of the round. (These coordinates coincide with enemy rocket ramps, and bunkers discovered during Operation Sarkani). At approximately 1200, another 107mm rocket impacted inside Camp Joyce approximately 15 meters from the TOC at which time the order was given vacate the bunker atop the TOC that is used to observe and direct fires. Shortly after the third rocket impacted, the ANA directed 122mm artillery onto the suspected targets while MGySgt (b)(3), (b)(6) with the assistance of 2ndLt (b)(3), (b)(6) coordinated with ABADTOC to get Gunmetal assets to Sarkani to observe suspected POO sites. Gunmetal arrived on station at approximately 1230 at which time they were provided the coordinates to the suspected POO site: (b)(3), (b)(6) and (b)(2)High During their sweep through the pass, "Gunmetal" reported that there were personnel at both sites as well as "metal on the ground" at the reported rocket site and two firing positions. The pilot was told that it was his call to fire on those positions, so he engaged with rockets and 30 mm guns. After two sweeps, the pilot reported that he took out both rocket positions and both firing positions and that there was no movement of personnel or any secondary explosions. Gunmetal departed Sarkani at approximately 1250L and within 15 minutes another 107mm rocket was fired at Camp Joyce. Approximately 10 minutes after the fourth rocket attack, Sgt (b)(3), (b)(6) who was monitoring the LRAZ, from above the TOC, noticed approximately 10 men moving in a northwesterly direction 500 meters away from the 107mm rocket positions, (b)(2)High Approximately 10 minutes later, Sgt (b)(3), (b)(6) reported more personnel in the group which he estimated at 15 personnel. We could not determine if they had weapons at that time since the (b)(2)High was thermal and the images were nebulous. As preparations were being made to launch a patrol to reconnoiter the area, MGySgt

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(b)(3), (b)(6) heard rotary wing aircraft in the vicinity of Sarkani and asked if they had any on-station time to take a look at the suspected ACM. (b)(2)High and (b)(2)High responded affirmatively, made a turn in the pass and informed us that there were 30 personnel in the hills. MGySgt (b)(3), (b)(6) asked if they were brandishing weapons to which they replied affirmatively. MGySgt (b)(3), (b)(6) then contacted ABADTOC via OP Bullrun and asked if there were any CF in that vicinity: ABADTOC reported that there were no CF in that vicinity. MGySgt (b)(3), (b)(6) then directed GySgt (b)(3), (b)(6) to contact the ABP ETT, co-located at Camp Joyce, to see if they had any ABP personnel in that vicinity: Maj (b)(3), (b)(6) (ABP mentor) responded that he had no ABP personnel outside the wire. MGySgt (b)(3), (b)(6) asked the pilots for fire on the enemy, after which they asked for his initials. Capt (b)(3), (b)(6) then directed MGySgt (b)(3), (b)(6) to tell the pilots to use discretion, before firing. The pilots acknowledged that they understood after which they engaged the suspected ACM. After the first turn, the pilot instructed MGySgt (b)(3), (b)(6) that there were 5 personnel laying on the ground and that he would make another turn and asked if we wanted him to continue to engage, but right at that time, an interpreter received a phone call from the ANA informing us that the WIA were actually ANP. MGySgt (b)(3), (b)(6) then called a cease fire, which was acknowledged by the pilots. They [pilots] then reported, that the other men in the area, were holding their hands above their head, suggesting a surrender. MGySgt (b)(3), (b)(6) asked them if they [pilots] could remain on-station and come back to pick up the force originally designated to reconnoiter the area. The pilot acknowledged he would pick up the force, and hold the remaining personnel with the other Blackhawk until their insertion into the site. Upon insertion, the force was met by ANP who indicated that we had fired upon their men. Capt (b)(3), (b)(6) provided command & control of the situation, while Sgt (b)(3), (b)(6) ministered first aid treatment to the wounded. Sgt (b)(3), (b)(6) treated all casualties with the assistance of Capt (b)(3), (b)(6) and GySgt (b)(3), (b)(6) and in one case Sgt (b)(3), (b)(6) performed CPR on a victim who was dead when the (b)(2)High arrived and was able to revive him, but he later died at ABAD PRT. GySgt (b)(3), (b)(6) coordinated Medevac with the UH-60 Blackhawks to transport all KIA and WIA to ABAD PRT. Enemy BDA is unknown, and there were no US or ANA casualties and no damage to serialized gear, weapons, or equipment. There were 3 confirmed KIA and 12 confirmed WIA from ANP.

Personnel Involved In Combat Actions:

Capt			USMC
MGySgt			USMC
GySgt			USMC
Sgt			USA
SPC			USA
Sgt	(b)(3), (b)(6)	(b)(6)	USA
SPC			USA
SPC			USA
2ndLt			USA
Sgt			USA
Sgt			USA

The following ammunition was consumed:

155mm	2	M-198
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CENTCOM 009599

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Joyce, Afghanistan	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 2348L	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-9	
8. ORGANIZATION OR ADDRESS Embedded Training Team 5-2, 2d Kandak, 1st Brigade, 201st Corps			

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

At approximately 1130 hours local time, the ANA was test firing the D-30 122mm howitzer, when ACM attacked U.S. military personnel and ANA soldiers occupying Camp Joyce, (b)(2)High I did not hear the first impact of a 107mm rocket that impacted approximately 500 meters north of Camp Joyce, but I did hear the second impact which was inside the FOB only 5 meters west of the ANA D-30, (b)(2)High and that is when the TOC duty sounded the alarm and all personnel manned their battle stations. Capt(3), (b)(went down to the D-30 and began coordinating with the ANA to return fire on suspected enemy positions, while I coordinated fires with ABADTOC for 155mm artillery on registered target number KE-7686, (b)(2)High I did not have them fire this target at this time, because after further consideration, I believed the 107mm rockets were being fired from the Nawalay Pass, (b)(2)High based on the time of flight (TOF) and trajectory of the round as I referenced this with the coordinates I had received from Operation Sarkani in which enemy rocket ramps, and bunkers were discovered and recorded as possible points of origin (POO) from previous rocket attacks on Camp Joyce. At approximately 1200L, another 107mm rocket impacted inside Camp Joyce, this time only 15 meters from the TOC at which time I gave the order to vacate the bunker atop the TOC that was used to observe and direct fires. Shortly after the third rocket impacted, the ANA directed 122mm artillery onto the suspected targets. During this time, I could hear a Dustoff near Sarkani and asked their escort, which was an AH-64 Apache if he had any on-station time to take a look at the suspected POO sites. (b)(2)High arrived on station at approximately 1230L at which time they were provided the coordinates to the suspected (b)(2)High made a sweep through the pass and reported that there were personnel as well as "metal on the ground" at the reported rocket ramps and two firing positions. I requested he engage the target but told him it was his call to fire since I did not have eyes on, so he engaged with rockets and 30 mm guns. After two sweeps, the pilot reported to me that he took out both rocket positions and both firing positions and that there was no other movement of personnel or any secondary explosions. (b)(2)High departed Sarkani at approximately 1250L and within 15 minutes another 107mm rocket was fired at Camp Joyce, but this time the time of flight (TOF) was longer and I determined the POO was coming from an area near target number KE-7686, (b)(2)High Since I had previously asked ABADTOC to lay the 155mm howitzers on that target and had them standing by for fire missions, it was a matter of minutes before I had 155mm rounds impacting on that target number. After observing the splash of that mission, I gave ABADTOC an "end-of-mission" and asked them to remain laid on that target and standby for future fire missions if needed. Approximately 10 minutes later, Sgt(3), (b who was monitoring the)(2)High from above the TOC, notified me that he had spotted approximately 10 men moving in a northwesterly direction 500 meters away from the 107mm rocket positions, (b)(2)High I looked in the)(2)High and saw 8-10 personnel standing near a hill and could see a few of them hiding behind the crest. Approximately 10 minutes later, Sgt(3)(b) reported more personnel in the group which he estimated now at 15 and provided me an updated (b)(2)High and I instructed him to keep tracking their movement and provide me updated grids. We could not determine if they had weapons since the)(2)High was in thermal mode and the images were not defined, so I called Capt(3), (b)(on the radio and reported this movement to him. Capt(3), (b)(came up to the bunker above the TOC from his ANA position and took a look at the personnel moving near the hill.

10. EXHIBIT J	(b)(3), (b)(6)	MAKING STATEMENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE INITIALS OF THE PERSON MAKING THE STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Joyce, Afghanistan DATED 22 Sep 07

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 Camp Joyce, AFG DATED 22 Sep 07

9. STATEMENT (Continued)

Capt)(3), (b)(6) immediately told me he was going to take a patrol up there with the ANA, so as we made preparations to launch the patrol by convoy, I heard rotary wing aircraft in the vicinity of Sarkani and asked if they had any on-station time to take a look at the suspected ACM at (b)(2)High (b)(2)High responded affirmatively and I provided them an updated (b)(2)High since the personnel were on foot and moving. The pilots made a turn in the Nawalay Pass and informed me that they had spotted 30 personnel in the hills. I asked if they were brandishing any weapons, to which they replied, "they do have weapons". I then contacted ABADTOC via OP Bullrun and asked if there were any CF in that vicinity. ABADTOC reported that there were not any CF in that vicinity, so I then directed GySg(3), (b)(6) to contact the ABP ETT co-located at Camp Joyce, to see if they had any ABP personnel in that vicinity. Maj(3), (b)(6) responded that he did not have any ABP personnel outside the wire. I asked the pilots to fire on the suspected enemy, after which they asked for my initials, that I promptly gave to them, but in doing so, Capt)(3), (b)(6) quickly directed me to tell the pilots to use their "own discretion" before firing. The pilots acknowledged that they understood, and then engaged the suspected ACM. After the first turn, the pilot instructed me that there were 5 personnel on the ground and that he would make another turn and asked if we wanted him to continue to engage, but right at that time, an interpreter from the ABP received a phone call from the ANA informing us that we were firing on ANP. I immediately called a cease fire, which was acknowledged by the pilots. The pilots then reported to me that the other men in the area were holding their hands above their head, suggesting a surrender. I asked the pilots if they could remain on-station and hold the remaining personnel on the hill in place with one UH-60 while the other UH-60 came back and picked up our patrol force originally planned to go by ground. The pilot acknowledged he would pick up the force and hold the remaining personnel in place as best he could with the other UH-60 until the INFIL of the patrol force. Upon insert of the patrol onto the site, I was notified by (b)(2)High who was with the patrol force, that they had several KIA and WIA on site and they were going to commence treating and evacuating the wounded.

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

EMENT

PAGE 2 OF 3 PAGES

8

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Joyce, AFG DATED 22 Sep 07

9 STATEMENT (Continued)

I, (b)(3), (b)(6) / USMC HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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 FRE THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IF

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

WITNESSES:

administer oaths, this 23 day of Sep 2007

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

Capt / USMC
Capt / USMC

ORGANIZATION OR ADDRESS

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

ANA ETT 5-2, 2D KANDAK, 1ST BRIGADE, 201 RSAC-C
CAMP JOYCE, KUNAR, AFGHANISTAN

ORGANIZATION OR ADDRESS

USMC
(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

FORM 9, DA FORM 890, NOV 1998

USAPA V1.00

K

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Joyce, Afghanistan	2. DATE (YYYYMMDD) 2007/09/30	3. TIME 1100L	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS O-3/ACTIVE	
8. ORGANIZATION OR ADDRESS Embedded Training Team 5-2, 2d Kandak, 1st Brigade, 201st Corps			

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

On 22 September 2207, GySgt)(3), (b)(6) SGT (b)(3), (b)(6), ~20 soldiers and I were inserted, from Camp Joyce, into the incident site by UH-60 aircraft. Upon debarkation, the ANA established perimeter security while we searched for casualties. Approximately 50 ft from the LZ, we encountered a wounded man wearing civilian clothing. SGT (b)(3), (b)(6) and GySgt)(3), (b)(6) stopped to administer aid, while I ran ahead to a group of men who were beckoning us to a hilltop. As we moved towards said hilltop, we were passed by approximately four men-- in civilian clothing-- each carrying wounded persons. (We encountered several other small groups, again in civilian clothing, running between the hilltop and the LZ. These men were in anguish, ostensibly over the occurrence earlier in the day, which resulted in the wounding/killing of their compatriots.) At the top of hill I encountered one dead, military aged man. He was surrounded by two persons wearing ANP uniforms and approximately eight others dressed in civilian clothing. We devised a hasty litter using available materials and proceeded to take the dead man to the LZ. At one point, the litter broke and a man wearing civilian clothing hoisted the dead man's body onto his back. As we moved towards the LZ, I noticed that a large group of men had gathered in the area. Altogether, I would estimate that there were 20 men in civilian clothing, 20 men wearing ANP uniforms and 20 ANA soldiers from Camp Joyce.

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

10. EXHIBIT (b)(3), (b)(6)	11. INITIALS OF PERSON MAKING STATEMENT (3), (b)	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Joyce, Afghanistan
 DATED 30 Sep 07

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 Camp Joyce, AFG DATED 30 Sep 07

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 4. 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, UNLAW

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

WITNESSES:

sw to
administer oaths, this 30th day of September, 2007

SGT (b)(3), (b)(6)
Gy SGT (b)(3), (b)(6)

at afghanistan
- (b)(3), (b)(6)
- (b)(3), (b)(6)
- (b)(3), (b)(6)

ORGANIZATION OR ADDRESS

(Administering Oath)

ANA ETT 5-2, 2D KANDAK, 1ST BRIGADE, 201 RSAC-C
CAMP JOYCE, KUNAR PROVINCE, AFGHANISTAN

MAJ, USA (Typed Name of Person Administering Oath)
ETT TEAM CHIEF
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

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

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 Camp Joyce, Afghanistan	2. DATE (YYYYMMDD) 2007/10/03	3. TIME 0615z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-5/SGT	

8. ORGANIZATION OR ADDRESS
C Company 1-118th IN SECFOR, 201st RSAC-C, CJTF TF Phoenix VI, Islamic Republic of Afghanistan

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

On the morning of 22 September 2007 Spc(b)(3), (b)(6) ran into our room and was yelling incoming. I jumped out of bed and donned my personal protective gear. Then myself and Spc(b)(3), (b)(6) ran to the TOC, as per procedure outlined earlier by MGySgt(b)(3), (b)(6) Once I was accounted for at the TOC I grabbed my medic bag and prepared my gear and myself for any casualties. I then moved to the bunker atop the TOC. Myself and Sgt3, (b) assisted MGySgt b(3), (b)(6) by observing through the binoculars and the (b)(2)High while Lt(3), (b)(6) stood by to man the M2 .50cal machine gun.. At approximately 1200, another 107mm rocket impacted inside of Camp Joyce, this time only 15 meters from the TOC. I was standing on the stairway atop of the TOC and when the 107mm rocket hit I took cover and I could feel rocks and dirt from the impact sight hitting me on the kevlar. MGySgt(b)(3), (b)(6) gave the order to evacuate the bunker and I moved down inside the TOC. When I got in front of the TOC SPC b(3), (b)(6) came to me and said his arm was hurting and he said he thought he was hit by a piece of shrapnel. I made him take his gloves off so I would have clear view of his arm and noticed he had small lacerations on his arm and some minor swelleng. When he turned his glove inside out a piece of metal feel out of his glove. Once I was done checking his arm I went back to my battle station and he went back to his. I was then ordered to stand at the door and listen for anymore incoming rounds so I could warn everyone to take cover. It was only a short time after that we heard an additional two pops, which is an indicator of incoming rockets, so myself and the others took cover, but we heard no impact. I then stood by for further instructions from my leadership. I stood by at the TOC and observed (b)(2)High (attack helicopter) engage the targets with rockets and 30mm guns. Myself and the others moved back to the top of the TOC and I stood by at the stairway and began observing with the binoculars again. Sgt3, (b) was looking through the (b)(2)High and began notifying MGySgt (b)(3), (b)(6) that he saw 10 men moving in a northwesterly direction 200 meters away from the 107mm rocket positions. Cpt(3), (b)(6) then came up the stairs by me and monitored the movement through the LRAZ. He then told MGySgt(b)(3), (b)(6) that he was going to take a patrol up there with the ANA by convoy. He told me to grab my gear and stand fast because I was going on the patrol. While I was waiting on Cpt.(3), (b)(6) returned I walked back up the stairs to the bunker above the TOC. I then overheard MGySgt(b)(3), (b)(6) talking to the rotary wing aircraft in our vacinity asking them if they had anytime to take a look at the suspected ACM at (b)(2)High (b)(2)High I observed the helicopters make a turn in the Nawalay Pass, and overheard that they had spotted 30 personnel in the hills. After a few passes I observed them open fire fire on the locations that MGySgt(b)(3), (b)(6) had given them. A short time after that Cpt.(3), (b)(6) came and got me and told me we were flying on a UH-60 to the location. I ran down the hill from the TOC and took the shortcut down the hescos to the LZ. Myself, Cpt.(3), (b)(6) and GySGT(3), (b)(6) loaded onto the helicopter along with six ANA soldiers. It only took a few minutes for us to reach our location and the helicopter made a few passes and I noticed that there was wounded laying on the ground. When the helicopter landed I exited the chopper and moved to take up a security position. Once the chopper took off I moved up the hill toward the casualties with Cpt.(3), (b)(6) and GySgt(3), (b)(6) close behind me. I got halfway up the hill from my location and saw a man carrying one of the casualties. I stopped him and told him to put the man on the ground. My first observation was the man was partially consious and his clothes were blood soaked. The men beside me were pointing to the mans leg. I cut his pants leg so I could see his injuries and I noticed he had mutiple gun shot wounds to his left leg. I immediately applied pressure dressing to the entry and exit wound of the lower wound.

10. EXHIBIT L	11. INITIALS OF PERSON MAKING STATEMENT b(3), (b)(6)	PAGE 1 OF 3 PAGES
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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 Camp Joyce, AFgh. DATED 2007/10/3

9. STATEMENT (Continued)

While I was applying a dressing to the upper wound I had GySgt (b)(3), (b)(6) get my more Kerlix out of my bag so I could stop the bleeding and dress the upper gunshot wound. Once I had his wounds dressed I had the men around me carry him to the chopper standing by. Other men were yelling at me from a little further up the ridge line. I grabbed my bag and headed in there direction. I met the other patient about twenty meters up the trail. I had the men carrying him put him down and I immediately noticed that he was not responsive. I checked his vital signs and he had no pulse and was not breathing. I used my trauma sheers and I cut his clothing away from his chest so I could start chest compressions. I did one round of chest compressions then I checked his vitals he still had no pulse or respirations. I then did my second round of chest compressions and checked his vitals and he had a pulse and was breathing. I had the men that brought him to me carry him to the chopper. I looked up and saw that there were three more casualties being brought down the mountain and I heard from behind me that the chopper was ready to take off. Myself and the three casualties went to the chopper and loaded up so I could work on them while in flight. The chopper took off heading toward ABAD . I administered pressure dressings and combat dressings to each patient on the chopper, they all had multiple gun shot wounds. After rechecking the vitals of my second patient, I proceeded to work on the one closest to me in the chopper. He had four gunshot wounds, three in his lower back and one in his left thigh. I bandaged his wounds and went to the next patient. My next patient had minor lacerations to his upper and lower right arm. He also had two gunshot wounds to his left side. I controlled his bleeding and checked his breathing and pulse. His pulse was weak and thready and his breathing was labored but there was nothing further I could do in flight. My fifth patient inside the chopper had a gunshot wound to his right arm which I applied a combat dressing and Kerlix. I then noticed he had a gunshot wound to his abdomen. I checked the wound to make sure there was no air coming out of the wound. I dressed the wound just prior to us landing at ABAD. When the chopper landed I assisted in taking the patients off the chopper and then I went to make contact with the triage NCO so I could pass on my information to him. Once I told the triage NCO what treatment I had done I loaded back onto the chopper and flew back to the attack site. Once we landed back on the mountain I noticed that there were more casualties needing treatment and evacuation. I stayed on the helicopter and they started putting patients on. As soon as the first patient was on board I began my assessment of him. He had multiple lacerations to his chest, abdomen, and extremities. He also had the spring of an AK magazine penetrating about four springs deep into his left armpit. I used Keri to dress the lacerations, and then used two rolls of Kerlix to slow the bleeding around the spring and to help stabilize the spring from doing more damage. My second patient on the chopper had one gunshot wound to his right leg. I put a combat pressure dressing on the wound to control the bleeding and then I checked his vitals. The third patient that was put on the chopper was a KIA. I checked his vitals to confirm what I was told by the individuals that loaded him onto the chopper. After checking his vitals he had no pulse and no respirations, and his skin was cool to the touch. After a couple of minutes in flight we landed at ABAD and took the casualties off the chopper to the ambulance. After talking to the triage NCO I made my way back to the chopper. I had to standby while the chopper was being refueled. Once the chopper was refueled I loaded back onto the chopper. The second chopper that was with us landed a short time after we did to drop off the last casualty which was a KIA. Once they were done we took off and headed back to the mountain to pickup the remaining ANA that were still on the ground while the other chopper flew straight back to Camp Joyce. Once the ANA were aboard we headed back to Camp Joyce and landed. I got off the chopper and made my way over to Cpt (b)(3), (b)(6) standing by at the LZ. I let him know that I was back and unharmed, I then walked up to the TOC to report back to MGySgt (b)(3), (b)(6)

Q: COL
A: SGT (b)(3), (b)(6)

Q: Please describe the clothing worn by the casualties that you treated?

A: The casualties that I had dealt with had a (b)(3), (b)(6) of clothing on. The first patient had on ANP pants but he had civilian clothing over the top of it. He had no holes in his pants where the injuries were and I had to move the pants out of my way to treat the injuries. The second casualty had on civilian clothing. When I got on the helicopter the majority of the patients had on civilian clothing. One casualty on the helicopter had on a ANP uniform but it looked like he had just threw it on. The top was unbuttoned and the pants were undone. His boots were not laced up. The blast injury patient had his ANP uniform on and the spring of the AK magazine was stuck through the blouse.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Joyce, Afgh DATED 2007/10/03

9. STATEMENT (Continued)

AFFIDAVIT

I, SGT (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:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3rd day of October, 2007 at _____

ORGANIZATION OR ADDRESS _____

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

ORGANIZATION OR ADDRESS _____

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

(Authority To Administer Oaths)

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

PAGE 3 OF 3 PAGES

M

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 identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Camp Joyce, Afghanistan	2. DATE (YYYYMMDD) 2007/10/03	3. TIME 0930L	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-7/ACTIVE	
8. ORGANIZATION OR ADDRESS Embedded Training Team 5-2, 2d Kandak, 1st Brigade, 201st Corps			

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

ON 22 SEPTEMBER, I WAS IN THE CAMP JOYCE TOC WHEN WE BEGAN TO RECEIVE ROCKET FIRE. WE RECEIVED A TOTAL OF THREE ROCKETS. WE CALLED ABAD ON THE RADIO AND CALLED FOR ASSISTANCE. AN AH-64 MISSION TOOK OFF FROM ABAD. OVER THE RADIO, I HEARD THE AH-64 PILOT (b)(2)High SAY THAT HE SAW RAMPS AT THE GRID THAT WE PASSED TO HIM. THESE ARE THE RAMPS THAT WERE FOUND DURING OPERATION SARKANI THRUST(EARLY SEPT). (b)(2)High SAID THAT HE SAW ABOUT FIVE PEOPLE IN THE VICINITY OF THE RAMPS. (b)(2)High MADE GUN RUNS ON THE RAMPS, TO DESTROY THE RAMPS, AND SAW NO SECONDARY EXPLOSIONS AND NO PEOPLE MOVING AROUND THE RAMPS. I COULD HEAR THE CHAIN GUN ON THE APACHES FIRING.

(b)(2)High ANNOUNCED HE WAS LOW ON FUEL AND HAD TO LEAVE THE AREA. ABOUT 15 MINUTES LATER, WE RECEIVED ANOTHER ROCKET NEAR THE TOC. AT THE SAME TIME, SGT (b)(3), (b)(6) WHO WAS OPERATING THE (b)(2)High ON THE ROOF OF THE TOC, YELLED THAT HE HAD SPOTTED A LARGE GROUP OF PEOPLE. HE SAID THEY WERE RUNNING FROM THE ROCKET LAUNCH SITES. HE SHOUTED THE GRID TO US, AND WE SAW THAT IT WAS ABOUT 200M FROM THE KNOWN ROCKET LAUNCH POSITIONS THAT (b)(2)High HAD RECENTLY FIRED ON.

I HEARD MASTER GUNNERY SGT (b)(3), (b)(6) CALL FOR MORE HELICOPTER SUPPORT.

I THEN LEFT THE TOC TO GET READY TO GO OUT. ABOUT 15 OR 20 MINUTES LATER, CPT (b)(3), (b)(6) TOLD ME TO GET READY TO GO ON A (b)(2)High MISSION. I DID NOT KNOW EXACTLY WHAT THE NATURE OF THE MISSION WAS GOING TO BE. IT TURNED OUT THAT WE MOVED BY HELICOPTER OUT TO THE AREA WHERE THE PERSONNEL HAD BEEN SEEN RUNNING.

(CONTINUED ON NEXT PAGE)

10. EXHIBIT M	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Joyce, Afghanistan DATED 30 Sep 07

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 GySgt (b)(3), (b)(6) TAKEN AT CAMP JOYCE, AFGHANISTAN DATED 3 OCT 07

9. STATEMENT (Continued)

WE OVERFLEW THE HILLTOP IN THE HELICOPTER AND COULD SEE SOME LIKELY CASUALTIES UP THERE. WHEN THE HELICOPTER LANDED, AS SOON AS WE LANDED THE ANA WITH US SECURED THE LZ TO THE RIGHT SIDE OF THE HELO. I, THE CPT, AND SGT (b)(3), (b)(6) WENT TO THE LEFT. WE HAD MOVED 50 METERS UP THE HILL WHEN WE MET A GROUP OF PEOPLE CARRYING CASUALTIES DOWN THE HILL.

THE FIRST CASUALTY WE SAW WAS IN ANP PANTS ON UNDERNEATH MAN-JAM CIVILIAN CLOTHES. HE HAD A GUNSHOT WOUND THROUGH HIS SHIN/CALF, AND ANOTHER GUNSHOT WOUND ON HIS THIGH, BUT THERE WERE NO HOLES IN THE ANP PANTS HE WAS WEARING. HE WAS BEING CARRIED BY SEVERAL MEN WEARING CIVILIAN MAN JAMS, WHO WERE ADAMANT THAT SGT (b)(3), (b)(6) THE MEDIC, NOT CUT THE ANP PANTS TO TREAT THE WOUND. WE PULLED THE PANTS OFF TO TREAT THE WOUND, AND I BELIEVE THAT HE HAD JOGGING PANTS ON UNDERNEATH THE ANP.

TWO MORE CASUALTIES CAME DOWN THE HILL. ONE HAD A WOUND ON THE SIDE OF HIS HEAD. IT DID NOT LOOK LIKE A GUNSHOT WOUND. THERE WAS ANOTHER INDIVIDUAL WHO WAS NOT BREATHING, CHALK WHITE IN THE FACE, MULTIPLE ENTRY WOUNDS IN HIS BACK, NO EXIT WOUNDS IN HIS CHEST. SGT (b)(3), (b)(6) PERFORMED CPR AND BROUGHT HIM BACK. BOTH OF THEM WERE WEARING MAN JAMS ONLY, NO UNIFORM ITEMS.

WE PUT THE CASUALTIES IN THE HELICOPTERS AND SENT THEM TO ABAD. I WAS LEFT WITH THE ANA AND ANP COLLECTING CASUALTIES. IT SEEMED LIKE A BUNCH OF ANP JUST CAME OUT OF THE WOODWORK. IT WAS VERY HECTIC. ABOUT 20 ANP JUST SEEMED TO SHOW UP OUT OF NOWHERE. THEY WERE VERY EXCITED OR UPSET. THE ANP WERE WEARING THE BLUE-GREEN UNIFORMS. ONE ANP, WHO WAS WEARING HIS UNIFORM, HAD SUSTAINED A BLAST INJURY. HE HAD THE SPRING OF HIS AK-47 MAGAZINE PROTRUDING FROM UNDER HIS ARMPIT.

THE UH-60 HELICOPTERS MADE TWO TRIPS BACK AND FORTH BETWEEN THE LZ AND ABAD TO TRANSPORT CASUALTIES. THE ANP CHIEF WAS ON ONE OF THE LAST FLIGHTS. THERE WERE TWO DEFINITE KIA ON THE HELICOPTER. ONE OF THE KIA HAD UNTIED BOOTS, PANTS BARELY ON HIS BODY, HELD ON ONLY BY HIS BELT, AND JACKET THROWN ON, BUT NO HOLES IN IT.

(CONTINUED ON NEXT PAGE)

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

PAGE 2 OF 3 PAGES

STATEMENT OF GySgt (b)(3), (b)(6) TAKEN AT Camp Joyce, AFG DATED 3 OCT 07

9. STATEMENT (Continued)

WHILE THE CASUALTIES WERE BEING EVACUATED, AN INTERPRETER ARRIVED. THE INTERPRETER WAS SAYING THAT THE ANP WERE SAYING THAT IT HAD BEEN THE BLACKHAWK THAT HAD HIT THEM. THE TERP RELAYED THAT THE ANP HAD BEEN WAVING THEIR HANDS AT THE HELICOPTER.

FOUR MORE CASUALTIES WERE GROUND EVACUATED TO CAMP JOYCE. THEY WERE THEN EVACUATED TO ABAD BY GROUND. WE AIR EVACUATED ONE MORE ANP FROM CAMP JOYCE TO ABAD BY AIR.

AFFIDAVIT

I, GySgt (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. 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 INFLUEN

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3RD day of OCTOBER, 2007 at Camp Joyce, Kunar Province, Afghanistan

WITNI

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

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

(Signature of Person Administering Oath)

CPT
HHC, TF R
ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

INVESTIGATING OFFICER

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

N

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 Konar PRT, Asadabad, Afghanistan	2. DATE (YYYYMMDD) 2007/10/03	3. TIME 1500z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN	7. GRADE/STATUS O-5	
8. ORGANIZATION OR ADDRESS Konar Provincial Reconstruction Team			

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

Q: COL
A: CDR (b)(3), (b)(6)

Q: What is your understanding of what occurred regarding the alleged "blue on blue" incident on 22 September 2007 in Sarkani District?

A: As the PRT commander, my role in the incident involved follow-up consequence management and interaction with media and government officials. While I was aware of the tactical scenario evolving across the river in Sirkani, I did not actively battle track the activity on the 22nd. I am familiar with the general scheme of maneuver for the day, and the events surrounding the specific incident on the 22nd in Sirkani. In addition, this was a heavy day of contact in Kunar, and I believe there were approximately four other engagements ongoing within the range of our fire support during the course of this day.

There were several initial conclusions I made following the first reports. Specifically, I questioned the reported kidnapping, as I have seen reported kidnappings on the East side of the Kunar River used to explain absences and consorting with the enemy in the past. I also questioned the report that a large group of police from Sirkani would unilaterally move to rescue road security workers for whom they tend to hold a high degree of antipathy. The Sirkani police do not hold a high degree of proficiency, nor motivation – particularly during Ramadan in the afternoon. Following conversation with our FST Surgeon, MAJ (b)(3), (b)(6) my doubts regarding the initial report was confirmed given the nature of the wounds he described when queried. Specifically, he characterized the majority of the wounds as shrapnel, fragmentation, or percussive in nature, vice the typical penetrating wounds one sees with a heavy caliber weapon. We queried the medical staff at BAF, where four wounded had been evacuated to that afternoon, but wound characterization for those four individuals was inconclusive. I received word that some of the personnel brought in to my medical facility were in uniform, and some were in the approved blue coveralls that the road security guards were required to wear per PRT/AED direction. I was unable to get an accurate headcount of uniform type and number at the time given the nature of the mass casualty response, but I am confident that there were some personnel not in a police of security uniform.

Q: When and what did you discuss with Governor Deedar regarding this incident?

A: (1) I made an initial call to Governor Deedar on the evening of the 22nd, shortly after his Iftaar dinner was complete. I asked his assistance to find out what happened, and informed him that all wounded personnel were being treated or had already been evacuated. He was relatively non-committal at the time, and thanked me for the call.

(2) Spoke with the Governor on the 23rd to see if he had any additional news, and to pass to him my information that the contractor had been specifically notified verbally and in writing three weeks prior that their security personnel were required to wear uniforms. He remained relatively non-committal, and possessed zero indignation. He also did not mention any better use of the PCC, which I found odd. In the past, he makes frequent references to the need for better coordination.

(CONTINUED)

10. EXHIBIT N	11 INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 3 PAGES
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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 CDR (b)(3), (b)(6) TAKEN AT Konar PRT DATED 2007/10/03

9. STATEMENT (Continued)

(3) Spoke with Governor Deedar on the 24th. Was once again struck by a lack of indignation, lack of request for solatia payments, and noted that he was more interested in talking about recovery of the construction efforts on the Sirkani road. He raised suspicions about the alleged kidnapping story and the construction company security force.

(4) Spoke with Governor Deedar privately on the 30th, prior to a scheduled security meeting, as I usually do in order to compare notes and talking points. I was expecting to address concerns regarding the Sirkani incident – as this would be a public forum where he often “grandstands” a bit. He raised nothing regarding the incident, either during our private meeting or the security meeting. Instead, we discussed his successful media engagements in support of IROA and CF ongoing operations in Waterpour and Matin.

Q: Do you have any details on the Afghans that were killed and wounded? If so, please provide names, and whether they were ANP.
A: We (the PRT) initially received a variety of reports regarding the number and organizational affiliation of wounded and killed. This was compounded by the lack of uniforms of many of the personnel brought to our medical facility. The contractor supplied a list of names to the PRT.

Q: Have you spoken to any other Afghan officials regarding this incident? If yes, who and what did they say?
A: I interviewed MAJ (b)(3), (b)(6) – the Kunar Counter narcotics ANP Chief - on SEP 23 regarding the incident. He confirmed what I knew regarding the movements of the ANP from Sirkani to the site of the incident, and discussed a successful fight with the Taliban. He was not at the scene, but was relaying what he knew regarding the incident. Of note, when I asked him his opinion of the kidnapping explanation, he actually almost fell off of my couch laughing. He then went on to explain that in his opinion, the two security guards knew the TB in the hills, and were absent from their post because they knew the enemy in the hills. He stated that the site of the outpost was a former Russian fighting position, near Karial. He indicated that the construction company called the police for help, but went up there into the hills near the sight of the rocket attacks. He then went on to explain that there are various levels of Taliban in those hills. He insinuated that a fight broke out between the security guards and the “Supplier Group” of TB when they came upon the guards associating with the “lesser” Taliban. He specifically mentioned that the large group in the hills was composed of about 60 of (b)(6) (TB Shura leader for Kunar) men. He said that the security guards fought in the hills for roughly 30 minutes, and called the police. I asked him how they called as I never get a cellular signal on that side of the river. He indicated it was a cell phone call and that (b)(6) was consulted and the police responded. He stated that the U.S forces were not informed, but that the ANA was. I asked MAJ(3), (b)(6) why the construction company security forces were so aggressive, seeing as how they are a defensive force. Once again, he laughed at my question, and went on to explain his opinion that the fight was a tribal issue or a personal dispute. He also went on to state that the Sub-Governor is affiliated with the HIG and that the police facilitate cross-border insurgent infill into Western Kunar. I found his claims credible, and confirmation of my suspicions that the situation was more complex than the initial reports would indicate.

I also spoke with the NDS Director on the 24th to gain his thoughts on the incident. He was familiar with the incident, as I expected, and indicated that there was a great deal more to the story, though he did not offer up further details. I asked him why neither the public nor the government was “up in arms” about the incident. He shrugged, smiled, and said that all was not as it seemed. Our NDS director has a high degree of credibility, and his information is excellent. He seemed unwilling to discuss the matter further – my impression was that this was a police matter, and that this was their mess. I asked him if he thought better coordination could have prevented the incident, and he was once again non-committal.

At the weekly security meeting on 30 Sep, I was struck by the lack of discussion among government officials regarding the incident. This was unusual. I expected a robust discussion regarding the lack of a PCC C2 system and facilities. Lack of a functioning PCC is a frequent complaint from the Governor, Chief of Police and others. UNAMA raised the issue at the end of the weekly security meeting. It did not elicit the response I would have expected given the magnitude of the incident. Rather, a discussion occurred regarding the need to better coordinate the activities of private security guards on projects. While germane, this was unusual, and atypical for a corrective action to discuss following such an incident as occurred in Sirkani on the 22nd.

On 03 OCT, I spoke with (b)(6) – Kunar Chief of Police – regarding cooperation with our investigation and the status of his. He agreed to fully cooperate, to make the Sirkani Chief of Police available, and to share the results of their investigation.

(CONTINUED)

INI N MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF CDR (b)(3), (b)(6) TAKEN AT Konar PRT DATED 2007/10/03

9. STATEMENT (Continued)

(b)(2)High

Q: Do you have any recommendations for improvements for TTPs regarding clearance of fires?

A: No.

Q: What will it take to get the Provincial Coordination Center up and running? Is there a plan to do so? If yes, what is the status?

A: There is a plan that involves two phases. The first phase is a re-manning with a small element from 2-503rd in conjunction with physical upgrades to the facility to improve security and habitability. This is underway with an estimate completion date of 01 Nov 2007. The second phase is a construction addition to the current facility, to include expanded berthing areas for 24/7 staffing, and conferencing and C2 areas. This part of the expansion is being coordinated with CSTC-A and is expected to be complete 01 Mar 2007.

Comments: As the PRT commander, I am highly plugged into public sentiments and government response. Quite unique to this incident was the lack of public outcry or indignation. There have been two incidents in the past year - one involved ANAP and one an ANP(2)High police office - that sparked demonstrations. The lack of response to this incident is remarkable not only for the lack of public outcry, but also for the lack of government indignation. I frankly cannot explain it, except to note that this is atypical behavior. Just as important in my mind is that I have yet to receive a credible explanation from ~~the~~ the police of the construction company why they were up in the hills where they were, coincidentally at the same time that a rocket attack was underway on Camp Joyce from nearby.

AFFIDAVIT

I, CDR (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 INI

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

WITNESSES:

to
administer oaths, this 3d day of October, 2007
at Konar Provincial Reconstruction Team, Afghanistan

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

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

(Type name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INIT

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

MAKING STATEMENT

PAGE 3 OF 3 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 Asadabad PRT, Konar Province, Afghanistan	2. DATE (YYYYMMDD) 2007/10/02	3. TIME 0900z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS MAJ (Dr.)	

8. ORGANIZATION OR ADDRESS
160th Forward Surgical Team

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

I am a board certified general surgeon. I have been deployed to Afghanistan in support of OEF for eleven months. I am a combat surgeon, having performed hundreds of surgical procedures for patients wounded during combat operations. Prior to this deployment, I was a trauma/general/thoracic and vascular surgeon at Landstuhl Regional Medical Center, Landstuhl, Germany.

I was on duty on 22 September 2007 when the Asadabad PRT/160th Forward Surgical Team had a mass casualty event. Initially, we were informed by the ABAD TOC that the individuals brought in were members of anti-coalition militia forces. That does not change the medical care given to them, but it means that a security element must remain present to guard them. During the course of the time that the individuals were receiving medical care, individuals from the local community known to our base security forces were permitted to enter the FOB. They came and identified all of the casualties as friendly forces. I do not recall specifically who it was that identified the patients, or who the patients were, but I recall that the local community leaders vouched for each of the patients individually, identifying them by name and branch of Afghan National Security Force.

There were approximately 12 patients in all. All were male, between approximately 16 and 45 years of age. They were all wearing typical Afghan civilian clothing - loose fitting, light colored cotton clothing. None of the casualties was wearing a military or law enforcement uniform. Approximately three or four were wearing dark blue shirts. One individual was wearing blue jeans. One of the casualties brought to our aid station were already deceased or subsequently died from wounds, and 11 were alive when they left our care. Five were seriously wounded and needed to be evacuated to Bagram for further care. Approximately 6 had superficial wounds and did not require further hospitalization.

Based on my training and experience, it is my opinion that all of the patients had wounds consistent with low kinetic energy projectiles, such as those caused by fragmentation munitions or low-power rounds like a 9mm sidearm. I did not see any wounds that appeared to be caused by high kinetic energy rounds like 7.62mm automatic weapons fire. Wounds were all small in size; there were no gaping wounds such as those ordinarily caused by high-velocity automatic weapons fire.

One of the individuals we operated on was brought to the aid station with an object protruding from his chest. It appeared to be the spring apparatus of an AK-47 ammunition magazine. The object was surgically removed from his chest and the patient was evacuated to Bagram for further medical care. That wound is consistent with being in the vicinity of a blast. It does not make sense that this wound was caused by a direct fire weapon like an assault rifle or machine gun.

*MAJ USAF
20071002*) (3), (b)(6)

10. EXHIBIT 0	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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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 MAJ (Dr.) (b)(3), (b)(6) TAKEN AT Asadabad PRT DATED 2007/10/02

9. STATEMENT (Continued)

*NOT USED
2007 10 02*

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

AFFIDAVIT

I, MAJ (Dr.) (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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES

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

CPT

TFE

FOB Fenty, Afghanistan APO AE 09354

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 2d day of October, 2007 at Asadabad Provincial Reconstruction Team, Afghanistan

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

Oath

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

(Type name of Person Administering Oath)

10 USC 1044

(Authority To Administer Oaths)

INITIALS

(Continuing Statement)

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

PAGE 2 OF 2 PAGES

P

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

PRIVACY ACT STATEMENT
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Asadabad, Afghanistan	2. DATE (YYYYMMDD) 2007/10/05	3. TIME 0500z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS MAJ/04/(Dr.)	

8. ORGANIZATION OR ADDRESS
 Konar PRT, Asadabad Afghanistan

9.
 I, MAJ (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 This statement is made with regards to the 22 September 2007 blue on blue incident in Sarkani District. The questions were posed via telephone by the Investigating Officer, COL (b)(3), (b)(6)
 Q: In your statement you said that "all of the patients had wounds consistent with low kinetic energy projectiles, such as those caused by fragmentation munitions or low-power rounds like a 9mm sidearm." Is it possible that the wounds could have been caused by rounds or chips of rock ricocheting off of the mountain?
 A: Yes, it's plausible.
 Q: Were pieces of rock removed from any of the patients?
 A: No. Two had pieces of metal that were removed.
 //End of Statement//

NOT USED BY 0507

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

10. EXHIBIT P	11. INITIALS OF PERSON MAKING STATEMENT b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

CENTCOM 009616

STATEMENT OF MAJ (b)(3), (b)(6) MD TAKEN AT Asadabad, Afghanistan DATED 2007/10/05

9. STATEMENT (Continued)

not used
(3), (b)(6)

AFFIDAVIT

I, MAJ (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 THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of October, 2007 at Kinnar PRT Asadabad Afghanistan

ORGANIZATION OR ADDRESS

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

(b)(6)
(Signature)

ORGANIZATION OR ADDRESS

COL (b)(3), (b)(6)
(Type Name of Person Administering Oath)
Task Force Bayonet DCO/Investigating Officer
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

Y

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD, AFGHANISTAN	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 1500z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS JAF UH-60 DETACHMENT, TF TALON			

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

Web(2)High received a call over the radio. I did not hear who sent the transmission, but did hear that they requested aircraft in the area to check out grid sites for possible targets, because the FOB Sarkoni had received rocket fire earlier in the day. We all agreed to go. My position is crew chief on the lead aircraft, tail number (b)(2)High call sign (b)(3), (b)(6). During this flight I was on the right side door gunner's position. We flew directly to the grid coordinates given and entered a high recon orbit. The pilots asked what I saw, and I reported back at least 30 personnel on the ground. No uniforms were in view. They all wore civilian clothes, as far as I saw. They were walking along a ridgeline. The pilots asked if any had weapons, I responded "No". Two seconds later I reported small arms, AK-47's. I saw at least three (3) personnel with AK-47's on the first pass. I couldn't see at once due to the terrain. As we completed the turn I spotted one (1) of the ground personnel with an RPG on his shoulder, walking along the ridgeline. I reported this immediately, and the pilots passed this on to ground forces. During that transmission the pilots also asked for guidance, as to what to do. The ground force responded with confirmation that the grid coordinates were correct, and that the area was clear of any friendly elements. This was the second confirmation that the area was clear of any friendly elements. The other aircraft (b)(2)High had also called to confirm that there were no coalition soldiers in the vicinity of the grid coordinates given. The ground force then directed that we (b)(2)High "take out" the ground personnel. They were not specific as to whether, just personnel with weapons or all personnel. Upon this directive we made a low pass by the group on the ground, continuing to circle around. The pilots agreed to the ground force's directive, and asked for his initials. I cannot remember them myself, but Mr.) (3), (b)(1) wrote them down. I asked them if we were gonna fire or not. They responded yes, and asked if the ground personnel were firing; I said, "no". I announced pulling my bolt to the rear and we began another turn. The pilots then responded that I was clear to fire on suspected enemy ground personnel. I acknowledged and announced that I was going to open fire on ground personnel with weapons first. I began scanning for targets as we set up first gun run, and witnessed no personnel in any form of uniform. I spotted personnel with an RPG and announced, "firing". I fired one (1) single burst, approximately 10 seconds, and emptied about 75% of my ammo can. I fired into a group of approximately 20 personnel. We began to turn around, to set up another gun run. I announced, "inside reloading"; the pilots acknowledged me inside. I announced to put the targets outside the left door. I began rearming my weapon when we passed by, and continued. The left side door gunner reported terrain a factor, and no personnel with weapons sighted. I then announced, "right rear armed". The pilots acknowledged as we turned for another pass and put the targets on our right side. I announced that I was going to fire again at armed personnel. As we passed by that time, I looked for any armed personnel. I did not see any on this pass and announced so. I did not fire on that pass. During the time span of the engagement I didn't understand any of the radio calls from the ground forces. At this time I understood the ground forces to be calling from Joyce TOC. As we were flying the second pass on my side, the pilots announced that we had been told to cease fire. Upon completion of that run we began heading towards FOB Joyce. At this time I saw green pickups with friendly forces. At that time I cleared my weapon. We landed at FOB Joyce (Sarkoni) and I confirmed with the crew that we had all heard the Joyce TOC report the area clear of friendlies. We unloaded our two (2) passengers and some mail, and picked up ten (10) personnel, consisting of eight (8) ANA (Afghan) and two (2) U.S. personnel (1 Marine, 1 Army). We inserted them in close proximity of the area of engagement, a two-wheel landing. We then returned to FOB Joyce and loaded another ten (10) ANA personnel, upon confirmation with Joyce TOC, and inserted them in the same LZ. We also evacuated one (1) wounded and two (2) uniformed personnel from the LZ on the second insertion (all 3 were non-U.S. personnel), and transported them to ABAD. We returned to the LZ to pick up one (1) KIA (local garb, non-uniformed) and one (1) ANA (uniformed) to transport to ABAD. Upon return to ABAD, I do not remember the total number of turns into the LZ and Sarkoni (Joyce) we made. After landing with WC40 at ABAD, we flew as a flight to the LZ to extract the QRF personnel we had inserted. Chalk 1 first, then chalk 2, landed at FOB Joyce. We unloaded our passengers (b)(2)High) and returned to ABAD for fuel, and shut down. During the engagement, I did not see any uniformed personnel on the ground. Personnel did have AK-47's and RPG's. //NOTHING FOLLOWS// (b)(3), (b)(6)

10. EXHIBIT	11. INITIALS (b)(3), (b)(6)	I MAKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

Page 55 redacted for the following reason:

(b)(2)High, (b)(3) and (b)(6)

STATEMENT OF (b)(3), (b)(6) TAKEN AT Jalalabad DATED 23 SEP 07
22(3), (b)(6)

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 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 INFLU

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 2007 at Jalalabad Afghanistan

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

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

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

CPT AV
(Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

APD PE v1.01

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

PRIVACY ACT STATEMENT
AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Jalalabad, Afghanistan	2. DATE (YYYYMMDD) 2007/10/05	3. TIME 0720z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS SPC/E4/RA	
8. ORGANIZATION OR ADDRESS JAF UH-60 Detachment, TF TALON			

9.
 I, SPC Tsinigine, Tavis, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 This statement is made with regards to the 22 September 2007 alleged blue on blue incident in Sarkani District. The questions were posed by the Investigating Officer, COL (b)(3), (b)(6)

Q: When you fired, did you see anyone in a friendly (e.g., ANA or ANP uniform)?
 A: In the engagement sight in our high and low orbit, I did not see anyone in uniform.

Q: Did you see anyone in uniform in vicinity of the engagement area prior to engaging?
 A: Prior to engaging on the way in I saw a couple of trucks that looked like Afghan National Security Forces trucks at the road. They were green colored, hi-lux type trucks and clean. (IO's note, the road is over 2 KM away from the engagement sight)

Q: You fired a 240 MG, how qualified are you?
 A: We don't have a qualification system for expert or marksmen, but I feel confident that I can hit a target if it poses a threat.

Q: In your statement you said you fired about 150 rounds in apx 10 seconds. How fast do you think the AC was moving and how accurate did you think your fire was?
 A: I cannot be sure how fast we were flying. I saw the tracers were going into the location I was firing.

Q: And what was your target?
 A: Persons with weapons; that's why I decided to comply with the firing order as stated in my original statement.

Q: And you didn't see an ANP officer wave his arms as if trying to wave you off?
 A: Not on my firing run.

Q: Did you see someone doing this on a subsequent run?
 A: Yes, Sir.

Q: Was he wearing a uniform?
 A: No, Sir. I saw one person clearly waving his arms.

Q: What did you think when you saw that?
 A: I cannot remember.

Q: Was this person standing vicinity of where you were firing?
 A: Yes, Sir.

Q: And what did you see at that location?
 A: I saw some people laying on the ground. I am not sure how many.

Q: Were they laying neatly on the ground or were they in a random fashion?
 A: I cannot say for sure. They were on the ground.

Q: How many?
 A: At least one, (b)(3), (b)(6)

10. EXHIBIT <u>2</u>	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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 SPC (b)(3), (b)(6) _____ TAKEN AT Jalalabad, Afghanistan DATED 2007/10/05

9. STATEMENT (Continued)

Q: Is there anything you would like to add?

A: I would not fire at any point on any friendly forces whether US or Coalition if they had no hostile intention towards me or my crew.

////////////////////////////////////End of Statement////////////////////////////////////

AFFIDAVIT

I, SPC (b)(3), (b)(6) _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2(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 INFLUENC

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of October, 2007 at Jalalabad Airfield, AFG

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

(ing Oath)

ORGANIZATION OR ADDRESS

COL (b)(3), (b)(6) _____
(Person Administering Oath)

Task Force Bayonet DCO/Investigating Officer
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

AA

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD AIRFIELD	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 1430Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS CW2	
8. ORGANIZATION OR ADDRESS JAF UH-60 DETACHMENT, TF TALON			

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

After departing LZ Dawg, enroute to ABAD, we received a call from Sarkoni. Sarkoni had recently received IDF and wanted us to investigate a grid. We told Sarkoni that we had time, and to pass the grid. After receiving the grid from Sarkoni, we changed course and headed toward the grid. Enroute, Sarkoni had an updated grid of enemy personnel that they just spotted. They passed the new grid to us, and we proceeded to the new grid. (1st (b)(2)High 2nd (b)(2)High Enroute to grids, CW2)(3), (b)(confirmed twice that there were no friendlies in the area. After arriving at the grid, my aircraft)(3), (b)(did a high orbit (500' AGL). The right door gunner spotted approximately 30 enemy personnel exactly where the grid was. When asked if the personnel had weapons, the crewchief said 'Yes,' that they had small arms, AK-47s. I descended in altitude and saw the enemy personnel, about 20-30 people, all wearing manjams. I did a low pass (200'AGL) so the right door gunner could get a better look. He said he saw AK-47s and RPGs. I made a right turn and headed SW while CW2)(3), (b)(contacted Sarkoni and told them about the 30 enemy personnel with AK-47s and RPGs. CW2)(3), (b) asked Sarkoni for further guidance on the situation. Sarkoni stated that they wanted usb)(2)High to engage the enemy personnel. CW2)(3), (b)(confirmed the request once more, and asked for the approving person's initials, in which, Sarkoni responded)(3), (b)(I made a right turn and headed NE at about 150' AGL. The right door gunner engaged the enemy as we passed by. I made a left turn and headed SW so the left door gunner could engage. The left door gunner could not engage due to the enemy's position. As we passed the position, Sarkoni called stating that our engagements were effective, and that we were flushing the enemy out of their positions. I then made a right turn and headed NE so the right door gunner could engage. Before reaching the enemy position, Sarkoni called a cease fire. We acknowledged the cease fire. Sarkoni then called and requested that we land at FOB Joyce to pick up a QRF team. We landed, picked up the QRF, and departed back to the engagement area. We landed, dropped off the)(2)Hi and departed back to Joyce. Once on the ground at Joyce, we waited for approximately 10 minutes before contacting anyone. Once we talked to Sarkoni, they requested that we take another)(2)Hi team to the engagement area. We loaded the)(2)Hi and departed Joyce. Enroute to the engagement area, we were contacted by (b)(2)High who was at the engagement LZ with the first)(2)High (b)(2)High requested that we evac wounded personnel to ABAD. We dropped off the QRF, and loaded on the wounded. We departed to ABAD, dropped off the wounded, and then returned to the engagement LZ at Warhawk 7's request. Enroute to the LZ, we landed at Joyce to pick-up an interpreter. We landed at the engagement LZ, dropped off the interpreter, picked-up the wounded and departed for ABAD. After landing at ABAD, we were requested to go back to the engagement LZ to pick up KIA personnel. After doing this, we went back to ABAD. Once at ABAD, we were requested to go back to the engagement LZ and pick up the)(2)Hi After arriving at the engagement LZ, we picked up the)(2)Hi and flew to Joyce. We dropped off th)(2)Hi, picked up PAX and went to ABAD. Once at ABAD, we dropped off the pax, refueled and shutdown. //NOTHING FOLLOWS//)(3), (b)

10. EXHIBIT AA	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF

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

TAKEN AT JALALABAD

DATED 22 SEP 07

9. STATEMENT (Continued)

AFFIDAVIT

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

I, _____, 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 _____ NEFIT OR REWARD, WITHOUT _____ INDUCEMENT. THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR _____

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

(of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 2007 at Talalabad AChaukistan

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

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

HMC 3-82 ASAR (TF TALON)
ORGANIZATION OR ADDRESS

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

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

(Typed Name of Person Administering Oath)

HMC 3-82 ASAR (TF TALON)
SPE
ORGANIZATION OR ADDRESS

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

CPT AV
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

Page 61 redacted for the following reason:

18 pages removed for the following reasons:(b)(2)High, (b)(3) and (b)(6) apply per OEF and CENTCOM Guidance.

STATEMENT OF

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

TAKEN AT

Jalalabad

DATED 2007/09/22

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 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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 2007 at Jalalabad

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

HHC 3-82 GSAB (TF TALON)
ORG.

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

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

CPT, AV
(Authority To Administer Oaths)

INITIALS OF F

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

NG STATEMENT

PAGE 2 OF 2 PAGES

CC

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD, AFGHANISTAN	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 1400z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-4	
8. ORGANIZATION OR ADDRESS JAF UH-60 DETACHMENT, TF TALON			

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

I was on (b)(2)High (chalk 2) in the L/H Crew chief seat on our way to ABAD until we received a call from Sarkoni to respond to a rocket attack, said to be coming from a group of ACM's walking up the finger at the given grid. We had no passengers on board and we took flight the second we were given the grid. We passed over the grid and found a group of 20 to 30 standing and sitting in a circle with weapons (AK-47's/RPG's). We hit target store and passed up (b)(2)High who remained in the area in an orbit, as we took flight towards ABAD. 3-4 miles out we turned around back towards the target. At about 1 mile out we had the order to take out the guys, after 2 to 3 confirms from Sarkoni that there were "no friendlies in the area". The R/H Crew chief of chalk 1 (b)(2)High opened fire before we passed over. We orbited around about 3 times until (b)(2)High got back from their trip to Sarkoni, with the QRF to drop off on station to confirm the "known to be enemy". (b)(2)High who was on station, confirmed that they were friendlies. I did not see any uniforms, only "manjams" were noticed. We then began casevac of the wounded and KIA back to ABAD, with 4 wounded on the first turn and two on the last turn; one died enroute to ABAD. After getting fuel we both (b)(2)High took off as a flight to pick up the military personnel, and take them back to Sarkoni. We then flew back to ABAD, and shut down after getting fuel. //NOTHING FOLLOWS// (b)(3), (b)(6)

10. EXHIBIT CC	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF

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

TAKEN AT Unlabeled

DATED 23 Sep 07

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 2 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, OR UNLAWFUL INDUCEMENT.

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

(Signature of Affiant)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 2007 at TALON

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

HHC 3-82 GSAB (TALON)
ORGANIZATION OR ADDRESS

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

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

HHC 3-82 GSAB (TALON)
ORGANIZATION OR ADDRESS

CPT, AV
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

DD

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN) .

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD, AFGHANISTAN	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 1500Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-4	

8. ORGANIZATION OR ADDRESS
JAF UH-60 DETACHMENT, TF TALON

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

We just finished dropping off (b)(2)High at FOB Destined when we received a call over the radio asking us to look at a grid. They said they received a rocket attack from there an hour prior and that they suspected 10 to 15 enemy there. (b)(2)High called us and asked if we wanted to check it out. CW3 (b)(3), (b)(6) said yes so we headed towards it. About halfway there FOB Destined called us back and gave us a more accurate grid. When we arrived at the grid I was sitting on the right side so I could not see any personnel or weapons. SPC (b)(3), (b)(6) said over the ICS that there were 25+ personnel with AK-47's and RPG's. CW3 and chalk 1 confirmed that and called back to FOB Destined to confirm enemy in the area. Destined called back and told us to engage the enemy targets. We went over the ROE in our aircraft and acknowledged it. As we went towards the grid the first time, CW3 (b)(3), (b)(6) confirmed no friendlies in the area. Destined called back and said no, (b)(3), (b)(6) confirmed a second time and again Destined said no friendlies in the area cleared to engage personnel with weapons. CW3 (b)(3), (b)(6) asked the person who cleared us to engage the targets for their initial and wrote them down. As we went into the grid site I saw no personnel still, over the radio chalk 1 announced they engaged and hit targets. CW3 (b)(3), (b)(6) started turning towards ABAD when CW2 (b)(3), (b)(6) told him where he was going. He replied by turning back to the objective where I now saw wounded and dead personnel along the ridgeline. No shots were fired by chalk 2. On the way out I spotted 2 AA trucks, announced it, and (b)(3), (b)(6) called it in. Destined told us to cease fire and that they were working the situation. We went around for a third turn and I saw personnel running down the ridgeline in white, brown, black middle-eastern attire, as we flew up the ridgeline I saw two men in middle-eastern attire again but with military equipment, AK-47's and RPG's next to them and two dead laying on the rocks. As we went on the other side of the ridge I saw more wounded and two being carried over the back of personnel, one who was wounded in AP uniform. (b)(2)High was enroute to pick up the (b)(2)High team out of Destined. We continued circling the mountain as the personnel ran down the hill and the others were helping the wounded. CW3 (b)(3), (b)(6) wanted me to confirm how many AP or AA I saw and I told him I only saw 1 AP wounded and possibly KIA, the rest were just in civilians or ran down the ridge. We did about three or more circles till the (b)(2)High team arrived and the medic started treating the wounded. We were told to pick up the wounded and take them to ABAD. We loaded the first time with two wounded, gunshots to the legs, and a third who was killed, along with three personnel who helped load the bodies on board. I gave them water and we took off and landed in ABAD where I helped offload the bodies and climbed back in. (b)(2)High was already on its way back to ABAD with three litters. We landed again and picked up two or three more wounded and the medic, who was trying to keep one guy alive and treat another. The one victim who was being kept alive died in flight, the medic gave me the sign he was died. We landed at ABAD again and carried out the dead and the wounded were carried away on stretchers. We took gas and headed back out to pick up the (b)(2)High team. (b)(2)High and after they picked up half, we went in and picked up the other half, about six or seven. We dropped them off at Destined, (b)(3), (b)(6) picked up one wounded and took him to ABAD where we shutdown and washed the blood out of the aircraft. //NOTHING FOLLOWS// (b)(3), (b)(6)

10. EXHIBIT DD	11. INITIALS (b)(3), (b)(6)	MAKING STATEMENT	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____" EN 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

Jalalabad

DATED

22 Sept 2007
22(3), (b)

9. STATEMENT (Continued)

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 FULLY UNCORRECTED CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREE OF 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 and authorized by law to administer oaths, this 22 day of September, 2007 at Jalalabad Afghanistan

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

HHC 3-83 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

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

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

CPT, AV
(Authority To Administer Oaths)

INITIALS OF PEF _____
SIGNATURE STATEMENT _____
(b)(3), (b)(6)

PAGE 2 OF 2 PAGES

EE

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION JALALABAD, AFGHANISTAN	2. DATE (YYYYMMDD) 2007/09/22	3. TIME 1500Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS E-3	
8. ORGANIZATION OR ADDRESS JAF UH-60 DETACHMENT, TF TALON			

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

Enroute to ABAD from Destined Base we received a radio call from Chamkani Base asking if we could go to a grid to look for suspected enemy. Chamkani Base had taken indirect fire within the last hour. On the way to the grid they gave us an updated grid. Upon arrival at the updated grid, SPC (3), (b) observed approximately 30 personnel with AK-47's and RPG's. We made a high pass over the grid to observe the activity. All personnel were out the right door, I was on the left and could not see them. After the first pass we made another lower pass. During the pass, Chamkani Base told us that there were no friendly soldiers in the area. As we were coming around again, one of the pilots asked Chamkani Base again if there were any friendlies in the area and again they said no. He then asked if they wanted us to take them out, Chamkani said yes. Pilots asked for his initials and received them. We came in low and fast, SPC (3), (b) engaged the personnel on the ground. We then turned around to put the personnel out the left side as we were turning around Chamkani Base came over the radio and said that they were flushing them out of the trees. I went to engage, but the personnel had scattered and by the time I saw any of them they were behind us and passed the tail. We then turned around for another pass, at this time Chamkani Base called a cease-fire, then asked us to go to Chamkani while b(2)Hi remained on station. We inserted the (2)Hi at the objective, then returned to Chamkani to pick up more QRF. Then we returned to the objective to insert the additional (2)Hi. We picked up to return to Chamkani when an american on the ground asked us to pick up wounded to take to ABAD. We came in, picked up one wounded and two escorts. We then picked up while b(2)Hi came in and picked up more wounded, as we were going to ABAD to drop our wounded off. When we picked up at ABAD, we heard over the radio that there were more wounded and took them to ABAD. After takeoff from ABAD we went back to the objective to pick up a KIA. We returned to ABAD with the KIA. We then went back to Chamkani to pick up wounded that had walked to the base from the objective site. We then took him to ABAD. We were going to take fuel at this time, all wounded and KIA had been lifted out. Before we could start to refuel the American on the ground asked us to come back and pick up the (2)Hi teams. We picked up and returned to the objective. We landed first, picked up b(2)Hi members then picked up to go back to Chamkani while b(2)Hi loaded and did the same. After all (2)Hi members were back at Chamkani, we returned to ABAD for refuel and shutdown. //NOTHING FOLLOWS (b)(3), (b)(6)

10. EXHIBIT EE	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>2</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"

THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

STATEMENT OF _____ (b)(3), (b)(6) _____ TAKEN AT Jalalabad DATED 22 sept 07

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)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of September, 2007

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

HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

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

(b)(3), (b)(6)
HHC 3-82 GSAB (TF TALON)
ORGANIZATION OR ADDRESS

(Type Name of Person Administering Oath)
CPT AV
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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

FF

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FOB Fenty (Jalalabad Airfield)	2. DATE (YYYYMMDD) 2007/09/28	3. TIME 1557Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS CPT	
8. ORGANIZATION OR ADDRESS HHC 173D ABCT FOB FENTY APO AE 09354			

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 On 23 September 2007, I was a passenger on the (b)(2)High circulation flight originating from Jalalabad Airfield. I was seated in the back row far left seat (facing the cockpit). Upon departure from JAF (FOB Fenty) we flew to FOB Fortress, where we dropped off (b)(2)High and the rest of his party for a command visit. Upon completing the unloading of Pax, we then departed for Asadabad PRT, which was my destination. At this time, there were only two passengers left on the aircraft, and the other passenger was seated directly next to me to my right. While en route to Asadabad, we began flying circles around a piece of high ground somewhere in the vicinity of Camp Joyce. After approximately 3 passes in the same circular manner, I noticed some personnel on the ground. Due to their dress, and activity, my interpretation was they were some form of Afghan Security forces: (I made this assumption based on what appeared to be mixed uniforms). After approximately the 4th circle in this area, I saw the right door gunner drop a smoke signal in vicinity of the personnel on the ground. I was not on a headset, and was unaware at the time of what the follow on action would be. On the next pass, the right door gunner engaged the personnel, and I could tell there were killed and wounded personnel due to the engagement. After this, we landed at Camp Joyce, and we were told to unload the aircraft of passengers and remaining mail. We waited on the HLZ, and witnessed what appeared to be a squad (+) of ANA load the helicopter en route to the engagement area. While waiting on the HLZ, I noticed the helicopters make approximately 2 turns to Asadabad, and I assumed they were transporting casualties. I walked over to the ETT TOC and inquired as to if the helicopters would be returning, and was told they would. I was in the TOC for approximately 2 minutes, and could tell by the conversation that there may have been a friendly fire incident with possible ANP Pax. This information was not confirmed at the time, and I did not inquire as to the details. Approximately 10 minutes later, the helicopters landed again at Camp Joyce and loaded an interpreter to transport to the objective area. They did a quick turn and came back to transport us to Asadabad. On this trip, 3 local national Afghans were loaded onto the helicopter, one appearing to have a leg and arm wound, one appearing to have a wound to the buttocks and one unwounded accompanying. We landed at Asadabad approximately 10 minutes later, and I was removed from the situation.

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

10. EXHIBIT FF	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ 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 Fenty Airfield DATED _____

9. STATEMENT (Continued)

[The main body of the statement is crossed out with a large 'X' and contains several instances of redaction: (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 _____. 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 INDU

(Signature of F) (b)(3), (b)(6)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(I type Name of Person Administering Oath)
IO

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

Report of Delegation Assigned by Kunar Province

Date: 24 September 07

Everyone of us 1- Lt. Col. (b)(3), (b)(6) Representative of Kunar police attorney 2- Deputy Chief of Criminal Investigation Department (b)(6) 3- (b)(6) Representative of NDS, 4 Khan Wali Khan representative of Governor, were been assigned to investigate the issue:

At exactly 9AM we have headed from Asadabad through the location of scene, we arrived to Sarkani District at 9:20AM; during the investigation we conducted with the responsible concerning the incident we received the following updates:

Through an informational inquiry letter we have generally investigated from police chief of Sarkani, Sub-Governor (b)(6) one of the officers form police headquarter, and from the security commander of road Construction Company. Every individual has given their reports according to their responsibilities and evident, each of them explained as following:

1- When we requested from (b)(6) to respond our inquiry leteer, he answered: on that time I was been tasked after an orally order by governor. I traveled to Chapa-Dara District where I was busy in resolving some problems created. He did not exist in the district. Today on 24 September 07 he returned back to work in Sarkani. Regarding to this incident we did not have any word from him. To continue the process of investigation we asked him to give his opinion, he said that in his absence (b)(6) son of (b)(6) Director of administration was carrying responsibility of the district, but for clarifying the issue we started to investigate the in charge of the district at that time, he expressed as following:

Concerning the issue I did not exchanged any official written information or reports as I was not officially authorized to do so, but according to my personal information Commander (b)(3), (b)(6) has informed the police chief of Sarkani to help him for bringing out the kidnapped people.

2- Regarding this issue we conducted investigation with police chief of the district Saraj, in the result he gave the following information: on 22 September 07 we received a report from (b)(6) in-charge of Security for the road construction company from Donayee to Khas – Kunar about kidnapping of 2 soldiers by enemies of Islamic republic Afghanistan from a closest area to Tango. We immediately act as we received the cipher telegrammed to us by police headquarter, I provided 20 police soldiers and 7 police officers for release the kidnapped polices, while we were in combat situation with the enemies, the collation forces helicopters have bombarded the position where all of police personnel were present in a result of that 4 people were killed and 10 others wounded, I would like to mention that the airplane were not called by me to bombard us, the collation forces have targeted these areas according to their own coordination.

3- For more clarifications of the matter we sent a separate inquiry latter to (b)(6) son of (b)(6), during investigation he explained as following:
On 22 September 07 5am 2people were kidnapped from chick post #2 two people (b)(6) (b)(6) son of (b)(6) and (b)(6) son of (b)(6) were been kidnapped by the enemies

CENTCOM 009635

of the country and development, till now we do not know about their destine. We have 4 active security chick post in each we have assigned 8 people and all of them were equipped and armed with AK47s the total personnel was 42 people were been paid 100 USD \$ by the company, among these 42 people 3 were killed 7 others were injured and two of them were kidnapped, totally we have shortage of 12 people because of the above reasons. From the investigation that was been conducted with (b)(6) son of (b)(6) (b)(6) security commander of Road construction company we can conclude the below:

- 1- the delegation has quoted from the opinions and information of the responsible, regarding the issue they express their opinions as following:
- 2- Due to luck coordination and week work system, the enemies have taken to an unknown place, while these security guards were resting at 5AM.
- 3- At that time according to the schedule there was no enough number of personnel on the chick –post.
- 4- As it was necessary in such critical conditions there was no any control happened by command of (b)(6) , in fact one of the water supplier has informed (b)(6) (b)(6) about the kidnapping.
- 5- During the investigation it was identified that all of these 42 security individuals armed with private AK47 guns were been employed without any information of government authority or security organs, also they did not see any type of training, such irresponsible movements could bring other big problems in security part if it is repeated many engineers, military and civil personnel of the government will be kidnapped.

The above was a joint report prepared as an investigation of the incident occurred on 22 September 07 at Gala - Tango area of Sarakani District, accordingly we inform you on decree for taking necessary steps.

Police attorney representative Sign

Police headquarter representative sign

NDS Rep. Sign

Governor's Rep. Sign

CENTCOM 009636

Page 73 redacted for the following reason:

(b)(2) High, (b)(6)



REPLY TO
ATTENTION OF:

DEPARTMENT OF DEFENSE
HEADQUARTERS, COMBINED/JOINT TASK FORCE (CJTF)-82
BAGRAM AIRFIELD, AFGHANISTAN
APO AE 09354

24 SEP 2007

CJTF-82-CS

MEMORANDUM FOR COL (b)(3), (b)(6) 173rd Airborne Brigade Combat Team, Task
Force Bayonet, Jalalabad, Afghanistan

SUBJECT: Appointment as AR 15-6 Informal Investigating Officer

1. You are hereby appointed as an investigating officer to conduct an informal investigation IAW AR 15-6 into a possible friendly fire incident that took place on 22 September 2007 in the vicinity of Forward Operating Base Joyce in the Konar Province, Afghanistan.
2. The scope of the investigation should include the following:
 - a. The facts and circumstances surrounding the incident on 22 September 2007;
 - b. The location, task, and purpose of the operation planned;
 - c. The steps taken to coordinate the operation and deconflict fires with friendly forces operating in the area;
 - d. The methods used to obtain positive identification of the target and the information upon which positive identification was based;
 - e. Whether the engagement resulted in any civilian or Afghan National Security Force casualties and the nature and extent of their injuries; and
 - f. Recommendations concerning improvements to coalition force techniques, tactics and procedures on future missions.
3. This will be an informal AR 15-6 investigation. This will be your primary duty until completed and takes precedence over all other duties and assignments. All statements will be in written form and sworn, using DA Form 2823. If witnesses have redeployed, seek to conduct telephonic interviews of them at their home station.
4. If, during the course of the investigation, you suspect that anyone involved has violated any criminal laws, you should advise that person of their Article 31 Rights, prior to questioning. If anyone attempts to interfere with or obstruct your investigation, notify the appointing authority immediately.

CENTCOM 009638

CJTF-82-CS

SUBJECT: Appointment as AR 15-6 Informal Investigating Officer

5. Use AR 15-6 to guide the investigation. Consider any evidence in the investigation that you determine to be relevant and material to the incident. You should make appropriate findings and recommendations based on the facts gathered during the investigation. The completed investigation should include:

a. This letter of appointment;

b. A completed DA Form 1574;

c. A memorandum for record with your findings and recommendations. Your findings are to be based on the facts you gather and your recommendations should include whether any adverse action is appropriate;

d. An executive summary;

e. An index of exhibits;

f. A chronology of your investigation;

g. All exhibits labeled in successive order;

h. A list of all persons interviewed and those from who no statement was taken; and

i. Proper classification markings.

6. If Afghanistan National Security Forces (ANSF) were involved in this incident, your findings and recommendations are to include any lessons learned you discover during the course of your investigation that may benefit the ANSF.

7. You may consider any evidence in your investigation that you determine to be relevant and material to the above areas. This investigation is your primary duty until completed and takes precedence over all other duties and assignments.

8. No military or civilian witnesses can be ordered to give testimony that may incriminate them. However, you can direct a military or civilian witness to provide testimony if you believe they have relevant information that is not incriminating.

9. MAJ (b)(3), (b)(6) has been designated as your legal advisor. He will assist you with any legal issues that may arise during your investigation. He may be contacted at DSN (b)(2)High or (b)(3), (b)(6) @afghan.swa.army.mil.

CJTF-82-CS

SUBJECT: Appointment as AR 15-6 Informal Investigating Officer

10. Submit your completed report no later than 10 October 2007 to MAJ(b)(3), (b)(6) for legal review. If any circumstances prevent a timely completion of your report, submit requests for delay to me for approval.

11. The point of contact for this memorandum is CPT (b)(3), (b)(6) CJTF-82, Chief of Administrative Law at DSN (b)(2)High

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

COL, GS
Chief of Staff

Pages 77 through 80 redacted for the following reasons:

(b)(1) 1.4a and c, (b)(3) and (b)(6)
(b)(1)1.4a and c, (b)(3) and (b)(6)
(b)(2)High, (b)(6)

KK



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, TASK FORCE BAYONET
COMBINED JOINT TASK FORCE-82
FORWARD OPERATING BASE FENTY
APO AE 09354

TF-BAYONET

3 October 2007

MEMORANDUM FOR Record

SUBJECT: Interview of Afghan National Police (ANP) officer at Sarkani District Center, Kunar Province, Afghanistan Regarding Events of 22 September 2007

1. Captain (b)(3), (b)(6) is an ANP officer. He is from Sarkani district, Kunar province.
2. Captain (b)(3), (b)(6) stated that he was an eyewitness to the events of 22 September 2007¹. The district police chief received a call for assistance from Pro-Sima to help rescue two Pro-Sima security guards that were believed to have been kidnapped by the Taliban. According to him, he and approximately 13 other ANP officers drove with the district police chief in one truck to an area where Pro-Sima was building a road south of the town of Sarkani. They parked off the road and proceeded up the ridge to the Pro-Sima security guards' location. He stated that all ANP officers were in uniform.
3. Captain (b)(6) stated that when the first started up the ridge, there were no security guards Pro-Sima in sight. According to his account ANPs went up the hill in the morning to help search for the two missing Pro-Sima guards. After reaching the guards' abandoned observation point, the ANPs rested and prepared to return back down the mountain. According to his version of events, the ANPs did not have a firefight against Taliban forces. As they were coming down the hill, they saw Pro-Sima ASGs coming up. Before the ANPs came down, an American UH-60 helicopter engaged them with machine guns, injuring several of them.
4. After interviewing Captain (b)(3), (b)(6) at the Sarkani District Police Station, we obtained permission from Captain (b)(3), (b)(6) acting company commander for Captain (b)(3), (b)(6) to take us to view the site of the incident. Captain (b)(3), (b)(6) and three other ANPs accompanied me in climbing up the ridge to look at the site where the a U.S. helicopter allegedly fired on the suspected Taliban fighters on 22 September 2007. A 40-minute climb above our vehicles brought us to the point that Captain (b)(3), (b)(6)

¹ The District Police Chief failed to show for his scheduled appointment with me on 3 September. I started interviewing the Company Commander, who I quickly discovered was not present on 22 September but was willing to provide a version of what happened with the assistance of several other ANP who also weren't present. I asked if anyone in the room had been present, to which Captain (b)(6) responded affirmatively. I requested permission to interview him in private with only an interpreter present and my request was granted.

CENTCOM 009645

TF-BAYONET

SUBJECT: Interview of Afghan National Police (ANP) officer at Sarkani District Center, Konar Province, Afghanistan regarding events of 22 September 2007

described as the location that he and the other ANPs were located when they were engaged by machine guns mounted on a UH-60 helicopter.

5. Captain (b)(6) pointed out a large brown stain running over the rocks, and stated that it was a bloodstain left by one of the individuals who was killed by the helicopter at that location. Various photographs of this site are enclosed.

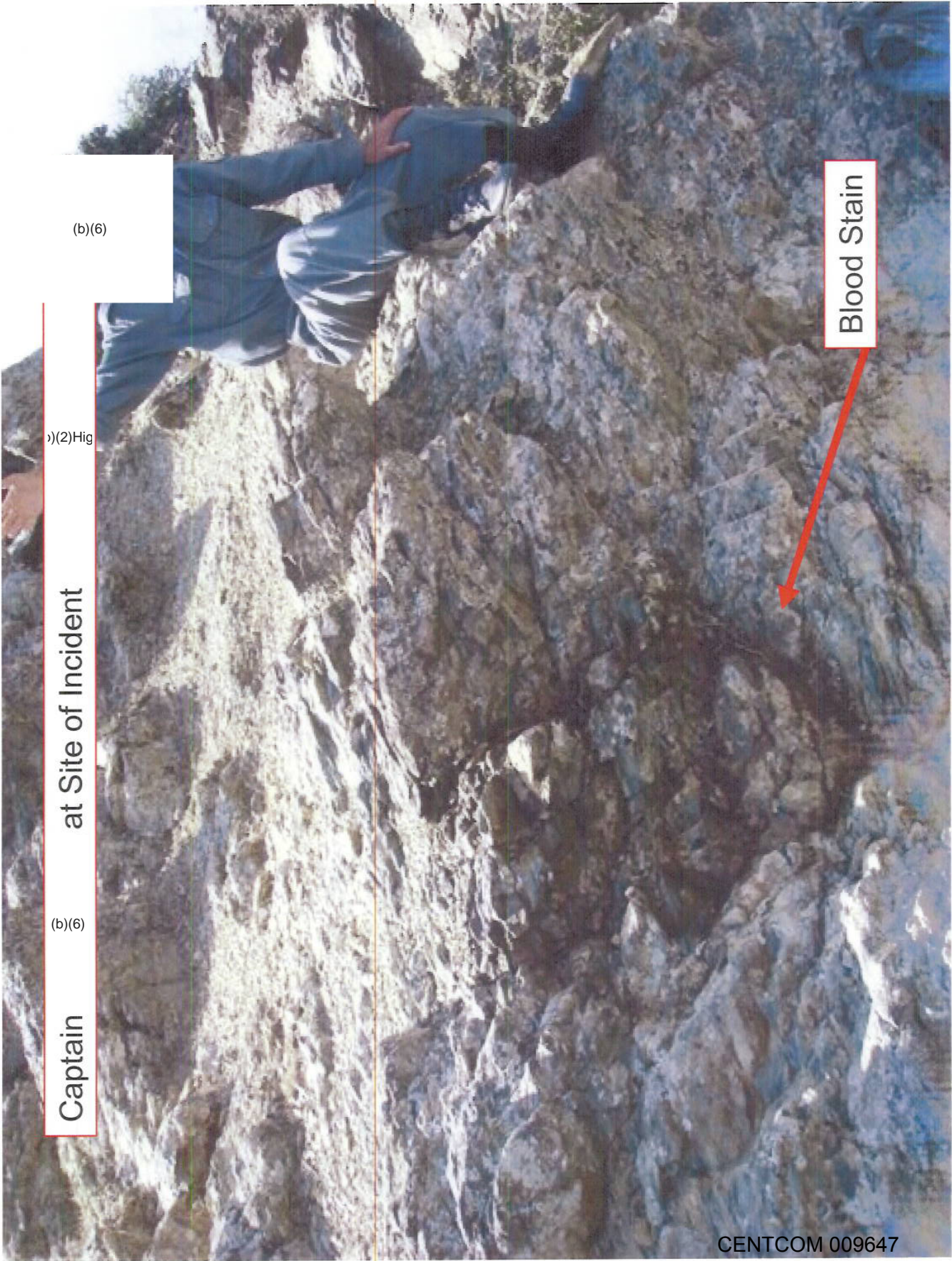
6. The point of contact for this memorandum is the undersigned.

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

COL, IN
Investigating Officer

Encls

- 1 – Photo: Looking South from Vehicle Drop Off Point to Incident Site
- 2 – Photo: Captain (b)(6) at Incident Site
- 3 – Photo: Captain (b)(6) with two ANP at Incident Site
- 4 – Photo: Looking NW down into the Kunar River Valley from the Incident



(b)(6)

(b)(2) Hig

at Site of Incident

(b)(6)

Captain

Blood Stain

CENTCOM 009647

Captain (b)(6) and Two ANP at Site of Incident (b)(2)Hic



(b)(2)Hic

(3), (b)

(b)(6)

(b)(6)

(b)(6)

Blood Stain

10/03/2007

CENTCOM 009648

Page 85 redacted for the following reason:

(b)(1)1.4a and c, (b)(2) High, (b)(3) and (b)(6)

Firing Data Table from ANA D30 Gun Crew at Camp Joyce

Provided by Captain (b)(6) to COL (b)(3), (b)(6) on 3 Oct 07. Line 9 corresponds with the two 122mm rounds that were fired on 22 September. (b)(2)High pertains to the grid coordinate that the rounds were fired at.

(b)(2)High, (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 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION FOB Fortress, Afghanistan	2. DATE (YYYYMMDD) 2007/10/08	3. TIME 0520z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(6)	7. GRADE/STATUS CPT/03/RA	

8. ORGANIZATION OR ADDRESS
DCO 2-503 (ABN)IN

9.
 I, CPT (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 Note: This statement is in the form of a telephonic interview with COL (b)(3), (b)(6) 15-6 Investigation Officer regarding the alleged friendly fire incident on 22 September 2007.

Q: What is your responsibility WRT controlling the battlespace contained within Sarkani District?
 A: It is part of my AOO. I do not have a permanent presence but I do patrol it frequently. On 22 Sep 07 I had a platoon working out of Camp Joyce conducting key leader engagements (KLEs), CIED patrols, and traffic control points (TCPs) both joint TCPs with ANSF and snap TCPs. At the time of the incident, they were not on mission.

Q: Has any of your battlespace been assigned to the HHC/Wpns Company 2d Kandak, 1st Bde, 201st Corps?
 A: To my understanding, yes it has been delegated to them by their higher headquarters.

(b)(2)High

(b)(2)High

(b)(2)High

(b)(2)High

Q: If you had a bridge going directly into Sarkani how long would it take and would this be desirable?
 A: It would cut it down to 45 minutes.

Q: How functional are Chowkay and Narang District Coordination Centers (DCC)?
 A: The Chowkay DCC is functional. They integrate ANP with Afghan Highway Police well. Narang is still being built but it is functional.

Q: What do you know about the Pro-Sima Construction Company working on the Nowabad Bridge to Khas Konar Road?
 A: I know very little except that it's taking place. Most of my situational awareness regarding Sarkani is from the USMC ETTs at Camp Joyce.

Q: Was it reported to you or your TOC that the security guards working for Pro-Sima were trying to locate two of their personnel who were allegedly kidnapped on 21-22 Sep?
 A: No, Sir.

CONTINUED

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>2</u> 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 INDICATED.

STATEMENT OF CPT (b)(3), (b)(6) TAKEN AT FOB Fortress, AFG DATED 2007/10/08

9. STATEMENT (Continued)

Q: Did you know that the ANP went to their assistance after they made contact with ACM/Taliban on 22 Sep?

A: No. Not until well after the incident was completed.

Q: Do you have any recommendations on how to improve the coordination or integration of ANSF with CF?

A: The obvious solution is a functional Provincial Coordination Center in Asadabad. We have routinely had well coordinated operations. We have exchanged phone numbers and routinely call to stay abreast of the situation. This is the first incident where we had a break down. A bridge on the Kunar River vic of Khas Konar would also improve physical presence and communication in both Sarkani and Khas Konar Districts.

//////////////////////////////////////END OF STATEMENT//////////////////////////////////////

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

AFFIDAVIT

I, CPT (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, O

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

WITNESSES:

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

Dco, 2-503 PIR
ORGANIZATION OR ADDRESS

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

Dco, 2-503 PIR
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of October, 2007
FOB Fortress, Chawki District, Kunar Province, Afghanistan

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

(Typed Name of Person Administering Oath)

TF BAYONET DCO/Investigating Officer
(Authority To Administer Oaths)

INITIALS OF PER _____ VNG STATEMENT _____

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

PAGE 2 OF 2 PAGES

Pages 89 through 106 redacted for the following reasons:

- (b)(1) 1.4a and c
- (b)(2) High
- (b)(2) High, (b)(3) and (b)(6)
- (b)(2) High, (b)(3), (b)(6)
- (b)(5)

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 Chief of Staff, Combined Joint Task Force-82
(Appointing authority)

on 28 September 2007 (Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)
(Date)

SECTION II - SESSIONS

The (investigation) (board) commenced at Jalalabad Airfield (FOB Fenty), Afghanistan at 0430z
(Place) (Time)

on 28 September 2007 (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 _____ on _____
(Time) (Date)
and completed findings and recommendations at _____ on _____
(Time) (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?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is an index of all exhibits offered to or considered by investigating officer or board attached before the first exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Are copies, descriptions, or depictions (if substituted for real or documentary evidence) properly authenticated and is the location of the original evidence indicated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Are descriptions or diagrams included of locations visited by the investigating officer or board (para 3-6b, AR 15-6)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3 Was a quorum present when the board voted on findings and recommendations (paras 4-1 and 5-2b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5 Was a quorum present at every session of the board (para 5-2b, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6 Was each absence of any member properly excused (para 5-2a, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7 Were members, witnesses, reporter, and interpreter sworn, if required (para 3-1, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Was the date of delivery at least five working days prior to the first session of the board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does each letter of notification indicate —	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(1) the date, hour, and place of the first session of the board concerning that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) the matter to be investigated, including specific allegations against the respondent, if any?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) the respondent's rights with regard to counsel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) the name and address of each witness expected to be called by the recorder?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5) the respondent's rights to be present, present evidence, and call witnesses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Was the respondent provided a copy of all unclassified documents in the case file?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. If there were relevant classified materials, were the respondent and his counsel given access and an opportunity to examine them?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11 Counsel (para 5-6, AR 15-6):			
a. Was each respondent represented by counsel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Name and business address of counsel:			
(If counsel is a lawyer, check here <input type="checkbox"/>)			
b. Was respondent's counsel present at all open sessions of the board relating to that respondent?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Did each member successfully challenged cease to participate in the proceedings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Examine and object to the introduction of real and documentary evidence, including written statements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Call witnesses and otherwise introduce evidence?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Testify as a witness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Make or have his counsel make a final statement or argument (para 5-9, AR 15-6)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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:

1. The root cause of this incident was the ACM who fired four rockets at the Afghan National Army garrison located at Camp Joyce on 22 September 2007. The limited Coalition Forces that were present did everything they could to assist their ANA brothers in thwarting this attack. It is likely that some of losses of Afghan citizens and police were caused by Coalition Forces, specifically the W47 UH160 who responded to a call for assistance. It is also likely that some of the losses were from the Pro-Sima security guards reported engagement with the ACM and could have possibly been caused by the ANA D30 fires.
2. W47 engaged Afghans armed with AK47s and RPGs (b)(2)High If any of these Afghans were wearing ANP or ASG uniforms, it was not readily apparent to those in the aircraft. CPT (3), (b), TF Bayonet Assistant Intelligence Officer happened to be a passenger on W47's aircraft, who was totally unaware that the aircraft had changed its mission to pursuing a suspected enemy POO site. It is Adamski's second tour in Afghanistan and his present position places him in routine contact with ANSF, so he is very proficient in recognizing ANSF. He stated that from the far (port) side of the aircraft, the armed personnel he saw on the ground looked like they were "some form of Afghan Security Forces: (I made this assumption based on what appeared to be mixed uniforms)." Given the multiple rockets fired at Camp Joyce just hours before and their close proximity to the POO sites, it was unfortunate but conceivable that Afghans on the ground could be mistaken as enemy combatants.
3. The Afghan commander of the D30 organic to Weapons Company, 2nd Kandak, 201st Corps, at Camp Joyce informed me that his crew fired two 122mm rounds at the POO site (b)(2)High on 22 September. When I asked him why he only fired two rounds, he responded that MGySgt (3), (b) (had an Apache helicopter coming in so he had to cease fire. While I am encouraged that the ANA were taking action to defend themselves with their own indirect fire assets, I am not confident in their effectiveness. Given that US ETTs have no expertise with D30s, they can be of no assistance in building ANA capacity to fire D30s.
4. Given the lack of combat capabilities, the coordination among Coalition Forces was very good; however, there is a tremendous need for improving coordination between Coalition Forces and major priorities such as road construction. The coordination of the security guards who were working for the road contractor, Pro-Sima, was questionable. Pro-Sima was hired by the Afghan Engineer District (AED) to construct a CERP funded road from Nowabad Bridge to Khas Kunar. The security guards should have immediately reported the alleged kidnappings to AED, the Kunar PRT and the ANP. They should have requested support in locating the workers as opposed to going into the mountains on their own.

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

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

1. No adverse action, should be taken towards the soldiers and marines involved in this incident; however, those units involved should conduct ROE refresher training, friendly and threat personnel identification training, and helicopter gun crews should incorporate target discrimination training if at all possible.
2. A Provincial Coordination Center needs to be established for Kunar Province so that there can be better coordination and integration between ANSF and Coalition Forces. When resources permit, a District Coordination Center should also be established.
3. Solatia should be paid as appropriate when requested through the proper Afghan authorities keeping in mind that solatia payments are not an admission of responsibility or guilt on the part of the USG.
4. CF must continue to emphasize to ANSF and construction security elements the need for coordination before they travel through the battlespace and the importance of remaining in complete uniform.
5. Continue to build ANSF capacity so that the ANA is becomes self-sufficient in her ability to respond to ACM attacks. Added emphasis needs to be placed on the ANA's ability to control her own indirect fires. Either nations that are equipped with D30s should step up their efforts to mentor and train ANA on this system, or consideration should be given to adapting a US-friendly artillery system so that US ETTs can help build ANA capacity.

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.)

CENTCOM 009674

Pages 111 through 115 redacted for the following reasons:

(b)(1)1.4a and g, (b)(2)High, (b)(3) and (b)(6)