



## US CENTCOM FOIA Library

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### Notice and Consent

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**UNITED STATES CENTRAL COMMAND**  
7115 SOUTH BOUNDARY BOULEVARD  
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

**SUBJECT:** Summary of the Airstrike on the MSF Trauma Center in Kunduz, Afghanistan on October 3, 2015; Investigation and Follow-on Actions

The U.S. Central Command extends its deepest condolences to those injured and to the families of those killed in this tragic incident. We are fully committed to learning from this tragedy and minimizing the risk of civilian casualties during future combat operations. This document includes a summary of the investigation and key follow-on actions by senior commanders, and reflects our commitment to transparency and improvement.

**THE INVESTIGATION:**

On Oct. 3, 2015, members of U.S. Forces-Afghanistan (USFOR-A) supporting a partnered Afghan force, conducted a combat operation that struck a Trauma Center in Kunduz operated by Médecins Sans Frontières (MSF), also known as "Doctors without Borders."

U.S. Army Gen. John Campbell, then the Commander of USFOR-A, directed an investigation to determine the cause of this incident. The lead investigating officer was Army Maj. Gen. William Hickman. He was assisted by Air Force Brig. Gen. Robert Armfield and Army Brig. Gen. Sean Jenkins. All three generals were brought in from outside Afghanistan in order to provide an objective perspective. The investigation team included over a dozen subject matter experts from several specialty fields.

The investigative team visited the MSF Trauma Center site and several other locations in the city of Kunduz. The team interviewed more than 65 witnesses including personnel at the Trauma Center, members of U.S. and Afghan ground forces, members of the aircrew, and representatives at every echelon of command in Afghanistan. The team had full access to classified information, and the investigation includes more than 3,000 pages of documentary evidence, much of it classified. Gen. Campbell approved the investigation on Nov. 21, 2015.

**GENERAL SUMMARY:**

The investigation concluded that the personnel involved did not know that they were striking a medical facility. The intended target was an insurgent-controlled site which was approximately 400 meters away from the MSF Trauma Center. The investigation found that an AC-130U Gunship aircrew, in support of a U.S. Special Forces element that was supporting a partnered Afghan ground force, misidentified and struck the MSF Trauma Center. The investigation determined that all members of both the ground force and the AC-130U aircrew were unaware the aircrew was firing on a medical facility throughout the engagement.

The comprehensive investigation concluded that this tragic incident was caused by a combination of human errors, compounded by process and equipment failures. Fatigue

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and high operational tempo also contributed to the incident. These factors contributed to the “fog of war,” which is the uncertainty often encountered during combat operations. The investigation found that this combination of factors caused both the Ground Force Commander and the air crew to believe mistakenly that the air crew was firing on the intended target, an insurgent-controlled site approximately 400 meters away from the MSF Trauma Center.

The Commander of USFOR-A concluded that certain personnel failed to comply with the rules of engagement and the law of armed conflict. However, the investigation did not conclude that these failures amounted to a war crime. The label “war crimes” is typically reserved for *intentional* acts -- *intentionally* targeting civilians or *intentionally* targeting protected objects. The investigation found that the tragic incident resulted from a combination of unintentional human errors and equipment failures, and that none of the personnel knew that they were striking a medical facility.

#### DETAILED SUMMARY:

On Sep. 30, 2015, Afghan forces and a small element of U.S. Special Forces attempted to re-take the City of Kunduz, which had been seized by the Taliban. The U.S. and Afghan forces established a small base on an Afghan Police compound in Kunduz and repelled several Taliban attacks between Sep. 30 and Oct. 2. The U.S. Special Forces element on the ground had been engaged in heavy fighting for nearly five consecutive days and nights at the time of the airstrike on Oct. 3.

On the night of Oct. 2, 2015, the Afghan forces decided to attack an insurgent-controlled site, and requested air support from the U.S. Special Forces element on the ground. An AC-130U Gunship was directed to provide the requested support. The AC-130 launched from its airfield in Afghanistan 69 minutes earlier than the crew had originally planned due to an emergency call, so they did not get all the information they would normally have received before a mission. While enroute to Kunduz, one of the AC-130's critical communications systems failed, resulting in an inability to receive updates from and transmit information to multiple command headquarters. Additionally, after arriving in the operating area, due to significant threats to aircraft in Kunduz, the AC-130 took defensive measures that degraded its ability to locate ground targets. These factors all contributed to the incident.

When the aircrew arrived near Kunduz in the early morning on Oct. 3, 2015, they attempted to locate the Taliban-controlled target site. The Afghan forces provided the correct grid coordinates for the target site to the U.S. Special Forces commander on the ground, who then relayed them to the aircrew through a Joint Terminal Attack Controller (JTAC). Due to distance of the aircraft from the location at issue, the aircrew was initially unable to locate the target structure. When the grid coordinates were entered, the system directed the aircrew to an open field. The aircrew then attempted to visually identify the target structure based on a description relayed from the Afghan forces through the JTAC. Based on this discussion over communications systems, the aircrew identified a structure that they believed to be the Taliban-controlled target structure, but was actually the MSF Trauma Center. Before the engagement, one aircrew member, the TV Sensor Operator, identified the correct structure as possibly fitting the described target. However, following several attempts to clarify which structure was the actual target requested by the Ground

Force Commander and the JTAC, the aircraft's weapons systems were redirected to the originally viewed structure (MSF Trauma Center). The MSF Trauma Center generally matched the general physical description of the Taliban-controlled target structure which was approximately 400 meters away.

The investigation identified several human errors by the aircrew and ground personnel that contributed to this tragic incident, including poor communication, coordination, and situational awareness. The investigation confirmed that MSF officials provided the correct grid coordinates for the MSF Trauma Center to several U.S. government officials and that the location was properly entered on the U.S. military's "No Strike List" database, but that the aircrew did not have ready access to this database during the strike. The investigation also concluded that the MSF Trauma Center did not have an internationally-recognized symbol to identify it as a medical facility, such as a Red Cross or Red Crescent that was readily visible to the aircrew at night. Throughout the course of the engagement, all members of the ground force and the aircrew were unaware the aircrew was firing on a medical facility and mistakenly believed that it was firing on the intended target, an insurgent-controlled structure approximately 400 meters away from the MSF Trauma Center.

At approximately 2:08 a.m. local time on Oct 3, 2015, the aircrew began firing on the MSF Trauma Center under the mistaken belief that it was the Taliban-controlled target compound. Starting at approximately 2:19 a.m. MSF personnel notified several U.S. government representatives that the MSF Trauma Center was being engaged. Due to the fighting around Kunduz, it was initially unclear who was engaging the MSF Trauma Center. Following a series of relayed messages through multiple echelons of command, the U.S. Special Forces commander on the ground eventually realized that the AC-130 was engaging the MSF Trauma Center – not the Taliban-controlled structure the crew believed it was engaging – and halted the strike at approximately 2:38 a.m. The investigation determined that the steps taken by several U.S. military personnel during this period were inadequate. The investigation found that the airstrike resulted in at least 30 deaths and 37 injuries at the MSF Trauma Center. Since the investigation was completed, MSF has increased the number of reported casualties to 42 deaths and 229 other claims. The U.S. Government has relied primarily upon MSF for casualty estimates, and these numbers have not been independently verified.

The investigation identified 16 U.S. servicemembers whose conduct warranted consideration for appropriate administrative or disciplinary action. The Commander of U.S. Forces-Afghanistan concluded that certain personnel failed to comply with the law of armed conflict and rules of engagement. However, he did not conclude that these failures amounted to a war crime. The label "war crimes" is typically reserved for *intentional* acts - *intentionally* targeting civilians or *intentionally* targeting protected objects.

The comprehensive investigation concluded that this tragic incident was caused by a combination of human errors, compounded by process and equipment failures. The investigation found that this combination of factors caused both the Ground Force Commander and the air crew to believe mistakenly that the air crew was firing on the intended target, which was an insurgent-controlled site approximately 400 meters away from the MSF Trauma Center.

FOLLOW-ON ACTIONS:

Release of the Investigation. Gen. Campbell, then the Commander of U.S. Forces-Afghanistan, approved the investigation on Nov. 21, 2015 and announced the key findings at a press conference on Nov. 25, 2015. The written report contains over 3,000 pages of documentary evidence, much of it classified. The extensive report was subjected to comprehensive reviews before the public release in order to ensure that classified information, protected personally identifying information (including the names of the servicemembers involved), and other non-releasable information remains protected.

Military Personnel Accountability Actions:

- The investigation identified sixteen U.S. servicemembers whose conduct warranted consideration for appropriate administrative or disciplinary action, including a general officer. Gen. Campbell took the action he deemed appropriate regarding twelve of the sixteen personnel involved in this tragic incident who were in Afghanistan, including the general officer. The actions included suspension and removal from command, letters of reprimand, formal counseling, and extensive retraining. Five personnel involved were directed out of theater.
- Gen. Campbell also forwarded the investigation to Gen. Joseph Votel, then the Commander of the U.S. Special Operations Command, to consider action regarding the five personnel who had returned to the United States. These five personnel included the officer who Gen. Campbell removed from command and ordered out of Afghanistan. Gen. Votel took action with respect to four of these five personnel, including four letters of reprimand and admonishment, and boards to evaluate the flight certification of three aircrew members. Gen. Votel referred the fifth servicemember to the Commander of the U.S. Army Special Operations Command, who issued a written reprimand and directed recertification in the servicemember's job specialty.
- These senior military commanders had extensive experience with the Uniform Code of Military Justice and were supported by experienced military lawyers. In light of the report's conclusion that the errors were unintentional, and after considering other mitigating factors, such as equipment failures, that affected the combat mission, those senior commanders decided administrative measures were appropriate to address the errors made by the service members.
- Some actions taken in these cases may have severe repercussions on the individual's career. For example, receipt of a reprimand can limit an officer's potential for career advancement. Also, further action can be taken by the Service that can impact an individual's career – including denial of promotion and separation from the Service.

Operational Improvements: Gen. Campbell directed a series of actions to improve operations in Afghanistan as a result of this incident:

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- Gen. Campbell issued an order to conduct supplemental training on the applicable authorities framework, rules of engagement, and the Commander's tactical guidance, all of which were designed to minimize the risks that a tragedy like this would occur. This training was delivered to over 9,000 personnel and completed in Nov. 2015.
- Gen. Campbell directed a comprehensive review of the targeting process and published an order reinforcing the application of the NSL, including use of the U.S. Central Command-maintained NSL database.
- Coordinates for MSF and similar facilities in Afghanistan were verified. Aircraft systems are now pre-loaded with key information -- including the NSL database -- to minimize the reliance on post-launch communications.
- Gen. Campbell issued a revised "Tactical Directive" and "Targeting Standard Operating Procedure" for U.S. Forces-Afghanistan. These classified documents emphasize tactical procedures to minimize the risk to civilians and civilian sites.
- The U.S. Forces-Afghanistan provided MSF leadership with detailed information to facilitate direct contact with the U.S. Forces-Afghanistan Command Center.

Engagements: Senior U.S. representatives have spoken with MSF officials, including the MSF Executive Director, over two dozen times to express condolences, explain how the tragic incident occurred, and outline future steps.

Condolence Payments: U.S. Forces Afghanistan leaders have offered their sympathies and provided condolence payments to more than 170 individuals and families affected by this tragedy.

Medical Capability: The Department of Defense has approved \$5.7 million in funds to reconstruct the facility that MSF was using and is working closely with the Afghan government, which owns it, to return the building to its previous condition and help restore a medical capability for the residents of Kunduz.

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**Investigation Report of the Airstrike on the Médecins Sans Frontières / Doctors  
Without Borders Trauma Center in Kunduz, Afghanistan on 3 October 2015**

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

USFOR-A CDR

21 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Action by the Appointing Authority – Army Regulation 15-6 Report of Investigation (ROI) into the Airstrike on the Médecins Sans Frontières (MSF) / Doctors Without Borders Trauma Center, Kunduz City, Afghanistan, on 3 October 2015

1. I have considered the Report of Investigation by MG William Hickman, dated 11 November 2015, including the report's narrative, findings, recommendations, and the supporting evidence. I have also considered the Staff Judge Advocate's legal review.

2. After reviewing the materials noted above, I take the following action:

a. I approve the general findings at subsection D.1., paragraphs 102, 103, and 104, and the final sentences of paragraphs 99 and 101; the remaining general findings at subsection D.1 of the report are disapproved. The disapproved findings concern matters unrelated to the proximate cause of the strike on the MSF Trauma Center.

b. I approve the directed findings at subsection D.2 of the report.

c. I approve the substituted recommendations at Enclosure A; the remaining recommendations at subsection E of the report are disapproved. The disapproved recommendations concern matters unrelated to the proximate cause of the strike on the MSF Trauma Center. The substituted recommendations include several key considerations suggested by the Investigating Officer.

d. I neither approve nor disapprove a specific disposition in the matter of: (b)(6)

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

(b)(3), (b)(6) I am forwarding a copy of the investigation to the Commander, United States Special Operations Command (SOCOM), for his consideration and use as appropriate.

3. My point of contact for this matter is the Staff Judge Advocate (b)(3), (b)(6)

(b)(3), (b)(6) or SVOIP

Encls:

*John F. Campbell*  
JOHN F. CAMPBELL  
General, U.S. Army  
Commanding



~~SECRET//NOFORN~~

ENCLOSURE A  
SUBSTITUTED RECOMMENDATIONS

Approved for Release

~~SECRET//NOFORN~~

## E. RECOMMENDATIONS

### 1. (U) Substituted General Recommendations

- a. ~~(S//REL)~~ Headquarters Resolute Support institutes an After Action Review process of all kinetic strikes (pre-planned and defensive) against buildings. The process ensures lessons learned are documented and disseminated across all commands.
- b. ~~(S//REL)~~ Headquarters Resolute Support publishes a Targeting Standing Operating Procedure (TSOP) that explains how joint targeting doctrine will be implemented by Resolute Support and USFOR-A units. This investigation identified five critical areas for the targeting SOP. First, for response to an emerging crisis, the SOP must address the responsibilities of each level of command from the tactical to operational level. These responsibilities include both lethal and non-lethal targeting in response to the crisis. Second, the targeting SOP provides guidance on the implementation of COMRS Tactical Guidance and Delegation of Authorities for RESOLUTE SUPPORT. Third, the SOP provides guidance in attacking a regional Taliban and other insurgent networks, particularly by non-lethal means in the Resolute Support environment. Fourth, the SOP explains the use of the No Strike List. Finally, the SOP must address which intelligence system will be utilized, how these different intelligence systems will operate with each other and which command is responsible for key inputs and follow on analysis.
- c. ~~(U//FOUO)~~ Operational Risk Assessments and Risk Mitigation. All commands must review their risk management process, ensure leaders understand their responsibilities and update the risk to mission as environmental factors change during a mission. A risk management process in line with joint risk management doctrine ensures each headquarters assumes the risk associated with their approval authority as opposed to retaining the authority and delegating the risk to subordinate units.
- d. ~~(S//REL)~~ SOJTF-A, SOTF-A and CJSOAC-A must improve their processes to follow their units' tactical operations and anticipate requirements, specifically when authorities to conduct operations might require COMRS approval. Further, Resolute Support Joint Operations Center must be proactive in tracking tactical operations that might require immediate approval authorities for mission execution. During tactical execution, headquarters and staffs can still provide subordinate units freedom of maneuver while simultaneously generating options to enable success of the tactical operation in response to changing conditions.
- e. ~~(S//REL)~~ Resolute Support subordinate commands establish SOPs for the use of mission command systems and a primary, alternate, contingency, and emergency (PACE) plan in the event systems fail during an operation. Additionally, eliminating unnecessary and parallel redundancy of mission command systems throughout the subordinate headquarters serves to develop an accurate joint common operating picture. While some redundancy or "stove-piping" of mission command systems can be

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attributed to the procurement processes of each service branch and Special Operations units, all headquarters possess enough shared mission command systems to develop a common operating picture in accordance with the proposed Resolute Support SOP and PACE Plan.

Approved for Release

~~SECRET~~

**2. (U) Substituted Command Action Recommendations**

a. (U//~~FOUO~~) The USFOR-A Commander should determine, as warranted by the findings and the evidence, an appropriate administrative or disciplinary action for those involved in the strike on the MSF medical facility in Kunduz City, 3 October 2015. Alternatively, the Commander should refer the matter(s) to an appropriate commander for action as he deems appropriate. The Commander should specifically consider the conduct of the following named individuals:

(1) [Redacted]  
(2) [Redacted]  
(3) [Redacted]  
(4) [Redacted]  
(5) [Redacted] (b)(3), (b)(6)  
(6) [Redacted]  
(7) [Redacted]  
(8) [Redacted]  
(9) [Redacted]

(10) [Redacted]  
(11) [Redacted]  
(12) [Redacted]  
(13) [Redacted] (b)(3), (b)(6)  
(14) [Redacted]  
(15) [Redacted]  
(16) [Redacted]



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

USFOR-A SJA

20 November 2015

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

SUBJECT: Legal Review – Army Regulation 15-6 Report of Investigation (ROI) into the Airstrike on the Médecins Sans Frontières (MSF) / Doctors Without Borders Trauma Center, Kunduz, Afghanistan, on 3 October 2015

1. I have reviewed the ROI and supporting documents provided by the Investigating Officer in the subject investigation. The investigation is legally sufficient, subject to the following. The investigation complies with the procedural requirements found in U.S. Army Regulation 15-6, *Procedures for Investigating Officers and Boards of Officers*:

a. The investigation was conducted in accordance with law and regulation.

b. Unless otherwise noted, the Investigating Officer's findings are supported by the greater weight of the evidence presented in the investigative record, are logical, reasonable and are legally sufficient.

c. Unless otherwise noted, the recommendations are consistent with the findings.

d. The investigation does not contain any errors that would affect the rights of any individual. To the extent there may be any errors, they are harmless and do not materially affect any individual's substantive rights.

2. Legal review of findings. The Investigating Officer's findings are legally sufficient, subject to the following.

(b)(5)

USFOR-A SJA

SUBJECT: Legal Review – Army Regulation 15-6 Report of Investigation (ROI) into the Airstrike on the *Medecins Sans Frontieres* (MSF) / Doctors Without Borders Trauma Center, Kunduz, Afghanistan, on 3 October 2015

(b)(5)

3. Legal review of the recommendations. The recommendations are legally sufficient, subject to the following.

(b)(5)

USFOR-A SJA

SUBJECT: Legal Review – Army Regulation 15-6 Report of Investigation (ROI) into the Airstrike on the *Medecins Sans Frontieres* (MSF) / Doctors Without Borders Trauma Center, Kunduz, Afghanistan, on 3 October 2015



(b)(5)

6. The point of contact is the undersigned at SVOIP [redacted] (b)(6)

[redacted] (b)(3), (b)(6)

[redacted] (b)(3), (b)(6)

Encl:

Staff Judge Advocate



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

ARCENT-DCG-O


11 November 2015

MEMORANDUM FOR Commander, United States Forces — Afghanistan (USFOR-A)

SUBJECT: Investigation Report of the Airstrike on the Médecins Sans Frontières /  
Doctors Without Borders Trauma Center in Kunduz, Afghanistan on 3 October 15 (U)

## 1. (U) References:

- a. (U) Letter of Appointment, dated 17 October 2015, signed by General John F. Campbell, Commander, USFOR-A. ~~(S)~~
  - b. (U) AR 15-6 Investigation Team Appointment Memorandum. (U).
  - c. (U) AR 15-6, Procedures for Investigating Officers and Boards of Officers, dated 2 October 2006.
  - d. (U) Complete Report of Investigating Officer into Civilian Casualty Incident in Kunduz City, Afghanistan, dated 11 November 2015. ~~(S)~~
2. (U) Please find enclosed the Findings and Recommendations of the AR 15-6 Investigation concerning a potential civilian casualty incident in Kunduz, Afghanistan.
  3. (U) The list of appointed AR 15-6 Investigation Team Subject-Matter Experts and members, and respective duties is enclosed. (U).
  4. ~~(U//FOUO)~~ The POC for this is (b)(3), (b)(6) Legal Advisor.

  
WILLIAM B. HICKMAN  
Major General, U.S. Army  
Investigating Officer

3 encl:

1. Findings and Recommendations
2. Appointment Memorandum
3. Investigation Team Appointment Memorandum



**REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER/BOARD OF OFFICERS**

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

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

**SECTION I - APPOINTMENT**

Appointed by General John A. Campbell, Commander, U.S. Forces-Afghanistan

*(Appointing authority)*

on 17 October 2015 *(Date)* *(Attach inclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

**SECTION II - SESSIONS**

The *(investigation) (board)* commenced at Camp Resolute Support, Afghanistan at 1730

*(Place)*

*(Time)*

on 18 October 2015 *(Date)* *(If a formal board met for more than one session, check here . Indicate in an inclosure the time each session began and ended, the place, persons present and absent, and explanation of absences, if any.)* The following persons *(members, respondents, counsel)* were present: *(After each name, indicate capacity, e.g., President, Recorder, Member, Legal Advisor.)*

N/A

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

N/A

The *(investigating officer) (board)* finished gathering/hearing evidence at 1200 hours on 10 November 2015

*(Time)*

*(Date)*

and completed findings and recommendations at 1700 hours on 11 November 2015

*(Time)*

*(Date)*

**SECTION III - CHECKLIST FOR PROCEEDINGS**

**A. COMPLETE IN ALL CASES**

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

<sup>1</sup> Explain all negative answers on an attached sheet.

<sup>2</sup> 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 <sup>1/</sup>	NA <sup>2/</sup>
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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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>B. COMPLETE ONLY FOR FORMAL BOARD PROCEEDINGS (Chapter 5, AR 15-6)</b>			
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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
<b>C. COMPLETE ONLY IF RESPONDENT WAS DESIGNATED (Section II, Chapter 5, AR 15-6)</b>			
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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" 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 checked="" type="checkbox"/>
b. Did each member successfully challenged cease to participate in the proceedings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>
c. Object to the testimony of witnesses and cross-examine witnesses other than his own?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" 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 checked="" type="checkbox"/>
<b>FOOTNOTES:</b> 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:  
Please see attached findings.


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

In view of the above findings, the *(investigating officer)* ~~(board)~~ recommends:  
Please see attached recommendations.

**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.)

\_\_\_\_\_  
(Recorder)

  
WILLIAM B. HICKMAN  
(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.)

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**Investigation Report of the Airstrike on the Médecins Sans Frontières / Doctors  
Without Borders Trauma Center in Kunduz, Afghanistan on 3 October 2015**

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Approved for Release

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See TAB E

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1. See E. Index of Exhibits, Binder C (C.8)

~~SECRET // REL USA, NATO, RSMA~~



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

S: 16 November 2015

USFOR-A CDR

17 October 2015

MEMORANDUM FOR MG William Hickman, Deputy Commanding General, U.S. Army Central, Camp Arifjan, Kuwait, APO AE 09306

SUBJECT: Appointment Order – Investigating Officer (IO) Pursuant to Army Regulation (AR) 15-6 Concerning a Potential Civilian Casualty Incident in Kunduz

1. Pursuant to AR 15-6, *Procedures for Investigating Officers and Board of Officers*, I hereby appoint you as the Investigating Officer to conduct an investigation into reports that U.S. Forces struck facilities and individuals at or near the Medecins Sans Frontieres (MSF) Trauma Center in Kunduz City, Afghanistan, on or about 3 October 2015.
2. I have appointed BG Sean Jenkins and Brig Gen Robert Armfield to support you as Assistant Investigating Officers.
3. The appointment supersedes the appointment of BG Richard Kim, same subject, 3 October 2015. You will consult with BG Kim prior to beginning your inquiry and thereafter as necessary. You will consider and may adopt the investigative efforts of BG Kim thus far, as you deem appropriate. You will also consider the report of findings by the NATO Resolute Support Combined CIVCAS Assessment Team (CCAT). You will conduct additional investigative efforts as you deem appropriate.
4. This investigation is your primary mission until I approve your final report and takes precedence over all other duties and assignments. Submit any request for extension in writing through your legal advisor. Unless I release you sooner, your appointment remains in effect until you complete the investigation and I determine that no further investigation is required.
5. Your investigation follows the procedures of AR 15-6, with no designated respondent. The scope is as broad as necessary to answer the questions provided and any other relevant matters you deem necessary to provide context and background. Your investigation will, at a minimum, specifically address the following matters:
  - a. Identify and describe the facts and circumstances surrounding the airstrike, including the Coalition Forces and Afghan unit(s), aircraft, and munitions involved in the incident. Identify and describe the process(es) and personnel who were involved in requesting and approving the combat enablers that were involved in the air strike.

~~SECRET // REL USA, NATO, RSMA~~

USFOR-A CDR

SUBJECT: Appointment Order – Investigating Officer (IO) Pursuant to Army Regulation (AR) 15-6 Concerning a Potential Civilian Casualty Incident in Kunduz

b. Identify the concept of the operation (CONOP) authorizing the NATO/ US mission that led to the MSF hospital strike, including: the purpose and intent of the CONOP; the individuals involved in the approval process including the legal review; the existence and consideration of a no-strike list; the circumstances surrounding the decision to authorize pre-planned close air support coverage for the operation; and whether any special instructions were relayed by the chain of command in connection with the approval.

c. Determine whether the MSF facility was identified as a hospital or no-strike site on maps maintained by NATO, US Forces including US CENTRAL Command, USFOR-A, NSOCC-A, and other subordinate commands. Identify which US Forces knew or had reason to believe the facility that was struck was a hospital, and the facts and circumstances of how the information (including grid coordinates) was communicated within NATO/US Forces from MSF to USFOR-A and subordinate commands. In particular, you will determine whether the MSF facility in Kunduz had previously been the subject of intelligence collection and/ or surveillance, and the sources and circumstances of such collection, including against specific individuals such as foreign government agents.

d. Determine whether the AOB-N Commander and/or AC 130 Aircraft Commander were aware or should have been aware that the facility was the MSF hospital prior to the strike on 3 October 2015. Did they have a duty to know the facility was a hospital? Identify whether the hospital was marked as a no-strike facility within the CONOP or other guidance provided to the AOB-N or AC 130 Aircraft Commander, and if so how, e.g. in what maps, guidance systems, or documents – digital or otherwise. Also determine whether the facility had any visible outward markings indicating its status as a hospital.

e. Describe the specific facts and circumstances surrounding the AOB-N Commanders' decision to call for close air support, including: the information passed to the AC 130 Aircraft Commander in connection with the call for close air support; the description and targeting criteria used to identify the MSF facility; and the reports or other communication from partnered Afghan forces leading to the targeting decision. This must address the particular source(s) and relevance of information he considered, including whether he deemed the situation in extremis, subject to hostile acts/hostile intent, etc. Detail the role played by the Joint Terminal Attack Controller (JTAC).

f. Identify whether intelligence existed assessing the presence at the MSF site of insurgents or persons considered hostile forces under USCENTCOM OPORD b(1)1.4a. Describe the situation at the hospital as observed by the Aircraft Commander and Fire Control Officer, including data recorded by video feed and radio traffic. Was a higher headquarters unit or operations center able to monitor the strike in real time?



USFOR-A CDR

SUBJECT: Appointment Order – Investigating Officer (IO) Pursuant to Army Regulation (AR) 15-6 Concerning a Potential Civilian Casualty Incident in Kunduz

g. Identify and describe the basis for the use of force for the strike against the facility. Include the specific operational authorities, including the applicable rules of engagement, under which combat enablers were authorized and the airstrike was conducted. Assess whether the combat enablers involved in the airstrike were authorized under the correct operational authorities, rules of engagement and tactical guidance. Determine at what point US Forces involved in the strike realized the site was a hospital, and the actions taken in response by US personnel including any call to ceasefire on the site.

h. Specifically identify the munitions utilized by the AC 130 Aircraft during the strike on the MSF facility, and the targeting methodology applied. What was the objective of the fires? Specific findings must be made regarding positive identification of the targets, their status as a lawful targets, expected collateral damage, and proportional use of force.

i. Determine whether the military force used in this case, particularly the use of close air support, complied with the Law of Armed Conflict (LOAC) and the governing NATO or OFS Rules of Engagement (ROE), including compliance with applicable NATO/ USFOR-A tactical guidance.

j. Indicate whether combatant and/or non-combatant personnel were killed or wounded. For all personnel killed or wounded, identify, whenever possible, the organization(s) who sponsored or employed these personnel, including, MSF. You will summarize the MSF and Afghan Government perspectives of the incident, including any readily available investigative reports.

k. Identify the tactics, techniques, and procedures used to de-conflict the battle space and obtain approval for the combat enablers involved in the air strike and the air strike itself. Specifically describe the procedures used to identify friendly forces or noncombatants in the area, and the process by which noncombatant and protected sites were received and disseminated by U.S. forces. Identify and describe all approvals received for the airstrike.

l. Provide detailed recommendations for any changes you deem appropriate to the NATO/ USFOR-A tactical guidance, subordinate unit procedures, or training which could have mitigated the incident on 3 October 2015.

6. Prepare an unclassified executive summary of your findings and recommendations memorandum that will stand-alone and detail the results of your investigation. Your investigation will include all relevant details to include dates, times, places, participants, and witnesses. You have the discretion to use, but are not limited to, any of the following methods of gathering evidence: examination of relevant documents and previous investigations, visiting relevant locations, evaluating procedures, conducting

USFOR-A CDR

SUBJECT: Appointment Order – Investigating Officer (IO) Pursuant to Army Regulation (AR) 15-6 Concerning a Potential Civilian Casualty Incident in Kunduz

inventories, taking pictures, and interviewing witnesses. Your legal advisor may provide you with additional guidance.

7. All factual details contained in your memorandum must be supported by evidence and reference one or more exhibits. Your findings and recommendations must be based upon the evidence and facts. Your recommendations, to include any corrective actions, must be consistent with your findings. If conflicting evidence or testimony exists, identify the conflict and discuss how you reached your conclusion.

8. If, during your investigation, you suspect any person you intend to interview may have committed criminal misconduct, you must advise them of their rights under the UCMJ, Article 31 as documented on DA Form 3881. Witness statements should be sworn and recorded on DA Form 2823s. You should pursue any additional information regarding potential misconduct that is relevant and warrants investigation. Interview all witnesses in person, if practicable. If you do not use DA Form 2823, provide a Privacy Act statement before you solicit any personal information. Consult your legal advisor if you suspect someone of an offense or if you have questions regarding these procedures.

9. If, during your investigation, you discover your duties require you to examine the conduct or performance of duty of, or may result in findings or recommendations adverse to a person senior to you, report this fact to your legal advisor. You will inform the USFOR-A SJA of any individuals who, in the course of your investigation, you identify who could reasonably merit suspension from military duty, pending completion of the inquiry.

10. Prior to submitting your investigation, coordinate with your SSO or Foreign Disclosure Officer for a security classification review. **You will properly mark each paragraph of your findings and recommendations. Additionally, within your complete report, properly mark each page and all exhibits. Irrespective of overall classification, you will digitally submit your report to your legal adviser on SIPRNet.**

11. Prepare and submit your report through your legal advisor using DA Form 1574 and in compliance with AR 25-50. Do not use document protectors. Include with your report all documentary evidence, sworn statements, photos, and other information or evidence you considered in the following order:

- a. Appointment memorandum;
- b. Executive Summary
- c. Findings and recommendations memorandum;

USFOR-A CDR

SUBJECT: Appointment Order – Investigating Officer (IO) Pursuant to Army Regulation (AR) 15-6 Concerning a Potential Civilian Casualty Incident in Kunduz

d. DA Form 1574 (signed in Section VI);

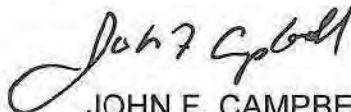
e. Index of exhibits; and

f. All exhibits, separately identified by tabs. If your investigation includes photos or videos, submit digital originals on CD/DVD or otherwise transmit the digital files to your legal adviser.

12. Before beginning your investigation, you must receive a briefing from the USFOR-A SJA [redacted] (b)(3), (b)(6). Your designated legal advisor is [redacted] (b)(3), (b)(6) U.S. Army, at SVOIP: [redacted] (b)(3), (b)(6) @centcom.smil.mil. You should work through him for any legal advice, or the USFOR-A SJA [redacted] (b)(3), (b)(6) at SVOIP [redacted] (b)(6). US Air Force [redacted] (b)(3), (b)(6) a AC-130H/U pilot, is designated as a subject matter expert (SME) to assist you, as required.

13. This appointment authorizes Priority 1 travel status throughout the AOR in order to conduct the investigation.

14. If you require an extension to complete your investigation, submit a request to [redacted] (b)(6) [redacted] (b)(3), (b)(6) SJA, USFOR-A, detailing the reasons for an extension and the length required. The approval authority for any extension request is the undersigned.



JOHN F. CAMPBELL  
General, U.S. Army  
Commander  
United States Forces-Afghanistan

cf:  
BG Sean Jenkins  
Brig Gen Robert Armfield



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

ADCG-O

21 October 2015

## MEMORANDUM FOR RECORD

SUBJECT: Appointment Memorandum; Convening Investigation Team

1. The following personnel were appointed pursuant to Army Regulation 15-6 to investigate a potential civilian casualty incident in Kunduz City, Afghanistan:

Major General William B. Hickman, U.S. Army Central, Investigating Officer  
Brigadier General Robert G. Armfield, USCENTCOM, Assistant Investigating Officer  
Brigadier General Sean M. Jenkins, USCENTCOM, Assistant Investigating Officer  
[REDACTED] USCENTCOM, Legal Advisor

2. The following personnel were appointed by the Investigating Officer to assist the investigation with subject matter expertise throughout the investigation:

[REDACTED] 18A, 1st Special Forces Group (Airborne); Special Operations SME;  
[REDACTED] 9th Air Expeditionary Task Force-Afghanistan; Intelligence Surveillance and Reconnaissance SME;  
[REDACTED] ACC 14, WPNS/DOKC; AC-130 Aircrew Operations SME;  
[REDACTED] Combined Joint Task Force 3; Joint Targeting SME;  
[REDACTED] Joint Terminal Attack Control (JTAC) Operations SME;

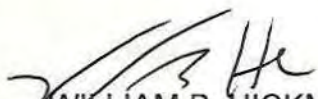
3. The following personnel assisted the Investigation Team:

[REDACTED] Operation Center Operations;  
[REDACTED] Forensic Photography;  
[REDACTED] Information Technology Support;  
[REDACTED] Paralegal Support;  
[REDACTED] Administrative Support.

ADCG-O

SUBJECT: Appointment Memorandum; Convening Investigation Team

4. (U//~~FOUO~~) The POC for this is (b)(3), (b)(6) Legal Advisor.



WILLIAM B. HICKMAN  
Major General, U.S. Army  
Investigating Officer

Approved for Release

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## A. INTRODUCTION AND METHODOLOGY

~~(S//REL)~~ This Army Regulation (AR) 15-6 investigation report provides an in-depth examination of the circumstances of the airstrike on the Medecins Sans Frontieres (MSF) / Doctors Without Borders Trauma Center, Kunduz Afghanistan, in order to understand leader decisions and unit actions, provide lessons learned in the conduct of operations in Afghanistan and recommendations on leader accountability. The event that led to this investigation occurred at 03 0208<sup>1</sup> Oct 2015, when the MSF Trauma Center was engaged by a United States Air Force AC-130U aircraft resulting in 30 fatalities, 37 wounded, and the destruction of the main hospital building.

~~(S//REL)~~ Specifically, the Commander United States Forces-Afghanistan directed the AR 15-6 investigation to address twelve questions plus any other relevant matters the investigation officer deems necessary to provide context and background. The investigation directive focus is divided into four broad areas. First, facts and circumstances surrounding the airstrike to include Coalition and Afghan forces, munitions involved, processes and personnel involved, concept of operations (CONOP) process, understanding and use of the No Strike List (NSL), targeting methodology, and tactics, techniques and procedures (TTP) used to de-conflict the battlespace. Second, situational awareness of key leaders and each command, to include knowledge of the NSL, whether the hospital had been the subject of prior intelligence collection, whether the ground force commander (GFC) and the aircraft commander should have known about the hospital and the NSL, if this information was included in the CONOP, and determine if prior intelligence existed assessing the presence of insurgents at the MSF Trauma Center. Third, legal issues to include describing the basis for the use of force against the facility and whether the military force used complied with the Law of Armed Conflict (LOAC) and governing NATO or Operation FREEDOM'S SENTINEL (OFS) Rules of Engagement (ROE). Finally, results and recommendations to include whether combatant and/or non-combatant personnel were killed or wounded and recommendations for any changes required to the NATO/USFOR-A tactical guidance, subordinate unit procedures, or training.

~~(S//REL)~~ The investigation team followed the military decision making process to define the problem (mission analysis), develop an approach to the investigation (course of action), analyze the approach (war gaming), and produce a plan to investigate the event IAW the appointment memorandum. This report is the result of following this approach, which included extensive interviews with leaders from multiple Resolute Support (RS) and United States Forces-Afghanistan (USFOR-A) commands, Afghan military leaders, MSF leaders and multiple examinations of the AC-130U video and audio narrative. The investigation team also visited several key areas in Kunduz to include the airfield, Camp Pamir, the Provincial Chief of Police (PCOP) compound, the National Directorate for Security (NDS) Facility (2-3 Oct Afghan Special Security Forces target objective), and the MSF Trauma Center. In addition to the interviews and site visits, the investigation team studied applicable US Army, US Air Force, and Joint manuals, policies, and

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<sup>1</sup> Note: All times in this report are local.

regulations, as well as US Central Command (CENTCOM) and RS plans, policies and directives.

~~(S//PEL)~~ This report is written in a chronological, narrative format that summarizes the actions of each command involved: RS HQ / USFOR-A, Special Operations Joint Task Force-Afghanistan (SOJTF-A), Special Operations Task Force-Afghanistan (SOTF-A), Advanced Operating Base-North (AOB-N), Operational Detachment-Alpha (ODA - (b)(1)1.4a), the Combined Joint Special Operations Air Component-Afghanistan (CJSOAC-A), and Afghan Special Security Forces (ASSF).

~~(S//PEL)~~ For ease of presentation, the narrative is divided into four time periods. The first section describes the security situation in Kunduz Province and City the weeks prior to the Taliban attack until it fell under Taliban control on 28 Sep. This section also includes the pre-deployment preparation, mission expectations, and posture of Special Operations Forces (SOF) in Afghanistan. The second section, 27 Sep to 2 Oct 1800, examines leader decisions and unit actions across multiple commands. During this period, the AOB-N Commander (CDR) was ordered to move into Kunduz. The AOB-N, with enablers and Afghan SOF support, reentered Kunduz, secured the PCOP, and defeated multiple Taliban attempts to overrun their stronghold defense. The third section, 2 to 3 Oct, continues the examination of the leaders' decisions and unit actions, which includes the 3 Oct civilian casualty (CIVCAS) incident in Kunduz. The fourth section describes the aftermath of the strike and the immediate actions taken by each command. For the information and analysis that does not fit neatly into the time period discussion, a separate additional findings section and summary is provided.



## B. EXECUTIVE SUMMARY

### 1. (U) Unclassified Executive Summary

(U) On 3 Oct 15, the aircrew of an AC-130U Gunship, in support of a US Special Forces ground force, misidentified and mistakenly struck the Médecins Sans Frontières / Doctors Without Borders Trauma Center in Kunduz, Afghanistan. All members of both the ground force and the AC-130U aircrew were completely unaware the aircrew was firing on a hospital throughout the course of the engagement.

(U) In total, the aircrew observed the Trauma Center and the personnel around it for sixty-eight minutes prior to firing 211 rounds, which consisted of (b)(1)1.4a (b)(1)1.4a munitions. The aircrew fired for 30 minutes, 8 seconds, causing 30 non-combatant fatalities, 37 non-combatant wounded, and the destruction of the main hospital building.

(U) The incident was the result of leadership failures at many levels across the days, hours and minutes preceding the first round being fired, but no US or Resolute Support Leadership became aware of the strike until after the aircrew had destroyed the Trauma Center.

(U) During the Period of Darkness (POD) 27 / 28 Sep 15, Taliban forces initiated a large-scale attack on Kunduz City (Kunduz), a city of 300,000 and the capital of Kunduz Province. The Taliban moved into Kunduz in force and by the evening of 28 Sep, had taken over key locations within the city. All levels of US and Afghan commands were surprised at the speed and scope of the attack. After the initial fighting, a majority of the Afghan National Defense Security Forces (ANDSF) stationed in Kunduz fled to the Kunduz Airfield south of the city, where one US Special Forces (USSF) Operation Detachment-Alpha (ODA) team was headquartered.

(U) On 28 Sep, US and Afghan Special Operations Forces (SOF) were planning a major operation in another part of the country. The Taliban takeover of Kunduz caused SOF to quickly shift planning efforts and resources to support ANDSF operations to re-take the city. The US Special Operations Task Force ordered two additional ODA teams, under the direction of a (b)(6) to travel to Kunduz to reinforce the ODA team at the Kunduz Airfield. The next day, a combined element of USSF and ANDSF prevented the Taliban from overrunning the airfield.

(U) During the POD 30 Sep / 1 Oct, USSF, along with multiple Afghan Special Security Forces (ASSF) units, fought their way from the airfield into the city. The forces ultimately established a strong point defense in the Kunduz Provincial Chief of Police (PCOP) compound. From 30 Sep until the early evening hours of 2 Oct, the USSF and ASSF at the PCOP compound repelled multiple enemy attacks against their strongpoint. USSF expected to stay at the strongpoint for 24 hours, but due to operational exigencies, remained through 3 Oct.

(U) As conditions deteriorated in Kunduz, the MSF leadership contacted multiple US and ANDSF commands, providing the locations of MSF facilities in Kunduz, to include the Trauma Center. Multiple individuals at all levels of command were notified of the MSF Trauma Center's location via MSF or through the US chain-of-command. The MSF Trauma Center was also identified as a hospital in Department of Defense databases since Oct 14.

(U) On the night of 2 Oct, ASSF leadership notified the USSF ground forces of a pending ASSF operation into the city and provided the location of the ASSF's objective, an Afghan Government compound. The ASSF objective compound was 500 meters away from the USSF ground force position at the PCOP compound, and could not be seen from that location.

(U) That same night, an AC-130U Gunship flew from Bagram Airfield to support the USSF operations in Kunduz. The aircrew was alerted and launched 69 minutes early, due to a request made by USSF leadership. Due to the early launch, the aircrew did not have the typical information it would have on a mission. While enroute to Kunduz, one of the aircraft's critical communications systems failed, resulting in the aircraft's inability to receive and transmit certain critical information to multiple command headquarters. While loitering over Kunduz, the aircraft avoided a significant surface to air threat. In response, the Aircraft Commander took defensive measures that decreased the aircrew's ability to precisely locate targets on the ground.

(U) At (b)(1)1.4b Oct 15, the Ground Force Commander (GFC), through a Joint Terminal Attack Controller (JTAC), provided a grid coordinate of the ASSF's objective to the aircrew. The aircrew plotted the grid and identified the middle of a field as the grid location. The aircrew searched for a complex near the grid and identified a compound approximately 300 meters to the south of the field.

(U) At (b)(1)1.4b Oct, the aircrew navigator notified the JTAC that the grid plotted to a field, and the aircrew identified a large complex 300 meters southwest from the JTAC provided grid location provided. The navigator requested ground force confirmation that this was the ASSF objective. The JTAC conferred with the GFC, who conferred with the Afghans, who confirmed that the compound was the correct objective. The JTAC replied 15 seconds later that the large compound was the ASSF objective. The aircrew did not realize they were observing the MSF Trauma Center, but failed to pass the grid location of the compound to anyone at this time, and failed to compare the grid location to a no-strike list of protected locations.

(U) The aircrew saw nine personnel walking around the compound. The aircrew internally discussed the shape of the main building and the pattern of life of the personnel in the compound. At (b)(1)1.4a one of the aircrew stated he was unable to discern whether any of the individuals observed walking around the building were carrying anything.

(U) At (b)(1)1.4a the navigator told the JTAC that the aircrew could see nine adult males in the compound. The ground force was unable to see the compound from the ground force location. However, the JTAC immediately informed the AC-130U that the "compound is currently under the control of TB [Taliban], so those 9 PAX [personnel] are hostile." The determination was in direct violation of Resolute Support Tactical Guidance. One minute later, the JTAC provided the aircrew with the GFC's intent, which equated to a call for offensive fires. The GFC's intent was inconsistent with collective self-defense Rules of Engagement (ROE), and unauthorized under operational authorities.

(U) At (b)(1)1.4a the aircraft repositioned directly over the city, which made the aircrew's sensors more accurate. A crew member reentered the grid coordinate and observed another compound approximately 400 meters to the northeast of the MSF Trauma Center. Given the identification of the compound via the re-check, the navigator requested a further target description of the objective location from the GFC.

(U) At (b)(1)1.4a the JTAC described the ASSF objective as a compound with an outer perimeter wall, with multiple buildings inside of it. He also stated that the compound had an arched-shaped gate. The aircraft asked the GFC to confirm the cardinal direction of the arch-shaped gate's location. A few seconds later, the JTAC responded that the arched-shape gate was located along the north side of the compound.

(U) The physical layout of the MSF Trauma Center generally matched the vague description provided by the JTAC, and the aircrew believed that the compound they initially observed, the MSF Trauma Center, was the ASSF objective, although it did not match the coordinates previously given by the JTAC. At this point, the aircraft never requested further clarification of the objective, to include whether the GFC could actually see the objective, and did not notify any higher level of command of the actual target grid coordinates or description until seconds prior to engagement.

(U) At (b)(1)1.4a the JTAC requested that the aircrew "soften the target for partner forces," an unauthorized use of offensive fires. The aircrew seemed internally confused by the request and asked the JTAC for clarification. The JTAC replied that the GFC's intent was to, "destroy targets of all opportunity that may impede partner forces' success." The aircrew acknowledged the clarification.

(U) One of the aircrew expressed concern regarding the vagueness of the ground force's target description and intent. The aircrew (b)(1)1.4a (b)(1)1.4a they did not observe what could be perceived as hostile acts or hostile intent from anyone at the MSF Trauma Center.

(U) After approximately 25 minutes, the JTAC contacted the aircraft again, stating "enemy PAX at objective target building, GFC requests we prosecute those targets." The JTAC passed the GFC's initials, indicating the GFC was authorizing the strike. The aircraft confirmed message receipt and asked for the specific ROE authorizing the

engagement. The JTAC responded the engagement was authorized under collective self-defense ROE.

(U) After the aircrew requested clarification of the engagement strategy, the JTAC stated that the GFC wanted the aircraft to prosecute the building and then the personnel. The aircrew acknowledged the GFC guidance and continued preparing for the engagement.

(U) At (b)(1)1.4a the aircrew again sought clarification on the engagement strategy from the GFC, requesting the GFC confirm that the target objective was a T-shaped building. Neither the GFC nor the JTAC had seen the ASSF objective, and again relied on the ASSF description of the compound as a T-shaped building. The JTAC confirmed the shape of the building and cleared the aircrew to engage.

(U) The Aircraft Commander authorized the strike at (b)(1)1.4a and the aircrew fired the first rounds at 0208. Beginning at 0219, multiple MSF personnel and UNOCHA notified multiple commands that the Trauma Center was being engaged. It took those commands almost twenty minutes to realize the aircrew was targeting the Trauma Center, and by that time, it was too late.

(U) This investigation determined that multiple commands failed to set conditions for success, maintain situational awareness, apply the ROE, and adhere to COMRS Tactical Guidance when conducting operations in Kunduz during the POD of 2-3 Oct 2015. The Investigating Officer provided recommendations to improve the conduct of operations in Afghanistan and hold leaders accountable.

## 2. (U) Classified Executive Summary

~~(S//REL)~~ Due to several leaders' decisions or failures to act, an AC-130U Gunship circled over the Kunduz City Médecins Sans Frontières (MSF) Trauma Center with its guns oriented on the main hospital building; the wrong target. At (b)(1)1.4a 3 Oct, the Ground Force Commander (GFC) through (b)(1)1.4a, (b)(3), (b)(6) an Army Joint Terminal Attack Controller (JTAC), radioed the AC-130U navigator and stated "**enemy PAX at the objective target building, GFC requests we prosecute those targets. GFC's initials are (b)(6) how copy?**" In accordance with the GFC request, the AC-130U initiated its fires at 0208 3 Oct on the target building with (b)(1)1.4a (b)(1)1.4a rounds. **The ground force and aircrew were unaware the aircrew was firing on a hospital throughout the course of the engagement.**

~~(S//REL)~~ According to RS HQ / USFOR-A and other commands engaged against hostile forces in Northern Afghanistan, this summer was more kinetic than the previous. While the primary threat remains the Taliban, criminal groups are also prevalent. Due to increased threat reporting out of SOJTF-A, senior RS leaders asked the Train, Advise, Assist Command-North (TAAC-N) Deputy Commander to encourage the (b)(1)1.4d CDR, responsible for the security situation of this region, to conduct additional clearing operations in Kunduz City and the surrounding districts. While some operations were conducted, the (b)(1)1.4d main effort was planned for October, which ultimately proved too late to stop the Taliban's seizure of Kunduz City.

~~(S//REL)~~ According to RS and SOJTF-A senior intelligence officers, there were no (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g. up to 28 Sep 15. Further, all commands were surprised at the speed and scope of the Taliban attack (b)(1)1.4d (b)(1)1.4d) in the initial stages of Kunduz's defense.

~~(S//REL)~~ During the period of darkness (POD) of 27-28 Sep 15, the Taliban moved into Kunduz in force and by the afternoon of 28 Sep, Kunduz had fallen to the Taliban. The (b)(1)1.4d escape the Taliban. ODA (b)(1)1.4a commanded by (b)(3), (b)(6) and stationed at Camp (b)(1)1.4a monitored the situation throughout the night.

~~(S//REL)~~ As hostilities raged in Kunduz, SOJTF-A and SOTF-A were focused on an operation in Bahram Chah to interdict Taliban movements in Southern Helmand Province. During the final Go/No-Go briefing, SOJTF-A received a directive to stop the (b)(1)1.4a operation and shift all efforts and resources to support the fight in Kunduz. In quick order, requested assets were redirected and United States Special Forces (USSF) moved to (b)(1)1.4a Kunduz, Afghanistan.

~~(S//REL)~~ On the evening of 28 Sep 15, (b)(3), (b)(6) ordered (b)(6) (b)(3), (b)(6) to take command of the situation in Kunduz. He arrived at (b)(1)1.4a at approximately 1930 on 29 Sep. ODAs (b)(1)1.4a

arrived at (b)(1)1.4a to reinforce ODA (b)(1)1.4a. On 29 Sep, the first Kunduz CONOP to conduct partnered operations in Kunduz was approved by SOJTF-A. By the time (b)(6) (b)(3), (b)(6) arrived, the situation had deteriorated to the point the CONOP wasn't executable. As the (b)(1)1.4d USSF moved forward, established defensive positions at the airfield, and repelled the Taliban attacks. Emboldened by the USSF assertive and quick actions, select (b)(1)1.4d units returned to (b)(1)1.4d and helped reestablish the airfield's defenses. The USSF maintained defensive positions on the airfield throughout the POD of 29-30 Sep.

(S//REL) On 30 Sep, senior ANDSF leadership decided on a strategy to retake Kunduz by securing key infrastructure, to include the General Command of Police Special Unit-Kunduz (PSU-K) HQ, the NDS prison, and the Provincial Governor (PGOV) compound. At (b)(1)1.4a USSF developed and submitted an updated CONOP to support the ASSF operation, which the (b)(3), (b)(6) approved. On the afternoon of 30 Sep, Commander RESOLUTE SUPPORT (COMRS) conducted a VTC with (b)(1)1.4d, (b)(6) (b)(3), (b)(6) attended with (b)(6) (b)(3), (b)(6) the (b)(3), (b)(6) participated from his headquarters. The VTC focused on the need for the ANDSF to move back into the city as quickly as possible.

(S//REL) On the evening of 30 Sep, USSF, along with multiple ASSF units, moved into Kunduz City. The forces cleared the PSU-K HQ, the NDS prison, and ultimately arrived at the PCOP compound and established a strongpoint defense. Throughout the evening of 30 Sep until early evening 2 Oct, the USSF and ASSF at the PCOP repelled relentless enemy attacks and conducted multiple defensive and kinetic strikes in Kunduz.

(S//REL) As operations were ongoing in Kunduz, MSF leadership reached out to RS HQ, SOTF-A, TAAC-N, the Afghan Ministry of Defense (MoD) and other organizations, providing the locations (LAT/LONG) of four MSF facilities in Kunduz to include the Trauma Center. MSF representatives also contacted the SOTF-A Civil Affairs officer to discuss the status of the Trauma Center and to establish initial coordination if MSF staff needed to be evacuated. Based on my investigation it is clear that the RS, SOJTF-A, SOTF-A, CJSOAC-A and TAAC-N HQs were all notified of the MSF Trauma Center's location via MSF or the chain-of-command. Also, each command previously received high confidence intelligence reports identifying the location of the MSF Trauma Center. In addition, on 28 Oct 14, the MSF Trauma Center was listed as a protected site in the CENTCOM NSL database.

(S//REL) After successful operations from 30 Sep to 2 Oct 15, USSF remained at the PCOP compound with a growing number of ANDSF. The USSF had to remain at the compound through 3 Oct, longer than anticipated, (b)(1)1.4d (b)(1)1.4d

(S//REL) As the USSF entered the POD of 2-3 Oct, they had been fighting with little rest for almost four days. According to (b)(1)1.4a, (b)(3), (b)(6) a (b)(1)1.4b (b)(1)1.4b passed grid references to an NDS facility and a Taliban command and control

node, the planned targets for a (b)(1)1.4c clearance operation, on the evening of 2-3 Oct. (b)(3), (b)(6) passed the grids to (b)(1)1.4a, (b)(3), (b)(6) and instructed him to observe the grids with available ISR platforms. Separately from (b)(3), (b)(6) on 2 Oct, (b)(3), (b)(6) stated (b)(1)1.4d leader provided him the grid to the NDS facility, which was located approximately one block west of the PCOP compound. According to (b)(3), (b)(6) the (b)(1)1.4d representative requested Close Air Support (CAS) in support of the (b)(1)1.4c unit as they cleared the facility. (b)(3), (b)(6) agreed, as long as the support was part of the overall defense of the forces.

(S//REL) On the evening of 2 Oct, an AC-130U, callsign (b)(1)1.4a, (b)(3), (b)(6) was allocated to support USSF operations in Kunduz. The crew was alerted and launched 69 minutes early due to an open troops-in-contact (TIC) and without the benefit of a mission crew brief or any current products. The missed crew brief was the first of several actions that increased the risk to mission accomplishment. The aircraft flew to Kunduz, refueling enroute. (b)(1)1.4g

(b)(1)1.4g This was the second event that increased risk to mission accomplishment. The third action that increased risk to mission accomplishment was a (b)(1)1.4a at (b)(1)1.4a, (b)(3), (b)(6) on 2 Oct at 2220.

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

position, critically impacted its ability to precisely locate a grid coordinate.

(S//REL) At (b)(1)1.4b 3 Oct 15, (b)(1)1.4a, (b)(3), (b)(6) passed (b)(1)1.4a the grid to the NDS facility (b)(1)1.4a, the target for a planned (b)(1)1.4c clearance operation. The TV Sensor Operator immediately (b)(1)1.4a and identified the middle of a field as the location. The AC-130U sensor operators then started searching for a complex near the grid and identified a compound 300 meters to the south.

(S//REL) At (b)(1)1.4b 3 Oct, (b)(1)1.4a, (b)(3), (b)(6) notified (b)(1)1.4a, (b)(3), (b)(6) they identified a large complex 300 meters southwest from the grid location and asked for confirmation that this was the NDS facility. (b)(1)1.4a, (b)(3), (b)(6) replied approximately 15 seconds later that the large complex was the correct compound. For the next 10 minutes, the AC-130U (b)(1)1.4g (b)(1)1.4g and internally discussed the main building (T-shaped) and the number of personnel identified (9). At (b)(1)1.4a the TV Sensor operator stated he was (b)(1)1.4g

(b)(1)1.4g

(S//REL) At (b)(1)1.4a the AC-130U provided (b)(1)1.4a, (b)(3), (b)(6) with a (b)(1)1.4a, (b)(3), (b)(6) instantly informed the AC-130U that the "compound is currently under the control of TB [Taliban], so those 9 PAX are hostile."

(S//REL) At (b)(1)1.4a, (b)(3), (b)(6) notified (b)(1)1.4a, (b)(3), (b)(6) "GFC intent is to exploit any possible [Not Audible]. Break. To lighten the load for partner forces infil."

(S//REL) Over the next few minutes, (b)(1)1.4a, (b)(3), (b)(6) repositioned to an overhead orbit. The TV sensor re-slaved to the provided grid and identified a "hardened structure that looks very large and could also be like more like a county prison with cells." The TV Sensor Operator was observing the actual NDS facility that was the target of the (b)(1)1.4a clearance operation. Prior to this observation, the AC-130U crew was observing the MSF Trauma Center, unaware that it was a hospital.

(S//REL) Given the identification and observation of the second compound via re-slaving, the AC-130U crew requested a target description of the objective location from (b)(1)1.4a, (b)(3), (b)(6)

(S//REL) At (b)(1)1.4a, (b)(3), (b)(6) described the objective as a compound with an "outer perimeter wall, with multiple buildings inside of it. Also, on the main gate, I don't know if you will be able to pick this up, but it's also arch-shaped gate." (b)(1)1.4a, (b)(3), (b)(6) asked (b)(1)1.4a, (b)(3), (b)(6) to confirm the cardinal direction of the arch-shaped gate's location. A few seconds later, (b)(1)1.4a, (b)(3), (b)(6) responded that the arched gate was located along the north side of the compound.

(S//REL) The physical layout of the MSF Trauma Center matched the vague description provided by (b)(1)1.4a, (b)(3), (b)(6). The AC-130U crew believed they were observing the NDS facility.

(S//REL) At (b)(1)1.4a, (b)(3), (b)(6) requested that (b)(1)1.4a, (b)(3), (b)(6) "soften[ing] the target for partner forces." The aircrew seemed internally confused by this request and asked for clarification, to which (b)(1)1.4a, (b)(3), (b)(6) replied "destroy targets of all opportunity that may impede partner forces' success." The aircrew acknowledged (b)(1)1.4a, (b)(3), (b)(6) clarification.

(S//REL) At (b)(1)1.4a, the TV Sensor Operator expressed concern regarding communications with (b)(1)1.4a, (b)(3), (b)(6) stating, "He is being very vague, and I'm not sure if that's going to be people with weapons or just anybody, so we will stay neutral as far as that goes."

(S//REL) At (b)(1)1.4a, (b)(3), (b)(6) contacted (b)(1)1.4a, (b)(3), (b)(6) again, stating "enemy PAX at objective target building, GFC requests we prosecute those targets. GFC's initials (b)(3), (b)(6) how copy?" (b)(1)1.4a, (b)(3), (b)(6) via the navigator, confirmed message receipt and asked for the specific ROE authorizing the engagement. (b)(1)1.4a, (b)(3), (b)(6) responded that the engagement was authorized under RS ROE (b)(1)1.4a

(S//REL) After (b)(1)1.4a, (b)(3), (b)(6) requested clarification on the engagement strategy, (b)(1)1.4a, (b)(3), (b)(6) stated that "the GFC wants you to prosecute the objective building first, (b)(1)1.4a secondary." (b)(1)1.4a, (b)(3), (b)(6) acknowledged the GFC guidance and continued preparing for the engagement.



(S//REL) At (b)(1)1.4a, (b)(3), (b)(6) once again sought clarification on the engagement strategy from (b)(1)1.4a, (b)(3), (b)(6) stating “looking again for clarification on the last. Break. Also looking for clarification on the building to be struck. Confirm it is the T-shaped building.” (b)(1)1.4a, (b)(3), (b)(6) replied, “(b)(1)1.4a, (b)(3), (b)(6) you are clear to engage.”

(S//REL) At (b)(1)1.4a the (b)(6) provided consent and (b)(1)1.4a, (b)(3), (b)(6) fired the first rounds at 0208. In total (b)(1)1.4a, (b)(3), (b)(6) fired 211 rounds: (b)(1)1.4a and (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) continued to engage the building and personnel until 0238.

(S//REL) Before the impact of (b)(1)1.4a, (b)(3), (b)(6) final round on the MSF Trauma Center, several echelons of command were aware that the wrong compound was engaged, resulting in civilian deaths and the destruction of the main Trauma Center building.

(S//REL) This investigation determined multiple commands failed to apply the ROE, the COMRS Tactical Guidance, and/or the Law of Armed Conflict when conducting operations in Kunduz on the POD of 2-3 Oct 2015. This report will explain the circumstance and decisions made that drove the Investigating Officer to this determination. The report also provides lessons learned that can be studied by appropriate commands and leaders that, when implemented, could prevent future incidents and produce better-planned operations. Lessons learned cover key areas, such as risk management, mission command, and situational awareness. The Investigating Officer recommends each command involved conduct an internal after-action review of their operations centers’ standard operating procedures (SOP), communications capabilities, and planning capabilities. While some information is provided in these additional areas, the investigation team was not charged with studying these specific operational requirements.

## C. NARRATIVE

### 1. ~~(S//REL)~~ The Road to Kunduz's Fall

#### A. ~~(S//REL)~~ Security Situation in Northern Afghanistan – Summer 2015

1. (U) Kunduz City is Afghanistan's fifth largest city and has habitual ties to the Taliban movement.<sup>2</sup> The brief capture of the city by the Taliban in Oct 15 represented the most significant achievement by the insurgents to gain control of a major population center in 15 years.<sup>3</sup>

2. ~~(S//REL)~~ During the summer of 2015, Coalition intelligence identified southern Afghanistan as the Taliban's strategic focus. Attacks in the north, to include Kunduz, remained supporting efforts. The purpose of these supporting efforts was to divert ANDSF attention and to stretch their focus and resources across the country. However, the Taliban's announcement in July of the death of Mullah Omar and the ascendancy of Mullah Mansour and Siraj Haqqani into the Taliban's top two positions, combined with the death of the Kunduz-based Islamic Movement of Uzbekistan (IMU) leader, created an insurgent power vacuum in northeast Afghanistan. In order to fill this leadership void, restore insurgent and illicit trade facilitation routes caused by the loss of the IMU leader, and to bolster the legitimacy of the new Taliban leadership, the Haqqani, Taliban, and Lashkar e' Taiba networks launched the attack against Kunduz City. The diagram below illustrates RS HQ's assessment of the Taliban's summer 2015 strategy.<sup>4</sup>



~~(U//FOUO)~~ Four Fronts of the Taliban Fight

<sup>2</sup> Kunduz was the last major city the Taliban surrendered in 2001. ~~(U//FOUO)~~

<sup>3</sup> Briefing, SOJTF-A J2, 22 Oct 15

<sup>4</sup> "Four Fronts of the Taliban Fight" Presentation, RS HQ DCOS INT, 22 Oct 15

3. (U) MSF is a Nobel Peace Prize-winning Non-Government Organization (NGO). MSF's mission is to provide "impartial, neutral, and independent free medical care to those in need."<sup>5</sup>



(U) Médecins Sans Frontières (MSF) Trauma Center Kunduz<sup>6</sup>

4. (U) In August 2011, the MSF Trauma Center opened in Kunduz. According to MSF, the hospital was the only Trauma Center of its kind in Northern Afghanistan. The MSF staff, made up of expatriates and local Afghans, provided surgical care to victims of conflict as well as to patients with other serious injuries.<sup>7</sup> Before the Trauma Center opened, Northern Afghans' main option for treatment required travel to Pakistan.<sup>8</sup>



(U) Entrance to the Kunduz MSF Trauma Center<sup>9</sup>

<sup>5</sup> Derived from: <http://www.msf.ca/en/neutral-independent-impartial>. The MSF [They] go where people's medical needs are greatest. In an MSF hospital, you might find wounded civilians alongside injured soldiers from opposing sides, hostilities and weapons have to be left at the gate.

<sup>6</sup> Derived from: <http://www.msf.ca/en/article/msf-opens-surgical-hospital-kunduz>

<sup>7</sup> Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15

<sup>8</sup> Derived from publicly available information on the Medecins Sans Frontieres web site, <http://www.doctorswithoutborders.org/our-work> (last reviewed 27 Oct 2015).

<sup>9</sup> Derived from publicly available information on the Medecins Sans Frontieres web site, <http://www.doctorswithoutborders.org/our-work> (last reviewed 27 Oct 2015).

5. (U) Since opening, the Trauma Center treated an average of 350 patients per month. Patients came from surrounding provinces, such as Baghlan, Takhar, and Badakhshan.<sup>10</sup> MSF facilities have a no-weapons policy to reduce chances of attack and to ensure patient safety and security. The policy at the Trauma Center was enforced by unarmed guards stationed at the facility's gates.<sup>11</sup>



(U) MSF Trauma Center, Kunduz (sign on left in Dari)<sup>12</sup>



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

<sup>10</sup> Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15

<sup>11</sup> Derived from: <http://www.msf.ca/en/article/msf-opens-surgical-hospital-kunduz>; MFR, Interview of (b)(4) 10 USC 130c

(b)(3) 10 USC 130c 26 Oct 15

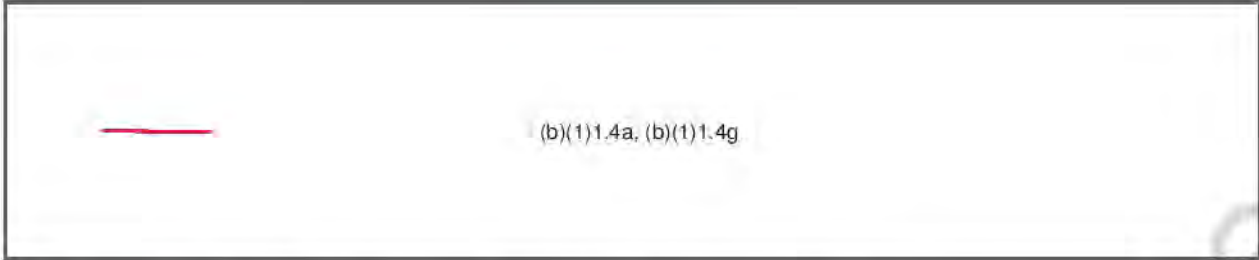
<sup>12</sup> Derived from: <http://www.msf.ca/en/article/msf-opens-surgical-hospital-kunduz>

<sup>13</sup> Briefing, SOJTF-A J2, 22 Oct 15

<sup>14</sup> MFR, Interview of SOJTF-A DCG, 26 Oct 15

<sup>15</sup> Evidence provided to the investigation team supports the MSF internal initial report's characterization that their no-weapons policy was adhered to with rare exceptions. (S//REL)

<sup>16</sup> Briefing, 11<sup>th</sup> IS, 03 Oct 15



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

B. (S//REL) US and Afghanistan Forces Involved in the Incident

9. (S//REL) SOJTF-A conducted operations in Kunduz from 30 Sep to 5 Oct<sup>18</sup> through its subordinate command, SOTF-A. Operations were tactically executed by AOB-N using two Special Forces ODAs: ODA (b)(1)1.4a and elements from a third ODA, (b)(1)1.4a, (b)(3), (b)(6) was tasked from the (b)(1)1.4a, (b)(3) (b)(1)1.4a, (b)(3), assigned to SOJTF-A's air component, CJSOAC-A, an O-6 level command.<sup>20</sup> Three JTACs (b)(1)1.4a, (b)(3), (b)(6) from the (b)(1)1.4a, (b)(3) (b)(1)1.4a, (b)(3) and one USSF (b)(1)1.4a, (b)(3), (b)(6) provided control of fires assets.

10. (S//REL) Charged primarily with a Train, Advise, Assist (TAA) mission for ASSF, ODA (b)(1)1.4a was forward deployed to (b)(1)1.4a located 12 km south of the Kunduz City center. ODA (b)(1)1.4a had not executed any movements within Kunduz, which resulted in their lack of familiarity with the city. The ASSF partner units assigned to the mission were also unfamiliar with Kunduz.<sup>21</sup>

11. (S//REL) SOJTF-A forces habitually partner with ASSF. During the planned operation to retake Kunduz, USSF partnered with (b)(1)1.4d (b)(1)1.4d (b)(1)1.4d (b)(1)1.4d The graphic below illustrates the US forces relationship with Afghan units involved in the operation:

<sup>17</sup> Intelligence Report, SOJTF-A J2 , 22 Oct 15

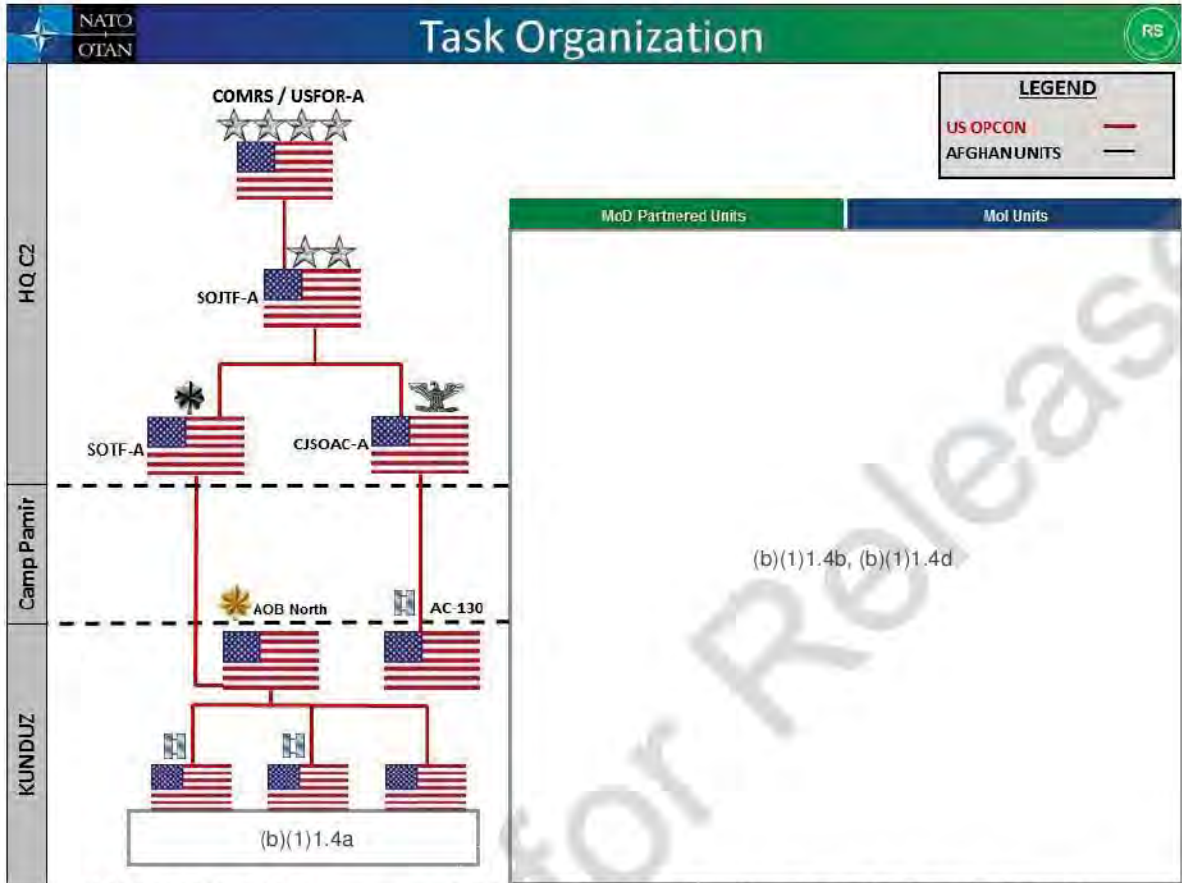
<sup>18</sup> SOJTF-A is the HQ for USSF and dual-hatted as the NATO Special Operations Component Command – Afghanistan (NSOCC-A). This is the same construct as USFOR-A/HQ Resolute Support. (U//FOUO)

<sup>19</sup> SOTF-A is comprised of HQ elements and units from (b)(1)1.4a, (b)(3) ODA (b)(1)1.4a was assigned to Kunduz (Statement, (b)(1)1.4a, (b)(3), (b)(6) 25 Oct 15). (S//NF)

<sup>20</sup> MFR, Interview of (b)(3), (b)(6) 26 Oct 15

<sup>21</sup> Statement, (b)(3), (b)(6) 16 Oct 15

<sup>22</sup> MFR, (b)(6) 22 Oct 15



(U//FOUO) US Forces and Afghan Forces Involved in 2-3 Oct 15 Mission

C. (S//REL) US Unit Pre-deployment Preparation

12. (S//REL) [redacted] (b)(1)1.4a, (b)(3) assumed responsibility on 30 Aug 15.<sup>23</sup> The [redacted] (b)(1)1.4a, (b)(3), (b)(3) crew [redacted] (b)(1)1.4a, (b)(3) arrived in country between the end of July and the end of August.<sup>24</sup> The following paragraphs provide a general overview of the pre-deployment/pre-mission training each tactical unit [redacted] (b)(1)1.4a, (b)(3) conducted prior to arrival in-country. Each unit within SOTF-A and CJSOAC-A also received separate in-theater training encompassing ROE, current COMRS Tactical Guidance, and other theater-specific briefings.

13. (S//REL) ODB [redacted] (b)(1)1.4a (operationally assigned as AOB-N), along with ODAs [redacted] (b)(1)1.4a [redacted] (b)(1)1.4a each conducted pre-mission training (PMT) profiles comprised of several events in the months leading up to deployment. These units completed the appropriate level of training from small unit to large-force exercises.<sup>25</sup> [redacted] (b)(1)1.4a, (b)(3) PMT also consisted of SOCOM-directed team leader/team sergeant CAS training which included the integration of CAS into ground operations. The SOTF-A staff conducted

<sup>23</sup> Memorandum, TOA [redacted] (b)(1)1.4a, (b)(3) 19 Nov 15

<sup>24</sup> Memorandum, AFSOC/A3, 3 Nov 15

<sup>25</sup> PMT Plan [redacted] (b)(1)1.4a, (b)(3) received on 30 Oct 15

battalion-level PMT including a Command Post Exercise (CPX), Mission Readiness Exercises (MRX), Culmination Exercise (CULEX), and battle staff drills.

14. (S//REL) The (b)(1)1.4a, (b)(3) is on a (b)(1)1.4a deployment schedule. In addition to several team-specific PMT events, regular full mission profile (FMP), advanced medical, and advanced small arms training courses comprise the majority of STS unit training. Specific training events consisted of C4ISR training, tactical mobility training, and several scenario-based CAS FMPs.<sup>26</sup>

15. (S//REL) (b)(1)1.4a, (b)(3) aircrew members conducted individual pre-mission training consisting of both air and ground-based events, encompassing a variety of combat-focused training sorties and ancillary training events.<sup>27</sup> These events are conducted in accordance with the Air Force Special Operations Command (AFSOC) Ready Aircrew Program (RAP) tasking memorandum, published semiannually, which shapes unit training to ensure AFSOC flying units maintain combat mission ready (CMR) aircrews. Combat flying training events include regular, theater-specific, scenario-based live- and dry-fire flying continuation training (CT), unilaterally within the unit or multilaterally with other units in an exercise setting. Because of the continuous deployment schedule and in-garrison alert posture, (b)(1)1.4a (b)(1)1.4a<sup>28</sup> Rather, members complete training requirements individually and combat crews are assembled shortly prior to deployment with no command-directed set crew training requirements.<sup>29</sup>

16. (S//REL) The headquarters units which supported the Kunduz operation conducted varying degrees of staff PMT. SOJTF-A conducted a Staff MRX, commander's intent and country orientation seminars, combat skills training, and other pre-deployment events both at Ft. Bragg and MacDill AFB over the course of several weeks. The CJSOAC-A has no mandatory staff pre-deployment training.<sup>30</sup>

17. (S//REL) Three of the (b)(1)1.4a JTACs involved in this mission were trained and certified per USFOR-A requirements. ODA (b)(1)1.4a, (b)(3), (b)(5) was current and qualified but did not receive a Theater Verification and Indoctrination (TVI) briefing covering ROE and Special Instructions (SPINS); however, he passed the TVI test prior to deployment.<sup>31</sup>

<sup>26</sup> IJC Theater Verification and Indoctrination Checklist (b)(1)1.4a, (b)(3), (b)(6), 23 Aug 15; The AF JTACs (b)(1)1.4a, (b)(3), and those using call sign (b)(1)1.4a, (b)(3) belong to (b)(1)1.4a, (b)(3)

<sup>27</sup> Memorandum, (b)(3), (b)(6), 4 Nov 15; (b)(1)1.4a, (b)(3) of (b)(1)1.4a, (b)(3), was the (b)(3), (b)(6) (b)(3), (b)(6)

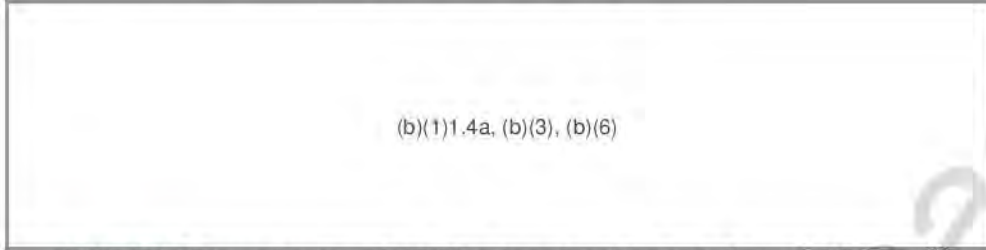
<sup>28</sup> Memorandum, AFSOC/A3 from (b)(3), (b)(6) 3 Nov 15

<sup>29</sup> (b)(1)1.4a, (b)(3), (b)(6) personnel records provided by (b)(3) The (b)(1)1.4a, (b)(3), (b)(6) (b)(3), (b)(6)

<sup>30</sup> Summary of Special Operations Joint Task Force – Fort Bragg Pre-Mission Training.docx, 30 Oct 15

<sup>31</sup> IJC Theater Verification Indoctrination Checklist (b)(1)1.4a, (b)(3), (b)(6) 15 (U//FOUO)

18. (~~S//REL~~) All (b)(1)1.4a JTACs assigned to the ODAs had limited operational experience controlling CAS. Each JTAC was on his first JTAC deployment. The SOTF-A JTAC (b)(1)1.4a, (b)(3), (b)(6) located at the unit's Operations Center at Bagram Airfield (BAF), had five years' experience and four deployments as a JTAC.



(~~S//REL~~) Experience of JTACs Involved in 2-3 Oct 15 Mission<sup>32</sup>

19. (~~S//REL~~) Although originally intended as a limited TAA mission, SOJTF-A conducted more independent operations in Aug-Oct than in the previous seven months combined. See chart below:



(~~S//REL~~) SOJTF-A OPTEMPO Overview<sup>33</sup>

<sup>32</sup> Information derived from JTAC training records (provided in Index of Exhibits by name) (~~U//FOUO~~)

<sup>33</sup> Briefing, SOJTF-A J2, 22 Oct 15



2. (U//FOUO) Taliban Takeover of Kunduz

A. (U) 27 to 28 September 2015

20. (S//REL) On 27 Sep 15, the ODA (b)(1)1.4a received intelligence that a large insurgent force (INS) was preparing to attack Kunduz. ODA (b)(1)1.4a was headquartered at (b)(1)1.4a adjacent to the Kunduz Airfield.<sup>34</sup> The ODA (b)(1)1.4a notified the (b)(3), (b)(6) (b)(3), (b)(6) of the likely attack. During the POD, 27-28 Sep 15, ODA (b)(1)1.4a began contingency planning for the possibility of an INS attack.<sup>35</sup>

21. (U//FOUO) At 0300 28 Sep, INS attacked Kunduz.<sup>36</sup> The attack precipitated a (b)(1)1.4d

22. (S//REL) By 1700 28 Sep, INS forces controlled the city, capturing the NDS HQ, the Kunduz Police HQ, and the PGOV / PCOP compound. The INS also released an estimated 700 prisoners from Kunduz central prison. INS forces captured weapons, ammunition, and numerous (b)(1)1.4d<sup>38</sup>



(S//REL) Kunduz SITEMP, 29 Sep 15, SOJTF-A

<sup>34</sup> Kunduz Airfield is approximately 12 kilometers due south of Kunduz City center; Despite being headquartered at (b)(1)1.4a the ODA (b)(1)1.4a members had never been in Kunduz City prior to 30 Sep. Statement, (b)(1)1.4a, (b)(3), (b)(6) Oct 15.

<sup>35</sup> Statement, (b)(1)1.4a 16 Oct 15

<sup>36</sup> Statement, (b)(1)1.4a 29 Sep 15

<sup>37</sup> Statement, (b)(3), (b)(6) 16 Oct 15

<sup>38</sup> Statement, (b)(1)1.4a 29 Sep 15.

23. (~~U//FOUO~~) In response to the attack, ANDSF began planning operations to re-secure the city. Multiple ANDSF senior leaders deployed to (b)(1)1.4d to support operations.<sup>39</sup>

24. (~~U//FOUO~~) At approximately 1700 28 Sep, CDR SOTF-A, located at BAF, notified the (b)(3), (b)(6) to deploy to (b)(1)1.4a to command USSF elements. (b)(3), (b)(6) (b)(3), (b)(6) commanded ODA (b)(1)1.4a ODA (b)(1)1.4a forward deployed from BAF, and four members of ODA (b)(1)1.4a<sup>40</sup> ODAs (b)(1)1.4a joined ODA (b)(1)1.4a at (b)(1)1.4a during the early morning hours of 28 Sep.

25. (~~U//FOUO~~) Doctrinally, an AOB HQ's staff consists of (b)(3), (b)(6), including (b)(3), (b)(6)<sup>41</sup> The (b)(3), (b)(6) however, deployed to (b)(1)1.4a without his staff.

#### B. (U) 29 to 30 September 2015

26. (~~U//FOUO~~) On 29 Sep, insurgent forces remained in control of the city.<sup>42</sup> Primary INS locations included a Provincial Special Unit (PSU) facility, the city's central traffic circle, NDS prison, the Kunduz Provincial Hospital, and the NDS HQ building. US forces conducted six airstrikes against INS targets in and around Kunduz, to include a US F-16 engagement against an INS-captured tank.

27. (~~U//FOUO~~) On 29 Sep, the MSF sent a memorandum to the RS HQ, listing its four locations within Kunduz.<sup>43</sup> The memorandum listed the names, locations (lat/long), and a brief description of each location, including the Trauma Center.<sup>44</sup> The purpose of the memo was "to make sure all actors involved in the conflict have a precise understanding of the medical structures...where MSF operates in Kunduz province."<sup>45</sup>

28. (~~U//FOUO~~) That same day, a United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) representative stationed in Kunduz sent an email to the RS HQ Combined Joint Operations Center (CJOC) Director to share the MSF

<sup>39</sup> Priority and Framework Operations Update, SOJTF-A, 2000D 28 Sep 15. Afghan National Army Special Operations Command (ANASOC) deployed (b)(6) to command MoD forces. Mol deployed (b)(6) (b)(6) to command Mol forces. An additional 450 ground forces deployed to Kunduz Airfield to bolster security. (Email, SOJTF-A A3)(~~S//REL~~)

<sup>40</sup> Statement, (b)(3), (b)(6) 16 Oct 15

<sup>41</sup> Army Doctrine Publication 3-05, 31 Aug 12

<sup>42</sup> Statement, (b)(6), (b)(3) 4 Nov 15

<sup>43</sup> The memorandum was signed by MSF's country representative, (b)(6) (~~U//FOUO~~)

<sup>44</sup> Memorandum, Medecins Sans Frontieres, 29 Sep 15

<sup>45</sup> Memorandum, Medecins Sans Frontieres, 29 Sep 15

locations with Coalition forces.<sup>46</sup> The email substantially contained the same information on MSF facility locations as the 29 Sep memorandum.<sup>47</sup>



~~(S//REL)~~ Timeline, 28 Sep – 2 Oct 15, Kunduz

29. ~~(U//FOUO)~~ On 29 Sep 15, the SOTF-A ~~(b)(3), (b)(6)~~ added the Trauma Center to a ~~(b)(1)1.4a~~ who forwarded it to the Fires Officer at the CJSOAC-A on 30 Sep and 1 Oct.<sup>48</sup> Information about the Trauma Center was disseminated by RS HQ through multiple command and operations channels starting 30 Sep.<sup>49</sup>

30. ~~(S//REL)~~ On the morning of 29 Sep 15, ODA ~~(b)(1)1.4a~~ submitted a level-2C CONOP ~~(b)(1)1.4a~~ 09-001) to assist ANDSF in establishing a foothold in Kunduz.<sup>50</sup> The CONOP, scheduled to be executed that afternoon, listed the city's prison and the Kunduz Provincial Hospital (not the MSF Trauma Center) as objectives to secure and hold. The CONOP was staffed and legally reviewed at SOTF-A, forwarded to SOJTF-A for legal review and approval, and forwarded to RS HQ for situational awareness. The NSL was not considered in the CONOP development or approval process.<sup>51</sup>

<sup>46</sup> The representative's purpose in contacting the CJOC was to share the MSF locations with Coalition forces, so the locations could be shared, "with your military partners so they can be factored into any impending plans for military operations as identification of an NGO Medical Asset." ~~(U//FOUO)~~

<sup>47</sup> Email, ~~(b)(3), (b)(6)~~ 29 Sep 15

<sup>48</sup> ~~(b)(1)1.4a~~ file showing MSF facility on 29 Sep 15, received from CJSOAC-A Fires Officer.

<sup>49</sup> Exhibit, email distro of MSF information prior to 3 Oct. The MSF Trauma Center was identified on the NSL on 28 Oct 14. The other locations were not added to the NSL until 23 Oct 15, after the date of the incident. (Email, CENTCOM ~~(b)(6)~~ 22 Oct 15.)

<sup>50</sup> CONOP ~~(b)(1)1.4a~~ 09-01, see Annex E-A.7

<sup>51</sup> Information derived from multiple interviews at CJSOAC-A and SOTF-A.

31. (~~U//FOUO~~) At 1930, 29 Sep 15, the (b)(3), (b)(6) arrived at (b)(1)1.4a to lead USSF counter-INS operations, and immediately began planning operations with the ANDSF leadership to retake Kunduz.<sup>52</sup>

32. (~~U//FOUO~~) Ninety minutes later, ANP, ALP, and ANDSF forces located at Kunduz Airfield reported receiving heavy fire from the north and northwest. USSF and ASSF forces moved from (b)(1)1.4d to the airfield to prevent it from being overrun by INS forces. At 2324, USSF received effective ZPU fire from 4 x INS HMMWVs. In response, US F-16s conducted strikes against the vehicles, destroying the ZPU and HMMWVs.<sup>53</sup>

33. (~~S//REL~~) INS fires against the combined USSF and ASSF elements continued throughout the night, preventing the teams from returning to (b)(1)1.4d and executing CONOP (b)(1)1.4a-09-001. During the POD, USSF remained at the airfield directing airstrikes against INS forces. By 0200 30 Sep, ANP moved to the airfield, allowing USSF to return to (b)(1)1.4d at dawn to prepare for follow-on operations.<sup>54</sup> Throughout the night, USSF controlled four additional airstrikes.<sup>55</sup>

34. (~~U//FOUO~~) The (b)(3), (b)(6) did not participate in the fighting during POD 29/30 Sep. On the morning of 30 Sep, the (b)(3), (b)(6), with ANDSF leadership, developed a plan to secure the eastern side of Kunduz City.<sup>56</sup>

35. (~~S//REL~~) At approximately 1530, the USSF submitted a level-1C CONOP (b)(1)1.4a-09-002) to SOTF-A.<sup>57</sup> The CONOP scheme of maneuver included clearing and securing the city's PSU HQ, the NDS prison, and the PCOP / PGOV compound, where they would eventually establish a strongpoint. SOTF-A and SOJTF-A staffed and legally reviewed the CONOP; the NSL was not referenced in the CONOP development or approval process. SOJTF-A approved the CONOP via vocal orders (VOCO) at approximately 1830.<sup>58</sup>

36. (~~S//REL~~) During this time period, the (b)(3), (b)(6) requested Persons with Designated Special Status (PDSS) for certain ASSF units. On 2 Oct 15, RS Deputy Chief of Staff for Operations (DCOS OPS) approved conditional PDSS for multiple ASSF units in the vicinity of Kunduz.<sup>59</sup> The (b)(3), (b)(6) understood PDSS as, "[a] list

<sup>52</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6), 31 Oct 15

<sup>53</sup> SOTF-A AR 15-6 Kunduz Overview (Kinetic Strikes in Kunduz, 29 Sep – 5 Oct), 23 Oct 15

<sup>54</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6), 31 Oct 15

<sup>55</sup> Briefing, "Operation Foothold (Kunduz) Overview," SOTF-A, 23 Oct 15. The airstrikes resulted in 26 x EKIA.

(~~S//REL~~)

<sup>56</sup> ANDSF also included ANA (b)(1)1.4d leadership and ASSF. (~~S//REL~~)

<sup>57</sup> CONOP (b)(1)1.4a-09-002, see Appendix E-A.8

<sup>58</sup> Statements, (b)(3), (b)(6), 3 Nov 15. The CONOP came back from SOJTF-A as a FRAGO to the original CONOP. Otherwise, it would have had to go to RS HQ due to its approval level. (~~S//REL~~)

<sup>59</sup> PDSS MEMO, HQ RS DCOS-OPS, 2 Oct 15. The specific units were (b)(1)1.4d

(b)(1)1.4d The condition was time, space, and physically partnered.

(~~S//REL~~)

of partnered forces for this period of time, then that means if I see a hostile act, directed at them, then I can defend them. Hostile intent, I may be wrong, but I was under the assumption, or I believed that hostile intent is not sufficient for me to engage under PDSS, or I may be wrong, but again, better to err on the side of caution.”<sup>60</sup>

37. (S//REL) On the afternoon of 30 Sep, COMRS conducted a VTC with (b)(6) (b)(1)1.4d The (b)(3), (b)(6) participated in the VTC with (b)(6) from (b)(1)1.4a The (b)(3), (b)(6) monitored the VTC from his office at Camp Integrity. COMRS was very pointed in his questions to (b)(6) and asked what (b)(6) was doing to retake the city.<sup>61</sup> COMRS did not provide direct guidance to the (b)(3), (b)(6) (b)(3), (b)(6) However, the (b)(3), (b)(6) left the VTC believing that the operation to retake Kunduz was vital, had to happen as soon as possible, and that failure was not an option.<sup>62</sup>

38. (S//REL) At approximately 2230 30 Sep, USSF initiated movement from (b)(1)1.4a (b)(1)1.4a into Kunduz with partnered ASSF elements. The (b)(3), (b)(6) was the GFC of USSF Forces.<sup>63</sup> USSF personnel had twelve hours to prepare, having started detailed planning at approximately 1130.<sup>64</sup>

<sup>60</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>61</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>62</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>63</sup> Statement, (b)(3), (b)(6), 16 Oct 15. The ASSF units included (b)(1)1.4a, (b)(1)1.4d (b)(1)1.4a, (b)(1)1.4d (S//REL)

<sup>64</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6), 29 Oct 15. SOTF-A was also conducting HVI targeting operations in Kunduz around the same time the USSF began movement. (S//REL)



(S//REL) Scheme of Maneuver from CONOP (b)(1)1.4a-09-002

C. (U) 30 September to 2 October 2015

39. (S//REL) Initially, USSF utilized a single 1:50,000 map to plan and conduct operations in Kunduz City. Technological issues at (b)(1)1.4a prevented the production of further graphics prior to SP.<sup>65</sup> SOTF-A headquarters provided some products to the USSF which focused on insurgent leadership in the Province.<sup>66</sup>

40. (S//REL) Throughout their movement from north of the airfield to the PCOP compound, the Ground Assault Force (GAF) received enemy fire. Between 0012 and 0328 on 1 Oct, US aircraft conducted five CAS missions in support of the movement.<sup>67</sup>

41. (S//REL) By 0430, the GAF cleared the PSU HQ, Kunduz prison, and secured the PCOP compound at the PGOV Complex.<sup>68</sup> After securing the PCOP compound,

<sup>65</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>66</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>67</sup> Briefing, "Operation Foothold (Kunduz) Overview," SOTF-A, 23 Oct 15. The airstrikes on the movement to the airfield resulted in an estimated 40 x EKIA. (S//REL)

the GAF received heavy small arms fire (SAF) and rocket-propelled grenade (RPG) attacks.<sup>69</sup> Throughout the day, USSF employed CAS nine times in response to enemy activity.<sup>70</sup>

(b)(1)1.4a

43. (U//FOUO) On the evening of 1 Oct, the GFC instituted a rest plan for his forces.<sup>75</sup> The GFC expected that 500 ANDSF would relieve USSF on 2 Oct, a plan agreed upon by Afghan leadership at (b)(1)1.4a prior to the operation. This force never arrived.<sup>76</sup> At 2100, the AOB reported to SOTF-A HQ that they were low on ammunition (b)(1)1.4a, (b)(1)1.4g, water, MREs, and batteries.<sup>77</sup> On 1 Oct, the team discovered a comprehensive 1:10,000 scaled Provincial Reconstruction Team

<sup>68</sup> The GAF turned over security of the PSU HQ and Kunduz prison to follow-on ANDSF forces. The PCOP compound is part of a greater government complex. The greater complex is referred to as the PGOV complex, but many witnesses to the operations in Kunduz refer to the PCOP Compound as the PGOV. (Confirmed by Investigation Team site visit to Kunduz, 28 Oct 15). (S//REL)

<sup>69</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) Oct 15

<sup>70</sup> SOTF-A AR 15-6 Kunduz Overview, (b)(3), (b)(6) 23 Oct 15

<sup>71</sup> [Redacted]  
<sup>72</sup> [Redacted]

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

<sup>75</sup> At this point, the USSF had gone without sleep for more than 60 hours, having participated in the fight at the airfield and the movement to the PCOP. (S//REL)

<sup>76</sup> MFR, Interview of (b)(1)1.4a, (b)(3), (b)(6) Oct 15

<sup>77</sup> MFR, Interview of (b)(3), (b)(6) 28 Oct 15

(b)(1)1.4a

44. (~~U//FOUO~~) On the morning of 2 Oct 15, additional ANDSF forces arrived at the PCOP complex. ANDSF leadership stated if the US element departed the location, the ANDSF would also depart. The GFC agreed to stay in order to maintain the position they had secured.<sup>79</sup>

45. (~~U//FOUO~~) Beginning 28 Sep, the MSF Trauma Center leadership initiated a mass casualty plan due to an increase in individuals seeking treatment. Many of the staff were unable to return home due to security, and were staying at the hospital.<sup>80</sup> Some patients' family members were unable to return and were also staying at the hospital. According to an email sent by the MSF country director to the (b)(3), (b)(6) at 0403 2 Oct, the organization planned to conduct a resupply via taxis. At 1318, a

(b)(3) 10 USC 130b &amp; 130c, (b)(6)

46. (~~S//REL~~) INS forces conducted some of their most significant attacks against the PCOP compound throughout the afternoon and early evening on 2 Oct, including a complex coordinated attack against the strongpoint from both the northeast and southwest.<sup>82</sup> The CAS platform supporting the USSF expended all of its ammunition during this time, which caused a request for SOJTF-A to launch the AC-130J (b)(1)1.4a, (b)(3), (b)(6) 69 minutes prior to its scheduled takeoff.<sup>83</sup>

47. (~~S//REL~~) SOTF-A and the GFC directed 22 CAS strikes in the vicinity of Kunduz City in support of ground force operations between 29 Sep and the evening of 2 Oct. SOTF-A directed 9 strikes under OFS authorities using ROE (b)(1)1.4a against targets that were effectively and substantially contributing to insurgent ability to conduct operations against Coalition forces located in Kunduz City. The ground force conducted 13 strikes under RS authorities using self-defense ROE, specifically (b)(1)1.4a for themselves and their partner forces. These strikes were conducted against insurgent troops, vehicles, command and control nodes, and buildings and is indicative of the level of contact the ground force was engaged in during this time period.<sup>84</sup>

<sup>78</sup> MFR, Interview of (b)(1)1.4a, (b)(3), (b)(6) Oct. The (b)(3), (b)(6) recalls the discovery of the map differently. He stated to the Investigation Team that the map was discovered on 4 October, the day after the strike in question. However, the investigation team believes that the two ODA CDRs' explanation of the discovery of the map is more likely. (~~S//REL~~)

<sup>79</sup> MFR, Interview of (b)(1)1.4a, (b)(3), (b)(6) Oct 15. USSF agreed that if they left, they would likely have to turn around and resecure the area that they had already secured. (~~S//REL~~)

<sup>80</sup> MFR, Interview of (b)(3) 10 USC 130c, (b)(6) Nov; Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15

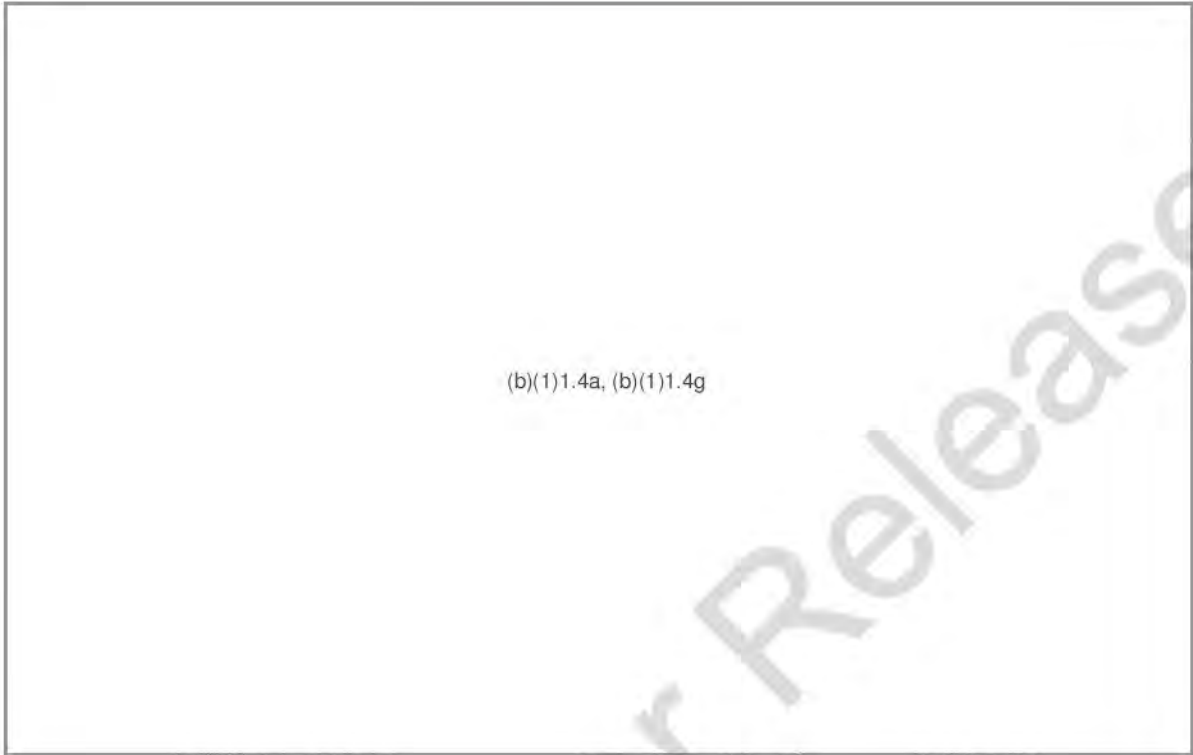
<sup>81</sup> (b)(3), (b)(6)

<sup>82</sup> Strike Log, SOTF-A, 23 Oct 15. Statement, (b)(1)1.4a, (b)(3), (b)(6) Oct 15. Between 1125 and 1830, US aircraft conducted CAS in support of forces at the strongpoint resulting in an assessed 22 x EKIA. (~~S//REL~~)

<sup>83</sup> Statement, SOJTF-A DCG, 26 Oct 15

<sup>84</sup> Strike Log, SOTF-A, 23 Oct 15





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

~~(S//REL)~~ CAS Engagements Conducted in Support of AOB-N  
(30 Sep – 2 Oct 15)<sup>85</sup>

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<sup>85</sup> Strike Log, SOTF-A, 23 Oct 15; The MSF facility, the PCOP, and the NDS facility are noted on the map for reference only.

### 3. (U//FOUO) Period of Darkness 2 – 3 October 2015

#### A. (S//REL) (b)(1)1.4a, (b)(3), (b)(6) Launches to Kunduz

48. (S//REL) (b)(1)1.4a, (b)(3), (b)(6) launched 69 minutes early resulting in the aircrew only receiving the USSF grid location, call sign, and contact frequency.<sup>86</sup> The aircrew did not receive any printed current operational graphics showing the planned operating area and specifically did not have any charts that showed no strike targets or the location of the MSF Trauma Center.<sup>87</sup> Additionally, none of the CONOP or AOB-N products, or information loaded into the AC-130 guidance systems contained NSL data for the Kunduz area.<sup>88</sup> (b)(1)1.4a, (b)(3), (b)(6) departed BAF at (b)(1)1.4a, refueled, and proceeded to its operating area. (b)(1)1.4a, (b)(3), (b)(6) assigned mission was to provide CAS for USSF TIC.<sup>89</sup>

49. (S//REL) The CJSOAC-A Fires Officer emailed updated mission products at 1847, including a (b)(1)1.4a identifying the location of the MSF Trauma Center, to the Electronic Warfare Officer (EWO).<sup>90</sup> Following (b)(1)1.4g (b)(1)1.4g making it impossible to send or receive email. Additionally, the aircraft did not receive the e-mail with the (b)(1)1.4a prior to the (b)(1)1.4g failure.<sup>91</sup> The CJSOAC-A JOC did not confirm the aircraft's receipt of the email containing the (b)(1)1.4a (b)(1)1.4g and did not attempt to pass information via alternate or contingency methods such as (b)(1)1.4a, (b)(1)1.4g radio or relay through another platform.<sup>92</sup>

50. (S//REL) The (b)(1)1.4g is the primary data communication link for the aircraft. The crew could not use (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g from the aircraft's sensors. These (b)(1)1.4g communication systems are the primary means for the SOJTF-A, CJSOAC-A, and SOTF-A to monitor aircraft activity in real-time. The aircrew did have (b)(1)1.4a, (b)(1)1.4g and passed five voice situation reports, including passing the target grid coordinates at 0207, less than one minute prior to engaging the hospital at 0208. The EWO used incorrect radio communication protocol and (b)(1)1.4a, (b)(3), (b)(6) Fires Officer) did not acknowledge the 0207 transmission.<sup>93</sup>

<sup>86</sup> Briefing, (b)(3), (b)(6), 22 Oct 15

<sup>87</sup> Multiple interviews and statements from (b)(1)1.4a, (b)(3), (b)(6) and CJSOAC-A staff; Doctrinally, there are no minimum requirements for mission products to launch an AC-130 in support of a mission. However, AFTTP 3-1.AC-130 states "Alert launches are operations that require a great deal of forethought and general planning to be successful." Additionally, "deployed mission commanders must ensure both aircraft and aircrew are optimally postured for alert taskings when required." (U//FOUO)

<sup>88</sup> MFR, Verification by AC-130 SME, 30 Oct 15

<sup>89</sup> Statement, SOJTF-A DCG, 26 Oct 15

<sup>90</sup> Email, (b)(3), (b)(6) Fires Officer, 23 Oct 15

<sup>91</sup> MFR, Verification by AC-130 SME, 30 Oct 15

<sup>92</sup> MFR, Interview of (b)(1)1.4a, (b)(3), (b)(6) 23 Sep 15

<sup>93</sup> BDA Transcript Recorder, 213756Z (020756L); Although the transcript originally shows this transmission from the (b)(1)1.4a, (b)(3), (b)(6) the investigation team reviewed the garbled audio recording and determined the radio call was from the (b)(1)1.4a, (b)(3), (b)(6).

51. (S//REL) At approximately 1800, the (b)(1)1.4d, (b)(6)<sup>94</sup> passed the grid reference to the GFC. The grid references was the objective of the (b)(1)1.4d planned operation for that evening, the National Directorate of Security (NDS) facility ( (b)(1)1.4a )<sup>95</sup>.

52. (S//REL) (b)(1)1.4a, (b)(3), (b)(6) arrived on-station at (b)(1)1.4d and established communication with USSF through (b)(1)1.4a, (b)(3), (b)(6). At (b)(1)1.4a, (b)(3), (b)(6)<sup>96</sup> by an (b)(1)1.4a<sup>97</sup> The aircraft maneuvered away from the area,<sup>98</sup> established an (b)(1)1.4a, (b)(1)1.4g in accordance with threat avoidance TTP.<sup>99</sup> This orbit placed (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) from the planned (b)(1)1.4d objective (NDS facility),<sup>100</sup> compared to the (b)(1)1.4a, (b)(1)1.4g overhead orbit.



(S//REL) 2/3 Oct Timeline, Kunduz

<sup>94</sup> 1 (b)(6) (S//REL)

<sup>95</sup> PCOP HQ to MSF Trauma Center is 222 degrees at 928 meters. PCOP HQ to NDS HQ is 211 degrees at 506 meters. (U//FOUO)

<sup>96</sup> Assessed (b)(1)1.4a, (b)(1)1.4g (S//REL)

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

<sup>98</sup> BDA Recorder Transcript, 2 Oct 15

<sup>99</sup> AFTTP 3-1.AC-130, 6.7.7 and 12.6.4, 5 Mar 15

<sup>100</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 25 Oct 15

B. (S//REL) Target Misidentification

53. (S//REL) Upon returning from a second air-refueling at (b)(1)1.4a, (b)(3), (b)(6) navigator established communications with (b)(1)1.4a, (b)(3), (b)(6) who assumed primary JTAC duties for the ground force.<sup>102</sup> (b)(1)1.4a, (b)(3), (b)(6) operated from a USSF HMMWV and communicated with the aircraft via (b)(1)1.4a, (b)(1)1.4g radios. At (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(6) requested the aircraft to "pick up a defensive scan of the AO" and provided a location of interest for the aircraft,<sup>103</sup> (b)(1)1.4a "acknowledged by the navigator with a correct read back. This location, the objective for the (b)(1)1.4g ground assault, was the NDS facility located 506 meters southwest of the PCOP compound.<sup>104</sup>

54. (S//REL) The GFC and (b)(1)1.4a, (b)(3), (b)(6) could not see the NDS compound from their location.<sup>105</sup> (b)(1)1.4a, (b)(3), (b)(6) failed to advise (b)(1)1.4a, (b)(3), (b)(6) of this fact and that they were relying on (b)(1)1.4d grid coordinates and physical descriptions.<sup>106</sup> Additionally, no (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)<sup>107</sup> Finally, (b)(1)1.4a, (b)(3), (b)(6) line-of-sight (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g was inoperable due to a critical shortage of batteries<sup>108</sup>.

55. (S//REL) From the (b)(1)1.4a, (b)(1)1.4g position, the TV Sensor Operator moved the sensor to the grid coordinates provided, and the sensor identified a location in an open field 329 meters west of the NDS facility. Although the crew was trained to recognize

(b)(1)1.4g

56. (S//REL) The TV Sensor Operator initiated a scan of the surrounding area and located a compound he believed more closely matched the intended objective. The navigator questioned the disparity between the first observed location, an open field, and the newly acquired large compound. The navigator requested the distance between the open field and the observed compound, which was assessed as 300 meters. Despite the 300 meter distance, the FCO updated the fire control system target location to the position of the large compound, later known to be the MSF Trauma Center. This exchange is illustrated in the communication reference below:

<sup>101</sup> (b)(1)1.4a, (b)(3) departed for A/R at (b)(1)1.4a (S//REL)

<sup>102</sup> There are (b)(1)1.4a JTACs supporting AOB-N and its 2+ ODAs: (b)(1)1.4a, (b)(3), (b)(6) The (b)(1)1.4a JTACs are all co-located and work in approximately (b)(1)1.4a shifts. (S//REL)

<sup>103</sup> IR does the defensive scan (S//REL)

<sup>104</sup> BDA Recorder Transcript, 2 Oct 15

<sup>105</sup> The view from PCOP HQ to both the NDS HQ and the MSF Trauma Center is completely obscured (based on investigation team site visit on 26 Oct 15). (S//REL)

<sup>106</sup> MFR, Interview of (b)(3), (b)(6) 24 Oct 15

(b)(1)1.4a, (b)(3) was over head Kunduz, assigned to SOTF-A, but was monitoring another area. (S//REL)

<sup>108</sup> Statement, QDA (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>109</sup> AFTTP 3-3.AC-130, 26 July 2012, 11.7.8 (AC-130 navigator target confirmation responsibilities: "Target

(b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g 6 Nov 15 (S//REL)

TV Operator: *"Well, unless the grids are off, this is the only large complex in the area; they have the busses on the west side."*

FCO: *"I've got [redacted] (b)(1)1.4a"*

TV Operator: *"That's what I copied too, but it just [redacted] (b)(1)1.4a you into the middle of this field with a bunch of small buildings."*

FCO: *"Roger."*

Navigator: *"How far off is that larger complex from the grids?"*

TV Operator: *"About 300 meters."*

Navigator: *"300 meters southwest?"*

TV Operator: *"Affirm."*

Navigator: *"Copy."*

FCO: *"TV, I'm just going to update that off of you, since that's most likely what it is, so if you can just track there."<sup>110</sup>*

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<sup>110</sup> BDA Recorder Transcript, [redacted] (b)(1)1.4a



(S) Initial (b)(1)1.4a Position in Relation to Target

57. (S//REL) After observing the compound to the southwest (MSF Trauma Center) for eight minutes and assessing the pattern of life (POL) (b)(1)1.4a, (b)(3), (b)(6) passed a (b)(1)1.4a a count of (b)(1)1.4a observed in the area – (b)(1)1.4a<sup>111</sup> Less than one minute after receiving this report, (b)(1)1.4a, (b)(3), (b)(6) advised (b)(1)1.4a, (b)(3), (b)(6) the compound was under Taliban control and that the nine personnel observed were hostile.<sup>112</sup>

58. (S//REL) At (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) radius orbit over Kunduz and continued observing the compound (Trauma Center). During this time, the TV Sensor Operator questioned if the observed compound (MSF Trauma Center) was the correct target. He understood the (b)(1)1.4g (b)(1)1.4g would be inaccurate. He (b)(1)1.4a for the NDS facility (b)(1)1.4a). Upon identifying the buildings at that location, the TV Sensor Operator<sup>113</sup> provided the crew a description of what he was observing (the NDS facility). He stated the grid coordinates passed by (b)(1)1.4a, (b)(3), (b)(6) placed his sensor on this location (the NDS facility), not the previous compound upon which the crew was

<sup>111</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>112</sup> BDA Recorder Transcript, (b)(1)1.4a

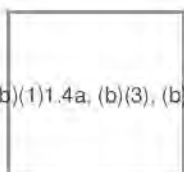
<sup>113</sup> Both (b)(3), (b)(6). (U//FOUO)

currently focused (MSF Trauma Center).<sup>114</sup> Despite this critical realization by the TV Sensor Operator, the navigator answered with "Copy" and there was no response by the pilot.<sup>115</sup> After this point, the crew relied solely upon target description from (b)(1).4a, (b)(3), (b)(6) which was the (b)(1).4d, (b)(6) description to the GFC by way of an interpreter.<sup>116</sup>

59. (S//REL) The TV Sensor Operator also voiced his concern to the aircrew about declaring personnel hostile without fully confirming the target compound, and he requested that the navigator query (b)(1).4a, (b)(3), (b)(6) for additional clarification and a more detailed target description.

60. (S//REL) At (b)(1).4a, (b)(3), (b)(6) told (b)(1).4a, (b)(3), (b)(6) that he has "great confidence in the grids passed."<sup>117</sup> The navigator then inaccurately told (b)(1).4a, (b)(3), (b)(6) that the grid coordinates he passed "sent them to an open field."<sup>118</sup> However, the navigator referenced the observation of the grid from when the AC-130 was in an (b)(1).4g (b)(1).4g not the observation of the grid from the (b)(1).4g (b)(1).4g. After re-assessing the grid from the overhead orbit, the TV Sensor Operator clearly stated to the crew that the grid position placed his sensor directly on top of a different compound (the NDS facility), not in the open field or the MSF Trauma Center. The navigator never passed this information to (b)(1).4a, (b)(3), (b)(6) for clarification.<sup>119</sup>

61. (S//REL) The navigator passed the TV Sensor Operator's query for an additional description of the compound of interest to (b)(1).4a, (b)(3), (b)(6)<sup>120</sup>



"[I] have updated description of the compound of interest."

(b)(1).4a, (b)(3), (b)(6) (b)(1).4a, (b)(3), (b)(6) "ready."

"Roger, GFC says there is an outer perimeter wall, with multiple buildings inside of it. Break. Also, on the main gate, I don't know if you're going to be able to pick this up, but it's also an arch-shaped gate. How copy?"

62. (S//REL) The navigator copied the description, and after the TV Sensor Operator queried, the navigator requested that (b)(1).4a, (b)(3), (b)(6) confirm which side of the compound wall the arch-shaped gate is located, (b)(1).4a, (b)(3), (b)(6) replied that the gate was on the north side. The crew immediately identified a vehicle entry gate with a covered overhang on

<sup>114</sup> BDA Recorder Transcript, (b)(3), (b)(6) TV: "Alright, Is there any way we can get some additional confirmation as far as, 'cause I (b)(1).4a to the cords now that we are closer and even though that compound [is] the only one that's limited and has activity, if you look in the TV's screen, you can see this hardened structure that looks very large could also be more like a county prison with cells. So I just want to verify that before we start declaring people hostile, that we are 100% sure that this is the correct compound." Nav: "Copy" (S//REL)

<sup>115</sup> This conversation occurred on the P2 internal communication net which was monitored by the pilot. (S//REL)

<sup>116</sup> Statement, (b)(1).4a, (b)(3), (b)(6) 28 Oct 15

<sup>117</sup> BDA Recorder Transcript,

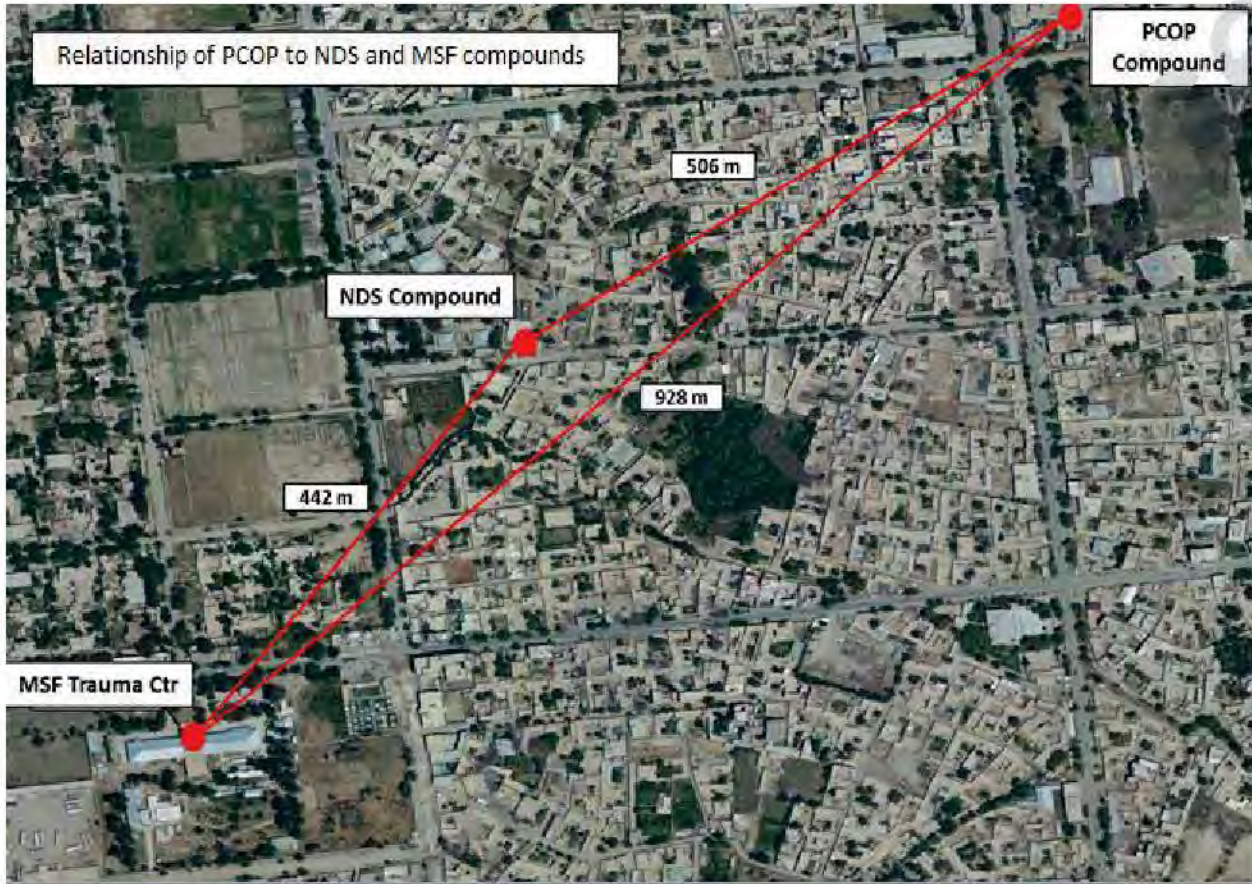
(b)(1).4a

<sup>118</sup> BDA Recorder Transcript, (b)(1).4a (Transcription of NAV's query: (b)(1).4a, (b)(3), (b)(6) the grids passed sent us to an open field, the nearest large compound is 300m from that posit.") (S//REL)

<sup>119</sup> Ibid

<sup>120</sup> Description matched typical Afghan urban area. (S//REL)

the north side of the MSF compound, but only a vehicle entry gate on the south side of the NDS facility.<sup>121</sup> After further discussion at (b)(1)1.4c of whether the covered overhang is arch-shaped, or perhaps whether it could be interpreted as such, the crew collectively determined the target description matched the MSF Trauma Center as opposed to the actual target building, the NDS facility.<sup>122</sup>



(S//REL) MSF Trauma Center and NDS HQ in Relation to the PCOP compound

C. (S//REL) The Decision to Strike

63. (S//REL) While (b)(1)1.4a, (b)(3), (b)(6) observed the first compound (MSF Trauma Center), the (b)(1)1.4c staged at (b)(1)1.4d with a 14 vehicle GAF. The convoy planned to travel a 12 km route to their objective (the NDS facility), estimating to complete the movement in 60 minutes. The (b)(1)1.4a mission was to secure the NDS facility that the GFC believed

<sup>121</sup> BDA transcript Recorder, (b)(1)1.4a

<sup>122</sup> From the (b)(3), (b)(6) written statement: "The JTAC went through his description of the objective compound, he focused on the main gate which he said had an arch over it and when asked which gate was the main gate, he said that the northern gate, which matched exactly what the TV was looking at. From the information the JTAC passed, we knew with 100% certainty that the TV was looking at the objective compound and that I [IR] was not looking at the objective compound, which was very apparent due to the lack of any northern gate on the compound now known as the NDS compound." (S//REL)



(b)(1)1.4a, (b)(3), (b)(6) observed. At (b)(1)1.4a, (b)(3), (b)(6) located the (b)(1)1.4a GAF at the north end of Kunduz Airfield, approximately 9 km from their objective (NDS facility).<sup>123</sup>

64. (S//REL) Concurrently, the SOTF-A Operations Center was unaware that the (b)(1)1.4a planned to secure the NDS facility or that (b)(1)1.4a, (b)(3), (b)(6) received the coordinates of the objective (NDS facility). SOTF-A believed the intended (b)(1)1.4a target was the NDS prison located in Southern Kunduz.<sup>124</sup> SOTF-A tasked the MQ-1 Predator (b)(1)1.4a, (b)(3), (b)(6) to monitor the prison (b)(1)1.4g until they shifted the sensor over the MSF Trauma Center toward the end of (b)(1)1.4a, (b)(3), (b)(6) fire mission at (b)(1)1.4a

65. (S//REL) At (b)(1)1.4a, (b)(3), (b)(6) passed to (b)(1)1.4a, (b)(3), (b)(6) *"GFC's intent is to exploit any possible [inaudible] BREAK to lighten the load for partner force's infil."* The navigator acknowledged (b)(1)1.4a, (b)(3), (b)(6) *"copies, wilco."*<sup>125</sup> The GFC later clarified during an interview that his greatest concern was self-defense for both USSF and partner forces and that air to ground fires would focus on enemy heavy weapon emplacements and strongpoint positions.<sup>126</sup> However, (b)(1)1.4a, (b)(3), (b)(6) did not relay the GFC's complete intent to (b)(1)1.4a, (b)(3), (b)(6)

66. (S//REL) Twenty-two minutes later (b)(1)1.4a, (b)(3), (b)(6) passed to (b)(1)1.4a, (b)(3), (b)(6) that the (b)(1)1.4a planned to clear a second compound after the NDS facility, (b)(1)1.4a, (b)(3), (b)(6) added to this update by stating: *"and we will also be doing the same thing of softening the target for partner forces."*<sup>127</sup> An internal discussion ensued in the AC-130U:

FCO: "So he wants us to shoot?"

Navigator: "Yeah, I'm not positive what softening means?"

Pilot: "Ask him."

Navigator: "Copy."

67. (S//REL) Following this internal conversation, the navigator sought clarification from the GFC through (b)(1)1.4a, (b)(3), (b)(6) regarding his intent to "soften the target."

(b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) *Looking for clarification on softening the target."*

68. (S//REL) (b)(1)1.4a, (b)(3), (b)(6) (answers after a 30 second pause): *"GFC's intent is to destroy targets of all opportunity that may impede partner forces' success. How copy?"*

<sup>123</sup> 9 km route of travel (U//FOUO)

<sup>124</sup> (b)(1)1.4g (U//FOUO)

<sup>125</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>126</sup> MFR, Interview of (b)(3), (b)(6), 28 Oct 15

<sup>127</sup> BDA Recorder Transcript, (b)(1)1.4a

(b)(1)1.4a, (b)(3), (b)(6) copies all; we will continue to monitor the prison complex."<sup>128</sup>

69. (S//REL) The following key comments occurred on the crew's internal communication net regarding engaging the intended facility:

TV Operator: "I know that he is being very vague, and I'm not sure if that's going to be people with weapons or just anybody, so we'll stay neutral as far as that goes."<sup>129</sup>

Navigator: "Yeah, I'll just keep painting the picture for this complex for him when he asks."

TV Operator: "Affirm."

FCO: "And just confirm, you guys don't see anyone carrying anything that you can tell?"

TV Operator: "Not that we can tell but a lot of them are up underneath the overhangs and they are walking just from building to building."

FCO: "Pilot, FCO, if we were to engage this complex and not damage the building, I would recommend (b)(1)1.4a"

Pilot: "Copy."<sup>130</sup>

70. (S//REL) At this point, the crew requested clarification on the GFC's intent to "soften the target," and observed that no personnel at the observed facility (MSF Trauma Center) appeared to be (b)(1)1.4g which was never passed to the GFC. The crew discussed a basic weaponizing solution to engage personnel without destroying buildings. The navigator and the FCO discussed their interpretation of the GFC's intent:

FCO: "See that's the thing I don't get is that, you see, yeah, targets of opportunity, stop anyone that might impede us, well there's a big enemy C2 complex that you know of..."<sup>131</sup>

Navigator: "And you've already confirmed that this prison complex is hostile."<sup>132</sup>

FCO: "Yeah, so I don't want to tell you how to do your job but..."<sup>133</sup>

<sup>128</sup> BDA Recorder Transcript,  
<sup>129</sup> BDA Recorder Transcript,  
<sup>130</sup> BDA Recorder Transcript,  
<sup>131</sup> BDA Recorder Transcript,  
<sup>132</sup> BDA Recorder Transcript,  
<sup>133</sup> BDA Recorder Transcript,

(b)(1)1.4a

Navigator: "Only slightly confusing."<sup>134</sup>

Navigator: "I feel like – let's get on the same page for what target of opportunity means to you, and what target of opportunity means to me."<sup>135</sup>

FCO: "I mean when I'm hearing target of opportunity like that, I'm thinking (b)(1)1.4a – you're going out, you find bad things and you shoot them."<sup>137</sup>

71. (S//REL) Following this internal aircrew conversation, approximately nine minutes passed before the targeting conversation resumed with (b)(1)1.4a, (b)(3), (b)(6)<sup>138</sup> During this time, the aircrew discussed coordination for two (b)(1)1.4a helicopters to conduct a resupply into (b)(1)1.4a, (b)(3), (b)(6) was assigned as the Air Warden for (b)(1)1.4a<sup>139</sup> and needed to deconflict fires with the helicopters' ingress and egress. The TV and IR Sensor Operators continued to discuss the compound (MSF facility) during this time.

72. (S//REL) In addition to the Kunduz mission, the (b)(3), (b)(6) and his battle staff supported two additional missions: a USSF operation in (b)(1)1.4a and coordinating a resupply into the PCOP compound.<sup>140</sup>

73. (S//REL) The GFC believed everything west of the main north-south running highway (Highway 3, Route (b)(1)1.4a) was "swarming with insurgents," as "confirmed over the previous 48 hours by numerous aerial platforms."<sup>141</sup> The GFC believed the majority of threat to his location originated from the western half of the city. Several coordinated attacks originated from this area, to include squad-sized enemy elements maneuvering with heavy weapons to the west of the PCOP compound.<sup>142</sup>

74. (S//REL) In the 41 minutes leading up to clearance of fires for (b)(1)1.4a, (b)(3), (b)(6) the GFC received target building descriptions for the NDS facility from the (b)(1)1.4d, (b)(6) co-located at the PCOP Compound.<sup>143</sup> The GFC believed the target and POL descriptions provided by the (b)(1)1.4d, (b)(6) appeared to match the information provided by (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6)<sup>144</sup> Based on the GFC perception of the (b)(1)1.4c convoy's location as displayed (b)(1)1.4g and the simultaneous sound

<sup>134</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>135</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>136</sup> Multi Service Tactics Techniques and Procedures (MTTP) (b)(1)1.4a

(b)(1)1.4a

<sup>137</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>138</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>139</sup> (b)(1)1.4a in the vicinity of Kunduz. (S//REL)

<sup>140</sup> Statement, (b)(3), (b)(6) 5 Nov, 15; SITREP, SOTF-A, 010000D\*Oct15 – 012359D\*Oct15

<sup>141</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15; a review of multiple ISR platforms indicates that although there were several insurgents engaging the PCOP Compound from the west during 1 Oct – 3 Oct, the streets were empty.

<sup>142</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>143</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>144</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15; MFR, Interview of (b)(3), (b)(6) 28 Oct 15

of automatic gunfire coming from the east-west road near the NDS facility, the GFC assessed enemy fire pinned down the (b)(1)1.4d convoy, which constituted PID of hostile intent and a hostile act.<sup>145</sup> The (b)(1)1.4d, (b)(6) also received a call from the (b)(1)1.4d, (b)(6) with the request, "strike now."<sup>146</sup> Based on this incorrect assessment, the GFC decided to prosecute the NDS facility target he believed (b)(1)1.4a, (b)(3), (b)(6) was observing<sup>147</sup>.

75. (S//REL) At (b)(1)1.4a, (b)(3), (b)(6) resumed the targeting conversation leading to (b)(1)1.4a, (b)(3), (b)(6) fire mission on the MSF Trauma Center:

(b)(1)1.4a, (b)(3), (b)(6) "Roger, (b)(1)1.4a, (b)(3), (b)(6) Did you copy last – enemy PAX at OBJ target building, GFC requests we prosecute those targets. GFC initials (b)(3), (b)(6) how copy?"<sup>148</sup>

76. (S//REL) At this point, the IR sensor stopped tracking the convoy and moved his sensor to the MSF Facility.<sup>149</sup> The (b)(1)1.4d, (b)(6) data indicated that the (b)(1)1.4d GAF convoy was located at the north end of the airfield, approximately 9 km from their objective (the NDS facility) not near the NDS facility.<sup>150</sup> They were not receiving fire. The GFC authorized firing on the compound.



(S//NF) Screenshot from (b)(1)1.4a, (b)(3), (b)(6) 3 Oct 15<sup>151</sup>

<sup>145</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15

<sup>146</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15; MFR, Interview of (b)(1)1.4d, (b)(6) 8 Nov 15

<sup>147</sup> MFR, Interview (b)(1)1.4d Program Manager, 2 Nov

<sup>148</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>149</sup> BDA Recorder Video, (b)(1)1.4a

<sup>150</sup> MFR, Interview (b)(1)1.4d Program Manager, 2 Nov

<sup>151</sup> IR BDA Recorder Video, (b)(1)1.4a

(b)(1)1.4a, (b)(3), (b)(6) [redacted] (b)(1)1.4a, (b)(3), (b)(6) copies, GFC requesting that we prosecute at objective, (b)(3), (b)(6) Confirm which ROEs we will be operating under?"<sup>152</sup>

"ROE (b)(1)1.4a how copy?"<sup>153</sup><sup>154</sup>

(b)(1)1.4a, (b)(3), (b)(6) [redacted] (b)(1)1.4a, (b)(3), (b)(6) copies, Resolute Support (b)(1)1.4a confirm?"

"Affirm, and (b)(1)1.4a also applies."<sup>155</sup>

(b)(1)1.4a, (b)(3), (b)(6) [redacted] (b)(1)1.4a Confirm intentions on striking compound and (b)(1)1.4a ?"<sup>156</sup>

"Good copy."<sup>157</sup>

(b)(1)1.4a, (b)(3), (b)(6) [redacted] (b)(1)1.4a, (b)(3), (b)(6) [redacted] passes clarification to (b)(1)1.4a, (b)(3), (b)(6) [redacted] about engaging the building.]

(b)(1)1.4a, (b)(3), (b)(6) [redacted] (b)(1)1.4a, (b)(3), (b)(6) GFC wants you to prosecute objective building first, (b)(1)1.4a secondary, \*suppressing\* (\*inaudible) (b)(1)1.4a"<sup>158</sup>

(b)(1)1.4a, (b)(3), (b)(6) [redacted] (b)(1)1.4a, (b)(3), (b)(6) copies, objective building first followed by followed by (b)(1)1.4a confirm (b)(1)1.4a"

[internal to aircraft]: "I'd like to keep that our discretion, (b)(1)1.4a"

77. (S//REL) The GFC's intent, as originally relayed to (b)(1)1.4a, (b)(3), (b)(6) [redacted] by (b)(1)1.4a, (b)(3), (b)(6) [redacted] was to "destroy targets of all opportunity."<sup>159</sup> At (b)(1)1.4a, (b)(3), (b)(6) [redacted] stated "enemy PAX at objective target building, GFC requests we prosecute those targets."<sup>160</sup> After confirming the ROE for the fire mission, the navigator asked (b)(1)1.4a, (b)(3), (b)(6) [redacted] "confirm intentions on striking compound and (b)(1)1.4a"<sup>161</sup> (b)(1)1.4a, (b)(3), (b)(6) [redacted] replied, "GFC wants you to prosecute objective building first, (b)(1)1.4a secondary."<sup>162</sup> After this transmission, the navigator's discussion with (b)(1)1.4a, (b)(3), (b)(6) [redacted] focused on how to strike the building without further clarification of the GFC's intent. Despite (b)(1)1.4a, (b)(3), (b)(6) [redacted] specifying (b)(1)1.4a<sup>163</sup> which the navigator acknowledged, the navigator sought confirmation to utilize (b)(1)1.4a rounds directly on the building. (b)(1)1.4a, (b)(3), (b)(6) [redacted] responded to these confirmations with verbiage such as "good copy,"<sup>164</sup>

<sup>152</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>153</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>154</sup> ROE (b)(1)1.4a (NATO//RS SECRET)

<sup>155</sup> ROE (b)(1)1.4a (NATO//RS SECRET)

<sup>156</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>157</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>158</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>159</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>160</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>161</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>162</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>163</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>164</sup> BDA Recorder Transcript, (b)(1)1.4a

"cleared to engage,"<sup>165</sup> "copy,"<sup>166</sup> and "(b)(1)1.4a, (b)(3), (b)(6) you are clear to engage."<sup>167</sup> (b)(1)1.4a, (b)(3), (b)(6)  
(b)(1)1.4a, (b)(3), (b)(6) never passed an explicit, affirmative clearance for (b)(1)1.4a directly on the building. Despite this ambiguity, the pilot decided to directly engage the building with (b)(1)1.4a<sup>168</sup>

78. (S//REL) The (b)(3), (b)(6) recommended keeping munitions selection at the discretion of the aircrew, in accordance with published AC-130 TTP, which specifies (b)(1)1.4a as the correct weaponeering solution for buildings.<sup>169</sup>

(b)(1)1.4a, (b)(3), (b)(6) copies all waiting on your clearance to continue"

(b)(3), (b)(6) "Can I get first round (b)(1)1.4a"

(b)(1)1.4a, (b)(3), (b)(6) cleared to engage."

(b)(1)1.4a, (b)(3), (b)(6) copies, standby rounds."

(b)(3), (b)(6) "All players, all players (b)(1)1.4a, (b)(3), (b)(6) going hot (b)(1)1.4a"

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

79. (S//REL) At this point, six minutes prior to engaging the target, the crew configured the aircraft for weapons employment when (b)(1)1.4a, (b)(3), (b)(6) called to clarify the engagement:

Navigator: "Go for (b)(1)1.4a, (b)(3), (b)(6)"<sup>170</sup>

(b)(1)1.4a, (b)(3), (b)(6) "Roger, be advised to do a PAX cocktail."

[Non-standard terminology]

Navigator: "What did he just say?"

UNKNOWN: "Something about confirming PAX cocktail."

Navigator: "PAX cocktail?"

UNKNOWN: "I assume he's referring to MAMs; get a confirmation and as well, while you're at it, get a building that he actually wants to strike, confirm that it's a t-shaped building in the center of the compound."<sup>171</sup>

<sup>165</sup> BDA Recorder Transcript,

<sup>166</sup> BDA Recorder Transcript,

<sup>167</sup> BDA Recorder Transcript,

<sup>168</sup> BDA Recorder Transcript,

<sup>169</sup> AFTTP 3-3.AC-130, pp.

<sup>170</sup> BDA Recorder Transcript,

<sup>171</sup> BDA Recorder Transcript,

(b)(1)1.4a

(b)(1)1.4a

(b)(1)1.4a

Navigator: "Copy."

(b)(1)1.4a, (b)(3), (b)(6) looking again for clarification on the last. Break. Also looking for clarification on the building to be struck - confirm it is the t-shaped building."

(b)(1)1.4a, (b)(3), (b)(6) "Copy."

[Communications from (b)(1)1.4a, (b)(3), (b)(6) begin breaking up]

Navigator: "Ok he is breaking up. We are going to get confirmation."

(b)(1)1.4a, (b)(3), (b)(6) say again."

(b)(1)1.4a, (b)(3), (b)(6) request (b)(1)1.4a on (b)(1)1.4a how copy."

Navigator: (b)(1)1.4a, (b)(3), (b)(6) copies, (b)(1)1.4a Break. Looking for confirmation on which building to strike - confirm it is the large t-shape building... in the center of the compound."

(b)(1)1.4a, (b)(3), (b)(6) "Affirm (b)(1)1.4a, (b)(3), (b)(6)"

Navigator: (b)(1)1.4a, (b)(3), (b)(6) copies, looking to strike the large t-shape building in the center of the compound ensuring we are clear with (b)(1)1.4a on the building."

(b)(1)1.4a, (b)(3), (b)(6) you are clear to engage."<sup>172</sup>

Navigator: (b)(1)1.4a, (b)(3), (b)(6) copies, standby rounds."

80. (S//REL) While (b)(1)1.4a, (b)(3), (b)(6) advised (b)(1)1.4a, (b)(3), (b)(6) of the GFC's intent to prosecute both the objective building and personnel,<sup>173</sup> engaging with (b)(1)1.4a<sup>174</sup> is a weaponeering solution for personnel targets. Thinking they were cleared on the building itself, (b)(1)1.4a, (b)(3), (b)(6) chose to engage with (b)(1)1.4a in accordance with AC-130 TTP.<sup>175</sup> (b)(1)1.4a, (b)(3), (b)(6) continued to clarify the GFC's intent within two minutes of engaging the target:

Pilot: "Hey confirm that we are cleared on people in this compound and not just (b)(1)1.4a this building."<sup>176</sup>

<sup>172</sup> BDA Recorder Transcript, (b)(1)1.4a  
<sup>173</sup> BDA Recorder Transcript, (b)(1)1.4a

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

<sup>175</sup> AFTTP 3-3.AC-130, (b)(1)1.4a  
<sup>176</sup> BDA Recorder Transcript, (b)(1)1.4a

(b)(1)1.4a, (b)(3), (b)(6) confirm we are cleared (b)(1)1.4a in the compound and (b)(1)1.4a from the t-shaped building.”

(b)(1)1.4a, (b)(3), (b)(6) affirm.”

(b)(1)1.4a, (b)(3), (b)(6) copies.”

Pilot: “You’ve got consent.”

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

EWO [on SAT]: “[garbled] (b)(1)1.4a, (b)(3), (b)(6) engagement grids 42 sierra victor fox (b)(1)1.4a rounds away.”<sup>178</sup>

82. (S//REL) (b)(1)1.4a, (b)(3), (b)(6) did not acknowledge the transmission on (b)(1)1.4a, (b)(1)1.4g or read back the coordinates.

Navigator [on Fires]: “Rounds away, rounds away, rounds away.”<sup>179</sup>

83. (S//REL) At 0208, the initial round fired from (b)(1)1.4a, (b)(3), (b)(6) was a (b)(1)1.4a round into the courtyard north of the main building followed immediately by a (b)(1)1.4a round into the roof of the MSF Trauma Center. The below graphic represents the impact location of all 211 rounds fired, consisting (b)(1)1.4a

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

<sup>178</sup> BDA Transcript Recorder, (b)(1)1.4a; Although the transcript originally shows this transmission from the (b)(1)1.4a, (b)(3), (b)(6) the investigation team reviewed the garbled audio recording and determined the radio call was from the (b)(1)1.4a, (b)(3), (b)(6).

<sup>179</sup> BDA Recorder Transcript, (b)(1)1.4a; At the “rounds away” call, the (b)(1)1.4a is approximately 5 km away from the NDS compound. (S//REL)





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

~~(S//REL)~~ (b)(1)1.4a, (b)(3), (b)(6) Impact Locations on MSF Trauma Center

84. ~~(S//REL)~~ The SOTF-A (b)(3), (b)(6) stated that by 0219, twelve minutes into the engagement, the MSF Country Representative called him via cell phone and stated that the Trauma Center in Kunduz was being hit by an airstrike.<sup>180</sup> The SOTF-A (b)(3), (b)(6) informed the SOTF-A JOC Battle Captain. At (b)(1)1.4a, (b)(3), (b)(6)<sup>181</sup> called (b)(1)1.4a, (b)(3), (b)(6) via (b)(1)1.4a, (b)(1)1.4g and asked for the grids of the target they were engaging which (b)(1)1.4a, (b)(3), (b)(6) WVO provided. Two minutes later (b)(1)1.4a, (b)(3), (b)(6) asked (b)(1)1.4a, (b)(3), (b)(6) if they were having any weapons effects on a major compound south of their engagement area. The following details from the transcript highlight the communications between (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6) throughout the engagement:

(b)(1)1.4a, (b)(3), (b)(6) that facility, the Kunduz Trauma Center to the south, we're just trying to verify that were no effects on the building itself, just on the armed PAX to the north."<sup>182</sup>

(b)(1)1.4a, (b)(3), (b)(6) that's a negative, all effects in and around the T-shaped building or in that compound."<sup>183</sup>

<sup>180</sup> Interview, (b)(3), (b)(6) 23 Oct 15

<sup>181</sup> Appendix, IJC TVI Check (b)(1)1.4a, (b)(3), (b)(6) (b)(3), (b)(6) to SOTF-A. The senior officer at the SOTF-JOC was the (b)(3), (b)(6) ~~(S//REL)~~

<sup>182</sup> BDA Transcript, (b)(1)1.4a

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

(b)(1)1.4a, (b)(3), (b)(6) copies you need to run...[comms cutoff]"<sup>184</sup>

"...large secondaries on the building."<sup>185</sup>

"Copy direct effects on building, large secondaries."

(b)(1)1.4a, (b)(3), (b)(6) looking for compounding information of lead up to attack, uhh was this position a reported position or actively engaging friendly forces?"<sup>186</sup>

(b)(1)1.4a, (b)(3), (b)(6) position was called out by (b)(1)1.4a, (b)(3), (b)(6) as under Taliban control. Currently have the (b)(1)1.4a, (b)(3), (b)(6) convoy trucking into their location, to the target. How copy?"

"Copy situation (b)(1)1.4a, (b)(3), (b)(6)"

(b)(1)1.4a, (b)(3), (b)(6) that original (b)(1)1.4a including guards posted at the front gate throughout the engagement possibly 40-50 (b)(1)1.4a total."

"Copies all."

85. (S//REL) At (b)(1)1.4a, (b)(3), (b)(6) advised the pilot that the (b)(1)1.4a gun reached its maximum firing rate. At 0237 (b)(1)1.4a, (b)(3), (b)(6) fired its last round at the MSF Trauma Center. One minute later (b)(1)1.4a, (b)(3), (b)(6) called (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6) "Roger (b)(1)1.4a, (b)(3), (b)(6) if we can cease fire mission on objective. Break [unreadable]."

86. (S//REL) After the SOTF-A (b)(3), (b)(6) informed the (b)(3), (b)(6) he then called the country director back to confirm the grid location. After this call, he returned to the operations center at 0233 and stated, "You're hitting the Trauma Center." The coordinates correlated with the MSF Trauma Center on SOTF-A's common operating picture.<sup>187</sup>

87. (S//REL) During this sequence of events, the SOTF-A (b)(3), (b)(6) called the GFC on (b)(1)1.4a, (b)(1)1.4g and requested he contact the operations center on the (b)(1)1.4a, (b)(1)1.4g. The (b)(3), (b)(6) informed the GFC that the MSF Trauma Center was under aerial attack. After this phone call (b)(1)1.4a, (b)(3), (b)(6) radioed (b)(1)1.4a, (b)(3), (b)(6) and stated, "if we can cease fire mission on objective. BREAK [garbled]."<sup>188</sup>

<sup>183</sup> BDA Transcript,

<sup>184</sup> BDA Transcript,

<sup>185</sup> BDA Transcript,

<sup>186</sup> BDA Transcript,

communications.)

<sup>187</sup> MFR, Interview of

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

<sup>188</sup> BDA Recorder Transcript,

(b)(1)1.4a

(Update to original transcript based on closer analysis of voice

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

6 Nov, 15; Common Operating System used was (b)(1)1.4a, (b)(1)1.4g

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

- SOTF-A asks (b)(1)1.4a, (b)(3), (b)(6) to zoom out and look for impact sites from (b)(1)1.4a, (b)(3), (b)(6)
- SOTF-A asks (b)(1)1.4a, (b)(3), (b)(6) to track (b)(1)1.4a
- SOTF-A continues to deconflict resupply with (b)(1)1.4a, (b)(3), (b)(6)
- SOTF-A believes (b)(1)1.4a, (b)(3), (b)(6) is striking SW of the NDS facility
- (b)(1)1.4a SOTF-A (b)(3), (b)(6) receives a call from MSF stating they have been hit in an airstrike
- - SOTF-A (b)(3), (b)(6) notifies (b)(3), (b)(6) of MSF Trauma Center being under attack from the air
- (b)(1)1.4a, (b)(3) identifies strike and passes grid to the location (MSF trauma facility)
- (b)(1)1.4a, (b)(3) (b)(6) (b)(3) for grid to engagement (b)(1)1.4a, (b)(3), (b)(6) passes correct grid to MSF
- - The (b)(3), (b)(6) SOTF-A (b)(3), (b)(6) to report good effects from the (b)(1)1.4a, (b)(3), (b)(6) engagement; SOTF-A asks the (b)(3), (b)(6) to call back on (b)(1)1.4a, (b)(1)1.4g
- - SOTF-A notifies the (b)(1)1.4a, (b)(3), (b)(6) has struck the MSF Trauma Center
- (b)(1)1.4a, (b)(3) receives initial BDA from (b)(1)1.4a, (b)(3), (b)(6) SOTF-A never calls "check fire" or "cease fire"
- (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) to cease fire
- SOTF-A (b)(3), (b)(6) receives SMS from MSF in Kabul informing that one staff was confirmed dead and many unaccounted for
- (b)(1)1.4a SOTF-A (b)(3), (b)(6) sends SMS to MSF in Kabul "I'm sorry to hear that, I still don't know what happened"

(S//REL) SOTF-A Post-Strike Action Timeline

88. (S//REL) After completing the fire mission on the compound, a single (b)(1)1.4a round remained in the gun after a hot gun malfunction. Initially, (b)(1)1.4a, (b)(3), (b)(6) authorized (b)(1)1.4a, (b)(3), (b)(6) to fire the remaining round into the objective. He then stopped (b)(1)1.4a, (b)(3), (b)(6) calling "cease fire." At (b)(1)1.4a, (b)(3), (b)(6) fired the round into an open field in a zero collateral damage area outside of 2km from the engagement site.<sup>189</sup> (b)(1)1.4a, (b)(3), (b)(6) remained overhead until (b)(1)1.4a and landed at BAF at (b)(1)1.4a

89. (S//REL) At 0303, a United Nations Assistance Mission-Afghanistan representative called the RS HQ CJOC Director, reporting that the MSF Trauma Center had been bombed from the air. The CJOC notified RS DCOS OPS and started the RS HQ CIVCAS battle drill.<sup>190</sup>

90. (S//REL) At 0425, the (b)(1)1.4a, (b)(3), (b)(6) called the CJSOAC-A (b)(1)1.4a, (b)(3) Operations desk and advised them of a possible CIVCAS incident. The (b)(3), (b)(6) conducted a review of the BDA recorder with his SJA and believed the strike was procedurally correct in terms of ROE, confirming the target and acquiring GFC intent and authorization.<sup>191</sup>

<sup>189</sup> BDA Recorder Video (IR), 2 Oct 15

<sup>190</sup> MFR, Interview of DCOS OPS, 21 Oct 15

<sup>191</sup> Email, (b)(3), (b)(6) 3 Nov 15; Just prior to (b)(3), (b)(6) sent the following email to SOJTF-A CG: "Sir, per our conversation, here's some preliminary data from the gunship crew: There was a known enemy (b)(1)1.4a The target was identified as an enemy structure controlled by enemy forces with all personnel in/around structure characterized as enemy. (b)(1)1.4a, (b)(3), (b)(6) cleared the gunship on the enemy structure and associated personnel. There was approx. 10 minutes of dialogue prior to the engagement regarding target confirmation and exact location of the building/compound. Perhaps the only issue I see with the shoot, was that ROE (b)(1)1.4a was cited. (b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c  
(b)(1)1.4a, (b)(1)1.4c " (S//NF)

4. (~~U//FOUO~~) Aftermath - Morning of 3 October 2015

91. (~~S//REL~~) The investigation team interviewed [redacted (b)(3) 10 USC 130c] present at the Trauma Center on the evening of 2-3 Oct. Their stories describe the attack on the Trauma Center, the deaths of several employees and patients, and the wounding of many others.<sup>192</sup>



(~~U//FOUO~~) The MSF Trauma Center in Kunduz following the Airstrike

92. (~~S//REL~~) As the Trauma Center burned, surviving staff transported wounded patients to an office building and a cooking facility for medical treatment. Throughout the early morning, MSF staff treated their wounded patients and colleagues. At first light, Afghan Security Forces arrived and offered limited assistance in relocating some patients to the Kunduz Provincial Hospital.<sup>193</sup>

93. (~~S//REL~~) When the AC-130U completed its mission and returned to BAF, the [redacted (b)(3), (b)(6)] were debriefed by the [redacted (b)(3), (b)(6)] and then released.<sup>194</sup>

94. (~~S//REL~~) Based on the MSF report<sup>195</sup> and interviews<sup>196</sup> with MSF personnel, the investigation team believes there were at least 30 fatalities (13 MSF employees, 10 patients, and 7 others yet to be identified) and approximately 37 wounded.

<sup>192</sup> MFR, Interview of [redacted (b)(3) 10 USC 130c] 2 Nov 15

<sup>193</sup> MFR, Interview of [redacted (b)(3) 10 USC 130c] 2 Nov 15

<sup>194</sup> Email, [redacted (b)(3), (b)(6)] 3 Nov 15

95. (S//REL) 3 Oct 15, RS DCOS OPS appointed BG Rich Kim to lead a Civilian Casualty Assessment Team, and as Acting CDR USFOR—A, appointed BG Kim to conduct an AR 15-6 Investigation into the events on 3 Oct. On 17 Oct, CDR USFOR-A released BG Kim as a new team was appointed.<sup>197</sup>

96. (U) On 5 Nov 15, MSF conducted its own internal investigation into the strike. According to the report,<sup>198</sup> the Trauma Center experienced a significant increase in patients on 28 Sep due to the conflict.<sup>199</sup> On the afternoon of 2 Oct, employees placed two MSF flags on the roof of the main building. The report indicates that at the time the strike began, between 0200 and 0208, 105 patients were in the facility.<sup>200</sup> MSF states that the strike lasted approximately one hour, resulting in the deaths of at least 30 individuals (10 x known patients, 13 x staff members, 7 x others still being identified).

97. (U) The government of Afghanistan also issued a report on the fall of Kunduz, which covered activities from 5 May to 28 Sep 15.<sup>201</sup> According to the report, insurgents emplaced fighters into the houses of Taliban-associated individuals prior to attacking Kunduz during the Eid-ul-Adha holiday. The report also states that a possible goal of the attack against Kunduz was to strengthen the public profile of the Taliban's new leader, Mullah Mansour. It also claims that 38 ANDSF were killed in the fighting.

98. (U) The United Nations Assistance Mission in Afghanistan (UNAMA) also released a report on the situation in Kunduz between 28 Sep and 13 Oct 15.<sup>202</sup> The report attributes the violence in Kunduz to "insufficient defensive measures" and states that it resulted in 846 civilian casualties (298 deaths and 548 injured). It also notes that 67 casualties (30 deaths and 37 wounded) were the result of the airstrike against the MSF Trauma Center. According to the report, the strike continued for 30 minutes after MSF personnel first informed US and Afghan military officials that the Trauma Center was under attack. It also states that it is not known if the attack was intentionally directed against the Trauma Center or was the result of a "breakdown of communications within the military chain of command and/or in the proper application of the relevant target identification and engagement protocols." The report states that the strike "significantly impacted the overall availability of health services" throughout the region and "may amount to a war crime."

<sup>195</sup> Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15

<sup>196</sup> MFR, Interview of (b)(3) 10 USC 1302, 2 Nov 15

<sup>197</sup> AR 15-6 Investigation Appointment Memo, 17 Oct 15

<sup>198</sup> Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15

<sup>199</sup> As of 30 Sep, 65 of the 130 patients in the Trauma Center were Taliban combatants. Despite the presence of patients from both sides of the conflict, the MSF report states that patients and guests in the Trauma Center observed MSF's "no weapons" policy. (Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15) (U)

<sup>200</sup> As of 2200 on 2 Oct, more than 100 staff and caretakers were sleeping in the Trauma Center basement, as MSF had prepared it as a "safe dormitory" for employees during times of crisis. (Report, "Attack on Kunduz Trauma Centre," MSF, 4 Nov 15) (U)

<sup>201</sup> Report, "Kunduz Tragic Incidents Fact Finding Delegation Report," 2015

<sup>202</sup> Afghanistan Human Rights and Protection of Civilians in Armed Conflict: Special Report on Kunduz Province, United Nations Assistance Mission in Afghanistan, Nov 15

D. FINDINGS

1. (U) General Findings

99. (~~S//REL~~) [redacted] (b)(1)1.4a, (b)(5)  
 [redacted] (b)(5)  
 [redacted] (b)(5) Neither SOJTF-A, CJSOAC-A, SOTF-A nor AOB-N executed an effective Risk Management process that identified initial and emerging hazards before and during the mission to retake Kunduz, or developed and implemented controls for these hazards over the several days of mission execution.<sup>203</sup>

100. (~~U//FOUO~~) [redacted] (b)(5)  
 [redacted] (b)(5)

101. (~~S//REL~~) [redacted] (b)(5)  
 [redacted] (b)(1)1.4a, (b)(5)  
 [redacted] (b)(5) In summary, the Kunduz planning process was one-dimensional with minimal staff effort from SOJTF-A and SOTF-A, as each headquarters relied upon the CONOP provided by AOB-N with some additional staff action.<sup>205</sup>

102. (~~S//REL~~) The increase in US SOF OPTEMPO across the CJOA-A requires a re-look of the SOJTF-A/NSOCC-A manning at all levels. Previous OPTEMPO assumptions may have underestimated the actual manning requirement for 24/7 operations. [redacted] (b)(1)1.4g  
 [redacted] (b)(1)1.4g

103. (~~S//REL~~) Throughout the investigation, it became clear that many commands have difficulty articulating an understanding of the Tactical Guidance, RS and OFS ROE, and the basic fundamentals regarding the use of force. Commanders and individual service members at each level acknowledged that they received training on these areas before and upon arriving in theater. Judge Advocates at every command confirmed that they had provided training. Each unit provided training products which attempted to simplify what is recognized as an exceptionally complex authorities environment. However, the investigation also discovered multiple instances of lack of understanding of the authorities. The most acute examples were the fact that the tactical commander was unsure of the authorities he was operating under on the night of 3 October, and a review of the multiple airstrikes in Kunduz leading up to the 3 October airstrike on the hospital. Therefore, recommend the RESOLUTE SUPPORT

<sup>203</sup> Risk Management Finding, See Annex 1

<sup>204</sup> [redacted] (b)(5)

<sup>205</sup> Situational Awareness Finding, See Annex 3

<sup>206</sup> [redacted] (b)(1)1.4g (~~U//FOUO~~)

Tactical Guidance be revised in a BLUF Format that focuses the reader on priority points of emphasis within the Guidance.

104. (~~S//REL~~) The AC-130U [redacted (b)(1)1.4g] contains vital mission information and capabilities [redacted (b)(1)1.4g]. This limitation creates a data sharing choke point. Although back up processes such as a voice [redacted (b)(1)1.4a, (b)(1)1.4g] were available, the [redacted (b)(1)1.4g] [redacted (b)(1)1.4g] was the sole potential source for information such as NSL data. The AC-130U [redacted (b)(1)1.4g].

105. (U//FOUO) [redacted (b)(5)]

[redacted (b)(5)]

2. (U) Directed Findings.

106. (~~S//REL~~) QUESTION 1. Identify and describe the facts and circumstances surrounding the airstrike, including the Coalition Forces and Afghan unit(s),

[redacted (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(5), (b)(6)]

aircraft, and munitions involved in the incident. Identify and describe the process(es) and personnel who were involved in requesting and approving the combat enablers that were involved in the air strike.

a. (~~S//REL~~) General Finding. On 3 October 2015, an AC-130U, callsign (b)(1)1.4a, (b)(3), (b)(6) piloted by (b)(3), (b)(6) misidentified the intended objective of the (b)(1)1.4d counter-terrorism unit, and mistakenly engaged the MSF Trauma Center and personnel at the facility based on an improper reliance on (b)(1)1.4d violations of ROE and the COM RS Tactical Guidance, and technical failures which could have alerted US Forces to the building's protected status. For 30 minutes,<sup>210</sup> the aircraft fired (b)(1)1.4a rounds into the Trauma Center's main building and at individuals around the main building.<sup>211</sup> The engagement was requested and authorized by the (b)(3), (b)(6) based on intelligence provided by an (b)(1)1.4d. US personnel directly involved in the strike did not know the building was a hospital.

(1) (~~U//FOUO~~) Specific Finding. (b)(1)1.4a, (b)(3), (b)(6) alert-launched to provide CAS for US Special Forces in a Troops in Contact situation (TIC). The early launch decreased the mission preparation time for the aircrew. As a result, the aircrew did not have adequate mission products, contributing to a lack of mission planning and increased risk to mission.<sup>212</sup>

(2) (~~S//REL~~) Specific Finding. The GFC provided and received all communications to the aircraft through his JTAC, (b)(3), (b)(6). The JTAC was inexperienced and used non-standard, non-doctrinal fires terminology, such as, "soften the target," and "PAX cocktail" that contributed to the misidentification of the target. (b)(1)1.4a, (b)(3), (b)(6) communicated with USSF ground force through the navigator. The navigator used non-standard, leading communication that also contributed to the misidentification of the target.<sup>213</sup> Non-standard communication prevented the mutual understanding of targeting data and commander's intent.<sup>214</sup>

(3) (~~S//REL~~) Specific Finding. The GFC did not inform (b)(1)1.4a, (b)(3), (b)(6) that the (b)(1)1.4d objective grid or compound description came from (b)(1)1.4d and that neither he nor his JTAC could see the intended target. The JTAC used the phrase "...that your sensor is on right now," which created the impression that the JTAC could see the target through (b)(1)1.4a, (b)(1)1.4g. Because theater (b)(1)1.4a

<sup>210</sup> 0208 to 0238 local time

<sup>211</sup> See Round Impacts Sheet (~~S//REL~~).

<sup>212</sup> The aircraft alert launched approximately 69 minutes early.

<sup>213</sup> Of note, the (b)(1)1.4a, (b)(3), (b)(6)

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

<sup>214</sup> MFR, Mission Analysis, 9 Nov 15



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

(4) (~~S//REL~~) Specific Finding. **Nothing observed by (b)(1)1.4a, (b)(3), (b)(6) indicated a hostile act or demonstrated hostile intent. The GFC’s authorization to strike the compound in order to “destroy targets of all opportunity that may impede partner forces’ success” was in violation of both ORS ROE (b)(1)1.4a and OFS ROE.<sup>216</sup> (b)(1)1.4a, (b)(3), (b)(6) observation and subsequent engagement of personnel without weapons or any indication of hostile intent was also in violation of ORS ROE (b)(1)1.4a and OFS ROE. The Aircraft Commander failed to positively identify a threat to USSF or ASSF, consistent with defense of others under ORS or OFS ROE.<sup>217</sup> AC-130 crews are specifically trained to (b)(1)1.4a**

(b)(1)1.4a <sup>218</sup>

**Additionally, the GFC’s direction to strike, which resulted in the destruction of the compound’s main building, was in violation of both ROE and COMRS Tactical Guidance for (b)(1)1.4a<sup>219</sup>**

(5) (~~U//FOUO~~) Specific Finding. **When the GFC approved the target engagement, the (b)(1)1.4a Ground Assault Force (GAF) was 9km from their objective and was not facing any hostile act or demonstration of hostile intent.<sup>220</sup>**

(6) (~~S//REL~~) Specific Finding. After observing both the target and friendly forces for 68 minutes, from 0100 to 0208 and not identifying any hostile act or demonstrated hostile intent against protected forces, the Aircraft Commander approved (b)(1)1.4a, (b)(3), (b)(6) engagement, in violation of ROE (b)(1)1.4a

(7) (~~U//FOUO~~) Specific Finding. Neither SOJTF-A, SOTF-A, or CJSOAC-A utilized the proper risk management process during planning to identify risks to mission or during execution to identify emerging risks.<sup>221</sup> Failure to follow proper procedures contributed to the lack of situational understanding and ultimately the strike on the Trauma Center.<sup>222</sup>

(8) (~~S//REL~~) Specific Finding. **Neither the GFC nor the Aircraft Commander exercised the principle of distinction. Neither commander distinguished between**

<sup>215</sup> Investigation team line of sight observations during visit to PCOP compound and AC-130 communication transcript.

<sup>216</sup> The GFC believed he was operating under ORS ROE. Therefore, he provided ROE (b)(1)1.4a

<sup>217</sup> See Question 7 for analysis of ROE violations, and lack of PID.

<sup>218</sup> AFTTP 3-3 AC-130.

(b)(1)1.4a

<sup>220</sup> Convoy was under observation from AC-130 9km from objective when GFC ordered strike

<sup>221</sup> CONOP (b)(1)1.4a 99-001, 29 Sept 15 only provides a short reference to risk. Nowhere are specific mission hazards identified or controls defined.

<sup>222</sup> JP 3-0, ADP 5-19, AFPAM 90-803 11 Feb 13

combatants and civilians nor a military objective and protected property. Each commander had a duty to know, and available resources to know that the targeted compound was protected property.<sup>223</sup>

(9) (S//REL) Specific Finding. Even though the Navigator, (b)(3), (b)(6) didn't fully describe the actions of the nine people, this mistake doesn't exonerate the GFC from authorizing an engagement of the compound that resulted in 211 rounds fired, the destruction of the main building and deaths of 30 people.<sup>224</sup> The GFC and the Aircraft Commander failed to exercise the principle of proportionality in relation to the direct military advantage. The (b)(1)1.4a, (b)(3), (b)(6) Aircrew observed nine personnel walking around and sleeping, and the Navigator told the JTAC that nine personnel were observed at the compound.<sup>225</sup>

**107. (S//REL) QUESTION 2. Identify the concept of the operation (CONOP) authorizing the NATO / US mission that led to the MSF hospital strike, including: the purpose and intent of the CONOP; the individuals involved in the approval process including the legal review; the existence and consideration of a no-strike list; the circumstances surrounding the decision to authorize pre-planned close air support coverage for the operation; and whether any special instructions were relayed by the chain of command in connection with the approval.**

a. (U//FOUO) General Finding. The RS CONOP process is defined at the RS HQ level and understood by the subordinate commands, SOJTF-A, CJSOAC-A, SOTF-A and AOB-N's leaders interviewed.<sup>226</sup> In its current form, the CONOP process lacks the requirement to consult the No-Strike List or (b)(1)1.4c (NSL database); lacks the requirement to submit NSL overlays with the CONOP; lacks the requirement for a Grid Reference Graphics (GRG) submission; and is not responsive for time-sensitive targets or missions.<sup>227</sup>

(1) (S//REL) Specific Finding. On 29 Sep, the USSF was operating underneath the authorities and CONOP (b)(1)1.4a 09-001, whose purpose was to establish a foothold in Kunduz. On 30 Sep, there was a specific Fragmentary Order (FRAGO) (CONOP (b)(1)1.4a 09-002) approved through SOJTF-A for execution of operations. No specific CONOP or FRAGO covered POD 2-3 Oct 15.<sup>228</sup>

<sup>223</sup> Also, it is important to restate, while (b)(1)1.4a, (b)(3), (b)(6) observing what they thought was the objective, no hostile intent or hostile act was observed, but the GFC and Aircraft Commander made the decision to engage.

(b)(1)1.4a

<sup>225</sup> AC-130U mission video

<sup>226</sup> RS HQ CONOP SOP

<sup>227</sup> As of 25 Oct, RS HQ has implemented changes to the CONOP process for the inclusion of the NSL. As of 28 Oct, SOJTF-A implemented changes to the CONOP process for the inclusion of the NSL.

<sup>228</sup> CONOP Process Slide.

(2) (~~S//REL~~) Specific Finding. CONOP (b)(1)1.4a-09-002 was a bottom-up plan developed and submitted by the GFC through SOTF-A to SOJTF-A.<sup>229</sup> The CONOP was fully staffed and legally reviewed. The NSL was available but not considered.

(3) (~~S//REL~~) Specific Finding. Theater Special Instructions (SPINS) were in effect, but no additional SPINS were issued for the operation on 2-3 October.<sup>230</sup> The



(c) (~~S//REL~~) The Aircraft Commander had a duty to clarify when the GFC's intent clearly suggested an unauthorized use of fires.

**108. (~~S//REL~~) QUESTION 3. Determine whether the MSF facility was identified as a hospital or no-strike site on maps maintained by NATO, US Forces including US CENTRAL Command, USFOR-A, NSOCC-A, and other subordinate commands. Identify which US Forces knew or had reason to believe the facility that was struck was a hospital, and the facts and circumstances of how the information (including grid coordinates) was communicated within NATO/US Forces from MSF to USFOR-A and subordinate commands. In particular, you will determine whether the MSF facility in Kunduz had previously been the subject of intelligence collection and/ or surveillance, and the sources and circumstances of such collection, including against specific individuals such as foreign government agents.**

<sup>229</sup> CONOP (b)(1)1.4a-09-002.



<sup>231</sup> AFCENT Special Instructions (SPINS) v7.0, 28 JUL 15.

<sup>232</sup> AFCENT Special Instructions (SPINS) v7.0, 28 JUL 15.

a. (U//FOUO) General Finding. The MSF Trauma Center was identified as a hospital in multiple mission command systems which were accessible to leaders at all levels of command. However, on 3 Oct, due to several commanders' failure to gain and maintain situational awareness, those commands did not realize the Trauma Center was being observed and targeted. When select commands were notified that the Trauma Center was being engaged with AC-130U fires, on-shift leaders took insufficient steps that could have minimally mitigated damage to personnel at the Trauma Center.

(b)(1)1.4d, (b)(1)1.4g

(1) (S//REL) Specific Finding. On 28 Oct 14, the Trauma Center was added to the No-Strike List (NSL) within the official Department of Defense database.<sup>233</sup>

(2) (U//FOUO) Specific Finding. The No-Strike List (NSL) was available for review by subordinate units operating within the CENTCOM Area of Responsibility (AOR), to include RS HQ / USFOR-A, SOJTF-A, CJSOAC-A, and SOTF-A. A variety of tools and applications, to include (b)(1)1.4c can display the NSL from (b)(1)1.4a, (b)(1)1.4g<sup>234 235</sup>

(3) (S//REL) Specific Finding. Prior to the 3 Oct 2015 strike, personnel at all level of Command from RS HQ / USFOR-A, SOJTF-A, SOTF-A, CJSOAC-A, AOB-N, and ODA (b)(1)1.4a either knew, or should have known of the MSF Trauma Center's location.<sup>236</sup> The MSF Trauma Center coordinates were disseminated via email to at

<sup>233</sup> Email from (b)(3), (b)(6) USCENTCOM J2 Targets to (b)(3), (b)(6) Investigation Team, 3 Nov 15. No-strike entities are those designated by the appropriate authority upon which kinetic or non-kinetic operations are prohibited to avoid violating international law, conventions, or agreements, damaged relations with coalition partners and indigenous populations. CJCSI 3160.01, 12 Oct 2012. The MSF Hospital was identified in (b)(1)1.4a (b)(1)1.4a as KONDOZ HOSPITAL (KONDOZ) SPINZAR. (S//REL)

<sup>234</sup> The NSL is maintained in the (b)(1)1.4a NPW by a team of No Strike managers. USCENTCOM, as a DoD Agency responsible for maintaining a NSL for its AOR, utilizes (b)(1)1.4b for this function as prescribed in CJCSI 3160.01. USCENTCOM does not use (b)(1)1.4c for updating the NSL but either a user or administrator can import the NSL to (b)(1)1.4c. A wide variety of tools and applications (b)(1)1.4a can pull the NSL from (b)(1)1.4b display at a moment's notice.

<sup>235</sup> Email, (b)(3), (b)(6) 3 Nov 15. NSEs are under the purview of (b)(1)1.4a as the responsible producer (RESPROD) in (b)(1)1.4a USCENTCOM has a local policy whereby all NSE's that are identified in the Target Development or CDE process are nominated in (b)(1)1.4b for inclusion into (b)(1)1.4a To accomplish this

(b)(1)1.4a

variety of platforms, such as (b)(1)1.4a, (b)(1)1.4g See also MSF slide/ (b)(1)1.4d (S//REL)

<sup>236</sup> The MSF provided a memorandum through UN Office of Coordination of Humanitarian Affairs (UNOCHA) to RS HQ on 29 Sep15. (b)(1)1.4a

least 35 separate individuals prior to 3 Oct.<sup>237</sup> On 22 November 2012, the Trauma Center was identified as a hospital in the (b)(1)1.4c server.<sup>238 239</sup>

(4) (~~U//FOUO~~) Specific Finding. Prior to 3 Oct, CJSOAC-A HQ and SOTF-A HQ knew the grid coordinates of the MSF Trauma Center. (b)(1)1.4a

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

(b)(1)1.4a<sup>240</sup> CJSOAC-A HQ emailed the MSF Trauma Center location to the aircraft's EWO prior to the aircraft's launch. (b)(1)1.4g

(b)(1)1.4g the EWO did not receive the emailed files prior to the engagement on 3 Oct.<sup>241</sup> CJSOAC HQ did not confirm receipt of the emailed file, nor any NSL or protected target information with the aircrew. CJSOAC-A HQ did not provide hard copy operational graphics or products to the aircrew prior to launch.<sup>242</sup>

(5) (~~S//REL~~) Specific Finding. At least one of the (b)(1)1.4a, (b)(3), (b)(6) crew members had observed the pattern of life at the facility on a previous mission but was still unaware that it was a medical facility.<sup>243</sup>

(6) (~~U//FOUO~~) Specific Finding. By omitting key objective observations, (b)(1)1.4a, (b)(3), (b)(6) failed to adequately assist the GFC in gaining situational awareness. For example, neither (b)(1)1.4a, (b)(3), (b)(6) NAV passed the grid location to the compound they were observing to the GFC which could have alerted the GFC that the observed grid and target grid locations were different.<sup>244</sup> The EWO passed this grid to the CJSOAC-A OPCENTER via (b)(1)1.4a, (b)(1)1.4g without acknowledgment one minute before engaging. Also,

<sup>237</sup> Multiple members of the HQRS/USFOR-A Joint Staff received notification of the MSF memo via email on or about 1 October 2015. HQRS, (b)(3), (b)(6) emailed the MSF's information to 9 separate staff members. Additionally, the (b)(3), (b)(6) emailed the information to six separate directors and the (b)(3), (b)(6) SOJTF-A. The (b)(3), (b)(6) emailed the information to multiple commands, to include the (b)(3), (b)(6) Train Advise and Assist Command – North. The (b)(3), (b)(6) emailed the (b)(3), (b)(6) the information as well. In total, a minimum of 35 individuals received information regarding the location of the MSF Hospital prior to its engagement on 3 October. See MSF Slide for more details.

<sup>238</sup> See Exhibit: (b)(1)1.4c screen shots; TIR OM (b)(1)1.4a

<sup>239</sup> See Exhibit: (b)(1)1.4c screen shots;

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

<sup>241</sup> A review of the (b)(3), (b)(6) computer was conducted by (b)(3), (b)(6) Investigation Team member, on 30 Oct, at the CJSOAC HQ. The Date Time Stamp on the email showed receipt on 4 Oct 1526.

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

<sup>243</sup> BDA transcript (b)(1)1.4a, 02 Oct.

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

(b)(1)1.4a, (b)(3), (b)(6) never described the actions of the nine individuals they observed at the compound to the GFC, or the OPCENTER.<sup>245</sup>

(7) (~~U//FOUO~~) **Specific Finding. From 0100 until 0207 (one minute prior to engagement), the aircrew were the only individuals who knew the grid location of the aircraft's target.**<sup>246</sup>

(8) (~~S//REL~~) **Specific Finding. SOTF-A had insufficient situational awareness of the subordinate unit's tactical operation. Due to this fact,** (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(1)1.4g

(9) (~~S//REL~~) **Specific Finding. Commands did not take adequate steps to halt the engagement when they had information to believe that the MSF Trauma Center was being engaged.** The SOTF-A and CJSOAC-A OPCENTERS did not acknowledge the grids that were transmitted by the EWO.<sup>248</sup> The SOTF-A (b)(3), (b)(6) received a phone call from an MSF employee who told him that the MSF Trauma Center was being bombed. The SOTF-A (b)(3), (b)(6) informed the OPCENTER. The OPCENTER called the aircraft and inquired about the target, but did not direct a cease fire. The engagement continued for an additional eight minutes before the aircraft ceased firing.

(10) (~~S//NF~~) **Specific Finding. Prior to the engagement, the** (b)(1)1.4a, (b)(1)1.4c  
(b)(1)1.4a, (b)(1)1.4c  
(b)(1)1.4a, (b)(1)1.4c  
reporting confirmed that as many as 65 Taliban had recently received care at the facility, and that unarmed Taliban were present at the time of the strike. (b)(1)1.4c

<sup>245</sup> The phone call and the FIPR message passed by the (b)(3), (b)(6) to the (b)(3), (b)(6) The (b)(3), (b)(6) acknowledgement of the call.

<sup>246</sup> The aircraft passed the target grids to the (b)(3), (b)(6) in the (b)(3), (b)(6) The (b)(3), (b)(6) not capture the passage of the grids, did not conduct a read back, and did not plot the grid coordinates. The aircrew engaged the target one minute later. Due to the (b)(1)1.4g

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

<sup>248</sup> AC-130U BDA transcript (b)(1)1.4a AC-130U BDA transcript (b)(1)1.4a Statement, SOTF-A (b)(3), (b)(6) Oct (Upon review of the mission audio (b)(1)1.4a, (b)(1)1.4g, there is no indication anyone within the SOTF-A OPCENTER had the grid coordinate to the Trauma Center prior to receipt from (b)(1)1.4a, (b)(3), (b)(6)

confirmed that two senior Taliban officials had recently visited the hospital. No foreign persons of interest were observed at the Trauma Center.<sup>249</sup>

109. (S//REL) QUESTION 4. Determine whether the GFC and/or AC-130U Aircraft Commander were aware or should have been aware that the facility was the MSF hospital prior to the strike on 3 October 2015. Did they have a duty to know the facility was a hospital? Identify whether the hospital was marked as a no-strike facility within the CONOP or other guidance provided to the AOB-N or AC-130 Aircraft Commander, and if so how, e.g. in what maps, guidance systems, or documents – digital or otherwise. Also determine whether the facility had any visible outward markings indicating its status as a hospital.

a. (S//REL) General Finding. The Aircraft Commander and GFC failed to maintain situational awareness of their operating area contributing to the mistaken strike on the MSF Trauma Center. Before the strike occurred, the GFC and Aircraft Commander had resources available to determine the location of the MSF Trauma Center. Also, SOTF-A and CJSOAC-A had the mission command systems available but failed to maintain situational awareness of their subordinate units' operations to include which compound the AC-130U was observing and ultimately engaged. The lack of situational awareness by these HQs contributed to the GFC's and Aircraft Commander's mistaken strike on the MSF Trauma Center.

(1) (S//REL) Specific Finding. The GFC failed to maintain adequate situational awareness of his operating area, contributing to the mistaken targeting. The GFC did not know, but should have been aware of the MSF Trauma Center's location. USSF under the GFC command were provided with the location of the MSF Trauma Center prior to the GFC's decision to engage.<sup>250</sup> This would have alerted the GFC and the JTAC of the proximity and description of the hospital in relation to the NDS Compound, the intended (b)(1)1.4a GAF objective, mitigating the risk of confusion.

(2) (S//REL) Specific Finding. The (b)(1)1.4a, (b)(3), (b)(6) Aircraft Commander failed to gain and maintain situational awareness of his operating area contributing to the mistaken targeting of the MSF Trauma Center. The (b)(1)1.4a, (b)(3), (b)(6) crew members should have known the MSF Facility was on the NSL. With the failure of their (b)(1)1.4g and lack of pre-mission brief, the aircrew should have contacted the CJSOAC-A OPCENTER to attain the critical NSL information.

(3) (S//REL) Specific Finding. The aircraft launched without adequate mission products (b)(1)1.4g ) that were emailed with no confirmation of receipt. (b)(1)1.4a

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

<sup>250</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) Statement, (b)(1)1.4a, (b)(3), (b)(6) Interview, SOTF-A (b)(3), (b)(6)

(b)(1)1.4a

(b)(1)1.4a The CJSOAC Command failed to ensure the aircraft was prepared at launch and failed to maintain situational awareness of the ongoing operation, contributing to the mistaken targeting of the MSF Trauma Center.<sup>252</sup>

(4) (S//REL) Specific Finding. The controlling CONOP failed to annotate NSL locations, to include the MSF Trauma Center. The NSL was not considered for the CONOP production / approval process.<sup>253</sup>

(5) (S//REL) Specific Finding. The center roof of the MSF Trauma Center was marked with two rectangular MSF flags. When utilizing the AC-130U (b)(1)1.4g (b)(1)1.4g The front and sides of the MSF hospital were marked from the street view and a MSF flag flew in the courtyard.<sup>254</sup> The MSF Trauma Center was not marked with any internationally recognized symbols such as a red cross, red crescent, or a red "H." If it had been marked with these symbols, it is possible the Trauma Center would not have been engaged.<sup>255</sup>

**110. (S//REL) QUESTION 5. Describe the specific facts and circumstances surrounding the (b)(3), (b)(6) Commander's decision to call for close air support, including: the information passed to the AC-130 Aircraft Commander in connection with the call for close air support; the description and targeting criteria used to identify the MSF facility; and the reports or other communication from partnered Afghan forces leading to the targeting decision. This must address the particular source(s) and relevance of information he considered, including whether he deemed the situation in extremis, subject to hostile acts/hostile intent, etc. Detail the role played by the Joint Terminal Attack Controller (JTAC).**

**a. General Finding (S//REL). The GFC authorized an engagement of a compound in direct violation of COMRS Tactical Guidance and ROE (b)(1)1.4a The GFC violated the RS Tactical Guidance and OFS ROE when he relied on (b)(1)1.4d reporting to include objective description, grid, and current situation on the objective. The GFC failed to maintain situational awareness of the**

<sup>251</sup> AFTTP 3-1.AC-130.

<sup>252</sup> The CJSOAC-A HQ Fires Officer received the no-strike list data, to include the MSF Trauma Center location, on 1 Oct from SOTF-A HQ. The information including a NSL identifying the MSF Trauma Center's location. CJSOAC-A HQ emailed updated graphics with the MSF Trauma Center's location included to the EWO at 1847 through the (b)(1)1.4g (b)(1)1.4g. The email never made it to the EWO's computer prior to the (b)(1)1.4g failure at 2109. The CJSOAC-A HQ JOC did not confirm (b)(1)1.4a receipt of the email containing the NSL, and did not attempt to pass information via alternate or contingency methods such as (b)(1)1.4a, (b)(1)1.4g relay through another platform.

<sup>253</sup> Statement, (b)(3), (b)(6) 22 Oct 15

<sup>254</sup> MFR, Kunduz site visit; MFR, Interview with (b)(3) 10 USC 130c, (b)(6) 3 Nov 2015.

<sup>255</sup> GC I (1949). Civilian Hospitals shall be marked by means of the emblem provided for in Article 38 of the Geneva Convention for the Amelioration of the Wounded and Sick of Armed Forces in the Field, but only if so authorized by the state.



(b)(1)1.4g convoy location, failed to determine the source of audible gunfire, and the actual compound (b)(1)1.4a, (b)(3), (b)(6) was observing.

(1) (~~S//REL~~) **Specific Finding.** The GFC reasonably believed that the western area of the city contained the greatest concentration of INS forces.<sup>256</sup> In the 48 hours preceding the actions on POD of 2 / 3 Oct, (b)(1)1.4a, (b)(1)1.4g observed multiple insurgents, at times as large as a squad, manned with heavy weapons, firing and maneuvering on the USSF at the PCOP Compound. A majority of these insurgent attacks originated from the west.

(2) (~~S//REL~~) **Specific Finding.** The GFC violated the RS Tactical Guidance and OPORD (b)(1)1.4a ROE by utilizing (b)(1)1.4d to declare a target hostile. Based on his decision, the GFC informed (b)(1)1.4a, (b)(3), (b)(6) that the TB controlled the planned objective (NDS Facility) and the GFC declared the nine personnel identified by (b)(1)1.4a, (b)(3), (b)(6) as hostile.<sup>257</sup> The GFC received grid coordinates and target descriptions for the (b)(1)1.4g planned objective (NDS facility) from the (b)(1)1.4d, (b)(6) co-located with his command post element at the PCOP compound. He provided this information (via (b)(1)1.4a, (b)(3), (b)(6)) without declaring that the intelligence originated only from (b)(1)1.4d with no PID, and that he could not see the objective from his location nor through (b)(1)1.4a, (b)(1)1.4g.<sup>258</sup>

(3) (~~S//REL~~) **Specific Finding.** The GFC failed to use available resources to PID a threat. Immediately prior to authorizing the engagement, the GFC believed there was a threat to the (b)(1)1.4g GAF originating from an east/west running road, in the vicinity of the NDS facility.<sup>259</sup> Based on this perceived threat and instead of using the (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g to identify where the fire was coming from, the GFC authorized (b)(1)1.4a, (b)(3), (b)(6) to engage a compound.<sup>260</sup> It is important to restate, the GFC had lost situational awareness; the (b)(1)1.4g convoy was at the north end of the airfield approximately 9km from the planned objective (NDS compound). No (b)(1)1.4d unit was in contact; no USSF unit was in contact.<sup>261</sup>

(4) (~~S//REL~~) **Specific Finding.** The aircraft video, radio transcript, and force tracking data are inconsistent with the GFC's statement that he located the (b)(1)1.4g GAF convoy at the time he authorized the strike.<sup>262</sup>

<sup>256</sup> CENTCOM OPORD (b)(1)1.4a reserves authority to declare groups hostile to the Commander, USCENTCOM.

<sup>257</sup> RS Tactical Guidance; The GFC could not see the NDS facility from the PCOP compound.

<sup>258</sup> Accordingly, the GFC never obtained PID of the target IAW US targeting rules and ROE.

<sup>259</sup> RS HQ Tactical Guidance, 18.e

<sup>260</sup> The target turned out not to be the NDS compound but the MSF Trauma Center.

<sup>261</sup> MFR, Interview of (b)(6), 8 Nov 15; Statement, (b)(3), (b)(6), 28 Oct 15.

<sup>262</sup> The GFC was unable to observe demonstrated hostile intent or the commission of a hostile act against the (b)(1)1.4g convoy. The GFC CDR believed that he knew of the (b)(1)1.4g convoy's location as displayed by (b)(1)1.4g / (b)(1)1.4g. He believed he heard the sound of a heavy volume of automatic gunfire coming from the west of his location. He was not in contact with the (b)(1)1.4g GAF convoy. The (b)(1)1.4d, (b)(6) was not in contact with the (b)(1)1.4g convoy at that moment. The GFC CDR assessed that the (b)(1)1.4g convoy was halted and pinned down by enemy fire. The GFC did not attempt to determine where the perceived threat originated. Instead, the GFC CDR authorized the aircraft

(5) (S//REL) Specific Finding. The crew of (b)(1)1.4a, (b)(3), (b)(6) was confused by the unclear communication from the GFC regarding targeting intent. This contributed to a disproportional response to a threat that did not exist and led to the destruction of the Trauma Center main building and 30 fatalities.<sup>263</sup>

(6) (S//REL) Specific Finding. The target description was provided by the (b)(1)1.4d, (b)(6) thru the (b)(6) co-located with the GFC. The GFC stated he believed the enemy fired upon the (b)(1)1.4d from the objective and based the targeting decision off self-defense.

(7) (S//REL) Specific Finding. The (b)(1)1.4d, (b)(6) utilizing a (b)(1)1.4a and through his (b)(6) told the GFC to "strike now."<sup>264</sup> The GFC did not further validate the (b)(1)1.4d strike criteria before directing (b)(1)1.4a, (b)(3), (b)(6) to engage the objective with ADM as (b)(1)1.4a

(8) (S//REL) Specific Finding. It was unreasonable for the GFC to determine that the ground situation was in-extremis, or that the decision to engage the intended target was in response to either the USSF or the (b)(1)1.4d GAF being subject to hostile acts or intent from the intended target. The GFC could neither see the target, the (b)(1)1.4d GAF that was allegedly under fire or the perceived source of enemy fire.

(9) (S//REL) Specific Finding. The JTAC did not use prescribed doctrine, SOPs or approved TTP to conduct the fire mission.<sup>265</sup> This contributed to the misidentification and mistaken targeting of the MSF Trauma Center.

111. (S//REL) QUESTION 6. Identify whether intelligence existed assessing the presence at the MSF site of insurgents or persons considered hostile forces under USCENTCOM OPORD (b)(1)1.4a. Describe the situation at the hospital as observed by the Aircraft Commander and Fire Control Officer, including data recorded by video feed and radio traffic. (b)(1)1.4g

(b)(1)1.4g ?

a. (S//NF) General Finding. Intelligence assessed that insurgents and potentially high value individuals were at or had visited the MSF Trauma Center.

to engage the objective, in essence to conduct pre-assault fires. The GFC requested the aircraft keep a sensor on the (b)(1)1.4d GAF convoy. The GFC requested periodic updates of the GAF's position. The GFC requested that the aircraft engage when the convoy got to a certain location. The aircraft could observe the convoy on its sensors. The aircraft provided periodic updates of the convoy's location to the GFC.

<sup>263</sup> The GFC passed (b)(1)1.4a, (b)(3), (b)(6) he wanted to prosecute the target, under ROE (b)(1)1.4a focusing on the building first, (b)(1)1.4a second, using a PAX cocktail (b)(1)1.4a on the building and (b)(1)1.4a on the (b)(1)1.4a. (What specific information did the GFC pass to (b)(1)1.4a, (b)(3), (b)(6) in connection with the call for fire?)

<sup>264</sup> MFR, Interview of (b)(3), (b)(6), 8 Nov 15; After multiple interviews of ANDSF members who were present in Kunduz, the investigation could not determine which specific (b)(1)1.4c, (b)(1)1.4d (b)(1)1.4c, (b)(1)1.4d to the GFC.

<sup>265</sup> For example, the JTAC provided no CAS brief or Call For Fire to the aircraft. JP 3-09.3 and MTP 3-09.32 (JFIRE) contain the doctrine for CAS execution. AFTTP(I) 3-2.6 is the Air Force JFIRE. Additionally, RS SOP 369 provides guidance on proper execution of CAS.

There are no specific intelligence reports that confirm insurgents were using the MSF Trauma Center as an operational C2 node, weapons cache or base of operations.<sup>266</sup>

(1) (~~S//NF~~) Specific Finding. (b)(1)1.4a, (b)(3), (b)(6) observations of unarmed individuals walking around, sitting in chairs, is inconsistent with a description of a hostile act or demonstrated hostile intent. Overall crew mission competency contributed to misinterpretation of objective area dynamics.<sup>267</sup> (b)(1)1.4g

(b)(1)1.4g

(2) (~~U//FOUO~~) Specific Finding. (b)(1)1.4g<sup>269</sup> failure prevented the SOJTF-A and SOTF-A from receiving (b)(1)1.4g from (b)(1)1.4a, (b)(3), (b)(6). Failure to properly utilize (b)(1)1.4a, (b)(1)1.4g command net and failure to re-task additional ISR assets prevented SOTF-A, CJSOAC-A, and SOJTF-A from (b)(1)1.4g

(b)(1)1.4g<sup>270</sup>

112. (~~S//NF~~) QUESTION 7. Identify and describe the basis for the use of force for the strike against the facility. Include the specific operational authorities, including the applicable rules of engagement, under which combat enablers were authorized and the airstrike was conducted. Assess whether the combat enablers involved in the airstrike were authorized under the correct operational authorities, rules of engagement and tactical guidance. Determine at what point US Forces involved in the strike realized the site was a hospital, and the actions taken in response by US personnel including any call to ceasefire on the site.

a. (~~U//FOUO~~) GENERAL FINDING. The employment of CAS to destroy a building and engage associated personnel was unauthorized in this instance.

<sup>266</sup> US intelligence assessed that insurgents were present at the Trauma Center at the time of the strike and that insurgents frequented the facility. The MSF was not witting or coerced into allowing insurgents to use the Trauma Center as an operational headquarters or to cache weapons. The MSF acknowledged treating insurgents. Insurgent meetings may have occurred within the facility. None of this was known to the aircrew

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

The GFC's decision to provide pre-assault fires and the aircraft's employment of fires in a deliberate, nondiscriminatory, and offensive manner without positive identification (PID) of a threat resulted in substantial civilian casualties, significant collateral damage to the MSF Trauma Center, and operational failure.

(1) (~~U//FOUO~~) **Specific Finding.** (b)(3), (b)(6) willfully violated the ROE and tactical guidance by improperly authorizing offensive operations. The GFC understood he had the operational authority to employ fires in self-defense of the PDSS elements<sup>271</sup> against a *hostile act* under RS ROE (b)(1)1.4e and abused that authority to engage the (b)(1)1.4c GAF target objective with pre-assault fires.

(a) (~~U//FOUO~~) **Specific Finding.** (b)(3), (b)(6) could not have reasonably believed that a *hostile act* warranting engagement under RS ROE (b)(1)1.4e existed. The (b)(1)1.4c GAF's location at the time the engagement was authorized is crucial to determining if applicable ROE and Tactical Guidance were applied appropriately. The (b)(3), (b)(6) version of events surrounding his decision to authorize the strike is internally inconsistent, implausible, and contradicted by other available sources of credible information.

i. (~~S//REL~~) **GFC.** The GFC claims he believed the (b)(1)1.4c GAF halted at an intersection approximately 600m east of its intended target when the (b)(1)1.4d requested immediate strike of the NDS compound.<sup>272</sup> The GFC claims his understanding of the GAF location was confirmed by (b)(1)1.4d<sup>273</sup> and his observation of a (b)(1)1.4d at the intersection.<sup>274</sup> The GFC stated hearing a significant volume of fire coming from the west at the same time the (b)(1)1.4d, (b)(6) requested the strike. The GFC agreed to strike the building, believing that "our [the USSF's] integrated defense was in danger."<sup>275</sup> (b)(1)1.4a, (b)(3), (b)(6) then contacted (b)(1)1.4a, (b)(3), (b)(6) and gave them clearance to engage the (b)(1)1.4c GAF target objective. Accordingly, (b)(3), (b)(6) statements are internally inconsistent with regard to the location of the (b)(1)1.4c GAF and the legal justification proffered for the strike.

<sup>271</sup> It is arguable whether the (b)(1)1.4c GAF was PDSS for their executed mission on 3 Oct. The PDSS designation was for specific forces, including the (b)(1)1.4d accompanying US forces. However, the (b)(1)1.4c GAF's mission was Afghan planned; the (b)(1)1.4c GAF had not been at the PCOP compound for approximately 24 hours; the (b)(1)1.4c GAF departed from (b)(1)1.4d (b)(1)1.4d the (b)(1)1.4c GAF target was an Afghan objective; the (b)(1)1.4c GAF did not provide nor did USSF provide a CONOP or other respective SA; and no US personnel physically accompanied the (b)(1)1.4c GAF. However, whether the (b)(1)1.4c GAF was PDSS had no bearing on the GFC's unauthorized engagement, because the (b)(1)1.4c were facing no threat at the time of authorization.

<sup>272</sup> Transcript, Interview of (b)(3), (b)(6), 28 Oct 15; MFR, Interview of (b)(3), (b)(6), 28 Oct 15.

<sup>273</sup> MFR, Interview (b)(1)1.4d Program Manager, 2 Nov (b)(1)1.4d places the (b)(1)1.4c GAF 7.4 km away from the NDS compound, in the vicinity of the Kunduz Airfield, when the GFC ordered the engagement. (b)(1)1.4b (S//REL)

<sup>274</sup> The GFC was located at the PCOP compound and did not have line of sight (LOS) with the (b)(1)1.4c GAF or the NDS compound prior to or at the moment he authorized the ADM strike. As a result, it is impossible for the GFC to have witnessed the (b)(1)1.4d as alleged. PCOP compound site visit MFR, Brig Gen Armfield.

<sup>275</sup> Statement from (b)(3), (b)(6) 28 Oct 15.

ii. (~~S//REL~~) (b)(1)1.4a, (b)(3), (b)(6) **Sensor Footage.** The GFC requested through the JTAC that (b)(1)1.4a, (b)(3), (b)(6) monitor the progress of the (b)(1)1.4d GAF and notify him when it was within 1km of its target objective.<sup>276</sup> The aircrew monitored the (b)(1)1.4d GAF's progress until approximately 0202, when the GFC's intent to engage was passed. At that moment, the lead vehicle of the (b)(1)1.4d GAF was passing the northern limit of the Kunduz Airfield, approximately 9 km from the intersection where the GFC claims the (b)(1)1.4d GAF was located.<sup>277</sup> As a result, the aircrew was aware that the (b)(1)1.4d GAF was not in the vicinity of the observed compound (MSF Trauma Center), was not under fire or any other threat, and was not subject to Hostile Act or Demonstrated Hostile Intent at the moment the engagement was authorized.

iii. (~~S//REL~~) (b)(1)1.4d confirms that the (b)(1)1.4d GAF was still in the vicinity of the Kunduz airfield when the GFC passed authorization to engage.<sup>278</sup> (b)(3), (b)(6) therefore should have known the (b)(1)1.4d GAF was not halted at an intersection under fire as claimed if he had properly interpreted the (b)(1)1.4d

iv. (~~S//REL~~) **Hostile Act Analysis.** (b)(3), (b)(6) could not have reasonably believed that a hostile act warranting engagement under RS ROE (b)(1)1.4a existed. The GFC's version of events is inconsistent upon thorough review of the (b)(1)1.4a, (b)(3), (b)(6) sensor footage, (b)(1)1.4d investigative team site visit, and GFC guidance to (b)(1)1.4a, (b)(3), (b)(6) regarding the eventual engagement.

(b) (~~U//FOUO~~) **GFC PID.**

i. (~~S//REL~~) **PID of Individuals.** Assuming the GFC reasonably believed that a hostile act was being committed against the (b)(1)1.4d GAF, the GFC was responsible for establishing PID.<sup>279</sup> The GFC relied solely on (b)(1)1.4d that the NDS compound was under Taliban control. The GFC declared all observed personnel as hostile immediately after receiving a (b)(1)1.4a designation from (b)(1)1.4a, (b)(3), (b)(6). The GFC's communications with (b)(1)1.4a, (b)(3), (b)(6) proceeded to express a targeting rationale and intent of pre-assault fires, which was inconsistent with self-defense.<sup>280</sup>

<sup>276</sup> Final transcript, (b)(1)1.4a

<sup>277</sup> This determination of the (b)(1)1.4d GAF's location is supported by the air crew's observations, who also confirm that there were no friendly forces in the vicinity of the target as ascertained from (b)(1)1.4a, (b)(3), (b)(6) page.

<sup>278</sup> MFR, Interview (b)(1)1.4d Program Manager, 2 Nov (b)(1)1.4b

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

<sup>280</sup> BDA Recorder Transcript, (b)(1)1.4a; Lighten the Load; BDA Recorder Transcript, (b)(1)1.4a  
Softened the Target; BDA Recorder Transcript, (b)(1)1.4a; Destroy targets of all opportunity

(c) (U//FOUO) Specific Finding. (b)(3), (b)(6) authorized the engagement as pre-assault fire support meant to "soften the target" and "lighten the load" for (b)(1)1.4a GAF. The GFC's communications through (b)(1)1.4a, (b)(3), (b)(6) with the aircrew contain indications of offensive use of fires but make no mention of hostile acts. At (b)(1)1.4a the GFC immediately determines that "those PAX are hostile" upon receipt of (b)(1)1.4a the GFC's intent that (b)(1)1.4a, (b)(3), (b)(6) "lighten the load for partner forces" is relayed. At (b)(1)1.4a The navigator is informed "we'll also be doing the same thing of softening the target for partner forces" when notified of a potential follow-on mission. At (b)(1)1.4a the navigator is notified that GFC intends to "destroy targets of all opportunities that may impede forces". At (b)(1)1.4a the navigator is told "...enemy PAX at objective building, GFC requests we prosecute those targets" under RS ROE (b)(1)1.4a despite the absence of a HA warranting self-defense. Accordingly, it is clear the GFC intended pre-assault fire support to the (b)(1)1.4a GAF upon ordering the engagement.

(2) (U//FOUO) Specific Finding. (b)(3), (b)(6) decision to authorize the strike under RS ROE (b)(1)1.4a was unreasonable. The Aircraft Commander reasonably believed that he could employ fires in self-defense of groups that commit or directly contribute to a hostile act (not constituting an actual attack) against PDSS individuals.<sup>283</sup> The transcript indicates he was not aware of any PDSS designation.<sup>284</sup> The Aircraft Commander could see the situation on the ground, to include observation of the (b)(1)1.4a GAF he was acting to protect under self-defense. The aircrew's observations were inconsistent with the JTAC-provided descriptions and intent. The (b)(3), (b)(6) is responsible for knowing the GFC's authority to (b)(1)1.4a, (b)(1)1.4g

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

(b)(1)1.4a, (b)(1)1.4g The Aircraft Commander knew the location of the (b)(1)1.4a GAF and had not observed any hostile acts committed against the (b)(1)1.4a GAF when the GFC authorized engagement under a self-defense ROE. Nevertheless, (b)(3), (b)(6) employed 211 total rounds in order to destroy a building and engage associated personnel.<sup>286</sup>

(a) (U//FOUO) Hostile Act.

i. (S//REL) The aircrew observed four critical groups or locations - the USSF at the PCOP compound, the (b)(1)1.4a GAF movement, the first identified compound (MSF Trauma Center), and the second identified compound (NDS compound). The

<sup>283</sup> RS ROE (b)(1)1.4a

<sup>284</sup> BDA Recorder Transcript, (b)(1)1.4a

(b)(1)1.4a, (b)(1)1.4d, (b)(1)1.4g

<sup>286</sup> Employed munitions were (b)(1)1.4a

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) shows observation of the (b)(1)1.4a GAF over a significant period of time on 3 Oct. No hostile act is observed against the (b)(1)1.4a GAF during this period. (b)(1)1.4a, (b)(3), (b)(6) only momentarily observes the USSF at the PCOP Compound, but the GFC at that location never informed (b)(1)1.4a, (b)(3), (b)(6) of any hostile acts against USSF. The (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) shows the observation of both compounds, the MSF Trauma Center and NDS compound, for several minutes each.<sup>287</sup> No hostile act is observed at either compound. (b)(1)1.4a the navigator's providing of a (b)(1)1.4a was inappropriate because it inaccurately suggested a hostile force. The GFC immediately declared all observed personnel hostile after (b)(1)1.4a receipt.<sup>288</sup> Other than the (b)(1)1.4a no other observations of personnel were communicated to the GFC.

ii. (S//REL) Analysis. (b)(1)1.4a, (b)(3), (b)(6) never positively identified a hostile act originating from the MSF Trauma Center, nor did it positively identify a hostile act being committed against neither USSF at the PCOP compound or against the (b)(1)1.4a GAF, and no consideration was given for the potential for civilians in the compound. Therefore, the navigator's decision to provide a (b)(1)1.4a to the GFC after observation of nine individuals engaged in ordinary and innocuous activities was insufficient upon which to make a targeting decision. The provided (b)(1)1.4a was a critical factor that resulted in GFC making the hostile determination. The GFC should have solicited additional information from (b)(1)1.4a, (b)(3), (b)(6) given that the aircraft was the only asset with LOS. The (b)(3), (b)(6) failed to adequately communicate the aircrew's observations to the GFC for further development of his tactical situation awareness.

<sup>287</sup> MSF Trauma Center observed from BDA Recorder Transcript, (b)(1)1.4a until engagement at (b)(1)1.4a (b)(1)1.4a except for 8 minutes when the NDS Complex was observed.

<sup>288</sup> Over that period of observation: BDA Recorder Transcript, (b)(1)1.4a (b)(3), (b)(6) said "And contact I've got 1 (b)(1)1.4a SE corner of the compound heading southbound. (b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c"; (b)(1)1.4a (b)(3), (b)(6) stated "Crew, we have movement on the compound passed from (b)(1)1.4a, (b)(3), (b)(6) that appears to be (b)(1)1.4a but we'll keep eyes on for that compound."; (b)(1)1.4a (b)(3), (b)(6) said "Well it's (b)(1)1.4a for this compound, there's not normally people moving around in the city during this time but "we've (b)(1)1.4a in the same area all night since I've been here."; (b)(1)1.4a (b)(3), (b)(6) said "yep, yeah that's what I meant POL for the compound."; (b)(1)1.4a (b)(1)1.4a (b)(3), (b)(6) said "Looks like 2 (b)(3), (b)(6), (b)(1)1.4a in the prison complex?) Affirm, it's actually from the NE corner and that you have your main entrance that I can see on the SW corner, but the (b)(1)1.4a, (b)(1)1.4c (b)(1)1.4a, (b)(1)1.4c so this might be a building of interest (b)(3), (b)(6) copy." (b)(1)1.4a -FCO "TV, you can't tell if they're carrying anything can you? (TV-Negative, not at the moment) Thanks (NAV-Copy)"; (b)(1)1.4a -IR "Next to the T-shaped building you've got looks like 3 possible (b)(1)1.4c (FCO-Rog.)"; (b)(1)1.4a -TV "Alright showing 5 in the N side there now 2 here, 1 walked in between these 2 building, 2 in the front so a total of (b)(1)1.4a at the moment (b)(1)1.4a, (b)(3), (b)(6) -Copy I'll pass it) and actually it might be (b)(1)1.4a you have 2 more over next to this building, we'll just continue to monitor it before passing anything. (b)(3), (b)(6) Alright (b)(1)1.4a, (b)(3), (b)(6) (copy you)."; (b)(1)1.4a (b)(3), (b)(6) stated in replied to JTAC request (b)(1)1.4a, (b)(3), (b)(6) appears to be (b)(1)1.4a for the compound."

(e) (~~S//REL~~) The GFC could not authorize pre-assault or preparatory fires. COMRS is the approval authority for such an engagement.<sup>297</sup>

(4) (~~U//FOUO~~) **Specific Finding. SOTF-A realized the site was a hospital at 0225. The GFC gave the cease-fire order to (b)(1)1.4a, (b)(3), (b)(6) at 0238.** The MSF Country Director notified the SOTF-A (b)(3), (b)(6) that the Kunduz MSF Trauma Center was being engaged via telephone at 0219.<sup>298</sup> (b)(3), (b)(6) immediately informed the (b)(3), (b)(6) (b)(3), (b)(6) who notified (b)(3), (b)(6) via (b)(1)1.4a, (b)(1)1.4g call.<sup>299</sup> (b)(6) (b)(3), (b)(6) immediately relayed a cease-fire order to (b)(1)1.4a, (b)(3), (b)(6) at 0238.<sup>300</sup>

113. (~~S//REL~~) **QUESTION 8. Specifically identify the munitions utilized by the AC-130 Aircraft during the strike on the MSF facility, and the targeting methodology applied. What was the objective of the fires? Specific findings must be made regarding positive identification of the targets, their status as a lawful targets, expected collateral damage, and proportional use of force.**

a. (~~S//REL~~) **General Finding. The GFC and the aircrew's lack of situational awareness and judgement led to an engagement that was disproportional to the described or perceived threat.**

b. (~~S//REL~~) **Specific Finding. The crew of (b)(1)1.4a, (b)(3), (b)(6) fired 211 total rounds of ammunition into and at personnel around the MSF Trauma Center. The caliber of the rounds breaks down as follows:** (b)(1)1.4a rounds fired); (b)(1)1.4a<sup>301</sup>

c. (~~S//REL~~) **Specific Finding. (b)(1)1.4a, (b)(3), (b)(6) objective that evening was the NDS Compound, but (b)(6) fired on the misidentified target, MSF Trauma Center main building.**

d. (~~S//REL~~) **Specific Finding. Neither the GFC nor the aircrew had PID of any person or building either committing a hostile act or demonstrating hostile intent. See question 7 for analysis.**

e. (~~S//REL~~) **Specific Finding. The GFC had limited situational awareness of Kunduz beyond his LOS and what available aircraft relayed. The GFC had experienced a significant fighting for approximately 51 hours. His force had received most of their contact from west of his location. The GFC reasonably believed that the (b)(1)1.4a GAF could be threatened on their way to their objective, but his decision to authorize destruction of**

<sup>297</sup> COM RS Tactical Guidance, Para.18.e., 9 Sep 15 (2a CONOP level approval authorities).  
<sup>298</sup> SOTF-A (b)(3), (b)(6) Statement 07 Nov 15.  
<sup>299</sup> Statement, (b)(3), (b)(6) 6 Nov 15.  
<sup>300</sup> Transcript, Interview of (b)(3), (b)(6) 28 Oct 15; MFR, Interview of (b)(3), (b)(6) 28 Oct 15.  
<sup>301</sup> See Round Impacts Sheet Pg. 30 (~~S//REL~~).



the building was not consistent with the perceived threat of fire at the convoy coming down east-west roads.

f. (~~S//REL~~) Specific Finding. During the POD 2-3 Oct, the GFC lacked appropriate situational awareness to authorize the destruction of the building. He acknowledged that he may have received the grid coordinates to the MSF Trauma Center from someone at the SOTF-A OPCENTER while the fight was ongoing.<sup>302</sup> He had resources available such as the (b)(1)1.4a, (b)(1)1.4g that would have confirmed the location of the Trauma Center had he known the location the aircraft was targeting. He called for fire based upon (b)(1)1.4d prior to receiving any target description or confirmation, and never requested the grid location that the aircrew was observing. He ordered the airstrike in support of the (b)(1)1.4 GAF, while they were enroute to the intended objective. He declared the individuals at the target site as hostile based on a (b)(1)1.4a without identifying hostile activity. He did not have LOS on the intended target. His intent as well as his authorization to engage the building was inconsistent with his perception of the threat because he believed the threat was from small arms fire coming from the east-west roads.

g. (~~U//FOUO~~) Specific Finding. The strike authorized by the GFC and (b)(3), (b)(6) and executed by the aircrew, was disproportional to the observed threat. The critical issue with the strike is distinction and not proportionality, which relates to the measured use of force against legitimate military targets.

(1) (~~U//FOUO~~) Specific Finding. Proportionality assumes that the target to be engaged is a lawful military objective. Therefore, any engagement of a target that is not a lawful military objective is facially disproportional. The MSF Trauma Center was not a lawful military objective. At the point of engagement, any use of force against it was disproportional.

(2) (~~U//FOUO~~) Specific Finding. The GFC and the Aircraft Commander failed to identify the MSF Trauma Center as a lawful target. Therefore, it should have been presumed to be a civilian compound. The GFC never positively identified that the intended target building did not contain civilians, and that the persons identified or the targeted building were committing a hostile act or demonstrating hostile intent. The aircrew never had positive identification.

(3) (~~U//FOUO~~) Specific Finding. Any use of force was disproportionate due to the non-existence of a threat. There were no legitimate circumstances requiring the crew members to make decisions to engage without clarifying or requesting more information.

<sup>302</sup> Statement, SOTF-A (b)(3), (b)(6) 5 Nov 15

(4) (~~U//FOUO~~) Specific Finding. Assuming, however, that the GFC and the Aircraft Commander reasonably believed that they were authorizing an engagement of a lawful target, the expected military advantage to be gained from the engagement of the target must be weighed against the expected incidental harm to civilians.

(a) (~~U//FOUO~~) Specific Finding. The GFC believed that the NDS Compound was under INS control, but did not have LOS observation of either the intended target, or the (b)(1)1.4c GAF. He could not observe any fires from the NDS Compound. He relied on (b)(1)1.4d when he knew that he was not authorized to do so. He knew the (b)(1)1.4c GAF was not at the NDS site. Any response he requested should have been commensurate with his observations of a threat.

(b) (~~U//FOUO~~) Specific Finding. The GFC authorized pre-assault fires, despite providing a Self-Defense ROE. (See Question 7 for further analysis.) He authorized striking the building without confirming the lack of civilian presence. He authorized a deliberate strike without authority. He identified people as hostile based on (b)(1)1.4d intelligence, and no further description from the aircrew. He described the distinct military advantage to be achieved by the engagement of the NDS compound as destruction of any targets of opportunity that would impede partner force success.

(c) (~~U//FOUO~~) Specific Finding. The aircrew knew through their own observations of the target that the GFC's stated defense of others authority was inconsistent with the GFC's implied intent of pre-assault fires. They had observed no hostile act or hostile intent.

(d) (~~U//FOUO~~) Specific Finding. The crew members, to include (b)(3), (b)(6) (b)(3), (b)(6) could not confirm the target. They arbitrarily chose the building they engaged. There were several other buildings in the compound besides the main Trauma Center building. The aircrew assumed the T-shaped building was the prison based on the description provided by the JTAC. The prison, later referred to as a C2 node by the aircrew, could have been any of the buildings in the compound. However, the aircrew chose the largest building, after observing nine individuals, and making an assumption about the status of the MSF Trauma center as a lawful target with no further confirmation. The (b)(1)1.4a, (b)(6) (b)(1)1.4a made the determination of a threat, without inquiring what the threat was or from where it was coming.

(e) (~~U//FOUO~~) Specific Finding. The GFC and Aircraft Commander actions were not reasonable under the circumstances.

i. (~~U//FOUO~~) The aircrew was told by the GFC that the building was under Taliban control. They were told that the target was the NDS compound. They observed people around the compound at approximately 0200. They were provided a self-defense authority by the GFC, which was inconsistent with their own observations. They were told to soften the target, suggesting pre-assault fires, but provided a self-defense authority. They were told to strike without any positive identification of a threat.

The commander's intent coupled with the defense of others ROE should have created doubt in their mind that the target was a lawful target. The transcript indicates that members of the aircrew were confused about the target, the commander's intent, and the positive identification of hostile act and demonstrated hostile intent, yet they never developed the situation or clarified these concerns with the GFC, in accordance with JP 3-09.3.

ii. ~~(U//FOUO)~~ **The totality of the crew's observations of the building was inconsistent with the GFC's assessment.** The aircraft observed nine people behaving normally.<sup>303</sup> They were told that, "all PAX are hostile." This was an unreasonable reliance on the GFC's assessment, to the exclusion of all other readily apparent information, to include their own direct observation of the MSF Trauma Center that should have raised questions. The Trauma Center building was well-lit, making it obvious despite the well-known fact that military aircraft were overhead; no one at the MSF Trauma Center was seen carrying weapons, despite the (b)(1)1.4d assessment that this was a Taliban-controlled C2 node in a hostile part of the city.<sup>304</sup>

iii. ~~(U//FOUO)~~ **Specific Finding. There were no exigent circumstances that caused the aircrew to clarify the target.** This was not a time-sensitive target. The aircraft knew the location of the (b)(1)1.4d GAF and could assess that there was no threat posed against the convoy. The aircraft had time to confirm the target through multiple commands. The aircrew had time to execute the deliberate targeting process prior to engagement. The aircraft was not low on fuel, as it had recently refueled prior to the engagement.

(f) ~~(U//FOUO)~~ **Specific Finding.** The aircrew failed to take feasible precautions to reduce the risk of harm to individuals they could not positively identify as combatants. The aircrew consistently engaged individuals that it did not positively identify as a threat for 30 minutes.

**114. ~~(S//REL)~~ QUESTION 9. Determine whether the military force used in this case, particularly the use of close air support, complied with the Law of Armed Conflict (LOAC) and the governing NATO or OFS Rules of Engagement (ROE), including compliance with applicable NATO/ USFOR-A tactical guidance.**

a. ~~(U//FOUO)~~ **General Finding.** The use of military force, including the employment of ADM in this engagement, failed to comply with the plain language of the applicable NATO/ USFOR-A tactical guidance, was a departure from the COMRS's Intent, and did not comply with either the governing NATO or OFS ROE.<sup>305</sup> The GFC and aircrew failed to comply with the LOAC.<sup>306</sup>

<sup>303</sup> (b)(1)1.4a, (b)(3), (b)(6) video.

<sup>304</sup> During the interview with the (b)(1)1.4a, (b)(3), (b)(6) he stated that, in his experience, when AC-130 aircraft fly over insurgents, they act normally, or try to stay normal. He stated that civilians will not try to be nonchalant when the aircraft is overhead.

<sup>305</sup> RS SOP (b)(1)1.4a

b. (~~U//FOUO~~) **Specific Finding.** The employment of ADM on the MSF Trauma Center failed to comply with the plain language of current applicable tactical guidance and the Commander's stated intent. The failure to properly apply this guidance, the inability to determine the presence of civilians, and the accompanying damage failed in terms of limiting or mitigating civilian casualties.<sup>307</sup>

c. (~~U//FOUO~~) **Specific Finding.** The Navigator failed to obtain positive identification of a lawful military objective. The Navigator failed to transmit critical information about the aircraft's targeting process to the GFC; failed to seek clarification from the JTAC on critical target descriptions; failed to reconcile inconsistent targeting information and situational awareness; and ignored an accurate target grid location in favor of a vaguely described compound which was later determined to be the MSF Trauma Center.

d. (~~U//FOUO~~) **Specific Finding.** The aircrew's failure to exercise judgement when their observations did not correspond with the GFC's description, intent, and ROE led to a LOAC violation.

e. (~~U//FOUO~~) **Specific Finding.** It was unreasonable for either the GFC or Aircraft Commander to believe either the NDS Compound or Trauma Center was a Lawful Military Objective.

f. (~~U//FOUO~~) **Specific Finding.** The aircraft's determination and communication of a (b)(1)1.4a was inconsistent with their own observations. The aircrew's reliance on the GFC's determination, "all PAX are hostile," was inconsistent with the aircrew's own observations and the GFC's representations suggesting pre-assault fires.

g. (~~U//FOUO~~) **Specific Finding.** Even if the aircraft commander reasonably relied on the GFC's determination of hostile intent, the aircrew fired on the building and personnel when they did not observe a threat against protected persons. The IR Sensor Operator was observing the (b)(1)1.4 GAF 9km from their objective, and the GFC indicated no threat to positions. Therefore, the strike could not be reasonable.

(1) (~~U//FOUO~~) **Specific Finding.** The GFC's proffered self-defense justification was inconsistent with pre-assault fires.

(2) (~~U//FOUO~~) **Specific Finding.** The Aircraft Commander was responsible for knowing the GFC was not the approval authority to conduct pre-assault fires.

(3) (~~U//FOUO~~) **Specific Finding.** The TV Sensor Operator raised doubt within the aircrew that they were not positively identifying a hostile act or hostile intent from the building. The TV Sensor Operator and IR Sensor Operator could see that they were not

<sup>306</sup> Additional Protocol I, para. 57(2)(a)ii(l)

<sup>307</sup> COM RS Tactical Guidance, 9 Sep 15; See analysis to Question 7.

positively identifying a threat to the (b)(1)1.4 GAF. Up until the point of engagement at 0208, crew members had questions about the engagement, to include a description of the building, and questions about whether the persons should be engaged.<sup>308</sup>

(4) (~~S//REL~~) Specific Finding. The weaponizing solution proposed by the GFC, (b)(1)1.4a was consistent with a mission to engage personnel, not a structure. However, the aircrew's weaponizing solution was not consistent with a mission to engage personnel.

(5) (~~S//REL~~) Specific Finding. The GFC and the Aircraft Commander failed to make a proper determination that the target site was a lawful military objective.

(6) (~~U//FOUO~~) Specific Finding. The attack was disproportionate to the threat. See analysis in Question 8. The GFC and the aircrew did not attempt to distinguish between combatants and non-combatants. The aircrew took (b)(1)1.4a to observe the target prior to engaging it. The (b)(1)1.4a gave the aircrew ample time to determine the strike was unnecessary.

(7) (~~U//FOUO~~) Specific Finding. The TV and IR Sensor Operators were continued to to fire on individuals when it was no longer reasonable to do so.

**115. (U) QUESTION 10. Indicate whether combatant and/or non-combatant personnel were killed or wounded. For all personnel killed or wounded, identify, whenever possible, the organization(s) who sponsored or employed these personnel, including, MSF. You will summarize the MSF and Afghan Government perspectives of the incident, including any readily available investigative reports.**

**a. (~~U//FOUO~~) General finding. The attack on POD 2 / 3 Oct resulted in 30 fatalities, 37 wounded, and the destruction of an active Trauma Center that was protected by the Law of Armed Conflict (LOAC).<sup>309</sup>**

**(1) (~~U//FOUO~~) Specific Finding. On the 3 Oct strike on the MSF Trauma Center, only non-combatant personnel were killed or wounded.**

**(2) (~~U//FOUO~~) Specific Finding. No individuals were committing hostile acts or demonstrating hostile intent from the MSF Trauma Center. The Trauma Center was treating insurgents who were not lawfully targetable.<sup>310</sup>**

**(3) (U) Specific Finding. The MSF Trauma Center was actively employing a combination of expatriate and Afghan medical personnel to provide medical**

<sup>308</sup> BDA Recorder Transcript, (b)(1)1.4a

<sup>309</sup> MSF Public Report and (b)(3) 10 USC 130c

<sup>310</sup> LOW manual, 5.10; Persons placed hors de combat include combatants who have been rendered unconscious or otherwise incapacitated due to wounds, and may not be made the object of an attack

services in Northern Afghanistan. It was active during the fighting in Kunduz on 3 Oct.

(4) (S//REL) Specific Finding. GIROA military officials were aware the hospital was functioning and treating wounded Taliban members. The hospital was not the target of the 3 Oct (b)(1)1.4a mission.

116. (S//REL) QUESTION 11. Identify the tactics, techniques, and procedures used to de-conflict the battle space and obtain approval for the combat enablers involved in the air strike and the air strike itself. Specifically describe the procedures used to identify friendly forces or noncombatants in the area, and the process by which noncombatant and protected sites were received and disseminated by US forces. Identify and describe all approvals received for the airstrike.

a. (S//REL) General Finding. The GFC and the aircraft commander utilized acceptable TTPs to coordinate their efforts on mission execution. None of these TTPs focused on non-combatants.

(1) (S//REL) Specific Finding. The GFC routinely communicated with his partner forces and used (b)(1)1.4a to monitor friendly force locations. The GFC relied on (b)(1)1.4d for the initial grid location and observations from (b)(1)1.4a, (b)(3), (b)(6) to identify non-combatants in the area. He initially relied on (b)(1)1.4d intelligence and observations from (b)(1)1.4a, (b)(3), (b)(6) to identify non-combatants in the area.

(2) (S//REL) Specific Finding. The GFC coordinated with partner force leaders to identify ANDSF locations in person at (b)(1)1.4a prior to departure and via cellphone during the operation. The GFC used maneuver graphics and a 1:50,000 map of Kunduz city to de-conflict operations.

(b)(1)1.4a

(4) (S//REL) Specific Findings. (b)(1)1.4a, (b)(3), (b)(6) early alert was approved by SOJTF-A to ensure USSF had continuous CAS overhead. (b)(1)1.4a, (b)(3), (b)(6) was assigned as the airspace controller over Kunduz.

(5) (S//REL) Specific Finding. SOTF-A maintained a (b)(1)1.4a (b)(1)1.4a that identified some protected sites. The (b)(1)1.4a did not include a comprehensive list of no-strike targets and was primarily used to enhance the situational awareness of its users. SOTF-A sent the (b)(1)1.4a to the (b)(3), (b)(6) (b)(3), (b)(6) but the file was not successfully sent to (b)(1)1.4a, (b)(3), (b)(6). SOTF-A did send information to the GFC regarding the location of the MSF facilities in Kunduz via voice communication. The GFC did not bring information on non-combatants and protected sites to the PCOP compound.

## **E. RECOMMENDATIONS**

### **1. (U) General Recommendations**



**2. (U) Command Action Recommendations**





## Annex 1: Risk Management

**Finding: Significant issues occurred in the exercise of Risk Management throughout the Military Decision Making Process and mission execution during the Kunduz operations 29 September – 3 October 2015.**

- ADP 5-19, *Risk Management*, describes the Army’s Risk Management process as a persistent mechanism to be implemented by Commanders and staffs throughout all phases of the Operations Process, Military Decision Making Process and Troop Leading Procedures. Not an independent step or consideration, Risk Management is a pervasive command responsibility, designed so that Commanders accept no unnecessary risk and to ensure risk taken yields appropriate gains. Risk Management occurs both deliberately during mission planning and in real-time during mission execution. Consequently, the responsibilities of both Commanders and staffs for risk management extend beyond filling out a DD Form 2977 *Deliberate Risk Management Worksheet*.

**Table 1-1. Risk assessment matrix**

Risk Assessment Matrix		Probability (expected frequency)				
		Frequent: Continuous, regular, or inevitable occurrences	Likely: Several or numerous occurrences	Occasional: Sporadic or intermittent occurrences	Seldom: Infrequent occurrences	Unlikely: Possible occurrences but improbable
Severity (expected consequence)		A	B	C	D	E
<b>Catastrophic:</b> Mission failure, unit readiness eliminated; death, unacceptable loss or damage	I	EH	EH	H	H	M
<b>Critical:</b> Significantly degraded unit readiness or mission capability; severe injury, illness, loss or damage	II	EH	H	H	M	L
<b>Moderate:</b> Somewhat degraded unit readiness or mission capability; minor injury, illness, loss, or damage	III	H	M	M	L	L
<b>Negligible:</b> Little or no impact to unit readiness or mission capability; minimal injury, loss, or damage	IV	M	L	L	L	L
<b>Legend:</b> EH - Extremely High Risk H - High Risk M - Medium Risk L - Low Risk						

- Within the *Resolute Support Tactical Guidance and Delegation of Approval Authorities for Resolute Support*, the CONOP approval process divides proposed operations into three levels, Level 2 (contact with a hostile force intended), Level 1 (contact with a hostile force is reasonably likely) and Level 0 (contact with a hostile force is not reasonably likely)<sup>311</sup>. Each CONOP level is further divided into three sub-levels A, B and C with regards to specific mission requirements. For example, “Strikes on Structures Capable of Containing Civilians- Including Air Delivered Munitions ISO ANDSF” is a Level 2A CONOP per the *Tactical Guidance*, requiring COM-RS approval. While the *Tactical Guidance* CONOP

<sup>311</sup> RS Tactical Guidance, 9 Sep 15

approval mechanisms may superficially imply Risk Management, the system inherently side-steps the Risk Management process as other members of the Chain of Command are capable of approving CONOPS of lesser classification than Level 2A.<sup>312</sup> Consequently, the process delegates the Commander's determination of risk tolerance to others within the chain of command, even for missions that may contain extremely high or high risk hazards.

3. Additionally, the CONOP mechanism throughout all levels of command in Resolute Support short-changes the Military Decision Making Process by accepting PowerPoint products as opposed to traditional Operations Orders. The below chart illustrates the MDMP steps that includes risk management steps.

Table 4-1. Risk management in the military decisionmaking process

Military decisionmaking process steps	Risk management steps				
	Identify the hazards	Assess the hazards	Develop controls and make risk decisions	Implement controls	Supervise and evaluate
Receipt of mission	X				
Mission analysis	X	X			
Course of action development	X	X	X		
Course of action analysis	X	X	X		
Course of action comparison			X		
Course of action approval			X		
Orders production, dissemination, and transition	X	X	X	X	X

4. CONOP (b)(1)1.4a-09-001 *Konduz City Foothold Establishment* is a Level 2C CONOP (contact with a hostile force is intended; risk to a No Strike Entity; remote TAA where contact with a hostile force is intended by any CF or ANDSF unit) requiring approval from COM-RS, DCOS-OPS, or COM-SOJTF-A. CONOP (b)(1)1.4a-09-001, essentially the operation to **retake the city of Kunduz from the Taliban**, was a multiple slide PowerPoint presentation which addressed mission risk **once**.<sup>313</sup> From slide 2 of CONOP (b)(1)1.4a-09-001, "The overall risk for this operation is MEDIUM. Insurgent contact is INTENDED. (b)(1)1.4d will conduct all actions on the OBJ; USSF will establish static OP positions to observe, report

<sup>312</sup> RS Tactical Guidance, 9 Sep 15

<sup>313</sup> CONOP (b)(1)1.4a-09-001, *Konduz City Foothold Establishment*, 29 Sep 15

and advise the maneuver element and facilitate AGM de-confliction.” Nowhere are specific mission hazards identified, assessed or controls defined. No staff products delivered to the 15-6 investigation team contained DD Form 2977s or staff running estimates pertaining to mission risk. Essentially, the CONOP approval authority for CONOP (b)(1)1.4#09-001, COM-SOJTF-A, approved an operation with strategic implications beyond the operation without evaluating risk, controls, residual risk or defining his own risk tolerance for the mission.

5. ADP 5-19 defines an extremely high risk hazard as one in which “the consequences could extend beyond the current operation.” This definition applied to overall mission risk describes the strategic and operational result if CONOP (b)(1)1.4#09-001 failed, yet the existing CONOP system within Resolute Support and subordinate commands allowed this mission to be approved without demonstrated consideration of specific mission hazards and overall mission risk. By accepting PowerPoint products called CONOPS as opposed to doctrinal Operations Orders, Resolute Support permits its own staff as well as subordinate commands and staffs to side-step the Military Decision Making Process and the Risk Management process pervasive throughout MDMP. By avoiding the Risk Management process inherent to MDMP, each level of command simultaneously avoids determining risk tolerance for missions within the command while enabling subordinate commanders to assume risk with potential geo-political strategic implications, as demonstrated by the MSF hospital strike.

**Table 1-2. Levels of severity and examples of consequences**

<b>Level</b>	<b>Sample consequences</b>
<b>I Catastrophic</b>	<ul style="list-style-type: none"> <li>• Complete mission failure or the loss of ability to accomplish a mission.</li> <li>• Death or permanent total disability.</li> <li>• Loss of major or mission-critical systems or equipment.</li> <li>• Major property or facility damage.</li> <li>• Severe environmental damage.</li> <li>• Unacceptable collateral damage.</li> </ul>
<b>II Critical</b>	<ul style="list-style-type: none"> <li>• Significantly degraded mission capability or unit readiness.</li> <li>• Permanent partial disability or hospitalization of at least 3 personnel.</li> <li>• Extensive major damage to equipment or systems.</li> <li>• Significant damage to property or the environment.</li> <li>• Significant collateral damage.</li> </ul>
<b>III Moderate</b>	<ul style="list-style-type: none"> <li>• Degraded mission capability or unit readiness.</li> <li>• Minor damage to equipment or systems, property, or the environment.</li> <li>• Lost days due to injury or illness.</li> </ul>
<b>IV Negligible</b>	<ul style="list-style-type: none"> <li>• Minimal injury or damage.</li> <li>• Little or no impact to mission or unit readiness.</li> <li>• First aid or minor medical treatment.</li> <li>• Little or no property or environmental damage.</li> </ul>

- 6. Based upon this doctrinal review of Risk Management as applied to CONOP (b)(1)1.4a-09-001, below is a summary of facts that support the finding. Neither RS, SOJTF-A, CJSOAC-A, SOTF-A nor AOB-N executed an effective Risk Management process that identified initial and emerging hazards before and during the mission to retake Kunduz, or developed and implemented controls for these hazards over the several days of mission execution.

Initial Hazards (30 Sep-1 Oct)

- ODA's limited partnering with (b)(1)1.4a forces.<sup>314</sup>
- ODAs operated in an unfamiliar urban environment without supporting city imagery or an established GRG throughout all levels of command.<sup>315</sup>
- Inexperienced aircrew with few previous missions together in training or operations.<sup>316</sup>
- New JTAC (b)(1)1.4a, (b)(3), (b)(6) with no previous mission experience, to include controlling AC-130 gunships in urban environments with no NSL locations.<sup>317</sup>
- Little intelligence indicating overall Taliban plan or actions during seizure of Kunduz.<sup>318</sup>
- Compressed planning and preparation timeline.
- Pressure to ensure success of ANDSF operations with limited resources.
- CJSOAC-A ORM complacency<sup>319</sup>

Emerging Hazards (2 Oct-3 Oct)

- AC-130 crew launched over an hour early on alert with no pre-mission brief. Consequently, the FCO utilized 1 Oct mission data.<sup>320</sup>
- Executing a CONOP originally approved for a 24-hour mission, extending into its fourth day.
- (b)(1)1.4a, (b)(1)1.4g failure and ground force's lack of batteries to view (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g<sup>321</sup>
- (b)(1)1.4a of the AC-130, (b)(1)1.4g, (b)(6)  
(b)(1)1.4g
- Physical fatigue (sleep deprivation, prolonged exposure to direct fire engagements, stress induced from close combat). Over four days of almost continuous combat for ODAs with a partner force.

<sup>314</sup> Statement, (b)(3), (b)(6) 28 Oct 15

<sup>315</sup> Statement, ODA (b)(1)1.4a 31 Oct 15

<sup>316</sup> (b)(1)1.4a, (b)(3), (b)(6) training records, provided by AFSOC 21 Oct 15

<sup>317</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>318</sup> Mission Brief, SOJTF-A, 22 Oct 15

<sup>319</sup> Review of Sep - 2 Oct (b)(1)1.4a, (b)(6) ORM sheets (of the 41 reviewed, 5 were medium, none were high – the 2 Oct mission was assessed as low); MFR, CJSOAC-A ORM

<sup>320</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 23 Oct 15

<sup>321</sup> (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) report, 2 Oct 15

<sup>322</sup> (b)(1)1.4g

- [Redacted]
- [Redacted]
- [Redacted] (b)(1)1.4g
- Poor communication and coordination between CJSOAC, SOTF-A and AOB-N from 2-3 Oct.
- Support of an Afghan SOF planned operation based upon single-source [Redacted] (b)(1)1.4d without US confirmation or oversight.<sup>324</sup>
- Primary communication mechanism [Redacted] (b)(1)1.4a
- [Redacted] (b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6)
- Increased risk of insider threat at the GFC location due to the arrival of non-vetted ANP.

7. Risk management is part of a unit's culture. Each level of command is responsible for identifying risk throughout the mission planning and execution and mitigating that risk to protect the force and protect the mission.

<sup>323</sup> Statement, [Redacted] (b)(1)1.4a, (b)(3), 31 Oct 15

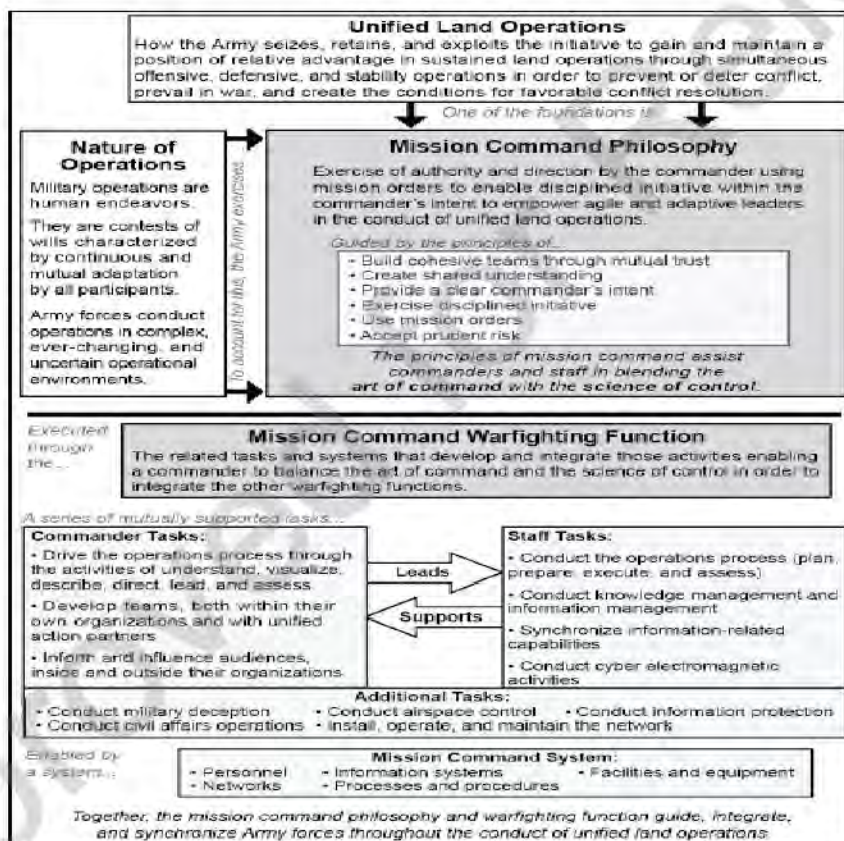
<sup>324</sup> Statement, [Redacted] (b)(3), (b)(6) 28 Oct 15

<sup>325</sup> Statement, [Redacted] (b)(3), (b)(6) 31 Oct 15

## Annex 2: Mission Command

**Finding: Significant issues in the exercise of the Mission Command warfighting function occurred during the Kunduz operations 29 Sep-3 Oct 15.**

1. According to ADRP 6-0, *Mission Command*, the Mission Command Warfighting Function tasks for a commander are:
  - Drive the operations process through their activities of understanding, visualizing, describing, directing, leading and assessing operations.
  - Develop teams, both within their own organizations and with joint, interagency and multinational partners.
  - Inform and influence audiences, inside and outside of their organizations.



▲ Figure 1-1. Overview of the exercise of mission command

2. The Mission Command Warfighting Function tasks for a staff are:
  - Conduct the operations process: plan, prepare, execute and assess.
  - Conduct knowledge management and information management.
  - Synchronize information-related capabilities.
  - Conduct cyber electromagnetic activities.



Δ Figure 3-2. Mission command warfighting function tasks

3. In order to accomplish these tasks, **Commanders** establish a mission command system- the arrangement of **personnel**, **networks**, information systems, processes and procedures, and facilities and equipment that enable a Commander to conduct operations.

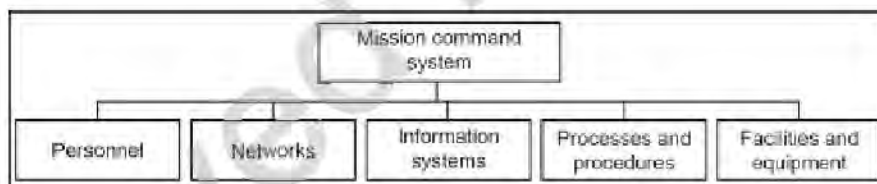


Figure 3-4. Components of a mission command system

4. Resolute Support and its subordinate commands and partner forces utilize numerous and redundant mission command systems, to include but not limited to

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

5. Directly contributing to SOJTF-A, CJSOAC-A, SOTF-A and AOB-N degraded Mission Command during operations on 2-3 Oct in Kunduz was the simultaneous failure of several of the aforementioned mission command systems, as well as the lack of executing a Primary, Alternate, Contingency and Emergency reporting channels for each level of command during an active operation. Tangential to

the inadequate execution of Mission Command was the ineffective, hands-off approach of leaders and staff throughout the Operations Process, as personnel did not properly assess the mission or adjusted mission command systems in order to maintain situational awareness.

6. Mission command system failures during the period of 30 Sep-3 Oct 2015 include:

- Resolute Support HQ does not utilize (b)(1)1.4c while SOJTF-A, SOTF-A and AOB-N rely primarily upon (b)(1)1.4c<sup>326</sup>
- CJSOAC-A fails to provide (b)(1)1.4a, (b)(3), (b)(6) with pre-mission products prior to takeoff at (b)(1)1.4a<sup>327</sup>
- (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) outage beginning (b)(1)1.4a 2 Oct 15, preventing (b)(1)1.4a, (b)(3), (b)(6) from receiving CJSOAC pre-mission products, to include the NSI (b)(1)1.4a, (b)(1)1.4g<sup>328</sup>
- (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) outage beginning (b)(1)1.4a 2 Oct 15, preventing commands from viewing (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)<sup>329</sup>
- (b)(1)1.4d personnel report target locations, descriptions and positions via (b)(1)1.4g to (b)(1)1.4d, (b)(6) co-located with (b)(3), (b)(6) (b)(3), (b)(6) All information then translated through an interpreter to the (b)(3), (b)(6)<sup>330</sup>
- (b)(3), (b)(6) utilizes (b)(1)1.4g for critical mission communication; (b)(1)1.4g (b)(1)1.4g<sup>331</sup>
- (b)(3), (b)(6) relies upon possibly legacy vehicle position icons on (b)(1)1.4a to determine (b)(1)1.4d frontline trace.<sup>332</sup>
- (b)(3), (b)(6) do not have enough batteries to power both (b)(1)1.4a, (b)(1)1.4g radio and the (b)(1)1.4a, (b)(1)1.4g choosing to utilize only (b)(1)1.4g<sup>333</sup>
- (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) with the AC-130 aircraft, therefore preventing higher headquarters located at Bagram and Camp Integrity to monitor the situation.
- (b)(1)1.4a, (b)(3), (b)(6) shifts sensor to MSF facility engagement at (b)(1)1.4a 3 Oct 15, (b)(1)1.4a minutes after initiation of strike. This ISR asset was looking at the wrong objective because SOTF-A leadership did not have situational understanding of that night's operations.<sup>334</sup>

<sup>326</sup> MFR, (b)(1)1.4c 10 Nov 15

<sup>327</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>328</sup> (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) connectivity report, 2 Oct 2015

<sup>329</sup> (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) connectivity report, 2 Oct 2015

<sup>330</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>331</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>332</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>333</sup> Statement, (b)(1)1.4a, (b)(3), (b)(6) 28 Oct 15

<sup>334</sup> (b)(1)1.4a, (b)(3), (b)(6) 3 Oct 15



- (b)(1) 1.4a, (b)(3), (b)(1) 1.4a arrives over the MSF facility engagement at (b)(1) 1.4a 3 Oct 15, (b)(1) 1.4a minutes after initiation of strike.<sup>335</sup>
- (b)(1) 1.4d, (b)(6) utilized (b)(1) 1.4a, (b)(1) 1.4g to periodically provide and receive updates from the GFC.<sup>336</sup>

- The simultaneous failure of several of the aforementioned mission command systems occurred the night of 2-3 Oct 15. Resolute Support and its subordinate commands did not institute procedures to work through these issues, severely minimizing the situational awareness of each command. However systems are not the only focus on Mission Command. According to ADRP 6-0, "a Commander's mission command system begins with people. Soldiers and leaders exercise disciplined initiative and accomplish assigned missions in accordance with the commander's intent, **not technology**." As such, upon each failure of a mission command system, each level of command staffs should have exercised a battle drill to fill the gap created by a degraded mission command system in order to maintain situational awareness of the mission. No such contingency procedure was executed throughout the hierarchies of commands. This observation is best exemplified by the fact that when the AC-130U (b)(1) 1.4a, (b)(1) 1.4g (b)(1) 1.4a, (b)(1) 1.4g failed, (b)(1) 1.4a, (b)(1) 1.4g platforms such as (b)(1) 1.4a, (b)(3), (b)(6) were neither tasked to look at the planned objective nor to look at the facility the AC-130U crew observed.<sup>337</sup> If any other command, Resolute Support, SOJTF-A, SOTF-A or CJSOAC-A had observed what the AC-130U was observing, there is reasonable certainty a battle staff member could have determined the facility was the MSF Trauma Center, not the NDS compound.
- The implementation of a Standing Operating Procedure for mission command systems throughout Resolute Support and its subordinate commands lessens the confusion and information gaps between headquarters in the future. For example, when time allows, an SOP mandating (b)(1) 1.4a, (b)(1) 1.4g clearances via (b)(1) 1.4a, (b)(1) 1.4g prior to weapons employment for future strikes would allow real-time monitoring of the Ground Force Commander's intent throughout SOTF-A, CJSOAC-A and SOJTF-A, while also developing the picture for Resolute Support, the command authority within which most AC-130 usages in an urban environment resides. It is important to remember the AC-130 crew observed the MSF Trauma Center for (b)(1) 1.4a minutes before they engaged the main building.<sup>338</sup> This was ample time for other headquarters to provide critical oversight to the ground force.
- While the mission command systems of the Mission Command Warfighting Function played an integral role in the events of 2-3 Oct 15, the philosophy of Mission Command also contributed to the communication breakdown, with

<sup>335</sup> (b)(1) 1.4a, (b)(1) 1.4g 3 Oct 15

<sup>336</sup> Statement, (b)(1) 1.4a 4 Nov 15

<sup>337</sup> RSTA Annex, 2 Oct 15

<sup>338</sup> BDA Recorder Transcript, (b)(1) 1.4a

particular respect to the SOJTF-A, CJSOAC-A and SOTF-A commands. According to ADRP 6-0, the Mission Command philosophy is guided by the principles of:

- Build cohesive teams through mutual trust
- Create shared understanding
- Provide a clear commander's intent
- Exercise disciplined initiative
- Use mission orders
- Accept prudent risk

10. Through the mission command philosophy the commander visualizes the process to achieve the desired end-state.

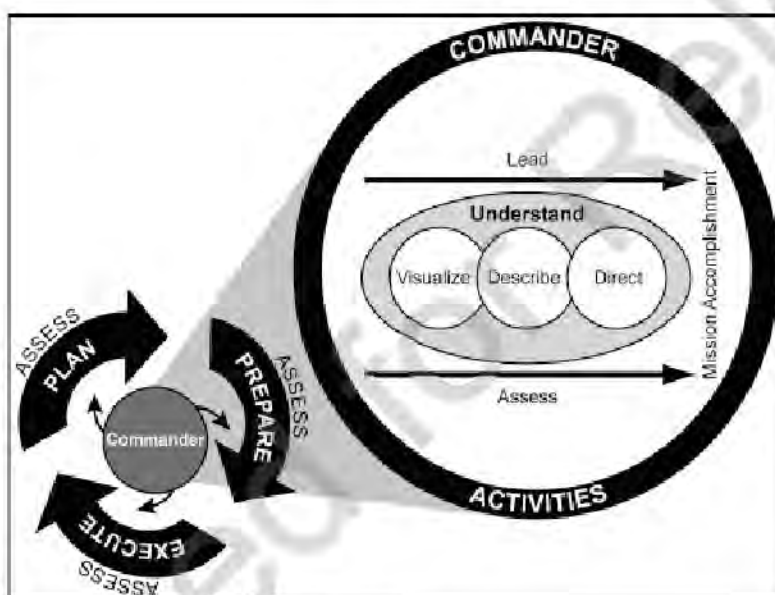


Figure 3-3. The operations process

11. For the operation to retake the provincial capital of Kunduz from Taliban control, SOJTF-A and SOTF-A did not provide clear mission orders or provide a clear commander's intent for the overall operation. Instead, the GFC and subordinate ODAs received verbal guidance via telephone calls and one Video Teleconference (VTC).<sup>339</sup> No mission order exists from SOJTF-A or SOTF-A to AOB-N; instead AOB-N submitted CONOP (b)(1), 409-001 *Konduz City Foothold Establishment*, a multiple slide PowerPoint presentation as opposed to a doctrinal Operations Order.<sup>340</sup> Approved by SOJTF-A as a RS Level 2C CONOP, CONOP (b)(1), 409-001 outlined a 24-hour mission that in actuality stretched for four days, with no documentation of staff assessment from SOJTF-A or SOTF-A during mission execution. Furthermore, SOJTF-A and SOTF-A did

<sup>339</sup> Statement, (b)(3), (b)(6) 28 Oct 15

<sup>340</sup> CONOP (b)(1), 409-001, *Konduz City Foothold Establishment*, 29 Sep 15

not “build cohesive teams through mutual trust” by partnering AOB-N with the (b)(1)1.4d in Kunduz; the (b)(1)1.4a and AOB-N had no established Train, Advise and Assist relationship prior to the operation. SOJTF-A and SOTF-A accepted CONOP (b)(1)1.4a-09-001 as a MEDIUM risk operation, without incorporating the principles of ADP 5-19, *Risk Management* or re-evaluating the mission risk once it extended beyond its original 24-hour window.<sup>341</sup> Consequently, while the Commanders may have “accept[ed] prudent risk” during the onset of the operation, they did not subsequently re-evaluate the mission risk as the conditions changed.

12. CJSOAC-A also did not “build cohesive teams through mutual trust” or “accept prudent risk” by allocating the aircrew of (b)(1)1.4a, (b)(3), (b)(6) to the Kunduz mission. The flight crew of (b)(1)1.4a, (b)(3), (b)(6) flew only one previous combat mission together, thus demonstrating limited experience as a cohesive team.<sup>342</sup> Several aircrew members of (b)(1)1.4a, (b)(3), (b)(6) also struggled throughout training, as indicated by training records provided to this investigation.<sup>343</sup> As such, CJSOAC-A permitted an inexperienced flight crew with marginal training performance to support a highly delicate ODA/Afghan partner force mission to retake an urban provincial capital from Taliban control.
13. In conclusion, from 30 Sep 15 to 3 Oct 15 the commands of SOJTF-A, CJSOAC-A and SOTF-A experienced significant issues with the science of control due to mission command system failures, coupled with issues with the art of command due to deviations from the principles of Mission Command Philosophy.

<sup>341</sup> CONOP (b)(1)1.4a-09-001, Kunduz City Foothold Establishment, 29 Sep 2015

<sup>342</sup> (b)(1)1.4a, (b)(3), (b)(6) crew training records, provided by AFSOC 21 Oct 2015

<sup>343</sup> (b)(1)1.4a, (b)(3), (b)(6) crew training records, provided by AFSOC 21 Oct 2015

## Annex 3: Situational Awareness

**Finding: Significant issues in the planning process occurred during the Kunduz operations 29 Sep-3 Oct 15 resulting in inadequate situational awareness and mission support to the AOB-N command.**

1. During the fact finding step of this investigation, several Special Forces leaders explained the long-standing, bottom-up planning approach that is utilized in Afghanistan. This planning approach starts with a general, normally verbal statement from a higher headquarters that is passed through the chain-of-command to an ODA. The ODA is then expected to develop a CONOP consisting of power point slides that can then be passed to the AOB, then SOTF and based on the risk will continue to SOJTF-A and for high risk mission to COMRS. Headquarters above the ODA review the power point brief, make corrections and add information as required.<sup>344</sup> When the CONOP is approved by the appropriate headquarters, the approval is passed down the chain-of-command as a verbal command. This bottom up planning process may be successful when resources are plentiful and risks are relatively low, but the process failed for the operation in Kunduz 29 Sep-3 Oct.
2. Planning, even accelerated crisis focus planning, must follow established procedures so that operations are planned, coordinated and synchronized IAW the commander's intent. Just because a planning effort is reacting to an unforeseen crisis doesn't support a higher headquarters advocating their responsibilities. An ODA in Afghanistan is normally a (b)(1).4a, (b)(1).4g organization, including the (b)(1).4a, (b)(1).4g Soldiers. In the current planning construct, this team is expected to plan, prepare, and execute the operation with little to no guidance with enablers provided by their higher headquarters. This process might be successful for less complex, shorter duration operations, but for the "fall" of Kunduz, a provincial capital, the planning process failed especially as the operations extended well past the briefed CONOP end-date.
3. The Army's planning approach includes conceptual and detailed planning. Conceptual planning approach includes mission analysis to examine the current situation as described by the current conditions. From their understanding of the current situation, mission, and desired end-state, commanders then conceptualize an operational approach to attain the end state which is defined by the desired future conditions. As conceptual planning is ongoing, the staff starts detailed planning utilizing the Military Decision Making Process (MDMP). The MDMP process helps leaders apply thoroughness, clarity, sound judgment, logic, and professional knowledge to understand situations, develop options to solve problems and reach decisions. Conceptual and detailed planning are executed through the Operations Process of understand, visualize, describe, and direct.

<sup>344</sup> Statement, (b)(3), (b)(6) 23 Oct 15

An operations process that focuses on three key areas. First, the process supports the leader's ability to identify friction points that will be encountered during planning and execution. Second, effective planning, integrating processes and resource allocations enable operations, and assist in executing mission accomplishment in accordance with commander's intent specifically the desired end state. Finally, the process supports synchronizing the operation that results in shared understanding and delineating the fights (responsibilities) of each level of command to include the units on the ground and in the air.

4. The Kunduz planning process was one dimensional. The (b)(3), (b)(6) with his ODAs, was told to assist the Afghan military to take back Kunduz. While ODA leaders developed detailed plans, higher headquarters provided little support beyond allocated Air Force CAS and (b)(1)1.4g ISR support. These headquarters did monitor the current situation and support in directing kinetic strikes in the city. But when most needed, these headquarters provided little support to monitoring current operations, providing a quality check to employment of AC-130U fires, and assisting in providing the one critical resupply need – batteries for the (b)(1)1.4a, (b)(1)1.4g. These headquarters also failed to react to the events that significantly degraded the AC-130U's abilities to provide fires. They didn't quality check the aircrew and showed little interest in assisting them in their mission.
5. The Intelligence Warfighting Function is an example of the planning void by the AOB-N's higher headquarters. ATP 3-05.20, Special Operations Intelligence, explains how organic and nonorganic assets meet operational needs within the intelligence process in order to provide relevant, accurate, predictive, and timely intelligence and information that allow special operations to:<sup>345</sup>
  - Identify and develop targets
  - Develop and assess measures of effectiveness
  - Plan missions
  - Secure the element of surprise
  - Protect the force
6. The ATP goes on to state during the MDMP process the intelligence staff begins by pulling from available intelligence databases, both organic and nonorganic. The intelligence staff performs terrain, climate, and areas, structures, capabilities, organizations, people, and events (ASCOPE) analysis, and then contacts the supporting special operations weather team (SOWT) for target weather information. The intelligence staff also analyzes the threat, determines its capabilities and vulnerabilities, prepares a situation template, and hypothesizes likely threat COAs. This basic process is applicable to any mission assigned to ARSOF.<sup>346</sup>

<sup>345</sup> ATP 3-05.20 Special Operations Intelligence, p. vi

<sup>346</sup> ATP 3-05.20 Special Operations Intelligence, p. 1-6

7. Basic Intelligence Preparation of the Battlefield was inadequately conducted at each level of command above the AOB-N. (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(1)1.4g was provided to the GFC. These standard products from either SOTF-A or SOJTF-A could have assisted the GFC in understanding the situation. It is important to understand that neither the GFC nor his ODAs had been in Kunduz City previously. Few, if any ASSF forces were familiar with Kunduz City.
8. The Legal Support to the Kunduz operations is the second example of the planning void by the AOB-N's higher headquarters. In accordance with FM 1-04, Legal Support To The Operational Army, "when planning operations or reviewing completed operation plans and orders, staff judge advocates carefully review all aspects of the plan that deals with the use of fires to ensure that it aligns with ROE and the law of war."<sup>347</sup>
9. From our fact finding efforts there clearly was a lack of understanding of the need to review the NSL by many leaders to include the SJA. While it is not only the SJA's responsibility to ensure NSLs are used, it is the responsibility for the SJA to ensure plans are executed IAW ROE and LOAC.
10. Besides the intelligence war fighting function and legal review, there are multiple areas that were overlooked in the planning process to include fire plans, resupply operations, mission command node requirements, decision support matrix, etc. The lack of a formal planning process driven by the commander at each level contributes to a lack of situation understanding by each level of command.

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<sup>347</sup> FM 1-04 Legal Support To The Operational Army, p. 2-5.

## Annex 4: Médecins Sans Frontières: Kunduz Trauma Center



1. Founded in 1971, Médecins Sans Frontières (MSF) provides medical aid and assistance to victims of natural and man-made disasters and victims of armed conflict in over 70 countries worldwide. A private, international association of doctors and health sector workers, MSF earned the Nobel Peace Prize in 1999 for its work in war-torn regions and developing countries faced with disease crises. In 2015, over 30,000 doctors, nurses, medical professionals, logistical experts, water and sanitation engineers, and administrators volunteered their services at MSF facilities worldwide. MSF receives 80% of its funding from private philanthropists, with the remaining funding arriving from corporate donors.
2. MSF operations are guided by medical ethics and the principles of independence and impartiality. The MSF Charter embodies the principles of Medical Ethics, Independence, Impartiality and Neutrality, Bearing Witness, and Accountability. MSF offers assistance to people based on need alone, irrespective of race, religion, gender or political affiliation. As such, MSF frequently refuses to take sides or intervene according to the demands of governments or warring parties. In MSF's words, the organization exists to assist those who would otherwise have no access to medical care.



3. MSF resumed providing medical services to Afghanistan in 2009, opening four facilities across the country since that time. In 2011, MSF opened a one-of-a-

kind facility in the Kunduz province of northern Afghanistan, the MSF Kunduz Trauma Center. The Trauma Center provided free surgical-level care to those with conflict-related injuries, as well as to victims of general trauma such as traffic accidents and head injuries. As the only complete Trauma Center in northern Afghanistan, patients traveled from Baghlan, Takhar and Badakhshan provinces for treatment. Previously patients went without medical attention, or they chose to endure a long, expensive, possibly perilous journey across the Afghanistan/Pakistan border for aid.



4. The facility initially maintained 58 beds, increased in 2014 to 70 beds after extensive renovations to the intensive care unit. By September of 2015, the facility maintained 98 beds. In 2014, the MSF Kunduz Trauma Center staff treated 22,193 people and performed 5,962 surgeries. 54% of patients admitted in 2014 suffered conflict related injuries. The facility maintained an emergency room, two operating rooms, an intensive care unit, as well as X-ray and laboratory facilities. The facility contained three separate surgical wards for male and female patients, aided by the recovery and rehabilitation services of a full-time physiotherapist.



5. As an impartial, neutral medical facility in an active conflict zone, MSF Kunduz Trauma Center maintained a strict no-weapons policy for its premises, regardless of the affiliation of its patients. Security guards at the MSF Kunduz Trauma Center front gate enforced this policy, and continue to do so following the partial destruction of the facility. An MSF study from February 2014 indicated that more than one in five people in Kunduz waited over 12 hours before traveling to the



Trauma Center, primarily due to security concerns, active fighting, or unavailable transportation.



6. From 28 September to 3 October, the MSF Trauma Center treated 394 wounded people. During the strike, the Trauma Center contained 105 patients and more than 80 international and national MSF staff. At 0208 on 3 October 2015, the main hospital building erupted into chaos as an AC-130U gunship above rained 105 and 40mm munitions into the building. The MSF team desperately attempted to move wounded and ill patients from the main hospital building while establishing a makeshift operating theater in the undamaged basement. Within minutes of the first impacts, MSF staff phoned the SOTF-A headquarters, reporting the barrage on their facilities. While satellite buildings within the MSF compound suffered relatively minor damage, the main hospital building housing the emergency room, operating theaters and intensive care unit erupted into flames, a fire further fueled by oxygen tanks and medical chemicals. The staff and patients endured for thirty minutes of precision bombardment from above, as doctors and nurses rapidly attempted to treat surviving patients and their own wounded staff.



7. *"It was absolutely terrifying. I was sleeping in our safe room in the hospital. At around 2 AM I was woken up by the sound of a big explosion nearby. At first I didn't know what was going on. Over the past week we'd heard bombings and explosions before, but always further away. This one was different- close and loud. At first there was confusion and dust settling. As we were trying to work out what was happening, there was more bombing. After twenty or thirty minutes, I*

*heard someone calling my name. It was one of the Emergency Room nurses. He staggered in with massive trauma to his arm. He was covered in blood, with wounds all over his body.”*

– (b)(6) MSF Nurse, Kunduz Trauma Center, 2-3 Oct 15



8. While the AC-130U strike lasted for thirty minutes in the early hours of 3 Oct 15, the fire raged in the hospital building for hours. According to MSF, there were thirty fatalities and thirty-seven wounded. The identities of several bodies recovered remain unknown.



(b)(6)

The destruction within the main hospital building rendered the Trauma Center inoperable, as the operating theaters, emergency room and intensive care facilities were destroyed. While MSF’s plans for the future of its Kunduz facility remain unknown, the people of northern Afghanistan doubtlessly feel the loss of the Kunduz Trauma Center as they once again face long, expensive journeys to Kabul or Pakistan for future surgical care.

The information contained within this Annex derived from publicly available information on the Médecins Sans Frontières website, <http://www.doctorswithoutborders.org> (last reviewed 1 Nov 15).

## Appendix 5: Key Personnel List

POSITION (roles)	RANK	NAME	SERVICE	CALLSIGN
<b>Resolute Support Headquarters (RS HQ)</b>				
RS Deputy Chief of Staff of Operations	MG	Buchanan	USA	
<b>Special Operations Joint Task Force- Afghanistan HQ (SOJTF-A)</b>				
SOJTF- A Commander	MG	Swindell	USA	
Deputy Commanding General SOJTF-A	Brig Gen	Bauernfeind	USAF	
(b)(3), (b)(6)				
<b>Combined Joint Special Operations Air Component- Afghanistan HQ (CJSOAC-A)</b>				
(b)(1)1.4a, (b)(3), (b)(6)				
<b>Special Operations Task Force- Afghanistan HQ(SOTF-A)</b>				
(b)(1)1.4a, (b)(3), (b)(6)				
<b>Advanced Operations Base- North (AOB-N) at PCOP in Kunduz</b>				
(b)(1)1.4a, (b)(3), (b)(6)				
(b)(1)1.4a, (b)(3), (b)(6) <b>Aircrew</b>				
(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)				
<b>Of Note</b>				
(b)(3), (b)(6)				

## REFERENCES

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2. ADP 3-09.32/MCRP 3-16.6A/NTTP 3-09.2/AFTTP(I) 3-2.6, *Multi Service Tactics Techniques and Procedures (MTTP) Joint Application of Firepower (JFIRE)*, 30 Nov 12
3. Army Doctrine Reference Publication (ADRP) 5-0, *The Operations Process*, 17 May 12
4. Army Techniques Publication (ATP) 5-19, *Risk Management*, 14 Apr 14
5. ADRP 6-0, *Mission Command*, 28 Mar 14
6. Air Force Central (AFCENT) *Special Instructions (SPINS)* (b)(1)1.4a
7. Air Force Pamphlet (AFPAM) 90-803, *Risk Management Guidelines and Tools*, 11 Feb 13
8. Air Force Tactics, Techniques and Procedures (AFTTP) 3-1.AC-130, *Tactical Employment-AC-130*, 5 Mar 15
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12. AR 600-20, *Army Command Policy*, 6 Nov 14
13. ATP 3-05.20, *Special Operations Intelligence*, 3 May 13
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15. Chairman Joint Chiefs of Staff Instruction (CJCSI) 3160.01, *No Strike List and Collateral Damage Estimation*, 12 Oct 12
16. *Department of Defense Law of War Manual*, Jun 15
17. Field Manual (FM) 1-04, *Legal Support to the Operational Army*, 18 Mar 13

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**ORDERS, GUIDANCE, AND SOP REFERENCES**

1.	
2.	
3.	
4.	
5.	(b)(1)1.4a, (b)(1)1.4d
6.	
7.	
8.	

9.

10.

11.

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

Approved for Release

**Hickman, William B.MG US MIL DEPUTY COMMANDER**

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**From:** Buchanan, Jeffrey S.(US) MG Deputy, Chief of Staff, Operations  
**Sent:** Tuesday, October 27, 2015 9:39 PM  
**To:** Hickman, William B.MG US MIL DEPUTY COMMANDER  
**Cc:** Jenkins, Sean M. BG Deputy Director; Campbell, John F USA GEN COMRS; Whittle, [redacted] (b)(3), (b)(6)  
COMRS Special Advisor; [redacted] (b)(3), (b)(6) Wainwright, David BG Chief CJ3 (AUS); [redacted] (b)(3), (b)(6)  
MG; West, Scott D USAF MAJ GEN 9 AETF-A CC; Quantock, Mark R. MG DCOS INT Deputy Chief of Staff; Kim, Richard C US BG DCOS OPS CJ35 CHIEF  
**Subject:** FW: ~~(S)~~ Update to Task Completion IAW USFOR-A FRAGO [redacted] (b)(1)1.4a (USFOR-A Targeting) as of 271700D\*OCT 15  
**Attachments:** USFOR-A FRAGO [redacted] (b)(1)1.4a - TARGETING PROCESS; Task Completion Update as of 271700L OCT 15.docx

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Bill:

FYI, the attached is essentially an IPR on the status of each task in FRAGO [redacted] (b)(1)1.4a

V/R,

JEFFREY S. BUCHANAN  
MG, USA  
RS DCOS OPS

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

---

**From:** [redacted] (b)(3), (b)(6)  
**Sent:** Tuesday, October 27, 2015 9:30 PM  
**To:** Buchanan, Jeffrey S.(US) MG Deputy, Chief of Staff, Operations  
**Cc:** Wainwright, David BG Chief CJ3 (AUS)  
**Subject:** ~~(S)~~ Update to Task Completion IAW USFOR-A FRAGO [redacted] (b)(1)1.4a (USFOR-A Targeting) as of 271700D\*OCT 15

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Sir,

As requested, attached is with changes applied.

Vr,

(b)(6)

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Approved for Release



## UPDATE ON TASK ACCOMPLISHMENT (AS OF 271700D\* OCT 15)

REF: FRAGO - USFOR-A (b)(1)1.4a (USFOR-A TARGETING) DATED 260350Z OCT 15

**SOJTF-A - 3.C.1.A. (U//FOUO) VALIDATE THE PROCESS FOR ENSURING THAT THE MOST RELEVANT AND CURRENT NSL DATA IS MAINTAINED WITHIN THE APPROPRIATE INTELLIGENCE SYSTEMS.**

**STATUS:** NSOCC-A/SOJTF-A IS USING THE (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g PROGRAM ON SIPRNET AS THE PRIMARY MEANS FOR VALIDATING THE NO STRIKE ENTITIES (THIS IS IN LINE WITH THE CJCSI 3160.01.-NO STRIKE AND THE COLLATERAL DAMAGE ESTIMATION METHODOLOGY)

THE CENTCOM JOINT TARGETING ELEMENT (JTE) WEBSITE HAS THE MOST CURRENT AND ACCURATE NSL ON ITS PORTAL. NSOCC-A/SOJTF-A AND ALL OF ITS COMPONENTS WILL REFERENCE THE CENTCOM JTE WEBSITE WHEN PLANNING OPERATIONS. ALL COMPONENTS HAVE THE DIRECTIONS ON HOW TO ACCESS THE NO STRIKE LIST AND IT WAS DELIVERED THROUGH MULTIPLE VENUES FOR COMPLIANCE.

- NSOCC-A PUBLISHED A FRAGO ON CXI (NSOCC-A FRAGO (b)(1)1.4a DATED 19 OCTOBER 2015).
- FIRES AND AIR PLAYERS RECEIVED A TALK-THROUGH ON HOW TO NAVIGATE TO THE NSL ON 13 OCTOBER 2015 DURING THE SOJTF-A FIRES VTC (CHAIR BY BRIG GEN BAUERNFEIND. PRESENT FOR THE VTC WERE SOTF-A, CJSOAC, (b)(1)1.4a, (b)(3) (b)(1)1.4a, (b)(3)

LAST WEEK (14-16 OCT 15) NSOCC-A CONTACTED THE CENTCOM JTE TARGET LIST MANAGER AND NO STRIKE LIST MANAGER AND REQUESTED A DIRECT PUSH OF THE NSL TO SOJTF-A. NSOCC-A ALSO WORKED DIRECTLY WITH THE CJOC TARGETING OFFICER (b)(3), (b)(6) IOT ENSURE A TOP-DOWN EMAIL GETS PUSHED OUT WHENEVER NEW NO STRIKE ENTITIES ARE ADDED TO (b)(1)1.4a, (b)(1)1.4g. NSOCC-A/SOJTF-A HAS COORDINATED WITH (b)(3), (b)(6) THE (b)(1)1.4a, (b)(1)1.4g LOCATED AT BAF, TO AID (b)(1)1.4a, (b)(1)1.4g THE FIRES WORKSTATION IN THE NSOCC-A/SOJTF-A JOC IOT HAVE REDUNDANT SYSTEMS TO VALIDATE THE NSL SUCH AS THE (b)(1)1.4a, (b)(1)1.4g

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

**CJSOAC-A - 3.C.2.A (S//REL USA, FVEY) ALL COMMAND TEAMS WITHIN CJSOAC-A AND (b)(1)1.4a, (b)(3) MUST CONDUCT OPERATIONAL RISK MANAGEMENT TRAINING.**

**9TH AETF. - 3.C.3.A. (S//REL USA, FVEY) ICW AFSOC, CONDUCT AN ASSESSMENT AND AUTHENTICATE THE EFFECTIVENESS OF THE AC-130** (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g **REPORT FINDINGS THROUGH USCENTCOM AS APPROPRIATE.**

**STATUS: (EDUCATIONAL, BUT NEED TO FURTHER ENGAGE THEM ON INTENT OF THE TASK) -** (b)(1)1.4a, (b)(1)1.4g **THIS IS NOT THE PRIMARY METHOD OF UPLOADING CURRENT NSL'S ONTO THE MISSION LAPTOP COMPUTERS. CREWS WILL UPLOAD MOST RECENT (b)(1)1.4a, (b)(1)1.4g (PULLED FROM SOJTF-A FIRES PAGE) ONTO THE MISSION LAPTOPS DAILY BEFORE FLIGHT. THE (b)(1)1.4a, (b)(1)1.4g FILES ARE UPDATED ON THE SOJTF FIRES PAGE FROM CENTCOM JOINT TARGETING ELEMENT (JTE) WEBSITE DAILY. NSL FILES ARE ALSO E-MAILED TO THE AC-130 INTEL SHOP ON A WEEKLY BASIS FROM (b)(1)1.4a, (b)(1)1.4g IT IS ORGANIZED BY TAAC-N, TAAC-S, TAAC-W, AND TAAC-E. ALL APPLICABLE NO-STRIKE LOCATIONS ARE BRIEFED TO THE CREWS AND THEY ARE PROVIDED WITH PAPER COPIES OF ALL OF THE NO-STRIKE LOCATIONS IN THE AREA IN WHICH THEY WILL BE OPERATING. (b)(1)1.4a, (b)(1)1.4g**

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

**DDCG-OPS.**

**3.D.1.A. (U//FOUO) AUTHENTICATE NATO'S NSL PROCESS AND MANAGEMENT / OVERSIGHT PROCESS.**

(b)(1)1.4d

**3.D.1.B (U//FOUO) ICW USCENTCOM NSL MANAGER, INTEGRATE THE CURRENT USCENTCOM NSL INTO THE** (b)(1)1.4a, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4g **AND ENSURE WIDEST DISSEMINATION WITHIN 48 HOURS.**

**STATUS:** (b)(1)1.4a, (b)(1)1.4g

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

**3.D.1.C (U//~~FOUO~~) ASSESS THE EFFECTIVENESS OF THE CURRENT CONOP REVIEW AND APPROVAL PROCESS.**

**STATUS:** (b)(3), (b)(6) CURRENTLY DETERMINING THE REQUIREMENTS NEEDED TO BE MET IOT ESTABLISH AN ENDURING CONOP REVIEW AND APPROVAL PROCESS THAT ENABLES MISSION COMMAND IN THE CONDUCT OF ROUTINE FRAMEWORK OPERATIONS, ENSURES APPROPRIATE LEVEL OF AWARENESS, AND PROVIDES ASSURANCE THAT THOSE ACTIVITIES REQUIRING PDSS ARE APPROPRIATELY ADDRESSED BY COM RS. DECISION BRIEF IS IN FINAL STAGES OF PREPARATION PRIOR TO APPROVAL BY (b)(3), (b)(6)

**USFOR-A J2.**

**3.D.2.A (S//~~REL USA, F//~~RY~~~~) CONDUCT AN INTEROPERABILITY ASSESSMENT OF THE (b)(1)1.4a, (b)(1)1.4g SYSTEM WITH SYSTEMS AVAILABLE TO USFOR-A/RS.**

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

**3.D.2.B (S//~~REL USA, F//~~RY~~~~) ICW NSOCC-A/SOJTF-A, ASSESS CJSOAC-A INTELLIGENCE CAPABILITY FOR (b)(1)1.4a, (b)(1)1.4g WITHIN THE CJOAC-A JOC.**

**COMMON TASKS TO ALL USFOR-A ELEMENTS.**

**3.E.1.A (U//~~FOUO~~) ALL LEVEL 1 AND 2 CONOPS PRODUCED AND APPROVED HAVE IDENTIFIED AND/OR ANNOTATED LOCATIONS OF PROTECTED OBJECTS DISPLAYED ON ASSOCIATED CONOP SCHEME OF MANEUVER GRAPHICS OR IMAGERY.**

**STATUS:** NOW PART OF THE CONOP REVIEW AND APPROVAL PROCESS AS OF THE DATE OF THE ORDER.

**3.E.1.B (U//~~FOUO~~) ALL CONOPS REQUIRING THE EMPLOYMENT OF FIXED OR ROTARY WING AIRCRAFT MUST HAVE A "STATEMENT OF RISK AND MITIGATION" ATTACHED BY THE AMC AS PART OF THE CONOP SUBMISSION, REVIEW, AND APPROVAL PROCESS.**

**STATUS:** NOW PART OF THE CONOP REVIEW AND APPROVAL PROCESS AS OF THE DATE OF THIS ORDER.

**3.E.1.C (U//~~FOUO~~) ALL UNITS, ENABLERS, AND THEIR HIGHER HEADQUARTERS WILL DEVELOP AND OPERATE FROM A COMMON OPERATIONAL GRAPHIC/PICTURE THAT IS KNOWN BY ALL INVOLVED IN THE MISSION AND INCLUDES NSL INFORMATION FOR ALL AREAS OF INTEREST/TARGETING.**

**3. E.1.D (U//~~FOUO~~) BEFORE THE EMPLOYMENT OF ANY AERIAL DELIVERED MUNITION, THE TARGET ENGAGEMENT AUTHORITY (TEA) MUST ENSURE THE MOST CURRENT NSL IS UPLOADED WITHIN APPROPRIATE SYSTEMS AND REFERENCED.**

**3.E.1.E (U//~~FOUO~~) 271038D\*OCT 15 - CHANGE TASK TO READ: SUBORDINATE COMMAND OPERATION CENTERS WILL INCORPORATE THE APPROPRIATE SYSTEMS AND ESTABLISH NECESSARY PROCESSES AND PROCEDURES TO ENABLE SITUATIONAL AWARENESS AND UNDERSTANDING. ALL OPERATION CENTERS MUST BE ABLE TO ACTIVELY MONITOR ONGOING OPERATIONS, ANTICIPATE THE NEED FOR APPROVALS/AUTHORITIES, AND BE RESPONSIVE ENOUGH TO PROVIDE IMMEDIATE GUIDANCE WHEN ACTIVITIES BEGIN MOVING OUTSIDE PRESCRIBED TACTICAL GUIDANCE OR ROE.**

**3.E.1.F (U//~~FOUO~~) ALL SOJTF-A PERSONNEL, U.S TAAC LEADERSHIP AND CJOC/JOC PERSONNEL, HQ USFOR-A JOC PERSONNEL, AND HQ RS CJOC PERSONNEL, ICW USFOR-A SJA/RS LEGAD, WILL CONDUCT MANDATORY TRAINING ON CJCSI 3160.01A (ATT 1) AND LOAC NO-STRIKE (NSL) METHODOLOGY AND STANDARDS.**


**STATUS:** ICW THEIR LEGAL FOLKS, NSOCC-A/SOJTF-A IS DEVELOPING A BRIEFING SLIDE DECK. ONCE THE BRIEFING SLIDE DECK IS COMPLETE, THEY WILL CONDUCT A SERIES OF VTC BRIEFINGS FOR THOSE INDIVIDUALS AT OUTLYING STATIONS AND A SERIES OF IN-PERSON BRIEFS FOR THOSE INDIVIDUALS CLOSE IN. BRIEFINGS WILL BE COMPLETE NLT 05 NOVEMBER 2015. ADDITIONALLY, (b)(3), (b)(6) FROM THE CJOC JEC IS CREATING BRIEFING ON THE LOAC NO-STRIKE (NSL) METHODOLOGY AND STANDARDS THAT WILL BE USED WITHIN CJ3 TO TRAIN ALL EXISTING AND FUTURE CJ3 PERSONNEL AS PART OF THE MONTHLY AND QUARTERLY MANDATORY TRAINING REQUIREMENTS. THIS SLIDE DECK WILL BE DISTRIBUTED TO ALL OUTSTATIONS FOR THEIR USE.

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 21 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 21 day of OCTOBER, 2015.

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

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION HQ RS CJOC BLDG 330, ROOM 101	2. DATE (YYYYMMDD) 20151021	3. TIME 0640	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

#### 8. ORGANIZATION OR ADDRESS

(b)(6)

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

Q1: Prior to the TB attack (27-28 Sep) what was the Resolute Support (RS) assessment of the security situation in Kunduz?

A1: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q2: Were you aware of the 1C Clearing Patrol CONOP in Kunduz approved for 30 Sep?

A2: Yes. I was aware that a short fuzed CONOP for Operation Kunduz Foothold (b)(1), (b)(6) (111-409-001) was scheduled to occur. It was not briefed or signed by the RS HQ leadership. It was approved at the NSOCC-A COM level under OFS authorities. Please reference TAB 4. (b)(3), (b)(6)

Q3: Were you aware of the mission to raid the Kunduz National Directorate of Security (NDS) on 2-3 Oct?

- a) Was there a CONOP? or FRAGO?
- b) Approval level?

A3: I do not recall specific information about this operation in regards to this question. Please direct this question to the Battle Space Manager for CONOP approval process (b)(3), (b)(6)

Q4: What was your understanding of US involvement in the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A4: I do not recall specific information about this information in regards to this question. Please refer to TAB 2 and TAB 3 for Kunduz operations details (b)(3), (b)(6)

10. EXHIBIT	11. IN (b)(3), (b)(6)	KING STATEMENT	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 BLDG 330 DATED 20151022

9. STATEMENT (Continued)

Q5: What role, if any, did the RS CJOC play in the C2 of US support to the ASSF Kunduz NDS raid on 2-3 Oct?

A5: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q6: Did the RS CJOC receive any request to approve target engagement with respect to the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A6: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q7: Does RS HQ maintain a no-strike list (system)? If so, how is the no-strike distributed to subordinate organizations?

A7: An NSL is maintained to the best of my knowledge. This question is best directed to the Ground Fires Clearance LNC (b)(3), (b)(6)

Q8: Were you aware of the letter sent to RS HQ with the locations of the MSF hospitals in Kunduz o/a 29 SEP 15? If so, was the letter disseminated and the locations added to the NSL?

A8: I do not recall specific information in regards to this question (b)(3), (b)(6)

Q9: Was the NSL updated? Can we get a copy of the NSL?

A9: I do not recall specific information in regards to this question. This question is best directed to the Ground Fires Clearance LNC (b)(3), (b)(6)

Q10: Describe the methodology and support systems used for mission command at RS HQ. Is there a published C2 SOP?

A10: Please refer to TAB 5, RS HQ SOP (1)1 Operational Reporting Procedures, and TAB 6, RS HQ CJOC Battle Captain HOTO Book for methodology, support systems, and reporting procedures/qualifications (b)(3), (b)(6)

Enclosures:

- TAB 1: RSHQ JOCWATCH HISTORY.
- TAB 2: RSHQ CJOC Kunduz Maps
- TAB 3: RSHQ CJOC Battle Drill Room Archive Notes.
- TAB 4: NSOCC-A CONOP Approval Channels.
- TAB 5: RSHQ SOP (1)1.4a
- TAB 6: RSHQ CJOC Battle Captain HOTO Book (b)(3), (b)(6)

Nothing else follow (b)(3), (b)(6)

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

226 OCT 15

22 OCT 15

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

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

PAGE 2 OF 3 PAGES



STATEMENT OF (b)(3), (b)(6) TAKEN AT BLDG 330 DATED 20151022

9. STATEMENT (Continued)

Nothing Follows.

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

22 OCT 15

22 OCT 15

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

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREE OF THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL IN

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

WIT: (b)(3), (b)(6)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCT, 2015 at BLDG 330 RSHA, Kabul AFG

ORGANIZATION OR ADDRESS

RS HQ LSOC  
Camp RS, Kabul AFG

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

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON

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

PAGE 3 OF 3 PAGES



# Tactical Guidance/Assumptions



COM RS's 9 September 15 overarching guidance emphasizes that:

- 1) All persons are civilians until shown otherwise
- 2) All structures contain civilians until shown otherwise
- 3) Acceptable CIVCAS is 0
- 4) Force protection is of utmost concern

5) (b)(1)1.4a, (b)(1)1.4d

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


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

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 20 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

### PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 20<sup>th</sup> day of OCTOBER, 2015.

S/ [Redacted Signature] (b)(3), (b)(6)

[Redacted Signature] (b)(3), (b)(6)

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Camp RS, Kabul, Afghanistan	2. DATE (YYYYMMDD) 20151020	3. TIME 2130	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3) Camp RS, Kabul, Afghanistan

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

Q1: Prior to the TB attack (27-28 Sep) what was the Resolute Support (RS) assessment of the security situation in Kunduz?

A1: Prior to the 27-28 we, HQ RS CJOC, were tracking the security situation in KUNDUZ as being "secure." Prior to the 27th we had not received limited of insurgent activity in the KUNDUZ area. An email sent out by the CJOC on 25 SEP 2015 assessed that (b)(1)1.4c stated the situation was untenable at this time. That was the only reporting that I remember seeing. I do not recall any follow up discussions pertaining to the event. We were focused on the KAJAKI / Northern Helmand Area of Operations.

Q2: Were you aware of the 1C Clearing Patrol CONOP in Kunduz approved for 30 Sep?

A2: I was not aware of specific 1C CONOP for the Clearing Patrol in KUNDUZ. I was aware of a 2C CONOP KUNDUZ CITY FOOTHOLD. The 2C CONOP was from 29 SEP to TBD. I was aware of clearing operations to be conducted that night, but received only a verbal update of planned operations from the (b)(3), (b)(6)

Q3: Were you aware of the mission to raid the Kunduz National Directorate of Security (NDS) on 2-3 Oct?

- a) Was there a CONOP? or FRAGO?
- b) Approval level?

A3: I was aware of the general operations that were ongoing in relation to the CONOP KUNDUZ CITY FOOTHOLD. I received daily updates as I came on shift about operations that were going to occur that night, but I did not receive a detailed scheme of maneuver for each days planned operations during periods of darkness or the night shift. Yes there was a CONOP (KONDUZ CITY FOOTHOLD). The approval level was "2C." (b)(3), (b)(6) is the approval authority for CONOP LEVEL 2C. COM-RS and (b)(3), (b)(6) also are approval authorities. (b)(3), (b)(6) is authorized to autonomously approve the CONOP. (b)(3), (b)(6) at a minimum is briefed on the CONOPs that the (b)(3), (b)(6) approves.

Q4: What was your understanding of US involvement in the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A4: Yes. I was tracking that this was a partnered operation and SFOD-A would be in support and TAAing their Afghan SOK counterparts.

10. EXHIBIT	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 \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

Q5: What role, if any, did the RS CJOC play in the C2 of US support to the ASSF Kunduz NDS raid on 2-3 Oct?

A5: The RS CJOC did not participate in the direct command and control of the ASSF Kunduz raid. We were aware of the operations and monitored the operations through (b)(1)1.4a, (b)(1)1.4g in the CJOC. If necessary we would allocate or coordinate additional assets (b)(1)1.4a, (b)(1)1.4g We strictly monitored.

Q6: Did the RS CJOC receive any request to approve target engagement with respect to the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A6: No. We did not receive any request to approve target engagement with respect to the ASSF raid on the KUNDUZ NDS site. We were not consulted prior to any engagement with AC-130 or any other asset.

Q7: Does RS HQ maintain a no-strike list (system)? If so, how is the no-strike distributed to subordinate organizations?

A7: Yes. The NSL is on the CENTCOM Website. (b)(1)1.4a, (b)(1)1.4g

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

Q8: Were you aware of the letter sent to RS HQ with the locations of the MSF hospitals in Kunduz o/a 29 SEP 15? If so, was the letter disseminated and the locations added to the NSL?

A8: Yes, I was aware of the letter sent to RS HQ with the locations of the MSF Hospitals in KUNDUZ. I was tracking that the letter was distributed to subordinate HQs through NIPR email. Our (b)(3), (b)(6) was given hard copies of the locations (see email) and the MSF memo and he confirmed that those locations were already on the NO STRIKE LIST.

Q9: Was the NSL updated? Can we get a copy of the NSL?

A9: No the NSL was not updated. The locations were already on the NSL. See attachment for NSL.

Q10: Describe the methodology and support systems used for mission command at RS HQ. Is there a published C2 SOP?

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

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 CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me by law to administer oaths, this 10<sup>th</sup> day of OCTOBER, 2015 at RS HQ, AFGHANISTAN

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

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

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

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

**From:**

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

**Sent:**

Thursday, October 01, 2015 6:55 AM

**To:**

**Cc:**

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

**Subject:**

Fw: MSF GPS coordinates in Kunduz

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

Pls see below- GPS coordinates for doctors without borders in Kunduz.

V/R,

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

**From:**

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

**Sent:** Thursday, October 01, 2015 02:45 AM

**To:**

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

**Subject:** FW: MSF GPS coordinates in Kunduz

(b)(3), (b)(6) see below; this was passed on to me by (b)(3), (b)(6). Below are some GPS coordinates for members of Doctors Without Borders / Mediciens Sans Frontieres or MSF currently operating in Kunduz. They have shared their info with the Embassy and "ISAF / Afghan Security Forces;" however, wanting to make sure that all are tracking. Please pass on to the appropriate folks / NSOC-A etc..

Thanks much

v/r

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

-----Original Message-----

**From:** (b)(3), (b)(6)

**Sent:** Wednesday, September 30, 2015 5:08 PM

**To:** (b)(3), (b)(6)

**Subject:** FW: MSF GPS coordinates in Kunduz

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~



Thank you for the help on Doctors without Borders (aka Mediciens Sans Frontieres or MSF). You'll see they have four locations below. There is also a little detail on the number of patients.

See you soon.

Sincerely,

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

----- Forwarded message -----

From: (b)(6)  
Date: Wed, Sep 30, 2015 at 12:57 PM  
Subject: MSF GPS coordinates in Kunduz  
To: (b)(3), (b)(6)

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

Nice talking to you.

As just discussed, here the GPS coordinates. As I mentioned, they were shared Monday at field level with ISAF / Afghan Security Forces and with US Embassy.

However, I'd like to make sure they are also in the right hands at HQ US military level.

Afghanistan - MSF Health facilities in Kunduz GPS Coordinates, as of September 29th, 2015

KUNDUZ TRAUMA CENTER (b)(3) 10 USC 130c 100 beds hospital (ex-Spinzer)  
KUNDUZ MSF RESIDENCE (b)(3) 10 USC 130c 2 houses, 3 floors recent building  
KUNDUZ MSF OFFICE (b)(3) 10 USC 130c Office within ex-Spinzer hospital  
CHAHARDARA DISTRICT CLINIC (b)(3) 10 USC 130c Local house transformed in clinic

For your records, here the latest activity figures at the MSF hospital as of this morning:

- Since early Monday morning, MSF's medical teams have treated 252 wounded, including 53 children. 66 patients arrived in critical condition.
- We have increased the number of beds to 150
- MSF's medical team has performed more than 70 surgeries
- Current MSF team : 9 international staff + >400 national staff.

Kind regards,

(b)(6)

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

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

**From:**

(b)(6)

**Sent:**

Saturday, October 03, 2015 10:53 AM

**To:**

**Cc:**

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

**Subject:**

Movement fo MSF Injured from Kunduz to airport URGENT MSF

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

Please be advised that MSF are now planning to move 4 injured staff from MSF Hospital Kunduz to Kunduz Airport in MOPH Ambulance

The move is scheduled to happen in the next hour

Best

(b)(6)

Office for the Coordination of Humanitarian Affairs  
(UNOCHA), Kabul, Afghanistan

(b)(6)

<http://afg.humanitarianresponse.info>  
Coordination Saves Lives

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

**From:** (b)(6)  
**Sent:** Saturday, October 03, 2015 4:51 AM  
**To:** MSF-Afghanistan-CR  
**Cc:**

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

**Subject:** Re: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Hi (b)(6)

O445

(b)(6) would be highly appreciative of any update on tonight's incident especially in relation to casualty numbers when you have an overall picture

Best

(b)(6)

Sent from my iPhone

On Oct 3, 2015, at 4:07 AM, MSF-Afghanistan, (b)(6) <[@msf.org](mailto:(b)(6)@msf.org)> wrote:

Time was around 2.10am.

(b)(6)

Medecins Sans Frontieres - Afghanistan

**From:** (b)(3), (b)(6)

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

**Sent:** 02/10/2015 23:11 GMT

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

(b)(6)

**Subject:** RE: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

UNCLASSIFIED

Do you have any other additional information? Time? I am trying to cross reference the strikes that have been coordinated?

Thanks.

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

**From:** (b)(6)  
**Sent:** Saturday, October 03, 2015 3:03 AM  
**To:** (b)(3), (b)(6)  
**Cc:** (b)(3), (b)(6)

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

**Subject:** URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Goodnight CJOC

The (b)(6) Of MSF has reported that the MSF Hospital in Kunduz has been hit by an airstrike and there are some staff injuries - no fatalities.

It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

HIGH PRIORITY

Best regards

(b)(6)

Doctors Without Borders Kunduz, 3 Oct 15

Office for the Coordination of Humanitarian Affairs  
(UNOCHA) Kabul, Afghanistan

(b)(6)

<http://afg.humanitarianresponse.info>  
*Coordination Saves Lives*

UNCLASSIFIED

Approved for Release



داکتران بدون سرحد  
بی پوئی داکتران

House #4, Street #3,  
Qala-e-Fatullah  
Kabul, Afghanistan  
دفتح الله کلا، دریم سرک، څلورم کور  
کابل، افغانستان  
قلعه فتح الله، سرک سوم خټه چهارم  
کابل، افغانستان

www.msf.org

Date: Tuesday, 29 September 2015

To: His Excellency the Minister of Defence - Islamic Republic of Afghanistan

Subject: GPS coordinates of MSF medical structures in Kunduz province

Excellency,

In light of the recent events in Kunduz, I'd like to make sure all actors involved in the conflict have a precise understanding of the medical structures (hospital, clinics and staff areas) where MSF operates in Kunduz province. I would also respectfully ask you all possible guarantees to make sure these structures, its patients and all international and national personnel working in it, will benefit from the utmost attention and protection from all Afghan Security Forces in case of any new spike of hostilities in Kunduz province.

Please find below all MSF related GPS coordinates:

KUNDUZ TRAUMA CENTER	(b)(3) 10 USC 130c	100 beds hospital (ex- Spinzer)
KUNDUZ MSF RESIDENCE		2 houses, 3 floors recent building
KUNDUZ MSF OFFICE		Office within ex- Spinzer hospital
CHAHARDARA DISTRICT CLINIC		Local house transformed in clinic

As an international medical humanitarian aid organization working in several countries at war, MSF and its personnel observes strict neutrality and impartiality in the name of universal medical ethics and rights of populations affected by conflicts to humanitarian assistance. MSF claims full respect of these principles and rules in order to be able to continue responding to the humanitarian and medical needs of all Afghans.

Being sure of your support and protection, please accept my respectful regards,

Cc:

His Excellency the Minister of Interior  
His Excellency the Minister of Public Health  
His Excellency the Minister of Foreign Affairs  
His Excellency the Chairman of the National Security Council.  
ISAF Command in Afghanistan

(b)(3) 10 USC 130c, (b)(6)  
Médecins Sans Frontières - Afghanistan  
29/09/2015  
(b)(3) 10 USC 130c, (b)(6)  
(b)(3) 10 USC 130c, (b)(6)

Médecins Sans Frontières (MSF) is an international, independent, medical humanitarian organisation that delivers emergency aid to people affected by armed conflict, epidemics, healthcare exclusion and natural or man-made disasters

بی پوئی داکتران یوه نړیواله، خپلواکه، بشريزه روغتیا اداره ده  
داکتران بدون سرحد یک سازمان بین المللی، مستقل طبی و بشردوستانه است

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

**From:**

(b)(6)

**Sent:**

Saturday, October 03, 2015 3:03 AM

**To:**

**Cc:**

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

**Subject:**

URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

**Attachments:**

20150929\_MSF to MOD\_GPS coordinate of MSF structures in Kunduz.pdf

Goodnight CJOC

The (b)(6) Of MSF has reported that the MSF Hospital in Kunduz has been hit by an airstrike and there are some staff injuries - no fatalities.

It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

**HIGH PRIORITY**

Best regards

(b)(6)

Office for the Coordination of Humanitarian Affairs  
(UNOCHA), Kabul, Afghanistan

(b)(6)

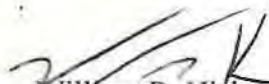
<http://afg.humanitarianresponse.info>  
Coordination Saves Lives

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 30 OCT 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT



## PRIVACY ACT STATEMENT

The **Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 20 day of OCT, 2015

Sign (b)(3), (b)(6) \_\_\_\_\_ (b)(3), (b)(6) \_\_\_\_\_  
Signature or interviewee

### 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 RS Kabul Afghanistan	2. DATE (YYYYMMDD) 20151020	3. TIME 2321	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
CAMP RS CJOC (b)(3)

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

Q1: Prior to the TB attack (27-28 Sep) what was the Resolute Support (RS) assessment of the security situation in Kunduz?

A1: There were insurgent attacks in the area and some check points were being overrun. The governor's complex had been attacked and was under insurgents' control as were many other locations. ( See Email traffic and Map; (b)(3), (b)(6)

Q2: Were you aware of the 1C Clearing Patrol CONOP in Kunduz approved for 30 Sep?

A2: NO: The Clearing Patrol CONOP that was approved for 30 Sep 15 was a level 1C and did not get entered into the CONOP system at the CJOC level.

Q3: Were you aware of the mission to raid the Kunduz National Directorate of Security (NDS) on 2-3 Oct?

- a) Was there a CONOP? or FRAGO?
- b) Approval level?

A3: NO: The CONOP Kunduz foothold (1)1.409-001 was a level 2C and was approved by the (b)(3), (b)(6) It didn't not get entered into the CJOC CONOP system. (See Email 29 Sept 15 (b)(3), (b)(6)

Q4: What was your understanding of US involvement in the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A4: To support the operation in accordance with the rules of engagement and legal limits and to monitor and support as needed.

10. EXHIBIT	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 RS Kabul AF DATED 20151021

9. STATEMENT (Continued)

Q5: What role, if any, did the RS CJOC play in the C2 of US support to the ASSF Kunduz NDS raid on 2-3 Oct?

A5: To monitor and support as needed.

Q6: Did the RS CJOC receive any request to approve target engagement with respect to the ASSF raid on the Kunduz NDS site on 2-3 Oct?

A6: NO: 6. The CJOC didn't have the (b)(1)1.4a for that mission. But was monitoring the event on (b)(1)1.4a, (b)(3), (b)(6) (See Screen shots)

Q7: Does RS HQ maintain a no-strike list (system)? If so, how is the no-strike distributed to subordinate organizations?

A7: All target approval and engagement approval went through NSOC-A. No request came through the CJOC. Email traffic with this location was forwarded to me for my situational awareness. I am not aware of the time line for the input to the targeting no strike list. But it is on the NSL list.

Q8: Were you aware of the letter sent to RS HQ with the locations of the MSF hospitals in Kunduz o/a 29 SEP 15? If so, was the letter disseminated and the locations added to the NSL?

A8: I am not sure when or who updates the NSL list. The list contains over 20,000 targets and this one has been on the list since Nov 2014. (see screen shot)

Q9: Was the NSL updated? Can we get a copy of the NSL?

A9: The list contains over 20,000 targets and is on the CENTCOM portal.

Q10: Describe the methodology and support systems used for mission command at RS HQ. Is there a published C2 SOP?

A10: The CJOC provides the Commander situational understanding and knowledge of key events. Enabling the Commander to provide guidance and direction to accomplish key objectives.

Enclosures:

TAB 1: Email

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

TAB 2: Email:

TAB 3: Screen Shot Hospital Strike (b)(1)1.4a, (b)(3), (b)(6)

TAB 4: Screen Shot no Strike List

TAB 5: Email: (b)(3), (b)(6) initial notification of strike

TAB 6: (b)(3), (b)(6) Personal Log

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP RS DATED 20151021

9. STATEMENT (Continued)

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

NOT  
further  
21 OCT 15

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 OF EACH PAGE FORWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL

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

(Statement)

WITNESSES

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 21 day of Oct, 2015 at CAMP RS, AF

ORGANIZATION OR ADDRESS

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

(th)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

Comar  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

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

**From:**  
**Sent:**  
**To:**  
**Cc:**

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

Saturday, October 03, 2015 3:41 AM

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

**Subject:**

RE: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

**Follow Up Flag:**  
**Flag Status:**

Follow up  
Flagged

UNCLASSIFIED

Do you have any other additional information? Time? I am trying to cross reference the strikes that have been coordinated?

Thanks.

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

**From:**

(b)(6)

**Sent:** Saturday, October 03, 2015 3:03 AM

**To:**

**Cc:**

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

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

**Subject:** URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

Goodnight CJOC

The (b)(6) Of MSF has reported that the MSF Hospital in Kunduz has been hit by an airstrike and there are some staff injuries - no fatalities.

It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

**HIGH PRIORITY**

Best regards

(b)(6)

Office for the Coordination of Humanitarian Affairs  
(UNOCHA), Kabul, Afghanistan

(b)(6)

<http://afg.humanitarianresponse.info>  
*Coordination Saves Lives*

--

UNCLASSIFIED

Approved for Release

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

**From:**  
**Sent:**  
**To:**  
**Cc:**

(b)(6)

Saturday, October 03, 2015 4:51 AM  
MSF-Afghanistan-CR

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

**Subject:**

Re: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

**Follow Up Flag:**  
**Flag Status:**

Follow up  
Flagged

**Categories:**

Red Category

Hi (b)(6)

O445

(b)(6) would be highly appreciative of any update on tonight's incident especially in relation to casualty numbers when you have an overall picture

Best

(b)(6)

Sent from my iPhone

On Oct 3, 2015, at 4:07 AM, MSF-Afghanistan-(b)(6)@msf.org> wrote:

Time was around 2.10am.

(b)(6)

Medecins Sans Frontieres - Afghanistan

**From:** (b)(3), (b)(6)

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

**Sent:** 02/10/2015 23:11 GMT

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

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

**Subject:** RE: (U) URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

UNCLASSIFIED

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

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**Sent:** Saturday, October 03, 2015 3:03 AM  
**To:**  
**Cc:** (b)(3), (b)(6)

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

**Subject:** URGENT MSF Hospital reporting hits by Airstrikes Dear (b)(6)

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It is the Hospital known as Spinzer

Please see attached with coordinates BELOW

HIGH PRIORITY



Best regards

(b)(6)

Office for the Coordination of Humanitarian Affairs  
(UNOCHA), Kabul, Afghanistan

(b)(6)

<http://afg.humanitarianresponse.info>  
*Coordination Saves Lives*

UNCLASSIFIED


Approved for Release

DAILY STAFF JOURNAL OR DUTY OFFICER'S LOG				PAGE NO.		NO. OF PAGES	
For use of this form, see AR 220-15: the proponent agency is Office of The Deputy Chief of Staff for Operations & Plans				1		2	
ORGANIZATION OR INSTALLATION		LOCATION		PERIOD COVERED			
CJSC		Camp RS		FROM		TO	
				HOUR	DATE	HOUR	DATE
				2030	2 OCT 15		03 OCT 15
ITEM NO.	TIME		INCIDENTS, MESSAGES, ORDERS, ETC.	ACTION TAKEN	INL		
	IN	OUT					
1.	2130		(b)(3), (b)(6) Call info: Embassy will be Evacue people from FIZABAD 3 OCT 15 2 turns 1 turn has 3 chocs - 1st 10 <sup>00</sup> 1st 12 <sup>00</sup> and 1 at 1500 All cont AIR going TO KAF 2 <sup>nd</sup> TURN HAS 2 chocs 1st 0630 and 1st 10 <sup>00</sup> Both are Embassy AIR - 8 ad Both ARE going TO KAF : POC FOR ALL IS (b)(3), (b)(6)	logged			
2.	2322		COMBAT: Sand at doing memorial Ceremon @ 0900 AT TBAF (Flag pole)	logged			
3	0250						
4	330	/	(b)(1)1.4a, (b)(3), (b)(6)	logged	(b)(3), (b)(6)		
5.	358	/	CIVILAS REPORT CIND (b)(1)1.4a	logged			
6	0358		WORKING TOTAL INURED MTF Call CG WAINWRIGHT and Gen Bickham INFORMED OF FFIR ID WITH MTF 0225 (b)(1)1.4a, (b)(3), (b)(6) engaged to HIT Hospital	logged			
TYPE NAME AND GRADE OF OFFICER OR OFFICAL ON DUTY				(b)(3), (b)(6)			

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, JEFFREY S. BUCHANAN, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 21 OCT 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

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**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.


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**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 21<sup>st</sup> day of OCTOBER, 2015.

\_\_\_\_\_  
Signature of Witness

  
\_\_\_\_\_  
Signature of Interviewee



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

RS-DCG O

21 October 2015

MEMORANDUM FOR RECORD

SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

1. On 21 0930 (D) October 2015, I spoke with MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, the evening of 2-3 October 2015. The interview was conducted in the DCOS –Operations Office, Headquarters, Operation Resolute Support.

2. I initially became aware of the events of 3 October 2015 at the MSF Hospital in Kunduz by a telephone call from the (b)(3), (b)(6). I was aware of NSOCC-A operations in Kunduz because of a prior CONOP brief, and as the acting (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4d designation under OPERATION RESOLUTE SUPPORT).

3. In the few days prior to the Taliban attack on Kunduz City on 28 September, there was no increased reporting of a significant threat in the area. In June, the (b)(1)1.4d Corps did conduct operations in the province in an attempt to disrupt the Taliban, but they focused primarily on the operations areas and not the Taliban safe havens/support zones. In late August, we conducted a strike that (b)(1)1.4a After this strike, I contacted the (b)(3), (b)(6) and requested the (b)(1)1.4d to begin operations in that area to take advantage the insurgent leadership vacuum. The ANA developed an operational plan for October, which turned out to be too late given the Taliban attack in late Sept and early Oct.

4. There was no unusual reporting from Kunduz City on the 25, 26, or 27 September. However, we were coming out of Eid and the Afghans had reduced reporting, reduced manning in their headquarters, and could have had reduced security.

5. I received the letter from the MSF stating the locations of their medical facilities in Kunduz City. I took the letter to the CJOC and passed it to the CJOC leadership. They disseminated the letter. I attribute this to two factors: below the Corps level we are entirely dependent on Afghan reporting for “ground truth,” and we no longer use a system like (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g to maintain a Common Operating Picture (COP). Since we have to depend on Afghan reports for the inputs, a COP to like CPOF may not be viable. I don’t specifically know how the No Strike List is populated, but I know that we have placed individuals on the Restricted Target

RS-DCG-O

SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

List. Since the Afghans have taken over the battlespace, [redacted] (b)(1)1.4d, (b)(1)1.4g  
[redacted] (b)(1)1.4d, (b)(1)1.4g

6. All CONOPS come through me in my position as the [redacted] (b)(3), (b)(6) I also recall conducting phone calls with SOF Command prior to the 2-3 October mission. They were our best source of information prior to the arrival of TAAC-N EAP. I went to Camp Pamir on 2 October with the Chief of the General Staff and the Minister of Interior. We did not travel into the city itself. At no time in my discussions about the situation in Kunduz, was the issue of exceptions to the Tactical Guidance ever discussed. A month earlier, COMRS had made an in extremis designation for [redacted] (b)(6). An in extremis designation was never considered for Kunduz.

6. I checked my notes and I have notes of the operation from 29 September. I also recall participating in a telephone call with the AOB/ODAs in Kunduz on their SIPR [redacted] (b)(1)1.4a line, which provided great insight.

7. I signed the [redacted] (b)(1)1.4 designation on either 1 or 2 October. The key thing about our authorities is that they are built around our self-defense. [redacted] (b)(1)1.4a, (b)(1)1.4g  
[redacted] (b)(1)1.4a, (b)(1)1.4g Both of these exceptions are USFOR(A), rather than NATO exceptions.

8. With a designation of [redacted] (b)(1)1.4a we can provide lethal and non-lethal enablers in support of our ANDSF partners.

[Large redacted area containing the text (b)(1)1.4a, (b)(1)1.4d]

RS-DCG-O

SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

12. I received an initial call around 2 something from the CJOC, reporting that we may have hit a hospital. However, they also reported that we were targeting some Taliban outside the hospital firing on our forces with a few rounds of airburst, but did not damage the hospital. I do not know who the source of that report was.

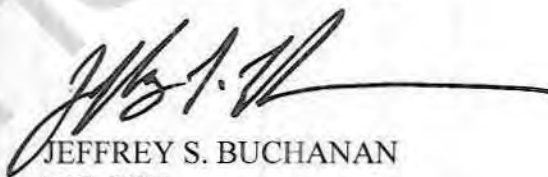
13. I see 3 big problems with this strike and I believe that all were potentially affected by stress and lack of sleep. First, the authority to shoot/employ ADM in the first place. As I now understand the circumstances, we weren't really defending ourselves or our approved Afghan partners – neither element was under fire and were essentially pre-assault fires. Second, the

(b)(1)1.4a

to (b)(1)1.4a Third, proportionality: (b)(1)1.4a rounds including both (b)(1)1.4a were fired into a building. That seems excessive to me unless we were trying to suppress an enemy force that continued to fire on us.

14. This could have been a case of Self-Defense, depending on how they were partnered. I think we have to be careful defining things afterward, but there has to be some reasonableness. You have to look at what the guy on the ground knew.

15. We train the COMRS tactical directive and ROE monthly in the CJOC. I have never gone down to the TAACs or NSOCC-A to see if they are conducting their training.



JEFFREY S. BUCHANAN  
MG, USA  
Deputy Chief of Staff, Operations



# United States Army

Major General JEFFREY S. BUCHANAN

**Deputy Chief of Staff, Operations  
Resolute Support Mission, North Atlantic Treaty Organization/  
United States Forces-Afghanistan  
OPERATION FREEDOM'S SENTINEL  
APO AE 09356  
Since: July 2015**



SOURCE OF COMMISSIONED SERVICE ROTC

EDUCATIONAL DEGREES

University of Arizona – BS – Wildlife Conservation  
United States Military Academy – MA – Leadership Development

MILITARY SCHOOLS ATTENDED

Infantry Officer Basic and Advanced Courses  
United States Army Command and General Staff College  
Senior Service College Fellowship - Switzerland

FOREIGN LANGUAGE(S) None recorded

PROMOTIONS                      DATE OF APPOINTMENT

2LT	17 May 82
1LT	26 Nov 83
CPT	1 Feb 86
MAJ	2 Sep 93
LTC	1 May 98
COL	1 Mar 04
BG	2 Oct 08
MG	3 Aug 11

FROM    TO    ASSIGNMENT

Jul 15	Present	Deputy Chief of Staff, Operations, Resolute Support Mission, North Atlantic Treaty Organization/United States Forces-Afghanistan, OPERATION FREEDOM'S SENTINEL, Afghanistan
Jun 13	Jun 15	Commanding General, Military District of Washington/Commander, Joint Force Headquarters-National Capital Region, Washington, DC
Apr 12	Jun 13	Deputy Commanding General, I Corps and Joint Base Lewis McChord, Joint Base Lewis McChord, Washington
Feb 12	Apr 12	Special Assistant to the Commanding General/Commandant United States Army Intelligence Center of Excellence and Fort Huachuca, Fort Huachuca, Arizona
Jul 10	Dec 11	Director, J-9, United States Forces-Iraq, OPERATION IRAQI FREEDOM/NEW DAWN, Iraq
Aug 09	Jul 10	G-3/5/7, United States Army Reserve Command, Office of the Chief, Army Reserve, Fort McPherson, Georgia
May 09	Aug 09	Deputy Commanding General (Operations), 10th Mountain Division (Light), Fort Drum, New York
Jun 08	May 09	Deputy Commanding General (Operations), 10th Mountain Division (Light)/, Multi-National Division-Center, OPERATION IRAQI FREEDOM, Iraq



**MG Buchanan, Jeffrey S.**

Nov 07 Jun 08 Deputy Commanding General (Operations), 10th Mountain Division (Light), Fort Drum, New York

May 06 Nov 07 Assistant Chief of Staff, G-3, United States Army North (Fifth Army), Fort Sam Houston, Texas

Jun 04 May 06 Commander, 2d Brigade, 75th Division (Training Support), Fort Sam Houston, Texas to include duty as Commander, Iraqi National Police Commando Division Transition Team, Civilian Police Assistance Training Team, Multi-National Security Transition Command-Iraq, OPERATION IRAQI FREEDOM, Iraq

Jun 03 Jun 04 Director Combat Development, United States Army Infantry School, Fort Benning, Georgia to include duty as Director of Operations, C-3, Coalition Military Assistance Training Team, OPERATION IRAQI FREEDOM, Iraq

Oct 02 Jun 03 Student, Geneva Centre for Security Policy, Bern, Switzerland

Jul 01 Aug 02 Senior Light Infantry Task Force Trainer, National Training Center, Fort Irwin, California

Jun 99 Jun 01 Commander, 3d Battalion, 187th Infantry, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky

Jun 97 May 99 Director for Operations, J-3, Joint Task Force-Full Accounting, United States Pacific Command, Camp H.M. Smith, Hawaii

Jun 95 May 97 S-3 (Operations), 1st Battalion, 327th Infantry, later S-3, 1st Brigade, 101st Airborne Division (Air Assault), Fort Campbell, Kentucky

Aug 94 Jun 95 Student, United States Army Command and General Staff College, Fort Leavenworth, Kansas

Jun 91 Jun 94 Company Tactical Officer, later Battalion Tactical Officer, United States Military Academy, West Point, New York

May 90 May 91 Student, Eisenhower Program, United States Military Academy, West Point, New York

May 88 Jan 90 Commander, B Company, later Commander, Headquarters and Headquarters Company, 4th Battalion, 22d Infantry, 25th Infantry Division (Light), Schofield Barracks, Hawaii

Aug 86 May 88 Commander, Long Range Surveillance Detachment, 125th Military Intelligence Battalion, 25th Infantry Division (Light), Schofield Barracks, Hawaii

Jan 86 Jun 86 Student, Infantry Officer Advanced Course, Fort Benning, Georgia

Apr 85 Dec 85 Executive Officer, B Company, 1st Battalion (Airborne), 504th Infantry, 82d Airborne Division, Fort Bragg, North Carolina

Jan 84 Apr 85 Scout Platoon Leader, 1st Battalion (Airborne), 504th Infantry Regiment, 82d Airborne Division, Fort Bragg, North Carolina

Feb 83 Jan 84 Rifle Platoon Leader, B Company, 1st Battalion (Airborne), 504th Infantry, 82d Airborne Division, Fort Bragg, North Carolina

**MG Buchanan, Jeffrey S.**

**SUMMARY OF JOINT ASSIGNMENTS**

Deputy Chief of Staff, Operations, Resolute Support Mission, North Atlantic Treaty Organization/United States Forces-Afghanistan, OPERATION FREEDOM'S SENTINEL, Afghanistan

**DATE**  
Jul 15 - Present

**GRADE**

Director, J-9, United States Forces-Iraq, OPERATION IRAQI FREEDOM/NEW DAWN, Iraq

Jul 10 - Dec 11

Brigadier  
General/Major General

Director Combat Development, United States Army Infantry School, Fort Benning, Georgia to include duty as Director of Operations, C-3, Coalition Military Assistance Training Team, OPERATION IRAQI FREEDOM, Iraq (No Joint Credit)

Jun 03 - Jun 04

Lieutenant  
Colonel/Colonel

Director for Operations, J-3, Joint Task Force-Full Accounting, United States Pacific Command, Camp H.M. Smith, Hawaii

Jun 97 - May 99

Major/Lieutenant  
Colonel

**SUMMARY OF OPERATIONAL ASSIGNMENTS**

Deputy Chief of Staff, Operations, Resolute Support Mission, North Atlantic Treaty Organization/United States Forces-Afghanistan, OPERATION FREEDOM'S SENTINEL, Afghanistan

**DATE**  
Jul 15 - Present

**GRADE**

Director, J-9, United States Forces-Iraq, OPERATION IRAQI FREEDOM/NEW DAWN, Iraq

Jul 10 - Dec 11

Brigadier  
General/Major General

Deputy Commanding General (Operations), 10th Mountain Division (Light), Multi-National Division-Center, OPERATION IRAQI FREEDOM, Iraq

Jun 08 - May 09

Brigadier General

Commander, 2d Brigade, 75th Division (Training Support), Fort Sam Houston, Texas to include duty as Commander, Iraqi National Police Commando Division Transition Team, Civilian Police Assistance Training Team, Multi-National Security Transition Command-Iraq, OPERATION IRAQI FREEDOM, Iraq

Jun 04 - May 06

Colonel

Director Combat Development, United States Army Infantry School, Fort Benning, Georgia to include duty as Director of Operations, C-3, Coalition Military Assistance Training Team, OPERATION IRAQI FREEDOM, Iraq (No Joint Credit)

Jun 03 - Jun 04

Lieutenant  
Colonel/Colonel

**US DECORATIONS AND BADGES**

Distinguished Service Medal (with Oak Leaf Cluster)

Defense Superior Service Medal

Legion of Merit (with 3 Oak Leaf Clusters)

Bronze Star Medal (with 2 Oak Leaf Clusters)

Defense Meritorious Service Medal

Meritorious Service Medal (with 4 Oak Leaf Clusters)

Army Commendation Medal (with Oak Leaf Cluster)

Joint Service Achievement Medal

Army Achievement Medal (with Oak Leaf Cluster)

Combat Infantryman Badge

Expert Infantryman Badge

Master Parachutist Badge

Air Assault Badge

Ranger Tab

As of: 3 Jul 15

- Page 3 -

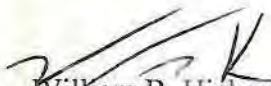
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**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, MARK R. QUARTER, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 21 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.


C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 21st day of October, 2015.

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

  
Signature of Interviewee



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

RS-DCG S

21 October 2015

MEMORANDUM FOR RECORD

SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

1. (U) On 21 1145 (L) October 2015, I spoke with MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about 3 October 2015. The interview was conducted in the DCOS – Intelligence Office, Headquarters, Operation Resolute Support.

2. (U) I have experience with Afghanistan, and have been deployed here before. I am aware of the events that occurred in Kunduz City around 3 October 2015. I am also aware of this investigation, as well as an investigation being conducted by (b)(6) (b)(6) into general events in Kunduz City during the period 28 September through 3 October. That report may also review the strike on the hospital.

3. (U) We (ANDSF) had been in the Kunduz Province area previously this summer. The ANA had conducted operations in several areas to include Chahar Darah District, which is generally a dangerous area. The fighting has been much more kinetic in the north this year, as compared to last year. There are multiple threats in the area, but the main threat is the Taliban, and there also is lots of crime in the area. It is difficult from an INTEL perspective to tell what actions are tied to the insurgency and what actions are purely criminal in nature.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g, (b)(6)

RS-DCG-S

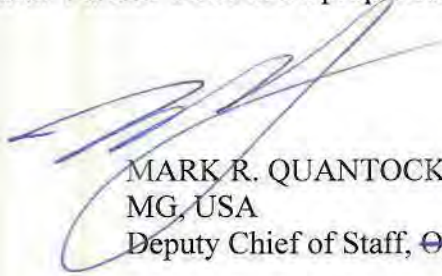
SUBJECT: Interview with MG William Hickman, Headquarters, US Army Central, Army Regulation (AR) 15-6 Investigating Officer Appointed to Investigate the Attack on the MSF Hospital in Kunduz, Afghanistan

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

8. (S) I don't recall seeing the MSF memorandum with the hospital grids. However, I would assume that CJOC J2 personnel saw the memorandum from the MSF informing us of the locations of their facilities in Kunduz since you mentioned it was available on the CJOC floor. Regardless, it was known (b)(1)1.4a, (b)(1)1.4g that the location was the site of a hospital since 1971.

(b)(1)1.4a, (b)(5), (b)(6)

10. (S//NF) Although we assessed that there were Taliban using the hospital, you cannot shoot up a building under the current authorities. Period. I also see a proportionality issue with this strike as well.



MARK R. QUANTOCK  
MG, USA  
Deputy Chief of Staff, Operations INTELLIGENCE



## MG Mark R Quantock Director, Operations

MG Mark R. Quantock was appointed Military Deputy of the National Geospatial-Intelligence Agency on December 22, 2013.

As NGA's senior ranking military officer, he is a member of the NGA Command Element, where he advises the Director on the Combat Support Agency functions and provides a uniformed military perspective to the Director's Leadership Council. MG Quantock manages NGA combat support and other functions in 35 locations embedded with military mission partners. He oversees NGA's Expeditionary Operations, which consists of 250 NGA personnel deployed worldwide in direct support of Combatant Commanders. Additionally, his office interfaces with the Joint Staff and Office of the Secretary of Defense and manages 445 active duty military billets across the NGA enterprise.

MG Quantock received his commission from New Mexico Military Institute. He has a BA from the State University of New York (SUNY), Plattsburg and Masters Degrees from Central Michigan and the National War College. MG Quantock has served in a variety of Military Intelligence, staff, and command positions. His most recent assignment was as the Deputy Director for Trans-Regional Policy, J-5, Joint Staff, Washington, DC. Previous key staff assignments include Chief CI-2 International Security Assistance Force Joint Command, OPERATION ENDURING FREEDOM, Afghanistan; G3, Army Cyber Command/2<sup>nd</sup> US Army, Ft Belvoir, VA. His other combat assignments include Intelligence Advisor/Liaison Officer for Joint Forces Command-East, OPERATION DESERT SHIELD/STORM, Saudi Arabia; Commander, 205<sup>th</sup> Military Intelligence Brigade, V Corps, United States Army Europe and Seventh Army, Germany and OPERATION IRAQI FREEDOM, Iraq.

MG Quantock lives in Springfield, Virginia with his wife Rebecca. They have three adult children. MG Quantock is authorized to wear the Defense Superior Service Medal with Oak Leaf Cluster (OLC), Legion of Merit with three OLCs, Bronze Star with OLC, and numerous other personal and unit awards.





**Afghanistan: Overview of Kunduz Hospital**  
Kunduz, Afghanistan

(b)(3) 10 USC 130c

UNCLASSIFIED//~~FOUO~~



Source: © 2015 Digital Globe, NextView License  
UNCLASSIFIED//~~FOUO~~





**Afghanistan: Overview of Kunduz Hospital**  
Kunduz, Afghanistan

(b)(3) 10 USC 130c

UNCLASSIFIED//~~FOUO~~



Source: © 2015 Digital Globe, NextView License

UNCLASSIFIED//~~FOUO~~

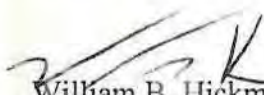
**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 22 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

**PRIVACY ACT STATEMENT**

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of October, 2015.

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

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

swear

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 28 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

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

- USAF

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 28 day of October, 2015.

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

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION b(1)1.4a, (b)(3) SOJTF-A, Kabul, Afghanistan	2. DATE (YYYYMMDD) 20151022	3. TIME 1500	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(1)1.4a, (b)(3)			

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

1. My situational awareness of the Kunduz operation was the general scheme of maneuver, and the intent for CAS. While the Kunduz mission was in effect I tracked the progress through (b)(1)1.4a, (b)(1)1.4g
2. I was aware of the 31 Sep CONOP. I did not play a part in the development.
3. Yes, I track on-going operations, mostly through the CAS requests that I'm CC'd on and talking to the (b)(3), (b)(6)
4. Yes, I was tracking the 30 Sep Kunduz operation as best I could through (b)(1)1.4a, (b)(1)1.4g
5. I don't know when the decision was made to have AC-130 on station, who authorized it or if it was a new CONOP or FRAGO.
6. I've had a copy of the (b)(1)1.4a, (b)(3) no strike list sent to me by my predecessor. Then shortly after the Hospital strike a CENTCOM NSL was sent out. (b)(3), (b)(6) sent out a very easy to follow email on how to find and use the current NSL. I understand that CENTCOM maintains the NSL through the established aforementioned web site. The hospital is marked on the current NSL, but I'm unaware of when that information was updated.
7. I was unaware of the Hospital strike until the day after. After the strike a NSL was pushed out and I updated my (b)(1)1.4a, (b)(1)1.4g imagery accordingly.
8. I did not know the grid passed from the (b)(1)1.4a, (b)(3), (b)(6) until after the fact. I maintain a (b)(1)1.4a, (b)(1)1.4g and monitor (b)(1)1.4a, (b)(1)1.4g but unless the (b)(3), (b)(6) is controlling through (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4g
9. I have read the COMRS Tactical Guidance and Approval Authorities routinely; I started reading about 15 days prior to my reporting date in theater. I took a SPINS test before I deployed. I took a new SPINS test when I was established at Camp Integrity, and I've taken a SPINS test monthly ever since. I routinely train on basic theater PID, POL, LOAC and ROE procedures at home station. I was unaware of who approved the Hospital strike. As I understood at the time, fires was against armed personnel outside and up against the Hospital structure.
10. De-confliction of the battle space is done through various ways; ground de-confliction is done by (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6). When there is a need to de-conflict Afghan units with no (b)(1)1.4a its completed by (b)(1)1.4a, (b)(3) from SOJTF-A elements to the lead Afghan authority in that specific AO. SOJTF-A elements identify friendlies and/or noncombatants through vigorous pattern of life: (b)(1)1.4a, (b)(1)1.4g Currently SOJTF-A elements provide a NSL ppt to SOTF-A and SOJTF-A for approval. I think this is an outstanding procedure and should be sustained.
11. I am unaware of the approval process for this specific airstrike. Usually any target at (b)(1)1.4a which is exactly how most strike approvals are completed. I am unaware of any delegation of approval or additional instructions for this strike or any other strike.

10. EXHIBIT	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 1530 DATED 20151022

9. STATEMENT (Continued)

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1530 DATED 22 OCT 2015

- a. I was not aware of the MSF location until after the strike.
- b. I was not aware of any other NGO location.
- c. I did not see or hear of any indications that any strike was near a hospital.
- d. I did not see the hospital marked. Currently the SOP for marking is (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(1)1.4g
- e. I did not monitor the situation. I was monitoring the mission earlier through (b)(1)1.4a, (b)(1)1.4g
- f. I did track targets while I was monitoring the mission, which is routine. I did not monitor the strike on th hospital. But I always track all targeting information for the strike, to include weaponeering, attack heading, PID, PoL, CDE and all other pertinent information.
- g. I was not aware that a hospital was being targeted by any platform.
- h. I'm unaware of (b)(1)1.4a, (b)(3), (b)(6) monitoring prior to strike.
- i. I did not see or hear of any specific weapons restrictions for this CONOP. All the strikes I've monitored before, during and since the strike followed the Tactical Guidance religiously.
- j. Based on my knowledge of the tactical guidance (b)(1)1.4a, (b)(3), (b)(6) to strike that building? Only if friendly forces are in contact with a threat in/around the building and friendly forces cannot withdraw. Any other situation would require (b)(1)1.4a approval, given the information I've received about the scenario.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

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

TAKEN AT 1530

DATED

20151022

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 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 WITH REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

(ing Statement)

WITH

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of Oct, 2015 at

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

(Typed name of person administering oath)

ART 136, UCMJ (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 3 PAGES



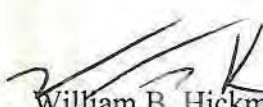
**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 22 October 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22<sup>nd</sup> day of October, 2015.

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

Signature of Witness

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Camp Integrity, Kabul, Afghanistan	2. DATE (YYYYMMDD) 20151022	3. TIME 0930	4. FILE NUMBER
---	--------------------------------	-----------------	----------------

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

8. ORGANIZATION OR ADDRESS  
NSOCC-A / SOJTF-A, Camp Integrity, APO AE 09354

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

1. What was your situational awareness of Kunduz?  
A.) My situational awareness of Kunduz was limited to what can be visualized and understood on the SOJTF-A JOC Floor. Therefore, I had a base understanding that the Taliban had begun a major offensive in Kunduz City and were successfully seizing key facilities and locations from within the city. I was also aware of operational updates and some of the reporting of the Force Protection Targets in the area. (b)(1)1.4a

2.) Were you aware of the 30 SEPT 2015 Clearing CONOP?  
A.) I was aware of it, but was not involved in the production of the CONOP. When CONOPs cross my desk, I normally assist with checking the Fixed Wing CAS Assets that are requested for a particular CONOP.  
3.) Do you track on-going operations?  
(b)(1)1.4a, (b)(1)1.4g

4.) Were you tracking the operation in Kunduz that started on 30 September 2015?  
A.) Yes, I was able to monitor at the operational/strategic level.  
5.) Circumstances surrounding the decision to authorize pre-planned close air support coverage for the operation.  
A.) I can not recall who gave the actual decision or when that actual decision was made to have AC-130 on-station in support of the operation. Normally, I gain an understanding of where the AC-130 will be on-station during the evening Joint Air Allocation Meeting (JAAM) at (b)(1)1.4a hrs or the evening Shift Change Brief at (b)(1)1.4a hours.

6.) Does the Fires Section maintain a copy of the No Strike List?

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP INTEGRITY DATED 20151022

9. STATEMENT (Continued)

A.) I am able to access the No Strike List from 1.4a, (b) and from the the CENTCOM JTE WEBSITE on SIPR. This website can be

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

7. Identify which US Forces knew or had reason to believe the facility that was struck was a hospital, and the facts and circumstances of how the information (including grid coordinates) was communicated within NATO/US Forces from MSF for USFOR-A and subordinate commands.

A.) I found out about the engagement on the hospital the following morning when the (b)(3), (b)(6) received a phone call from SOTF-A. I was in the JOC preparing a product for the Commanding General's Morning Standup that occurs (b)(1)1.4a from (b)(1)1.4a. After the JOC personnel were briefed of the seriousness of the incident, I only answered questions that were asked directly to me. Most questions were with regards to how I access and reference the No Strike List.

8.) What reports or other communication from partnered Afghan forces leading to the targeting decision?

A.) I did not have any visibility of how the grid was passed to the (b)(3), (b)(6) the (b)(1)1.4a (JTAC, personnel in the JOC, or myself)

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

9.) What was the objective of the fires on the target compound?

A.) I have read and understand the COMRS Tactical Guidance and delegation of Approval Authorities for Resolute Support (09 September 2015). I have received PID, POL, LOAC, and ROE from our OPS LEGAD this month. I have also taken the monthly SPINS test not required by Fire Support Officers, (b)(1)1.4a, (b)(1)1.4g to administer and complete. Based on reporting and to the best of my knowledge, the strike on the building was conducted in self defense. I do not know who personally approved the strike.

10.) Identify the tactics, techniques, and procedures used to de-conflict the battlespace and obtain approval for the combat enablers involved in the air strike and the air strike itself. Specifically describe the procedures used to identify friendly forces or non-combatants in the area, and the process by which noncombatant and protected sites were received and disseminated by U.S. forces.

A.) I can not accurately answer this question since the SOJTF-A JOC was unaware of the Fire Mission until hours after it occurred.

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

11.) Identify and describe all approvals received for the airstrike?

A.) I was unaware of any additional instructions or approvals delegated to the (b)(3), (b)(6) for the airstrike.

////////////////////////////////////NOTHING FURTHER////////////////////////////////////

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

/////////////////////////////////NOTHING FURTHER/////////////////////////////////

22 October 2015

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

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

22 October 2015

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCTOBER, 2015 at CAMP INTEGRITY, KABUL, AF

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

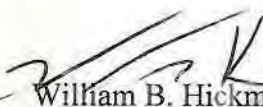
1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 23 OCT 15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

### PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22<sup>d</sup> day of October, 2015.

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

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

Signature of Interviewee

MEMORANDUM FOR Investigating Officer, MG Hickman

SUBJECT: Written Response to Interview Questions

1. (U) I review CONOPs when questions arise, either from the J3 section, RS, or our Operational Law Attorney. CONOP review is conducted primarily by our Operational Law Attorney to ensure proper scope, authority and approval level for the planned mission. I do not recall whether I reviewed the 30 SEP CONOP but did discuss the scope and approval level with our Operational Law Attorney.

2. (S) I did not review the details of the 2-3 OCT operation prior to execution, but recall a conversation (with whom I do not remember) late on 2 OCT or early 3 OCT regarding a clearing operation against one of the NDS compounds in Kunduz where (b)(1)1.4c. My understanding is and was that COMRS and RS leadership were tracking the operation.

3. (S) Our Operational Law Attorney is the primary advisor for strike operations and is completely integrated into the strike process, which includes review of all five pillars – PoL, PID (reasonable certainty standard), applicable ROE (under RS, FS or both), CDE (which incorporates NSL analysis), and TEA. The strike process we utilize in the JOC is consistent with every strike and exercised frequently. I fill in occasionally and am present for many of the strikes, but our Operational Law Attorney is the primary advisor to the DCG-O, J3 and staff for strike operations.

4. (S) I did not review anything related to the 2-3 OCT clearing operation for the NDS facility, nor am I aware of sufficient facts, due to these investigations, to qualify the target as “deliberate” or the munitions used as “planned.”

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

6. (S) Both OFS and RS ROE were available to the (b)(3), (b)(6) and Aircrew, and both applied regardless of how the operation was characterized after-the-fact. IRSD under the SROE was also applicable. The CONOP was submitted under RS and approved as a 2C under FS, which was consistent with HQRS guidance regarding the characterization of Kunduz operations.

(b)(1)1.4a

(b)(1)1.4a

7. (S) The process for identifying lawful targets in Kunduz was the same as any other deliberate strike execution, which I describe above. Characterization for deliberate strikes is determined via the various forms of intelligence available, the (b)(1)1.4a, (b)(1)1.4g



NSOCC-A/SOJTF-A SJA

SUBJECT: Written Response to Interview Questions

(b)(1) 1.4a, (b)(1) 1.4g and reasonable certainty that the targeted person or object is a lawful military target, consistent with LOAC and applicable policy.

8. (S) [redacted] (b)(1)1.4a

[redacted] (b)(1)1.4a

[redacted] (b)(1)1.4a I do not know sufficient details regarding the 3 OCT strike to render an opinion as to whether the [redacted] (b)(3), (b)(6) followed our process or whether he believed he was acting in self-defense.

9. (S) Tactical Guidance.

[redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

b. (S) Everyone involved in an engagement is responsible for PID. The ground force and aircrews performed well in Kunduz leading up to the 3 OCT strike, especially considering the kinetic nature of the operation, which leads me to believe they had a good grasp of their responsibilities regarding PID.

c. (S) I do not have sufficient facts to form an opinion or belief regarding the 3 OCT engagement. [redacted] (b)(1)1.4a, (b)(1)1.4g

[redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

NSOCC-A/SOJTF-A SJA

SUBJECT: Written Response to Interview Questions

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

e. (U) We have asked for and received confirmation of training from subordinate units, including quarterly ROE training. We have not conducted inspections of training documentation.

10. POC is the undersigned at VoSIP (b)(6)

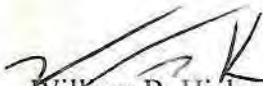
(b)(3), (b)(6)

Approved for Release

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 22 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22nd day of OCT 15

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

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

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

**From:** (b)(3), (b)(6)  
**Sent:** Wednesday, October 21, 2015 8:15 AM  
**To:**  
**Cc:** (b)(3), (b)(6)  
**Subject:** (S) NSOCC-A District Daily Report 20 OCT  
**Attachments:** DAILY DISTRICT CENTERS AT RISK\_20OCT.pptx

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir, the JISE's District center projections next 24-72 hours in blue on ppt. Highlights:

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

District Threats (next 24-72 hrs):

- 
- 
- 
- 
- 

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

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

**Camp Integrity**

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

**From:** (b)(3), (b)(6)

**Sent:** Tuesday, October 20, 2015 11:04 PM

**To:** (b)(3), (b)(6)

**Cc:** (b)(3), (b)(6)

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

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

**Subject:** (U) NSOCC-A District Daily Report 20 OCT

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Ma'am,

Updates for today's District center projections next 24-72 hours in blue on ppt. Highlights:

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

District Threats (next 24-72 hrs):

- 
- 
- 
- 
- 

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g

Very Respectfully,

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

NSOCC-A/SOJTF-A J2-JISE  
Camp Integrity, Afghanistan

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release



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

**Subject:**

FW: (U) NSOCC-A Priority Networks- 9-15 OCT

**Attachments:**

Weekly Priority Network Slide 9-15 OCT 15.pptx

Ma'am,

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

Approved for Release

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

Very Respectfully,

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

NSOCC-A/SOJTF-A J2-JISE  
Camp Integrity, Afghanistan

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

From:  
To:

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

Cc:  
Subject: FW: ~~(S)~~ Kunduz Inv questions (2).docx  
Date: Monday, October 26, 2015 8:17:24 PM  
Attachments: [Kunduz Inv questions \(2\).docx](#)

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

From: (b)(3), (b)(6)  
Sent: Monday, October 26, 2015 12:54 PM  
To:  
Cc: (b)(3), (b)(6)  
(b)(3), (b)(6)  
Subject: FW: ~~(S)~~ Kunduz Inv questions (2).docx

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

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

Attached is the witness statement from (b)(3), (b)(6) Once again the organizational email could not receive so you might want to have that looked at.

Please acknowledge receipt of this when you get back from Kunduz.

Thanks,

v/r,

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

(b)(6)

From: (b)(3), (b)(6)  
Sent: Monday, October 26, 2015 12:46 PM  
To: (b)(3), (b)(6)  
Cc: (b)(3), (b)(6)  
Subject: ~~(S)~~ Kunduz Inv questions (2).docx

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

(b)(3), (b)(6) tried to email but it was kicked back can you provide my Q&A?

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

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

### Camp Integrity

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~


**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND [REDACTED] AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

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

1. You, [REDACTED], are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 22 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of OCTOBER, 2015

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

Signature of Witness

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

Signature

1. Do you know what specific concept of the operation (CONOP) was used for the AOB to move to and secure the PCOP compound? Do you consider (b)(1)1.4d-09-002 a CONOP or a FRAGO to the CONOP (b)(1)1.4d-09-001? When did you first see the CONOP?

I understood the CONOP the SOTF-A produced the day of 29 SEP 15 (b)(1)1.4d-09-001) was the same CONOP they intended to execute the night of 30 SEP 15. Since the AOB made very little progress outside the gates of Pamir on 29 SEP, my understanding at the time was that they intended to merely execute what they had already planned.

I did not see CONOP (b)(1)1.4d-09-002 until 3 NOV 15, when the investigative team showed me a copy. Upon request, the SOTF-A did send me a copy of the CONOP at 0816D\* on the morning of 1 OCT 15 after there was some confusion on early morning reports. I never looked at that CONOP, because reporting discrepancies worked themselves out among the battle captains. After the investors showed me a copy of the 002 CONOP, a search revealed that I did have a copy (upon my request) that arrived after the AOB had occupied the PGOV's compound.

2. Were there any special instructions issued by chain of command in connection with the approval for CAS support?

By support, I assume you are talking about CAS ATG engagements, and the answer is – no. NSOCC-A did not provide any additional guidance for CAS engagements beyond what is outlined in the Tactical Guidance.

3. What procedures are and were used to identify friendly forces and non-combatants in the area? SOJTF SOP?

There is no SOP per se to facilitate the identification of friendly forces. ASSF elements are equipped with the (b)(1)1.4d

(b)(1)1.4d

4. What TTPs were used to obtain approvals for the enablers used in the strike? (really looking for SOJTF processes here – assets handed down to SOTF-A... string on certain assets held by SOJTF)?

The components use a CONOP process to identify assets required for a particular operation. Those assets are listed as "required" or not. If there are limited operations in a POD, most elements get everything they've asked for. If there are competing demands for assets, assets get apportioned based on a number of factors – threat, priority, the correct platform for the terrain, station time required, etc. That apportionment is handled by the J33, who then confirms with the J3 or seeks final decisions from the J3. If there are questions, the DCG is consulted for final adjudication. Once apportioned, the CJSOAC works to ensure the assets arrive on station IAW the associated CONOP.

5. What was the process for receiving and disseminating information on non-combatants and protected sites in the battlespace for SOJTF?

If Noncombatants or NGOs identified themselves through a document and that document was passed to NSOCC-A, the locations were confirmed on the NSL. If those locations were confirmed on the NSL, no additional action was taken. After the strike on the MSF facility, we got several of these documents from RS HQ. Rather than double check these documents, I checked with the RS HQ on whether they were confirming or denying these locations on the NSL. The CJOC (b)(3), (b)(6) informed me the CJOC was confirming all locations before sending the documents to NSOCC-A. Upon learning of the CJOC's confirmation process, I discontinued the checks in NSOCC-A. Of all the grids provided by NGOs and Noncombatants, only one grid needed slight corrections, and the CJOC worked that adjustment through CENTCOM.

6. Did you know the Trauma Center was there before the night of 2/3 October '15. You mentioned in your previous statement that the message came from (b)(3), (b)(6) to CJ2 (b)(3), (b)(6). Do you recall the timeline (DTG) on that message and then the confirmation in (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)?

I was absolutely aware of the Trauma Center's location before the night of 2/3 OCT 15. It was clearly identified on the overlay (b)(1)1.4a, (b)(1)1.4g. I became aware of the message passed to (b)(6) (b)(3), (b)(6) after the first interview with the investigative team. I had to hunt it down. When the message did arrive to (b)(3), (b)(6) he passed it to the (b)(3), (b)(6). She confirmed the MSF facility was identified on (b)(1)1.4a, (b)(1)1.4g. Once she confirmed the facility was identified on both systems, she took no further action.

7. Senior Officer in the JOC during the 2 / 3 October '15 engagement of the MSF Trauma Center?

The senior officer on the JOC Floor was (b)(3), (b)(6) – a (b)(1)1.4a. The battle (b)(3), (b)(6) has direct access to me 24/7. I'm either (b)(6) or available at the same phone number to my desk – that rings in my room. He is not shy about calling me regularly throughout the night.

8. When did you know that the target / objective being engaged was a hospital?

I received a call at approximately 0300 on 3 OCT from (b)(3), (b)(6). He informed me that the AC-130 had conducted an engagement and there were possibly some



effects on a hospital. I took that to mean that we might have knocked some windows out or done some superficial damage – nothing to the extent of what had actually occurred. I told him to let the situation develop some and inform me of any updates. I heard nothing the rest of the night, and I came into the JOC at my normal time ~ 0730. By the time I arrived to the office, questions were coming from RS, and information was bubbling up from the SOTF-A and CJSOAC. While I started to develop a better understanding, I still wasn't sure we had engaged the actual hospital. The (b)(1)1.4a that I did see were on the small building surrounding the actual hospital. I called the (b)(3), (b)(6) to attempt to confirm the actual building that was engaged, and he assured me that the AC-130 had engaged the actual hospital. At that point, I was pretty confident we had engaged the hospital. I wasn't 100% sure until I saw the product that from CJSOAC that accounted for each round (by type and location) fired in the engagement. At that point, probably around 0930, I was sure we had engaged the hospital.

9. Do you change the JOC procedures when Teams or the AOB have inoperable SA equipment (b)(1)1.4a, (b)(1)1.4g?

The JOCs at SOTF-A and NSOCC-A both become more intrusive when SA systems go down. The telephonic engagements become more frequent. NSOCC-A turns up the volume on (b)(1)1.4a, (b)(1)1.4g radio to listen to the traffic, and battle rooms tend to be much more heavily populated to keep everyone's SA up. We don't have anything formal that's documented, but we all do everything possible to replicate the SA that would be achieved if all SA systems were fully functional.

The statements above are true to the best of my knowledge.

\*Some answers have been refined since the face to face interview based on additional details I gathered afterwards.

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

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

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

**From:** (b)(3), (b)(6)

**Sent:** Wednesday, October 28, 2015 6:14 PM

**To:** (b)(3), (b)(6)

**Subject:** FW: ~~(S)~~ NSOCC-A Priority and Framework Operations Update - 28 2000D\* SEP 15

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**From:** (b)(3), (b)(6)

**Sent:** Monday, September 28, 2015 8:22 PM

**To:** (b)(3), (b)(6)

**Cc:** (b)(3), (b)(6)

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

**Subject:** ~~(S)~~ NSOCC-A Priority and Framework Operations Update - 28 2000D\* SEP 15

**Classification:** ~~SECRET//REL TO USA, FVEY~~

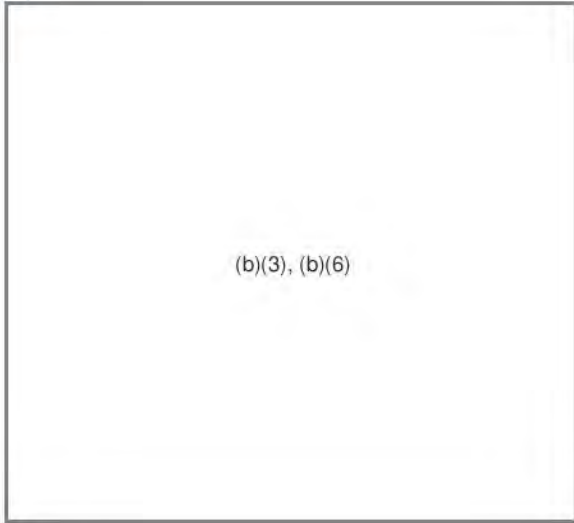
Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir,

Below are items of interest, target development activities, and the Rollup of priority and framework operations throughout the CJOA:

**ITEMS OF INTEREST**

V/r



Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

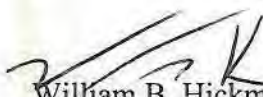
**Classification: ~~SECRET//REL TO USA, FVEY~~**

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 22 OCT 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

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A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 22 day of October, 2015.

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

Signature of Witness

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

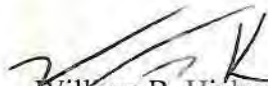
Sig

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

Signature or witness

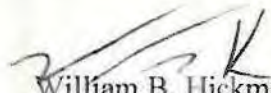
(b)(3), (b)(6)

Signature or interviewee

1. You, (b)(3), (b)(6) are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

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DCG-O, USARCENI

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23RD day of OCTOBER, 2015.

\_\_\_\_\_  
Signature of Witness

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

  
\_\_\_\_\_  
Signature of interviewee

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

1. LOCATION: BAGRAM AIRFIELD
2. DATE (YYYYMMDD): 2015/10/24
3. TIME: 0600D
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME; 6. SSN; 7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
(S/NF) On 03 October 2015 an airstrike was conducted on a MSF Trauma Center in Kunduz City, AF. Significant operations in Kunduz city by SOTF-A had been ongoing since 29 September 2015 when (b)(1) SOTF-A ODA's fought into Kunduz City and established command and control in the provincial government compound. (b)(1)1.4c

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

(S/NF) Late on the night of 29SEP15, shortly after hearing via discussion in the JOC that facility at (b)(1)1.4a was a hospital, I added the MSF facility to the 'KONDUZ DEB' (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) though the SOTF-A ITCs maintain for asset situational awareness. From that point on (b)(1)1.4a, (b)(3), (b)(6) with MSF Trauma Center location annotated was distributed to all ISR assets supporting operations in Kunduz before they got on station, the first email with (b)(1)1.4a, (b)(3), (b)(6) attached being sent Wednesday, September 30, 2015 7:14 AM LOCAL. The 'KONDUZ DEB' (b)(1)1.4a, (b)(3), (b)(6) and other SA products were sent to (b)(3), (b)(6) @soc.smil.mil' (AC-130 (b)(3), (b)(6) (b)(3), (b)(6) Thu 10/1/2015 6:57 PM LOCAL and Fri 10/2/2015 6:46 PM LOCAL.

(S/NF) The night of the airstrike on the MSF Trauma Center the SOTF-A JOC did not have (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) communication with (b)(1)1.4a, (b)(3), (b)(6) due to technical issues in the AC-130 (b)(1)1.4a, (b)(3), (b)(6) the OJTAC in the SOTF-A JOC had good two-way communication with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) confirmed that they had good two-way line of sight communications with (b)(1)1.4a, (b)(3), (b)(6) controlling from the provincial government compound at that time. At (b)(1)1.4a, (b)(3), (b)(6) was approved into (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) did not have good two-way line of sight radio communications with (b)(1)1.4a, (b)(3), (b)(6) because (b)(1)1.4a, (b)(3), (b)(6) did not have good two-way with (b)(1)1.4a, (b)(3), (b)(6) ITCs passed them tasking until two-way communication could be established. At (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) NDS CMPD." This is the location that I (and as far as I am aware the other personnel in the SOTF-A JOC) believed to be the NDS Compound which was the focus of the partnered forces operation that night.

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

(S/A) This facility is a series of buildings with a perimeter in the northeast area of the NDS Prison. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) stated that their (b)(1)1.4a, (b)(1)1.4g was on the NDS Compound as directed. No activity was observed. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) received a brief transmission (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) stating that they were "going hot." (b)(1)1.4a, (b)(3), (b)(6) immediately determined the need to get (b)(1)1.4a, (b)(3), (b)(6) onto the intended target. Because we had not observed any activity at the NDS Compound (as we knew it) so far we did not believe the intended target was in or around that location. At (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) is going hot at // (b)(1)1.4a, (b)(1)1.4g At (b)(1)1.4a, (b)(3), (b)(6) for indications of the AC-130 engagement. Believing the NDS Compound was (b)(1)1.4a, (b)(3), (b)(6) initially place its sensor on to be the intended target of the partnered force ground operation, we directed them to scan southwest of the facility where the main line of communication into Kunduz City from the south was located. At (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) "I think we found them // (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a 2 impact site, one small, one very large." At that time we had the first visual confirmation in the (b)(1)1.4a that the target of the AC-130 engagements was the MSF Trauma Center (b)(1)1.4a, (b)(3) immediately called (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) asked them to pass a grid for their strike location and to confirm that the intended target was personnel external to structures, not a structure itself. As soon as (b)(1)1.4a, (b)(3), (b)(6) passed the grid for the strike location, I plotted it in (b)(1)1.4a, (b)(1)1.4g. The grid passed plotted slightly north of the Trauma Center, but it quickly became obvious (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) building struck was indeed the Trauma Center. Seemingly simultaneous to this, (b)(3), (b)(6) entered the JOC and stated that MSF had called SOTF-A and declared that they were being engaged and if it was SOTF-A conducting the engagement to cease fire (b)(1)1.4a, (b)(3), (b)(6) firm (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(3), (b)(6) the target of the engagement was the structure and external personnel. Very soon thereafter, the exact time I can not confirm, (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the structure was a possible trauma center. At that point the engagement had already ceased. At no point prior to the strike on the Trauma Center was there any indication to anyone in the JOC that there was an intent to strike a specific location, let alone a building, nor was there any way to observe and intervene. The proper steps were taken by the ITCs to ensure the locations of any known No-Strike locations were disseminated to any and all applicable customers via the 'KONDUZ DBV' (b)(1)1.4a, (b)(1)1.4g

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME, THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of Oct, 2015 at Bagram Airfield

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

(Typed name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

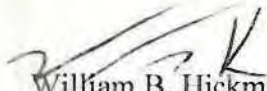
PAGE 2 OF 2 PAGES

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DATE  
OF EXECUTION: 23 OCT 15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

Approved for Release

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of OCTOBER, 2015.

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

Signature

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

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

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

1. LOCATION Bagram Airfield, Afghanistan	2. DATE (YYYYMMDD) 2015/10/23	3. TIME 1400D*	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			
8. ORGANIZATION OR ADDRESS Special Operations Task Force-Afghanistan, Camp Vance, (b)(3)			

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

1. What were the facts and circumstances surrounding the 3 OCT air to ground engagement?: (b)(1)1.4d one the ODAs' partner force in Kunduz, was conducting an operation ordered by (b)(6). The Afghan plan was made at Camp Pamir, and relayed to the teams out in Kunduz City defending the Kunduz Provincial Center. The plan was to seize "the NDS building". The SOTF only knew one NDS building. The plan was relayed as taking back the NDS building, so the SOTF understood the objective to be the NDS HQ that was adjacent to the prison - one of the first night's objectives - on the east side of town. The SOTF had (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) who focused on the known NDS building. There was never any question at the SOTF as to the location of the NDS building as we had known its location since the teams went into the city on the first night. The (b)(1)1.4d had a late start from Pamir enroute to their objective. The SOTF could not receive the (b)(1)1.4a, (b)(1)1.4g flying overhead in Kunduz City in support of the teams. The (b)(1)1.4a maintained eyes on the known NDS compound as the (b)(1)1.4d began their movement; the (b)(1)1.4d had not appeared in our field of view by the time the JOC was informed of an air to ground engagement taking place near the Provincial Center in Kunduz. Our (b)(3), (b)(6) walked into the JOC and went to the Battle Captain stating that he had just received a call from the Doctors Without Borders (b)(6) who said that the Kunduz Trauma Center was being fired on from an aircraft. At that point, we asked (b)(1)1.4a, (b)(3), (b)(6) over the city so we could see where the engagement was taking place and saw the smoke from the Trauma Center. At the same instant, (b)(1)1.4a, (b)(3) (the AOB on the ground) called to discuss the engagement on (b)(1)1.4g. (b)(1)1.4a, (b)(1)1.4g was told to come up on (b)(1)1.4a, (b)(1)1.4g to ask them what they were firing at and to let them know the building was the Kunduz Trauma Center. By that point, (b)(1)1.4a, (b)(3) had already ceased fire.

2, 3. Who requested and approved the AC-130? We have a nightly Joint Air Allocation Meeting (JAAM) between all components of the SOJTF-A. (b)(1)1.4a  
(b)(1)1.4a

4. What units were involved in the 2 OCT mission to secure the NDS compound? (b)(1)1.4d with AOB (b)(1)1.4a in support.  
 5. What specific CONOP was used for the 2/3 OCT mission? ODA (b)(1)1.4a 29 SEP CONOP to establish a foothold in Kunduz City. The element was still on that specific CONOP.  
 6. Who was involved in writing and approving the CONOP to include legal review? The ODA and AOB utilized the same system we have always used to approve the initial CONOP dated 29 SEP, which went through the AOB to the SOTF to SOJTF-A and on to Resolute Support for approval with all the requisite reviews from JAGs at each level. Again though, on the night of 2/3 OCT, the teams in Kunduz City were still on the original CONOP from 29 SEP. The (b)(1)1.4d mission on the night of 2 OCT was given to the (b)(1)1.4d, (b)(6)  
 7. What was the task and purpose of the 2 OCT (b)(1)1.4a, (b)(3) mission when launched? Provide fire support to ODAs on the ground in Kunduz City, and additionally to engage named objectives and individuals conducting hostile acts via (b)(1)1.4a from SOTF-A. CONTINUED ON NEXT PAGE

10. EXHIBIT	11. INITIALS	ON MAKING STATEMENT	PAGE 1 OF 4 PAGES
(b)(3), (b)(6)			

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT Bagram Airfield, AFG DATED 2015/10/23

9. STATEMENT (Continued)

8. Did the mission change once on station? (b)(1)1.4a, (b)(3), (b)(6) supported our ODAs and partner force on the ground in Kunduz City. I am not aware of a change of mission.

9. Was the MSF Trauma Center on the 2 OCT NSL and if so, was it considered in the CONOP process? We received the Kunduz Trauma Center location from Doctors Without Borders themselves. Our (b)(3), (b)(6) received them from the organization. We placed the Trauma Center on our graphics in the JOC as soon as we received the location. Of note, our initial objective for the night of 29/30 SEP was the actual Kunduz City Hospital (also known as the PRT Hospital) in Kunduz City. A partnered force of USSF and (b)(1)1.4d as it had been taken over by the Taliban. That mission was approved. Kunduz City is covered with schools, mosques, government facilities, private residences, businesses, and other locations to include the Provincial Center, NDS Prison, and PSU HQ (b)(1)1.4d (b)(1)1.4d OCT) which we understand are all on the NSL.

10. Is the NSL cross checked during CONOP development or during mission execution? We gained access to the official NSL after the 2/3 OCT air to ground engagement, and since then we consult it, and implement it in every CONOP. Before that time, we relied on our own intelligence from the ground within a given area (b)(1)1.4a, (b)(1)1.4b from which you can see mosques and other notable buildings we would always avoid, and any information coming from higher or from our partner force. The other check in this check and balance is that if we are not engaging a structure in self defense (which requires no approval from higher) then we always call higher and go through the chain of approval to the Target Engagement Authority for structures, which is COM RS.

11. Who was involved in the CONOP development or during mission execution? The ODAs were still operating under the 29 SEP CONOP on 2/3 OCT, and remained on that CONOP until they returned to (b)(1)1.4a days later.

12. Was the appropriate legal review done for the CONOP? Yes, the CONOP from 29 SEP went all the way up to COM-RS and was approved. Those approvals at every level include a legal review. Also, the Afghan plan that (b)(1)1.4d, (b)(6) was reported all the way to RS as well in daily Commanders' reporting.

13. What circumstances surround the decision to authorize pre-planned CAS (assault fires) for the operation? There were no pre-planned fires for the operation. The CONOP that took the teams out into Kunduz City had a fire support plan to support them as they took objectives within the enemy swarmed city. The ODAs remained at the Provincial Center fighting for three days straight, (b)(1)1.4a, (b)(1)1.4g That did not change on the night of 2/3 OCT. (b)(1)1.4a

14. Who authorized them? Not applicable. There were no pre-planned fires.

15. What is "softening" a target? The intent? "Softening" is not a tactical task. I see the term "softening" as a colloquialism.

16. Were there any special instructions issued by chain of command in connection with the approval for CAS support? The AC -130 was an asset the teams in Kunduz City had every night during their fight. There were no special instructions given to the teams or to the aircraft by the chain of command concerning fires. There were no pre-planned air to ground engagements.

17. Do any graphics at any HQ in the chain of command identify the MSF Trauma Center? Please refer to question and answer number 9.

18. What US Forces knew or believed that the structure hit was the MSF Trauma Center? Once we found out about the engagement (see question and answer 1. above) from Doctors Without Borders themselves, the SOTF-A HQ knew the structure that had already been struck was the MSF Trauma Center. We knew the MSF locations in town days prior, but we did not know the AOB was striking anything at the time, much less the MSF Trauma Center.

19. How was the information communicated from MSF through USFOR-A to subordinate commands? If this question means their locations in the city, our (b)(3), (b)(6) found the information while she was looking for additional medical facilities for use as emergency means to treat our own casualties if wounded in the city and unable to make it back to Pamir to the FST. Our (b)(3), (b)(6) (b)(3), (b)(6) happened to notice the MSF crest on the email the (b)(3), (b)(6) was reading and asked her for those locations so we could ensure everyone knew them. They were subsequently placed on our graphics in the JOC.

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT Bagram Airfield, AFG DATED 2015/10/23

9. STATEMENT (Continued)

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

21. Were you, the AOB and the (b)(3), (b)(6) aware of the presence of an MSF Trauma Center somewhere in Kunduz? The SOTF was aware. The information was passed via (b)(1)1.4a, (b)(1)1.4g to the team on the ground. We also passed the information via (b)(1)1.4a, (b)(1)1.4g inside the Provincial Center. We passed ~~the~~ (b)(1)1.4a, (b)(1)1.4g listing those locations to CJSOAC.

22. Was the MSF Trauma Center marked as a "No Strike" target on any CONOP, AOB-N or (b)(1)1.4a, (b)(1)1.4g or documents? The information indicating the MSF locations in the city came to us after the CONOP had already gone through the approval chain. The locations were marked on our graphics displayed on the screen in our JOC. I cannot answer whether CJSOAC used the information in their common graphics. As for the AOB, please refer to question and answer 21.

23. Did the MSF Trauma Center have any outward markings indicating it was a hospital? From the air, no it did not. From street level, I have seen photos that show there is a sign. There was no "MSF Flag" or any other flag flying above it throughout the battle for Kunduz, as stated in open source media after the engagement. (b)(1)1.4a, (b)(1)1.4g

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

24. What were the facts and circumstances surrounding the AOB-N CDR's decision to call for CAS? I do not know other than his account of the situation. He did not call the SOTF for approval, which is not necessary in a defensive engagement. The SOTF did not know of the engagement was taking place until it was nearly over.

25. What specific information did AOB-N pass to the AC-130 in connection with the call for fire? I don't know.

26. What description and targeting criteria were used to identify the target? I don't know. My account of this is second hand from the (b)(3), (b)(6)

28. Based on the information provided to the (b)(3), (b)(6) was the situation in-extremis, subject to hostile acts or intent? My understanding of the situation is that yes, it was. I have no reason to disbelieve him as I have known him for years, and know him to be the most honest, forthright, and open leader I have ever had the pleasure to work with.

29. What were the roles of the AOB-N and associated ODA JTACs leading up to and during the 3 OCT AC-130 strike on the MSF trauma center? They were to control aerial assets allotted to the teams during their operation.

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

31. What was the situation at the MSF Trauma Center as observed by the AC-130 crew, specifically the Aircraft Commander and the Fire Control Officer? I don't know. (b)(1)1.4a, (b)(1)1.4g

32. Was any higher headquarters or operations center able to monitor the strike real time? I don't know

33. What was the basis for the use of force against the MSF Trauma Center? My understanding is that it was conducted in self-defense, however, I do not believe the (b)(3), (b)(6) knew the building engaged by the AC-130 was a hospital. The grids passed to the AC-130 were for an NDS compound just north of the hospital.

34. What specific operational authorities and rules of engagement were used for the strike? My understanding of the engagement was that it was in self-defense of US Special Forces and their partner force.

35. At what point did US forces realize the strike location was a hospital? Once the (b)(3), (b)(6) walked into the JOC to tell the (b)(3), (b)(6) about the call from the MSF Country Representative, which was near the end of the engagement.

36. What actions were taken once US Forces realized the strike location was a hospital? Immediately after the SOTF confirmed the location of the engagement the (b)(3), (b)(6) came up on (b)(1)1.4a, (b)(1)1.4g to discuss the engagement. He was immediately told to call us over the (b)(1)1.4a, (b)(1)1.4g which he did when we told him the building was a hospital. The (b)(3), (b)(6) ceased fire.

37. Was a check fire or cease fire call ever made? Yes, the (b)(3), (b)(6) ceased fire.

38 – 47. I am not in position to answer these questions as I was not on the ground. This portion of the statement should come from ODA and AOB members who were on the scene and who heard the calls for fire.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES



9. STATEMENT (Continued)

48. What changes should be made to guidance, SOPs, unit procedures or training which could have mitigated the 3 OCT incident? Due to 'fog of war', fatigue, several days of constant gunfire, RPG attacks, waves of insurgent attackers in the streets, danger close defensive engagements at some points just 25 m in front of the teams using (b)(1)1.4a there are numerous points that contributed to the incident. As information came to light, all parties did their best to relay information with the technical means available. If the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) had worked that night, we would have known at the SOTF that the AOB was engaging the Trauma Center. If the (b)(1)1.4a, (b)(1)1.4g had been working properly, they may have been able to see that the objective (b)(1)1.4a, (b)(3), (b)(6) looking at wasn't the NDS objective. If we hadn't been looking for additional locations to treat our wounded in the city we wouldn't have known about the MSF locations in the first place. If the (b)(1)1.4a, (b)(1)1.4g had given the teams the MSF locations hadn't been made from the SOTF during a sustained firefight on the ground at the Provincial Center, maybe the locations would have been logged on the teams' running graphics or maps in the Provincial Center. Since the engagement on 3 OCT, the SOTF has gained access to the 'Master' NSL, and has added it to our CONOP process to add to our knowledge of locations on the ground, visual indications of mosques, cemeteries, and other locations that are not on the NSL at all. We will continue this process and will ensure the next SOTF does so as well. This will not reduce the fog of war, but it will serve as commonly known information commanders can internalize before conducting their operations.

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, UNLAWFUL INFLUENCE, OR

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(b)(3), (b)(6) (Signature)  
\_\_\_\_\_  
Subscribed by \_\_\_\_\_ person authorized by law to  
administer oaths, this 25 day of Oct, 2015  
at Camp Vence Alabamistan  
\_\_\_\_\_  
(Signature) (b)(3), (b)(6) (Signature)  
\_\_\_\_\_  
(Type Name of Person Administering Oath)  
Commissioner  
(Authority To Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

From: [Redacted]  
To: [Redacted] (b)(3), (b)(6)  
Cc:  
Subject: (S) Email 1 of 3: FW: Intel Reporting and Analysis for MSF Strike  
Date: Wednesday, October 28, 2015 5:27:09 PM  
Attachments: [MSF.pptx](#)

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

7 OCT is when we produced the attached document. We developed it from other documents that I will send you in two subsequent emails. Note the text of the emails as well.

Thanks again, Sir.

Very Respectfully,

[Redacted Signature Block] (b)(3), (b)(6)

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From: [Redacted] (b)(3), (b)(6)  
Sent: Wednesday, October 07, 2015 5:18 PM  
To: [Redacted] (b)(3), (b)(6)  
Cc: [Redacted] (b)(3), (b)(6)  
Subject: Intel Reporting and Analysis for MSF Strike

Sir, attached is a rollup of all reporting that contributes to our collective intel picture on the MSF Hospital Strike. The 1<sup>st</sup> slide is built to stand alone, if necessary.

The additional 3 slides break out each report for the reader to see a general rollup of what happened during the pre-strike, strike, and post-strike phases of the operation. Please let me know if this does not meet your intent, or there's something you'd like to remove/edit/change before the investigators arrive. I'll bring a hardcopy to your office as well.

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

Respectfully,

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

Attachment Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

From: [Redacted]  
To: [Redacted] (b)(3), (b)(6)  
Cc:  
Subject: (S) Email 2 of 3: FW: Products for your review  
Date: Wednesday, October 28, 2015 5:33:06 PM  
Attachments: (b)(1)1.4a Pattern of Life.pdf  
(b)(1)1.4a Support to 2 Oct AC 130 Engagement.docx

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

Intel that went into the 7 AUG ppt presentation.

Very Respectfully,

[Redacted Signature Block] (b)(3), (b)(6)

From: [Redacted] (b)(3), (b)(6)  
Sent: Tuesday, October 06, 2015 1:05 PM  
To: [Redacted] (b)(3), (b)(6)  
Subject: (S) Products for your review

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET//NOFORN~~

[Redacted] (b)(3), (b)(6)

Please review and let me know if you concur. If so I will staff here for release to IO team.

v/r,

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

SOJTF-A / NSOCC-A

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

Attachment Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

Attachment Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

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

3. You stated in your previous statement that the Teams operated under the 29 Sep CONOP (2C) until they returned to Camp Pamir. The 1C CONOP, Kunduz Clearing Operation is what they executed. Was it a FRAGO to CONOP (b)(1)1.409-001? Did CONOP (b)(1)1.409-002 (1C) go thru the entire approval process? If no where do you believe it stopped? Reference email from (b)(3), (b)(6) to the CG, DCG-O, and J3 (sent to (b)(3), (b)(6) the morning of 4 NOV). While this was sent after (b)(3), (b)(6) and his men departed Camp Pamir, it was communicated, acknowledged and confirmed over the phone hours prior. This FRAGO and the scheme of maneuver/manner in which it was conducted, was not a surprise to anyone. All was approved. We would not conduct an operation without our higher HQ approval. While they may not have had the updated scheme of maneuver slide in hand at the time of departure, the plan was communicated and approved. Due to time constraints and the very real need/desire from higher for the ODAs to get into the city, we were producing the updated scheme of maneuver slide in order to catch up with the verbal updates clearly articulated and conveyed to our higher HQ (again, reference email which also references phone conversation). We were approved on the update concept.

Additionally, we think it is misleading to imply that the CONOP process had anything at all to do with the MSF Trauma Facility engagement (the NDS facility close to the MSF Trauma Center was an Afghan independent OBJ, and was not a pre-planned fires target or objective. It was not a US mission to seize the NDS facility or anything else that night. US forces would remain in the Provincial Center and defend their terrain). (b)(3), (b)(6) and his teams were supposed to come back to Camp Pamir every night, but were unable each night due to the importance of the position they were holding. If they left the

(b)(1)1.4g

(b)(1)1.4g

They remained out there to ensure the mission was a success. At this point, the CONOP originally sending the teams out into the city was extended in order to allow them to hold key terrain.

4. Who provided the VOCO 'approved' to the AOB? SOTF-A obtained approval to send the teams out the night of the 30<sup>th</sup> from SOJTF. The SOTF passed on this approval to the AOB before they left the wire.

5. Do recall when your staff posted the CONOP in the SOJTF 'Battle Room'. Our SOP is to pass the applicable slide from the CONOP to SOJTF so they can post the slide in to the Battle Room. We followed our SOP. Normally the Battle Captain or JOC Chief passes the slide. I do not know which of them did it the night of the 30<sup>th</sup>. It would either be (b)(3), (b)(6)

6. Did you discuss the CONOP (002) with anyone at SOJTF? **Yes. I personally discussed it with the CG, DCG and we discussed it with the SOJTF JOC.**

7. What procedures were used to identify friendly forces and non-combatants in the area? **Friendly forces vehicles** [redacted] (b)(1)1.4a, (b)(1)1.4g location. **Non-combatants were all told by the Taliban and local ANDSF forces to stay in their houses, though some did not. Non-combatants were anyone not displaying hostile intent or conducting a hostile act.**

8. What TTPs were used to obtain approvals for the enablers used in the strike? [redacted] (b)(1)1.4a

[redacted] (b)(1)1.4a

9. [redacted] (b)(3), (b)(6) stated he knew he could not be the engagement authority for hostile intent [redacted] (b)(1)1.4a So who do you think is? **Please reference question 8.**

10. Identify and describe all approvals received for the airstrike. Were they at your or the AOB level? **The strike on the MSF Trauma Facility (which was mistaken for the NDS objective the [redacted] (b)(1)1.4a were moving to seize) on the night of 2-3 OCT was approved at AOB level. The GFC did not request approval from the SOTF.**

11. What TTPs did SOTF-A use to de-conflict the battlespace? SOP? **SOTF-A deconflicts battlespace in several different ways.** [redacted] (b)(1)1.4a, (b)(1)1.4g

[redacted] (b)(1)1.4a, (b)(1)1.4d

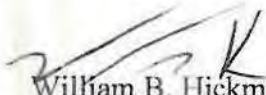
12. What other operations were ongoing during the POD of 2/3 October '15? [redacted] (b)(1)1.4a

[redacted] (b)(1)1.4a, (b)(1)1.4d

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release



## PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

\_\_\_\_\_  
Signature of Witness

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

  
\_\_\_\_\_  
Signature of Interviewee

**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 VANCE, BAF	2. DATE (YYYYMMDD) 2015/10/23	3. TIME 1300D	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			
8. ORGANIZATION OR ADDRESS			
(b)(3)			

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

On the 29th of September, while planning to conduct an operation in Bahram Chah, the SOTF-A was notified that INS had over run the District Center and multiple ANA checkpoints in Kunduz City and were planning to over run the Airfield in Pamir where (b)(1)1.4a was located Southeast of Kunduz. With these events happening, the (b)(1)1.4a operation was cancelled after the team was already airborne and the aircraft were turned around mid flight so that we could push our friendly forces up North to Kunduz. While coordination for ODA/AOB movement to Kunduz was being planned, the SOTF-A JOC Fires cell was notified by SOJTF-A that (b)(1)1.4a, (b)(3), (b)(6) support (AC-130) would be passed from the (b)(1)1.4a operation to our JTAC (b)(1)1.4a, (b)(3), (b)(6) for control in Kunduz until US forces were on the ground and able to control. (b)(1)1.4a pushed to Pamir to assist (b)(1)1.4a which was currently at Pamir. Planning was being conducted for a partnered operation to infil into the city of Kunduz on the 30th of September. SOTF-A (b)(3), (b)(6) was notified by SOJTF-A, that we would (b)(1)1.4a, (b)(3), (b)(6) support for the duration of the operation. Over the next 3 days and prior to the Kinetic Strike in question, multiple kinetic strikes (b)(1)1.4a. On the night of the 30th, the (b)(1)1.4a moved out to the PGOV Compound. While (b)(1)1.4a were at their destination (the PGOV Compound) in the city of Kunduz, they received effective enemy fire for three straight days. On 1 October the JTACs on the ground requested (b)(1)1.4a, (b)(3), (b)(6) support (F-16's) in response to effective enemy fire. The JTACs on the ground conducted multiple gun runs (b)(1)1.4a rounds on enemy personnel engaging their position. As a result of these gun runs the (b)(1)1.4a, (b)(3), (b)(6) were "Winchester" (out of ammo) for (b)(1)1.4a rounds. The JTACs on the ground requested that GCAS (Ground Alert CAS) be sent up to support them as the enemy fire continued. The (b)(3), (b)(6) desk submitted the request by (b)(1)1.4a and left the Air TIC open for the remainder of the day. Again the fighting continued for the duration of about three days until the October 2nd defensive strike in question. On October 2nd, I (b)(3), (b)(6) confirmed that the Kunduz operation would (b)(1)1.4a, (b)(3), (b)(6) support for the duration of POD 2/3. My relief (b)(1)1.4a, (b)(3), (b)(6) came in that evening and was briefed up of the Kinetic Strike conducted earlier that day from myself, as well as friendly locations and updates to enemy and friendly activity throughout the day. Once I was off shift for the evening, I left the JOC floor and was not present for the immediate events leading up to and including the defensive strike that was conducted on POD 2/3 that is in question.

-----NOTHING ELSE FOLLOWS-----

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

STATEMENT OF

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

TAKEN AT

Camp Vance/BAF

DATED

23 Oct 2015

9. STATEMENT (Continued)

Nothing Else Follows

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3 I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL

(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 23 day of Oct 2015 at Camp Vance, Alabamistan

ORGANIZATION OR ADDRESS

(S (b)(3), (b)(6) th)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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

**From:** (b)(3), (b)(6)  
**Sent:** Tuesday, June 16, 2015 9:40 PM  
**To:** (b)(3), (b)(6)  
**Cc:**  
**Subject:** FW: (S) documents  
**Attachments:**

(b)(1)1.4a

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

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

Here is the SPINS for AFG. I do not have the Iraq SPINS. I can put you in touch with (b)(3), (b)(6) and he may be able to help.

Let me know if there is anything else I can do to help out.

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

-----Original Message-----

**From:** (b)(3), (b)(6)  
**Sent:** Tuesday, October 21, 2014 10:38 AM  
**To:** (b)(3), (b)(6)  
**Cc:**  
**Subject:** (S) documents

Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

Message Body Classification: ~~SECRET~~  
Message Body Caveats: ~~REL TO USA, ISAF, NATO~~

I might be missing a document but let me know what you need, and I will send it to you

In order to get a c/s you will need the following:

- (1) JTAC formal school diploma.
- (2) Commander's designation letter.
- (3) Documentation of evaluation and current qualification in accordance with USSOCOM 350.5 JTAC Training Manual.
- (4) CAS control log.
- (5) Copy of initial JTAC theater indoctrination test and spins test with a graded score of 100%.
- (6) IJC JTAC reference documentation from Annex K, Appendix 2 SOR (b)(1)1.4 signed off by JTAC.
- (7) IJC theater verification and indoctrination checklist Annex K, Appendix 3 SOR (b)(1)1.4 filled out and verified by the SOTF/TF fires cell or designated SOTF/TF qualified JTAC representative.

I will work with (b)(3), (b)(6) to get info off of (b)(1)1.4a, (b)(1)1.4g

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

v/r

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

Attachment Classification: ~~SECRET~~  
Attachment Caveats: ~~REL TO USA, ISAF, NATO~~  
Message Body Classification: ~~SECRET~~  
Message Body Caveats: ~~REL TO USA, ISAF, NATO~~

Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

Attachment Classification: ~~SECRET//REL TO USA, ISAF, NATO~~  
Classification: ~~SECRET//REL TO USA, ISAF, NATO~~

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 10/23/15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

Approved for Release

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of OCTOBER, 2015.

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature of

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

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

1. LOCATION BAGRAM AIRFIELD	2. DATE (YYYYMMDD) 2015/10/24	3. TIME 0005D	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			
8. ORGANIZATION OR ADDRESS			
(b)(3)			

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

~~(S/NF)~~ On 03 October 2015 an airstrike was conducted on a MSF Trauma Center in Kunduz City, AF. Significant operations in Kunduz city by SOTF-A had been ongoing since 29 September 2015 when (b)(1)1.4a fought into Kunduz City and established command and control in the provincial government compound, (b)(1)1.4a, (b)(1)1.4c

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

~~(S/NF)~~ The MSF facility was added to the 'KONDUZ DBV' (b)(1)1.4a, (b)(1)1.4c through the SOTF-A ITC's maintain for asset situational awareness by SOTF-A (b)(3), (b)(6) late on the night of 29SEP15. From that point on, (b)(1)1.4a, (b)(1)1.4c with MSF Trauma Center location annotated was distributed to all ISR assets supporting operations in Kunduz before they got on station, the first email with (b)(1)1.4a, (b)(1)1.4c being sent Wednesday, September 30, 2015 7:14 AM LOCAL. The location of the MSF Trauma Center (referred to verbally and labeled (b)(1)1.4a, (b)(1)1.4c 'Kunduz Hospital') was passed verbally in the JOC. The 'KONDUZ DBV' (b)(1)1.4a, (b)(1)1.4c and other SA products were sent to (b)(3), (b)(6) @soc.smil.mil' by me on Thu 10/1/2015 6:57 PM LOCAL and Fri 10/2/2015 6:46 PM LOCAL.

~~(S/NF)~~ The night of the airstrike on the MSF Trauma Center the SOTF-A JOC did not have (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) communication with (b)(1)1.4a, (b)(3), (b)(6) to technical issues in the AC-130. (b)(1)1.4a, (b)(3), (b)(6) in the SOTF-A JOC had good two-way communication with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) confirmed that they had good two-way line of sight communications with (b)(1)1.4a, (b)(3), (b)(6) JTAC controlling from the provincial government compound at that time. At (b)(1)1.4a, (b)(3), (b)(6) was approved into (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) did not have good two-way line of sight radio communications with (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) have good two-way with (b)(1)1.4a, (b)(3), (b)(6) ITC's passed them tasking until two-way communication could be established. At (b)(1)1.4a, (b)(3), (b)(6) instructed (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) yes to (b)(1)1.4a NDS CMPD." This is the location that I and as far as I am aware the other personnel in the SOTF-A JOC believed to be the NDS Compound which was the focus of the partnered forces operation that night.

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



9. STATEMENT (Continued)

(S/NF) This facility is a series of buildings with a perimeter in the northeast area of the NDS Prison. At (b)(1)1.4a (b)(1)1.4a, (b)(3) (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) stated that the (b)(1)1.4a, (b)(1)1.4g was on the NDS Compound as directed. No activity was observed. At (b)(1)1.4a (b)(1)1.4a, (b)(3), (b)(6) passed a brief transmission by (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) saying that they were "going hot." (b)(1)1.4a, (b)(3), (b)(6) immediately verbally determined the need to (b)(1)1.4a, (b)(3), (b)(6) onto the intended target. Because we had not observed any activity at the NDS Compound so far we did not believe the intended target was in or around that location. At (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) going hot at (b)(1)1.4a, (b)(1)1.4g. At (b)(1)1.4a, (b)(3), (b)(6) began to scan for indications of the AC-130 engagement. Believing the NDS Compound was (b)(1)1.4a, (b)(3), (b)(6) place its sensor on to be the intended target of the partnered force ground operation, we directed them to scan southwest of the facility where the main line of communication into Kunduz City from the south was located. At (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) "I think we found them // (b)(1)1.4a, (b)(1)1.4g 2 impact site, one small, one very large." At that time we had the first visual confirmation in the (b)(1)1.4a (b)(1)1.4a that the target of the AC-130 engagements was the MSF Trauma Center. Immediately (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and asked them to confirm that the intended target was personnel external to structures, not a structure itself. Seemingly simultaneous to this, the exact time I can't confirm due to my attention being on (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) for the building they observed on fire, (b)(3), (b)(6) entered the JOC and stated that MSF had called SOTF-A and declared that they were being engaged and if it was SOTF-A conducting the engagement to cease fire. (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the target of the engagement was the structure and external personnel. Very soon thereafter, the exact time I can not confirm, (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that the structure was a possible trauma center. At that point the engagement had already ceased.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE \* 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

(b)(3), (b)(6)  
(Signature) (b)(3), (b)(6) (Agent)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23<sup>rd</sup> day of October, 2015 at BAGRAM, AFG

ORGANIZATION OR ADDRESS

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

(Typed name of Person Administering Oath)

Airt 136, USMJ

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

From: [Redacted]  
To: (b)(3), (b)(6)  
Subject: (S) DA2823 [Redacted] SOTF-A-ITC  
Date: Saturday, October 24, 2015 1:26:24 AM  
Attachments: DA2823 [Redacted] SOTF-A-ITC.pdf  
(S) KONDUZ DEV.msg  
FW (S) KONDUZ DEV.msg  
FW KONDUZ 1.4a. (b)(1) 1.4g

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET//NOFORN~~

Attached is the Sworn Statement DA2823 for [Redacted] Additionally attached are emails sent to ISR assets and CJSOAC fires in the days leading up to the engagement.

v/r,

[Redacted]  
(b)(3), (b)(6)

Attachment Classification: ~~SECRET//REL TO USA, FVEY/NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

Approved for Release

From: [redacted] (b)(3), (b)(6)  
To: [redacted] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ KONDUZ DEV  
Attachments: KONDUZ DEV (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a - 01 KONDUZ CLEARING PATROL 30SEP.pdf  
(b)(1)1.4a, (b)(1)1.4g.pdf

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

[redacted] (b)(3), (b)(6)

From: [redacted] (b)(3), (b)(6)  
Sent: Thursday, October 01, 2015 6:57 PM  
To: [redacted] (b)(3), (b)(6) @soc.smil.mil'  
Subject: ~~(S)~~ KONDUZ DEV

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

[redacted] (b)(3), (b)(6)

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

From: (b)(3), (b)(6)  
To: (b)(3), (b)(6) @soc.smil.mil"  
Subject: ~~(S)~~ KONDUZ DEV  
Attachments: ~~(S)~~ KONDUZ DEV (b)(3), (b)(6) 1.4g

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**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

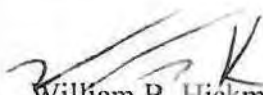
**Classification: ~~SECRET//REL TO USA, FVEY~~**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 26 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 26 day of Oct, 2015.

(b)(3), (b)(6)  
\_\_\_\_\_  
Signature of witness

(b)(3), (b)(6)  
\_\_\_\_\_

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management.
DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION: Camp Pamir, Kunduz, AFG
2. DATE (YYYYMMDD): 20160904
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME; 6. SSN; 7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS
9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
(b)(1)1.4a

conducted clearing operations of the prison and the PCOP compound. On Thursday morning approximately 430am local 30 September we had strong pointed with partner forces from (b)(1)1.4d inside of the PCOP compound. At first light we begun receiving effective fire from 360 degrees from PKM, RPG, and mortars. Partner force and USSF returned fire with organic weapons and then I conducted (b)(1)1.4a, (b)(3), (b)(6) that had PID of 8xPAX with RPGs that had fired upon USSF position.

(b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6)
1000L and conducted danger close gun runs with (b)(1)1.4a BDA was successful and unknown EKIA. Enemy still continued to heavily engagement with USSF and partner forces throughout the day and into the night. We returned fire with organic weapons systems and continued engagement throughout the night. There were (b)(1)1.4a, (b)(1)1.4d and conducted brief ups and battlefield situational awareness for each other prior to (b)(1)1.4a, (b)(1)1.4g Early 01 October we received effective Mortar fire, and direct fire from inside compound. (b)(1)1.4a, (b)(3) took F-16s for 6x Gun runs on POO strikes. BDA was 2x POO destroyed and unknown EKIA. Friendly forces were still receiving effective fire and (b)(1)1.4a, (b)(3) took RPG fire and engaged with (b)(1)1.4a, (b)(3), (b)(6) 6x Enemy Pax inside a truck. BDA was successful and 4x EKIA. The (b)(3), (b)(6) came up with rest plan that was split up into shifts of (b)(1)1.4a Late 01 October we begun running low on batteries, food, and ammunition for organic weapon systems so we requested resupply from SOTF. 02 October we were decisively engaged fire from all directions. (b)(1)1.4a, (b)(3) reported and did a show of force over target building then engaged with F-16s and dropped (b)(1)1.4a BDA was building destroyed, 2xEKIA (b)(1)1.4a, (b)(3), (b)(6) proceeded to a better vantage point on the roof of the east side of the compound. We began receiving effective fire on our position from the east and south east (b)(1)1.4a, (b)(3), (b)(6) reported seeing multiple armed PAX firing at friendly strong point and I requested they stay eyes on (b)(1)1.4a, (b)(3) took control IOT prosecute a TGT building with (b)(1)1.4a, (b)(3). During the talk on and prosecution of the TGT building (b)(1)1.4a, (b)(3) was cleared hot by SOTF-A fires on multiple enemy PAX. (b)(1)1.4a, (b)(3), (b)(6) and said they were tally multiple movers from (b)(1)1.4a, (b)(3) strike and waiting clearance for re-attack. I informed GFC and he requested I prosecute said movers. I approved (b)(1)1.4a, (b)(3) of re-attack on said enemy movers with (b)(1)1.4a BDA was mission successful and 15X EKIA, 2X Trucks. (b)(1)1.4a, (b)(3) regained control and approved (b)(1)1.4a, (b)(3) to conduct deliberate attack on TGT building. (b)(1)1.4a, (b)(3) dropped (b)(1)1.4a BDA was 9x EKIA and 1x building destroyed. That night around 2000L my (b)(3), (b)(6) informed me that our Partner force the (b)(1)1.4a was going to do a clearing operation of an OBJ compound that was a TB C2 node and (b)(1)1.4a passed him the grids. We plotted the grids and the TGT was inside of SAF/ RPG/ and IDF of friendly forces. I had control of (b)(1)1.4a, (b)(3) and proceeded to pass the grids along (b)(1)1.4a, (b)(3) informed me that the grids plotted to a middle of a field and I relayed this to my commander. Then (b)(1)1.4a, (b)(3) informed me that there was a large compound with approximately 9 pax roaming outside. I had them describe the compound (b)(1)1.4a, (b)(3), (b)(6) that it was a large T-shaped

10. EXHIBIT 11. INITIALS OF PERSON MAKING STATEMENT PAGE 1 OF 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 \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

structure with several smaller structures around it. I advise the GFC and he advised the (b)(1)1.4d, (b)(6) the description of the TB C2 compound and the (b)(1)1.4c confirmed this was the structure. (b)(1)1.4a, (b)(3) also advised that there was an arching gate way on the compound which was also relayed to our (b)(1)1.4d, (b)(6) who confirmed this to be the TB C2 node. I told

(b)(1)1.4a, (b)(3) that the TGT was the objective (TB C2 building) and I had them (b)(1)1.4a, (b)(1)1.4g

friendly forces that begin infilling from Camp Pamir into Kunduz City. When the Convoy was approximately 800m from objective building USSF personnel begin hearing a large volley of fire to our west and (b)(1)1.4c

convoy reported that they began receiving effective fire from the West and had stopped the convoy. (b)(1)1.4a, (b)(3) confirmed that the convoy was stopped and was engaging off to the west. GFC informed me of this and gave me clearance to prosecute the objective building. I then reported (b)(1)1.4a, (b)(3) to (b)(6)

the TGT and cleared them to engage in compliance with RSM ROE. (b)(1)1.4a, (b)(3), (b)(6) then began the fire mission and reported multiple Pax moving throughout the OBJ compound. I informed GFC and requested (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a I then instructed (b)(1)1.4a, (b)(3), (b)(6) once friendlies could effectively engage the enemy with organic (b)(1)1.4a, (b)(3) if they had a HOT-Gun of (b)(1)1.4a and requested clearance to clear the weapon on OBJ. I informed GFC and he approved (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3) flight and had them shift fires to an open field with no CDE. GFC approved (b)(1)1.4a, (b)(3) for Guns. Once (b)(1)1.4a, (b)(3), (b)(6) confirmed off cold I had the asset shift back (b)(1)1.4a, (b)(1)1.4c to the target area. Simultaneously we had a (b)(1)1.4a, (b)(3), (b)(6) was coming

to resupply us. (b)(1)1.4a, (b)(3) of the stack and he landed the (b)(1)1.4a, (b)(3), (b)(6) and monitored the objective. The rest of the night we received no fires on friendly positions. (b)(1)1.4c

(b)(1)1.4c On 3 September we received no concentrated INS fire only a few pop shots were heard from our strong point. (b)(1)1.4c

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

Once we established in the building we deemed it was not suitable for security purposes and moved again to the PGOV office which was the on the east side of the soccer field. Throughout the night we never received any fire however we still heard small pop shots throughout the city. 4 September we received only one RPG which hit in the center of our camp only 10 meters away from USSF personnel. Throughout the day we received no fire, and conducted exfil operation on 04 September at 2000L.

INITIALS OF PERSON MAKING STATEMENT

PAGE \_\_\_ OF \_\_\_ PAGES



**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**


1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION

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

28 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this  7  day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Witness

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION CAMP PAMIR, AFG	2. DATE (YYYYMMDD) 20151028	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(1)1.4a AOB-N, AFG			
9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:			

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF _____ 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 PAMIR, AFG DATED 20151028

9. STATEMENT *(Continued)*

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

INITIALS OF PERSON MAKING STATEMENT

PAGE \_\_\_ OF \_\_\_ PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP PAMIR, AFG DATED 20151023

9. STATEMENT (Continued)

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

CONTINUED ON ADDITIONAL PAGE 4.

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)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of Oct, 2015 at Camp Pamir Kunduz

ORGANIZATION OR ADDRESS

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

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

Commission  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

[REDACTED]

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

RESUPPLY ARRIVED [REDACTED] (b)(3), (b)(6) SWITCHED OUT AND [REDACTED] (b)(3), (b)(6) TOOK CONTROL OF OUR C2 ELEMENT FOR THE EARLY MORNING SHIFT. HE STARTED GETTING BRIEFED UP ON THE PLAN AS WELL AS THE LOCATIONS OF THE [REDACTED] (b)(1)1.4 OPERATION. WE ALSO HAD A [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) COMING IN LATER ON THAT EVENING THAT WAS OUR ADDITIONAL RESUPPLY. MYSELF AND

[REDACTED] (b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6)

INTENDED FRONT LINE TRACES/COIS. IT WAS SOMETIME LATER WHEN [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) REPORTED THAT THE GRIDS PLOTTED THE CENTER OF A FIELD; HOWEVER, THEY HAD A T-SHAPE STRUCTURE THAT WAS ROUGHLY 300 METERS TO THE SOUTHWEST OF SAID FIELD. I INFORMED

[REDACTED] (b)(1)1.4d, (b)(3), (b)(6)

CONTINUATION PAGE \_\_\_\_ OF \_\_\_\_, STATEMENT OF (b)(3), (b)(6), TAKEN AT CAMP PAMIR, AFG ON 20151028

WHEN (b)(1.4a, (b)(3), (b)(6)) SAID THEY PLOTTED TO A MIDDLE OF A FIELD WE THOUGHT THIS WAS THE CASE. HE RECEIVED A DESCRIPTION FROM THE (b)(1.4a, (b)(3), (b)(6)) THAT THE OBJECTIVE BUILDING WAS A T-SHAPED BUILDING WITH A GATE ON THE NORTH SIDE OF THE COMPOUND. (b)(1.4a, (b)(3), (b)(6)) SAID THEY WERE CONTACT A BUILDING THAT MET THE DESCRIPTION OF THE COMPOUND. I LET (b)(1.4a, (b)(3), (b)(6)) WAS CONTACT WITH A BUILDING THAT MET THE DESCRIPTION OF THE COMPOUND. (b)(1.4a, (b)(3), (b)(6)) WAS CONTINUALLY ON THE PHONE WITH THE (b)(1.4d, (b)(6)) I DESIGNATED (b)(1.4a, (b)(3), (b)(6)) THAT HE WOULD CONTROL THE HLZ WHEN (b)(1.4a, (b)(3), (b)(6)) CAME IN, AND THAT I WOULD PUSH THEM TO THE ALT FREQ. THIS WAY I DECONFLICTED THE FLIGHT TO ENSURE I'D HAVE AN OPEN NET AS WELL AS PROVIDING SAFETY OF FLIGHT FOR THE (b)(1.4a, (b)(3), (b)(6)) REPORTED THAT (b)(1.4a, (b)(3), (b)(6)) WAS ENROUTE BACK TO THE OBJECTIVE BUILDING, I LET (b)(1.4a, (b)(3), (b)(6))

(b)(1.4a, (b)(3), (b)(6))

ACKNOWLEDGED IT. THIS DESCRIPTION MATCHED THE TB FORCES OF HAVING GUARDS OUTSIDE OF C2 NODES. (b)(3), (b)(6)) THEN RECEIVED WORD FROM (b)(1.4a, (b)(3), (b)(6)) WAS BEING ENGAGED FROM THE BUILDING, WE ALSO HEARD A LARGE VOLLEY OF FIRE COMING FROM OUR WEST WITH SHOTS COMING OVER HEAD. (b)(1.4a, (b)(3), (b)(6))

(b)(1.4a, (b)(3), (b)(6))

700METERS AND WITHIN SAF, RPG, AND IDF FROM USSF AS WELL WE WERE HEARING ROUNDS OVERHEAD. WE TRIED NUMEROUS TIMES TO PULL (b)(1.4a, (b)(1.4g, (b)(3), (b)(6)) HOWEVER, WE WERE UNABLE TO DO SO. ALSO, BATTERY SUPPLIES WERE BLACK AT THIS TIME. (b)(3), (b)(6)) CONFIRMED THEY WERE CLEAR TO ENGAGE, AND I RELAYED TO (b)(1.4a, (b)(3), (b)(6)) CLEAR TO ENGAGE.

(b)(1.4a, (b)(3), (b)(6)) REPORTED 50 SQUIRTER'S; I RELAYED THIS TO (b)(3), (b)(6)) (b)(3), (b)(6)) REQUESTED TO CONTINUE THE ENGAGEMENT WHICH I (b)(1.4a, (b)(3), (b)(6)) (b)(3), (b)(6)) THEN RECEIVED A PHONE CALL VIA (b)(1.4a, (b)(1.4g, (b)(3), (b)(6)) IT WAS AT THAT TIME (b)(1.4a, (b)(3), (b)(6)) REPORTED A HOT GUN, I TOLD (b)(3), (b)(6)) THIS AND HE APPROVED CLEARING 1 HOT GUN INTO THE OBJ. I (b)(1.4a, (b)(3), (b)(6)) AND THEY CLEARED THEIR GUN ON TO THE TGT. (b)(3), (b)(6)) THEN REQUESTED ABORT FIRE MISSION. I ABORTED (b)(1.4a, (b)(3), (b)(6)) WHO CAME BACK AND SAID THEY HAVE ANOTHER HOT GUN. (b)(1.4a, (b)(3), (b)(6)) REQUESTED GOING TO A FIELD OR AREA WITH NO CDE AND FIRING SAID HOT GUN I INFORMED (b)(6)) (b)(3), (b)(6)) OF THIS AND HE APPROVED (b)(1.4a, (b)(3), (b)(6)) CLEARING OF HOT GUN. WHILE THIS ENGAGEMENT WAS GOING ON (b)(1.4a, (b)(3), (b)(6)) WAS COMING INTO THE ROZ. (b)(6)) (b)(3), (b)(6)) THEN INFORMED ME THAT IT WAS POSSIBLE THAT THE ENGAGEMENT STRUCK A HOSPITAL. I GAVE (b)(1.4a, (b)(3), (b)(6)) WHO WAS WORKING THE LZ A SITUPDATE ALONG WITH ALL THE (b)(1.4a, (b)(3), (b)(6)) AND HE SAID HE WAS ABLE TO TAKE CONTROL. I THEN (b)(1.4a, (b)(3), (b)(6)) (b)(1.4a, (b)(3), (b)(6)) THE NEXT DAY IS WHEN WE STARTED (b)(1.4c, (b)(3), (b)(6))

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

OVER THE COURSE OF THE NEXT 48HRS OF THE OPERATION THERE WERE STILL POP SHOTS IN ADDITION TO AN RPG IMPACTING 10 METERS AWAY FROM OUR C2 NODE; HOWEVER, OVERALL THE DECISIVE ENGAGEMENTS HAD STOPPED COMPLETELY. THE NIGHT OF THE 4TH WE RTB TO CAMP PAMIR. GENTLEMEN, (b)(1.4a, (b)(3), (b)(6)) ODA'S, A FORCE OF LESS (b)(1.4a, (b)(1.4b, (b)(3), (b)(6)) INTO A CITY COMPLETELY UNDER TALIBAN CONTROL. THE LOW ESTIMATIONS

CONTINUATION PAGE \_\_\_ OF \_\_\_, STATEMENT OF [REDACTED] (b)(3), (b)(6) TAKEN AT CAMP PAMIR, AFG ON 20151028

ARE THAT THERE WERE OVER 500 TAILBAN FIGHTERS FROM [REDACTED] (b)(1)1.4c HOLDING THE CITY. WITH A PARTNER FORCE OF LESS [REDACTED] (1)1.4a, (b)(1) WE TOOK BACK THE CITY IN LESS THAN 24 HOURS AND HELD IT FOR ANOTHER FOUR DAYS TO ALLOW GIROA FORCES TO RESECURE THEIR POSITIONS. [REDACTED] (b)(3), (b)(6)

WHAT TYPE OF TRAINING DID YOU RECEIVE ON THE RESOLUTE SUPPORT AND FREEDOM SENTINEL ROE, COMRS TACTICAL GUIDANCE, AND ANY OTHER LOAC TRAINING WHEN YOU ENTERED THEATER?

There was a ROE brief by SOTF, as well as an indoc test while coming into theater.

INVESTIGATION QUESTIONS:

Q1. WERE YOU EVER PROVIDED A THEATER VERIFICATION INTRODUCTION (TVI) BRIEFING?

A1. I don't recall.

Q2. WAS THE [REDACTED] (1)1.4a, (b)(3) STRIKE ON THE ZPU THE FIRST STRIKE YOU [REDACTED] (b)(3), (b)(6) ?

A2. [REDACTED] (1)1.4a, (b)(3) controlled the Strike on the ZPU.

Q3. WHEN WERE YOU INFORMED OF THE PLAN TO SECURE THE PCOP?

A3. An hour or two prior to infil

Q4. WHAT TYPE OF AIRCRAFT IS [REDACTED] (1)1.4a, (b)(3), (b)(6) ? WHAT IS [REDACTED] (1)1.4a, (b)(3), (b)(6) ?

A4. [REDACTED] (1)1.4a, (b)(3) is an A/C 130 Gunship [REDACTED] (1)1.4a, (b)(3), (b)(6) F-16's

Q5. WHO CONTROLLED THE [REDACTED] (1)1.4a, (b)(3) STRIKES ON THE 30 SEP 15 MOVEMENT FROM CAMP PAMIR TO THE PGOV COMPOUND?



A5. [REDACTED]

[REDACTED]

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

Q9. DID [REDACTED] PROVIDE ANY TARGET DESCRIPTION WHEN HE PROVIDED THE GRIDS TO YOU?

A9. No

Q10. WHERE DID [REDACTED] GET THE GRIDS THAT HE PASSED TO YOU THAT YOU REFERENCE ABOVE IN YOUR STATEMENT?

A10. He received them from [REDACTED]

Q11. DID YOU PASS BOTH SETS OF GRIDS TO THE AIRCRAFT?

A11. I passed both sets of grids.

CONTINUATION PAGE \_\_\_ OF \_\_\_, STATEMENT OF [REDACTED] (b)(3), (b)(6) TAKEN AT CAMP PAMIR, AFG ON 20151028

Q12. DO YOU KNOW WHY THE RADIO TRAFFIC ONLY HEARD YOU PASS ONE SET OF GRIDS?

A12. [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) says throughout that mission where never 5/5 they was always static so I do not know why [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) only received one set of grids.

Q13. DO YOU KNOW WHAT THE OTHER SET OF GRIDS PLOTTED TO?

A13. I don't recall and don't want to speculate.

Q14. DID YOU EVER ASK [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) TO PLOT THE GRIDS A THIRD TIME?

A14. No I relayed the grids to [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) who gave me good read backs and informed me that the grids plotted to a center of a field

Q15. DID YOU TELL [REDACTED] (b)(3), (b)(6) THAT THE GRIDS PROVIDED INITIALLY PLOTTED TO AN OPEN FIELD?

A15. Yes I informed him that [REDACTED] (b)(1)1.4a, (b)(3), (b)(6) said the grids plotted to an open field

Q16. WHAT DID [REDACTED] (b)(3), (b)(6) DO WHEN THE AIRCREW SAID THE GRIDS PLOTTED TO THE OPEN FIELD?

A16. [REDACTED] (b)(3), (b)(6) was on the phone a lot previous to the strike, I don't recall exactly what he did and do not want to speculate.

Q17. DID [REDACTED] (b)(3), (b)(6) EVER REQUEST THAT THE AIRCREW REPLOT THE GRIDS AFTER THE FIRST TWO ATTEMPTS AT [REDACTED] (b)(1)1.4a THE GRIDS DID NOT MATCH?

A17. I relayed all traffic from [REDACTED] (b)(3), (b)(6) to A/C and vice versa, I don't recall if he requested this.

CONTINUATION PAGE \_\_\_\_ OF \_\_\_\_, STATEMENT OF [REDACTED] (b)(3), (b)(6), TAKEN AT CAMP PAMIR, AFG ON 20151028

Q18. WHO PROVIDED THE DESCRIPTION OF THE BUILDING TO [REDACTED] (b)(3), (b)(6) ?

A18. You'd have to ask [REDACTED] (b)(3), (b)(6) I don't want to speculate.

Q19. DID YOU OR [REDACTED] (b)(3), (b)(6) EVER INFORM THE AIRCRAFT THAT YOU DID NOT HAVE LINE OF SIGHT ON THE TARGET?

A19. I don't recall

Q20. DID THE AIRCRAFT DESCRIBE THE [REDACTED] (b)(1)1.4a AS DEMONSTRATING ANY HOSTILE INTENT?

A20. The A/C relayed [REDACTED] (b)(1)1.4a pax roaming, [REDACTED] (b)(1)1.4c of TB C2 nodes having guards outside

Q21. DID THE AIRCRAFT DESCRIBE THE INDIVIDUALS COMMITTING ANY TYPE OF HOSTILE ACT?

A21. I don't recall and don't want to speculate.

Q22. WAS THERE ANY URGENCY TO STRIKE THE COMPOUND THAT NIGHT?

A22. [REDACTED] (b)(1)1.4a, (b)(3), (b)(6)

Q23. WHO TOLD [REDACTED] (b)(1)1.4d, (b)(3), (b)(6) WAS BEING ENGAGED FROM THE BUILDING?

A23. [REDACTED] (b)(3), (b)(6) was on the phone a lot that night, you'd have to ask him for exacts.

Q24. WAS THERE ANY ADDITIONAL DATA TO INDICATE WHERE THE FIRE WAS COMING FROM THAT YOU INDICATE HEARING?

A24. I don't recall and don't want to speculate

CONTINUATION PAGE \_\_\_ OF \_\_\_, STATEMENT OF [REDACTED], TAKEN AT CAMP PAMIR, AFG ON 20151028

Q25. WHEN YOU HEARD THE FIRING FROM THE WEST, DID [REDACTED] OR YOURSELF EVER REQUEST THAT [REDACTED] OF THE AREA OF THE TARGET TO SEE IF THE FIRING WAS ACTUALLY COMING FROM THE TARGETED COMPOUND?

A25. I don't recall and don't want to speculate, however if this was ever requested I would have passed it up.

Q26. DID [REDACTED] EVER REQUEST [REDACTED] FOR ANY HEAVY WEAPONS IN THE AREA OF YOUR DEFENSE AT THE PCOP COMPOUND?

A26. No,

Q27. DID [REDACTED] APPROVE BOTH HOT GUN EXPENDITURES ON THE OBJECTIVE AFTER HE CALLED CEASE FIRE?

A27. He approved both expenditures of the hot gun. However, the first hot gun was prior the [REDACTED] the second one [REDACTED] moved to an area of low CDE and cleared "Hot Gun"

Q28. IN A PREVIOUS INTERVIEW WITH THE INVESTIGATION TEAM, YOU INDICATED THAT YOU KNEW PRE-ASSAULT FIRES WERE A NO GO. DID ANYONE GIVE YOU AN INDICATION THAT THIS WAS IN FACT PRE-ASSAULT FIRES?

A28. No

Q29. DID [REDACTED] EVER TELL YOU THAT EVERYONE WEST OF YOUR POSITION WAS HOSTILE?

A29. [REDACTED] TB had control of the West side of the City

CONTINUATION PAGE \_\_\_ OF \_\_\_, STATEMENT OF [REDACTED] (b)(3), (b)(6) TAKEN AT CAMP PAMIR, AFG ON 20151028

Q30. DID [REDACTED] (b)(3), (b)(6) EVER TELL YOU THAT ALL THE CIVILIANS HAD LEFT THE CITY?

A30. I do not recall and don't want to speculate.

Q31. DID YOU BELIEVE THAT EVERYONE IN KUNDUZ WAS AN INSURGENT?

A31. No there was ANA, ANP, ALP, as well as other entities present in the city. I believe that most of the civilians have left the city however, a small percentage of people were present that weren't able to flee the city.



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

USFOR-A

27 October 2015

MEMORANDUM FOR RECORD

SUBJECT: 26 October 2015 Interview of (b)(3), (b)(6)

1. On 26 October 2015, the Kunduz MSF 15-6 investigation team interviewed (b)(3), (b)(6) (b)(3), (b)(6) in order to record his perspective of the events that took place during the 2-3 October 2015 incident at the Doctors Without Borders Trauma Center in Kunduz Afghanistan. The interview was conducted from 1000-1100 local at Camp Pamir in vicinity of Kunduz.

2. During the interview, the investigating team (listed below) identified issues in five areas documented below. The areas identified were related to the Mission, (b)(3), (b)(6) experience, Target ID/ CAS process, ROE knowledge/ adherence, and (b)(3), (b)(6) accreditation. These items are outlined below as discussed during the interview.

a. Mission

(1) The Special Forces team was provided limited intelligence from higher headquarters. They were not provided with a No Strike List (NSL) or list of restricted fires areas. Additionally, standing ROE and tactical guidance remained the same for this mission.

(2) The (b)(3), (b)(6) was the Ground Force Commander (GFC) for this operation. He gave a speech prior to departing camp Pamir and made the following statements "This is a no fail mission;" "All of the civilians have fled and only Taliban are in the city" and "everything is a threat".

(3) (b)(3), (b)(6) was under a condensed timeline throughout the engagement.

b. Experience

(1) (b)(3), (b)(6) received his initial (b)(3), (b)(6) evaluation on 30 Apr 2015.

(2) (b)(3), (b)(6) previous deployment to Afghanistan was a training mission and was not kinetic in nature.

(4) The Kunduz mission was (b)(3), (b)(6) first substantial troops in contact event.

USFOR-A

SUBJECT: 26 October 2015 Interview of (b)(3), (b)(6)

(5) Prior to (b)(3), (b)(6) the incident AC-130 on 3 OCT 2015, his only previous combat experience (b)(1)1.4a hours prior when (b)(1)1.4a, (b)(3), (b)(6) airstrikes.

c. Target Correlation

(1) The Initial grid passed to (b)(1)1.4a, (b)(3), (b)(6) which was the NDS compound, intent was for (b)(1)1.4a, (b)(3), (b)(6) to observe the target. (b)(3), (b)(6) by (b)(3), (b)(6) who was the (b)(3), (b)(6) at the time.

(2) The building was described as "T" shaped by the (b)(1)1.4d, (b)(3), (b)(6) This description was provided to (b)(3), (b)(6) who did not/not pass it to AC-130.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d

(4) (b)(3), (b)(6) were concerned at the 300 meter difference between the initial AC-130 grid (open field) and the compound (Trauma Center). Concerns over target location subsided due to AC-130 independently matching the description as a T-shaped building as received previously from (b)(1)1.4d

d. Rules of Engagement (ROE)

(b)(1)1.4a

(2) Engagement was conducted under ORS ROE (b)(1)1.4a, (b)(3), (b)(6) believed that ROE (b)(1)1.4a would have also applied because it was a "defensive engagement".

(3) (b)(3), (b)(6) was unable to recall the specific conditions present to justify employment under ROE (b)(1)1.4a, (b)(3), (b)(6) said that personnel were within their "defensive bubble".

(4) Although not under direct attack, (b)(3), (b)(6) stated that he believed the engagement was self-defense because of the previous night's enemy situation template and reports of (b)(1)1.4a personnel in contact.

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

but none were directly tied to either the NDS compound or the MSF trauma center.

(6) When asked to provide a definition of positive identification, (b)(3), (b)(6) was unfamiliar with the current theater guidance and definition.

USFOR-A

SUBJECT: 26 October 2015 Interview of [redacted] (b)(3), (b)(6)

(1) Pre deployment training for [redacted] (b)(3), (b)(6) consisted of basic Special Instructions (SPINs) training and equipment overview.

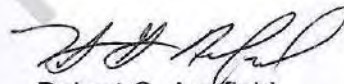
(2) [redacted] (b)(3), (b)(6) stated that he had not received a theater indoctrination brief when arriving to theater.

f. 15-6 members present during the interview:

Brig Gen Robert G. Armfield

[redacted] (b)(3), (b)(6)

3. The point of contact for this memorandum is [redacted] (b)(3), (b)(6)



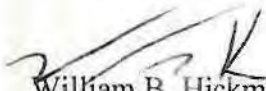
Robert G. Armfield  
Brig Gen, USAF  
Investigating Officer



1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

Signature of Witness

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

Signature of Interviewee

**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 Vance, Bagram Airfield, Afghanistan	2. DATE (YYYYMMDD) 2015/10/25	3. TIME 2253D	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS CJSOAC-A, (b)(1)1.4a, (b)(3), (b)(6)			

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

~~(S/NP)~~ The facts and circumstances surrounding the 03 OCT 2015 engagement, from my perspective were: Friendly forces had been decisively engaged and were effectively surrounded by a large number of INS, since mission kickoff from Camp Pamir. Their white-space was non-existent and numerous INS were engaged by both CAS, as well as organics, within 20m of the Provincial GOV facility that they were strong-pointing.

The evening of the engagement of the MSF compound, 02-03OCT15, I began my shift at 2000D and was passed that the mission for the evening in Kunduz, 02OCT15-early morning 03OCT2015, would be Afghan forces clearance of the NDS compound, 42S VF (b)(1)1.4a, (b)(3), (b)(6) checked inbound (b)(1)1.4a, performed a (b)(1)1.4a, (b)(1)1.4g check with myself, and confirmed good two-way comms with (b)(1)1.4a, (b)(3), (b)(6) located by (b)(1)1.4a, (b)(3), (b)(6) CFC, to perform full check-in. Early in (b)(1)1.4a, (b)(3), (b)(6) time on station, 02OCT2015-03OCT2015, they were directly engaged by (b)(1)1.4a, (b)(1)1.4g from the East of Kunduz approx.

(b)(1)1.4a, (b)(1)1.4g Due to the defensive nature (self-defense) needed to ensure (b)(1)1.4a, (b)(3), (b)(6) safety of flight with the heightened threat and the fact that the BOG JTAC was in control, I limited my traffic to (b)(1)1.4a, (b)(3), (b)(6) monitored, but cleared the net. I was able to get a relayed approximate grid for the point of origin of the (b)(1)1.4a threat in order to update any additional assets inbound supporting Kunduz operations. We had no (b)(1)1.4a, (b)(3), (b)(6) to pass information. There was limited comms passed (b)(1)1.4a, (b)(3), (b)(6) to myself, but when a JTAC on the ground has control, that is not uncommon. We did however have (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) a good handshake on his (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) did not have good two-way with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) through our ITCs, we utilized (b)(1)1.4a, (b)(3), (b)(6) task on, what we believed was the intended objective, the NDS facility associated with the prison. No activity was noted at the facility by (b)(1)1.4a, (b)(3), (b)(6) approximately 0210D, 03OCT15 (b)(1)1.4a, (b)(3), (b)(6) a brief call (b)(1)1.4a, (b)(1)1.4g "going hot." and no effects were seen by (b)(1)1.4a, (b)(3), (b)(6) tasking grid area. I made several attempts (b)(1)1.4a, (b)(3), (b)(6) to get information on the engagement, but (b)(1)1.4a, (b)(3), (b)(6) still engaging and unable to pass information. Due to our location and distance from Kunduz, no (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) could be heard at our location and we didn't receive, to my knowledge, a call from (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) updating us on the situation, or engagement. The ITC, (b)(3), (b)(6) and I immediately recognized (b)(1)1.4a, (b)(3), (b)(6) to find the engagement area and assist the ground force, with a situation that I believed was dire to our friendly force (b)(1)1.4a, (b)(3), (b)(6) instructed (b)(1)1.4a, (b)(1)1.4g and attempt to locate the engagement area. At approximately 0220D, 03OCT15 (b)(1)1.4a, (b)(3), (b)(6) reported that they believed they found the engagement area IVO 42S VF (b)(1)1.4a, (b)(1)1.4g. At the moment we had (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) that could be visually confirmed, after a short stint (b)(1)1.4a, (b)(1)1.4g from the target area, I was confident the compound was what had been passed as the MSF Trauma Center. I immediately attempted to raise (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and questioned the target they had been passed. The first question was, confirm the target was the movers external. I received back negative, the target was the compound and movers external. I passed (b)(1)1.4a, (b)(3), (b)(6) the engaged compound was a trauma center (b)(1)1.4a, (b)(3), (b)(6) but had no knowledge of the ground situation that led to the approval of engagement, or if the center itself had lost protected status (b)(1)1.4a, (b)(3), (b)(6) I passed back that the ground force confirmed this was being utilized by enemy forces for a strongpoint and C2 node, rounds complete.

10. EXHIBIT	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 (b)(3), (b)(6)

TAKEN AT 2253D

DATED 2015/10/25

9. STATEMENT (Continued)

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

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

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

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

*Approved for Release*

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

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

WITNESSES:

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

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Oct, 2015 at Camp Vance, Afghanistan

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

(Typed Name of Person Administering Oath)  
 Commsica  
 (Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

**SWORN STATEMENT**

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

1. LOCATION Camp Vance, Bagram Airfield, Afghanistan	2. DATE (YYYYMMDD) 2015/11/07	3. TIME 0235D	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
CJSOAC-A, (b)(1)1.4a, (b)(3), (b)(6)

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

~~(S/NF)~~ 1. My duties while on shift are: Primary duty is to manage all (b)(1)1.4a, (b)(3), (b)(6) Within my primary duty, I assist with (b)(3), (b)(6) in theater IOT support SOTF-A operations, cover currency and guidance changes, and (b)(3), (b)(6) with asset support through SOTF-A Fires. My Secondary duty is to cover down, as needed, as (b)(3), (b)(6) for pre-infil, post-infil control, supporting operations without a current/qualified (b)(3), (b)(6) on the ground, and for control of kinetic strikes requiring SOTF-A JOC's level of situational awareness, ex. (b)(1)1.4a, (b)(1)1.4g to confirm zero civcas, CDE meets level of approval for engagement.

2. In the SOTF-A JOC, the period of darkness 02-03OCT15, we had (b)(1)1.4a, (b)(1)1.4g infil operation, kickoff at approx. (b)(1)1.4a, (b)(3), (b)(6) boots on the ground. We also had been passed that Kunduz ODA elements(US) would remain in thier strong point compound near the city center for the night and that Afghan (b)(1)1.4 and additional Afghan forces were going to proceed with clearance of the NDS compound. I worked between my desk, returning my (b)(3), (b)(6) questions, emails, and phone calls and the fires radio, as needed on (b)(1)1.4a, (b)(1)1.4g to assist.

3. The information that I was tracking for USSF ground unit's support to the (b)(1)1.4 clearance operations was that the (b)(1)1.4 had the NDS facility as thier objective, and that USSF's, from their strongpoint, would control assets in support of that clearance.

4. I found out about the MSF facilities in Kunduz, to the best of my memory, on, or about 30SEP15. The (b)(3), (b)(6) relayed it to me during a shadow of (b)(1)1.4a that visited the facility while I was controlling. The (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g that's visible in the front of the SOTF-A JOC was updated to reflect that as well.

5. The information that I was passed for the (b)(1)1.4 clearance operation that night was that the OBJ was the NDS facility. No further information was passed to me. The NDS facility that we all were tracking as the OBJ was co-located with the prison in Kunduz. I did have the (b)(3), (b)(6) and pass me a grid to that facility IOT update aircraft that were inbound for ground JTAC control, that had not yet established line of sight communications, due to range from Kunduz.

6. The information that I passed to the SOTF-A JOC personnel, pre-strike, (b)(1)1.4a, (b)(3), (b)(6) good two-way with ground JTAC, there had been a (b)(1)1.4g a possible point of origin for that surface to air threat (b)(1)1.4a, (b)(3), (b)(6) passed to me, and that (b)(1)1.4a, (b)(3), (b)(6) going hot with an unreadable/broken grid to engagement. The speaker was turned up and no one copied anything past Going hot and the begining of a possible grid pass, unreadable. I made multiple attempts to get a resend of grid of engagement (b)(1)1.4a, (b)(1)1.4g and was requested by the (b)(3), (b)(6) to make additional attempts. The (b)(1)1.4a, (b)(3), (b)(6) calls were either not acknowledge, or met with, "still engaging/hot", which I relayed to JOC staff. I had no awareness as to the ground forces' situation, or if they were in heavy contact at the time of the engagement and were utilizing (b)(1)1.4a, (b)(3), (b)(6) res to saves lives in self-defense. The lack of traffic to me from (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) was not unusual, and the quickness of the going hot call led me to believe, from experience, that there was possibly a dire situation on the ground. I was not in control of (b)(1)1.4a, (b)(3), (b)(6) and (b)(3), (b)(6) not blame them for the lack of comms. The passing of added situational awareness to my position never trumps fires and the comms needed to employ that may be saving lives on the ground. Continued on Page 2

10. EXHIBIT	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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 0235D DATED 2015/11/07

9. STATEMENT (Continued)

(S/NF) 7. I did make attempts to get in contact with (b)(1)1.4a, (b)(3), (b)(6) gain situational awareness on the targeted engagement area.

8. (b)(3), (b)(6) (b)(1)1.4a, (b)(3) (b)(6) the engagement area, the on duty (b)(3), (b)(6)atched the area to the MSF facility.

9. We now maintain a NSL in the SOTF-A JOC. At the time of the engagement, I was unaware of access to the NSL in our JOC.

10. The call that (b)(1)1.4a was hot meant the airspace, with center point and dimensions was live and under control of the ROZ controller. The fires desk officer/NCO generally updates me with (b)(1)1.4a, (b)(3) (b)(6) been advised (b)(1)1.4a, (b)(3) (b)(6) that the airspace is live, or with (b)(1)1.4a, (b)(3) (b)(6)es that the ROZ is hot/live. The JOC staff generally has no need to know ROZ status, but will relay if asked, or if it's requested.

11. The passing of engagement grid was broken, unreadable, and not copied by myself, or anyone else monitoring the radio traffic through the loud speaker at SOTF-A JOC. We heard a direct comm from (b)(1)1.4a, (b)(3), (b)(6) out any preparatory comm (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3) (b)(6) pass of message after response from operation (b)(1)1.4a, (b)(3), (b)(6) unreadable numbers followed by going hot/rounds away. To my knowledge I asked for a, say again (b)(1)1.4a, (b)(3), (b)(6) no response.

12. The knowledge that I had of AOB-N operational comms impacts were that they were near black on batteries for comms. To my knowledge (b)(1)1.4a, (b)(3) (b)(6) was still operational to pass command updates. I was not tracking (b)(1)1.4a, (b)(3) (b)(6) was still operational. That system is (b)(1)1.4a and I receive minimal traffic passed to me from that system. The EWO was asked status, when the comms were copied, and still going hot/engaging was relayed back. Refer back to my answer to question 6 for further explanation. A similar situation was occurring with (b)(1)1.4a multiple fires being utilized in self-defense, and traffic on employment was passed, post-strike. This is not uncommon, due to the task saturation during coordination and employment by ground JTACs and aircraft.

13. To my knowledge, the message referred to in question 13 was another attempt to gain grid and situational awareness on the engagement area.

14. There were, to the best of my memory, additional comm attempts by me, that were not received, or copied by (b)(1)1.4a, (b)(3), (b)(6) that period of time. The engagement was ongoing and hearing the (b)(1)1.4a, (b)(3), (b)(6) during that timeframe, there were many of my comms that were stepped on, or not received.

15. My comms to (b)(1)1.4a, (b)(3), (b)(6) was an attempt to get the MSF facility use run by the GFC(relay), in the event he was not tracking that information. At that time, I was still unaware if the compound had lost it's status due to decisive engagement of friendly forces.

16. During the confirmatory comms of the engagement area, (b)(3), (b)(6) already began a (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to find the engagement area, after looking at the NDS compound for effects, with no effects observed. I cannot speak for every position, due to my location and focus on comms with (b)(1)1.4a, (b)(3), (b)(6) confirm engagement details. I did get multiple questions from the Battle (b)(3), (b)(6) and worked to build as much information on the engagement as possible for the staff. Once the MSF compound was in (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and the grid matched the same facility, I primarily concentrated on information on the lead up to the engagement to confirm the facility had lost status and the passed targets in that area by the JTAC. Were the (b)(1)1.4a being engaged to warrant the attack? Were the pax external the compound the target and the building took fire in the process? Why didn't they call up for approval to strike the compound under (b)(1)1.4a These are all the questions I had, based on ROE and TAC guidance, that drove my questioning of (b)(1)1.4a, (b)(3), (b)(6)

23. The cease fire was broadcasted in the (b)(1)1.4a, (b)(1)1.4g speaker, and I made a callout to JOC staff as well (verbal). During this time additional questions were being asked by the (b)(3), (b)(6) to clarify traffic I had received. I believe (b)(3), (b)(6) was then updating the (b)(3), (b)(6)

24. I was unaware of any specific phone calls made, or received during this time.

25. The SOTF-A JOC realized the target was a hospital after (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and a full grid was passed by (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) as plotted.

26. The SOTF-A JOC, to my knowledge, attempted to establish direct comms with the GFC in Kunduz via all means available IOT gain lead up to attack and sitrep. I worked to gain information on any reason for loss of protected status, what exactly was passed as the target in that area, and any contact received by friendly force.

*Nothing follows*

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

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

**AFFIDAVIT**

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

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

ment)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

# S/JF Interoperability SMARTPACK (SOF/Joint FIRES)

Note: Formerly known as the CAF/SOF & CAB/SOF Smartpack

**Final**

Version 2013.0

CAO 19 Nov 2013

Overall classification of briefing is ~~SECRET / REL USA, GBR, AUS, CAN~~

Unclassified



# Purpose

- Outline current SOF mission sets
  - Discuss considerations for SOF / Joint FIRES integration
  - Share applicable TTPs
- 
- Endstate: Improve the integration of Joint FIRES capabilities into SOF mission sets to affect success on the current/future battlefield

**Joint FIRES = Includes all US Navy, Army, Marines and Air Force FIRES  
(Formerly known as CAF/CAB/MAF/NAF)**

*This Smartpack has been expanded to include useful ISR, intel and C2 information*

Unclassified

4

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Unclassified

# Final Thoughts...Really

- The mission has priority – it's more than just CAS/dropping bombs
- Tactical patience is key
- Be patient with comms...there's a lot going on
- Be flexible – you might be asked to do things you don't normally do...and hey, flexibility is the key to airpower
- It doesn't have to be sexy or fun to be successful
- The threat is higher in the daytime – so is our reliance on you
- When it does come time for kinetic strikes, must have 1<sup>st</sup> pass success

**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 RS, HQ, KABUL AFGHANISTAN APO AE 09536	2. DATE (YYYYMMDD) 20151031	3. TIME 0531	4. FILE NUMBER
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5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS
---	--------------------------	-----------------

8. ORGANIZATION OR ADDRESS  
(b)(3), (b)(6) USFOR-A NORTH

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

Gentlemen,

1. Background. I am the (b)(3), (b)(6) dual-hatted as the (b)(3), (b)(6). When Kunduz was overrun on 28 Sep, (b)(3), (b)(6) was on leave and I was the (b)(3), (b)(6). I went to Camp Pamir, Kunduz, (b)(1)1.4b, (b)(1)1.4d on 29 Sep to meet with then (b)(1)1.4d, (b)(6) (Note: he will be referred to as (b)(6) in the rest of the statement, since he was promoted during the operation, a promotion approved prior to the operation). This trip was primarily fact-finding: situational awareness and determines TAA requirements. I returned to Camp Marmal later on 29 Sep, spent 30 Sep planning and returned to Kunduz on 1 Oct. The advisory team consisted of me and my interpreter, advisors from AAC-South (ops, logistics, police, aviation) and an intelligence officer from CJ2, RS IIQ, (b)(1)1.4d, (b)(6).

(b)(1)1.4d, (b)(6) Due to national caveats, those advisors were restricted from any activities involving current ops other than to sit in briefings for situational awareness. They could not provide any advice, or attend meetings in which targeting was discussed.

2. 29 Sep.

A. While receiving briefs, I provided (b)(6) with a document that listed four locations for Medecins Sans Frontieres (MSF, aka Doctors Without Borders) trauma hospital in Kunduz. The four sites were listed by lat/long, locations where their personnel lived and worked. (b)(6) told me that the hospital was in Taliban control, and that his forces would not attack there. He added that the shadow district governor's brother was at the MSF facility. He also provided information on another hospital that was under Taliban control in the SE section of Kunduz city, vic (b)(1)1.4a (b)(6) planned to send a force to retake that hospital later in the evening, led by (b)(1)1.4d but the operation did not occur that night.

(b)(1)1.4d

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 6 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 (b)(3), (b)(6) TAKEN AT RS HQ, KABUL, AFGN DATED 20151104

9. STATEMENT (Continued)

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

E. Because of the large percentage of the population in the city, ANA planning for operations in the city included clearance operations that were deliberate, with no use of D-30s for pre-assault fires due to fear of civilian casualties and destruction of facilities and homes.

F. Operations. The plan was for (b)(1)1.4a elements to move north on the east side of Kunduz city (east of the main road, which we referred to as (b)(1)1.4a, (b)(1)1.4g) to the outskirts of Kunduz city, then turn (or hook) south to clear to a hospital on the south edge of the city. The hospital was reportedly held by the Taliban (Note: there were also reports that the Taliban killed GJRoA forces being treated there). ANDSF only reached the Governor's compound the first night. The hospital was one of three that we knew about—in addition to the MSF facility and an Afghan hospital on the west side of Kunduz city, in the same area as the MSF trauma hospital. With three hospitals and the language barrier, it was often difficult to determine which hospital was discussed in conversations.

3. 1 Oct. When I arrived at Camp Pamir, I got an update from (b)(6) including his thoughts on how Kunduz fell, as well as his forces available and planned operations. One major concern for (b)(6) was a kandak from (b)(1)1.4d vic of Gor Teppah, NW of Kunduz city (vic 42S VF 836 680). (b)(1)1.4c, (b)(1)1.4d

(b)(1)1.4c, (b)(1)1.4d An attempt to resupply that night failed when the air drop missed the site designated near the ANA Camp. Resupplying this kandak was a planning priority during the day on 2 October.

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

5. 2 Oct. There was a command visit in the morning that included the (b)(6) and from RS HQ MG Buchanan, MG Quantock, MG Bramble, and MG Phipps. The visitors were updated on the situation, but there was no discussion of an operation that night in the vic of MSF. Note: all speakers highlighted the need for more forces and help from RS (CAS).

A. VIP visit.

(b)(1)1.4d

b. VIP Briefing. (b)(6) opened by thanking the coalition, SOF, and RS for their help and cooperation. (b)(6) summarized what had occurred, and stated that insurgents looted and burned the city. So far, 400 insurgents had been killed. ANDSF was continuing to clear the city and surrounding areas, and needed support from RS headquarters. (b)(3), (b)(6)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 6 PAGES

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

RS HQ, KABUL AFGN DATED 20151109

9. STATEMENT (Continued)

(b)(1)1.4b, (b)(1)1.4d

e. (b)(6) briefed that he brought (b)(1)1.4b, (b)(6) personnel, and that there were challenges around Kunduz city, and that Aliabad District needed help. He also stated there was (b)(1)1.4b, (b)(1)1.4d of ANCOP at Gor Teppah.

f. Someone stated that (b)(6) should be tried in court, and that the people were stuck in their homes without food. I did not list the person who said this in my notes.

g. (b)(6) also highlighted the need for more forces. He stated that some elements belonged to political groups, and refused to act. Interestingly, no one responded to this statement.

h. (b)(6) spoke next. He started out stating that "we will send you more forces, we are working with you". He was impressed by the speed of the ANDSF operations. He talked briefly about the Zone Commander and structure of forces. He then addressed insurgent propaganda that GIRoA does not care about Kunduz. He finished by emphasizing Rule of law, and that the guilty would be punished by the law.

i. MG Buchanan spoke next. He said there was a lot of work to be done, and we would stay here to help (advisory team). He told the group that when the operation was over, they needed to look at themselves, determine why this happened, and pass the lessons on to the rest of the country.

(b)(1)1.4b, (b)(1)1.4d, (b)(6)

B. The visit ended at about 1210. After a break for lunch, the next meeting/update started at 1445.

a. At an update at 1445, after the visitors left, the main topics were an attack on the kandak at Gor Teppah and threats to bridges at VF 843 620 and VF 877 731, and a report that the prison was lost (again) to the Taliban.

b. At 1622, I called (b)(3), (b)(6) who was at the Governor's Compound in downtown Kunduz. With him were (b)(1)1.4d personnel. He needed either an emergency resupply or relief by (b)(1)1.4d which were enroute on a convoy that got delayed due to insurgent activity in Baghlan Province. He added that he could not return to Camp Pamir without coverage, (b)(1)1.4a, (b)(3), (b)(6) be overhead at (b)(1)1.4a

c. I returned to the coalition area after the 1800 update and included the following in a SITREP at 1914 hours:

Current status in Kunduz:

"Governor's Compound, (b)(1)1.4d ODA's and AOB-North leadership are holding the compound with (b)(1)1.4d (b)(1)1.4d. They have had significant contact for the last 48 hours, but have received emergency resupplies. There coordination ongoing to have (b)(1)1.4d reinforce the compound tonight to free the ODA's to return to Camp Pamir, refit, and prepare for another partnered operation. (b)(1)1.4d

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 6 PAGES

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 RS HQ, KANDU, AFGN DATED 20151104

9. STATEMENT (Continued)

"INS leadership in Kunduz.

ANDSF has identified (b)(1)1.4a He is not a named OBJ, although the name is close. There is a TB DSG with a similar name that most closely matches.

ANDSF also reports that (b)(1)1.4a are in the NDS compound (which has not yet been taken back). Recommendation for both is to have (b)(1)1.4d go after them if freed from reinforcing Gor Teppah, but will request NSOCC-A consider targeting them."

d. At 2030, I returned to the Brigade Conference Room and met with (b)(6) They told me that foreign fighters including members of (b)(1)1.4c were involved in the attack on Kunduz. They also mentioned that there were five members of the Taliban in the hospital, but did not specify which hospital. I stayed to monitor operations, and returned to the coalition compound a little after 2400 to send in another SITREP. There was ISR over the area, but I don't recall which assets were covering the area. Grid locations for the NDS compound changed several times that day. I later talked to (b)(3), (b)(6) who had the same issues with changing objective sites and/or grids.

(b)(1)1.4a, (b)(1)1.4b, (b)(1)1.4d, (b)(1)1.4g

Updates from NSOCC-A:

1. ODA will remain at GOV Compound in Kunduz.

2. INS leadership in Kunduz.

a. ANDSF has identified (b)(1)1.4c He is not a named OBJ, although the name is close. There is a TB DSG with a similar name that most closely matches. (b)(1)1.4a, (b)(1)1.4c

b. ANDSF also reports that (b)(1)1.4c are in the NDS compound (which has not yet been taken back). Recommendation for both is to have (b)(1)1.4d go after them if freed from reinforcing Gor Teppah, but will request NSOCC-A consider targeting them. (b)(1)1.4a

it. I am heading back to (b)(1)1.4d, (b)(6) I will send additional updates when I return.

7. Back at the Brigade Conference Room, at 0130 we received a report that the kandak at Gor Teppah received supplies, but the helicopter took small arms fire and left without picking up four WIAs.

8. I left about 0235, and returned to the coalition compound, sending in a final SITREP at 0258. I did not know about the MSF bombing at the time. SITREP was:

Gentlemen,

Final updates for the evening. Next ANDSF planning session will begin around 0830.

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

9. Early in the morning, I woke up to a call from MG Buchanan about the bombing of the MSF trauma center. I do not recall the time. I went to the TOC (down the hallway) in the coalition compound, and checked the reports from the time I sent my last SITREP, but could not determine what happened. I also went to the (b)(1)1.4d Conference Room a little later, but no one was aware of the incident, and ANDSF leadership was not in yet. It wasn't until about 0645 that I started to get an idea of what happened.

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 6 PAGES

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

RS HQ, KASH, AFGN

DATED

20151104

9. STATEMENT (Continued)

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d, (b)(1)1.4g, (b)(3), (b)(6)

11. At 1429 on 3 Oct, I sent the following SITREP:

Sent: Saturday, October 03, 2015 2:29 PM

To: Campbell, John F USA GEN COMRS

Cc: (b)(1)1.4d, (b)(6) Buchanan, Jeffrey S.(US) MG Deputy, Chief of Staff, Operations; Quantock, Mark R.

MG DCOS INT Deputy Chief of Staff; (b)(1)1.4d, (b)(6)

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

Tony D BG SOJTF-A; (b)(3), (b)(6)

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

Subject: RE: (S) [SECRET//NONE] Evening Update for COMRS 28 September 2015

CLASSIFICATION: ~~SECRET//REL TO USA, FVEY~~

Sir,

My understanding of the incident at the Medecins Sans Frontieres (MSF, aka Doctors Without Borders) trauma hospital in Kunduz, 03 0225 Oct 15, based on sitting with (b)(6) during the planning and for some of the operation (the evening of 02-03 Oct), and talking to them and (b)(3), (b)(6) he is still forward at the Governor's Compound) in the morning of 3 Oct:

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 5 OF 6 PAGES



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

TAKEN AT RS HQ, KABUL AFN DATED 2015 11 04

9. STATEMENT (Continued)

The MSF staff was also at the airfield for transport to Kabul.

5. (b)(3), (b)(6) told me that there were three dead military age males near the hospital, identified as Taliban by the local population. They were using the hospital as a command post (using its protected status).

(b)(1)1.4c

(b)(1)1.4c

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

Nothing Follows

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 6. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11<sup>th</sup> day of November, 2015 at RS HQ, Kabul AFN

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

(Typed Name of Person Administering Oath)

ARTICLE 136, UCMJ

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

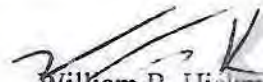
(b)(3), (b)(6)

PAGE 6 OF 6 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
  
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 2 Nov 15

  
William B. Hickman  
MG, USA  
DCG-O. USARCEN

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 2 day of NOVEMBER, 2015.

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

Signature of Witness

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

Signature of Interviewee

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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**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 BAGRAM, AFGHANISTAN	2. DATE (YYYYMMDD) 20151102	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

During the period of darkness the evening of 20 OCT 15, (b)(3), (b)(6) was tasked with resupplying ODA (b)(1)1.4 soldiers at FOB Pamir, and at a more isolated location in downtown Konduz. The (b)(1)1.4c was that Taliban fighters had control of all main avenues of approach to the city itself, and that an urgent resupply was needed for isolated coalition forces who were basing operations out of a police station downtown. The brief also included details that the ODA (b)(1)1.4 element on the ground was being attacked from all sides, and the only friendly positions were inside the police station. The basic scheme of maneuver was to depart Bagram as a flight of (b)(1)1.4a, (b)(1)1.4g helicopters loaded with supplies which occurred at approximately (b)(1)1.4a. We stopped at Mazar E Sharif (MES) at (b)(1)1.4 enroute to Konduz to fuel all aircraft. The (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g For the duration of the flight, all (b)(1)1.4a, (b)(1)1.4g and battle tracked events as they occurred on the ground. The flight of (b)(1)1.4a helicopters in tactical escort. During the flight to Pamir, I was able to receive most communications that were being passed on the (b)(1)1.4a, (b)(1)1.4g between aircraft above the city to the ground force at the police station. It became clear that the situation on the ground was tense as aircraft above Konduz were (b)(1)1.4g moving around in proximity to the police station. At some point during the flight to Pamir, the ground force declared troops in contact (TIC), although I cannot remember the exact timing. It occurred sometime during the last 15 minutes of our flight to FOB Pamir due to our ability to receive the ground force via (b)(1)1.4a, (b)(1)1.4g. Our flight circumnavigated Konduz by approximately (b)(1)1.4a, (b)(1)1.4g arriving to FOB Pamir from the east. During the transition to Pamir, none of the aircraft reported observing any enemy fire, nor did they engage with any organic weapon system on the aircraft. The flight arrived at FOB Pamir at approximately (b)(1)1.4a, (b)(3), (b)(6) had to cycle landing single ship into the helicopter landing zone (HLZ) on Pamir due to other (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(3) landed external to the FOB on the south side and waited for the other aircraft to complete downloading the needed supplies. During the time it took to accomplish the download, (b)(1)1.4a, (b)(3) had a clear LOS with the city and observed multiple tracers originating from the ground and burning out in the sky above the city. Around the same time, (b)(1)1.4a, (b)(3) reported observing a large number of armed MAMs entering a structure southwest of the police compound. The ground force started to receive fire from that direction shortly before (b)(1)1.4a, (b)(3) was given clearance and engaged the large group of armed MAMs. After (b)(1)1.4a, (b)(3) had completed engagements and all supplies were infiled at Pamir, I contacted (b)(1)1.4a, (b)(3) to ensure fire missions were complete and we would be clear to enter the airspace to deliver the last of the supplies to the police compound. Once clear, I departed Pamir at approximately (b)(1)1.4a, (b)(3), (b)(6) close air support for infil. Due to the fluidity of the situation on the ground and the large number of observed armed MAMs, I fully expected to receive fire as we flew into the populated downtown area of Konduz to conduct the resupply. The flight took approximately (b)(1)1.4a and our inbound heading to land at the police compound was only offset 50 meters east of (b)(1)1.4a, (b)(3) previous engagement area due to the inbound heading to (b)(3), (b)(6) 2 Nov 15

10. EXHIBIT	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 2000 DATED 20151102

9. STATEMENT (Continued)

land at the compound. As we passed by (b)(1).4a, (b)(3) engagement area on approach to land, the building was on fire but I was unable to make any other observations since we were attempting to land inside a confined area compound. We landed into the inner courtyard of the police compound with two story buildings surrounding the aircraft at approximately (b)(1).4a. We quickly offloaded supplies and were airborne again in less than (b)(1).4a. We departed the city to the northeast linking up with my other two (b)(1).4a and continued the flight back to MES. On ingress to the police compound, and egress from the city (b)(1).4a, (b)(3) did not observe or receive any ground based fire nor did we fire any of our weapons systems. The (b)(1).4a escort did not observe or report any enemy engagements or conduct any offensive engagements during their escort in Kunduz. They followed me out of the HLZ and followed my flight back to MES. The flight arrived at MES for refuel at approximately (b)(1).4a. The flight departed MES at approximately (b)(1).4a and arrived back to Bagram completing the mission at (b)(1).4a -----END OF STATEMENT-----

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)  
THIS PAGE IS NOT USED

Approved for Release

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

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

WITNESSES:  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of NOV, 2015 at 2000Z

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

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

USAF Attorney 10 USC §1044  
(Authority To Administer Oaths)

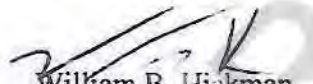
INITIALS (b)(3), (b)(6) KING STATEMENT

PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 2015 11 02

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 2<sup>nd</sup> day of November, 2015.

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

Signature of Witness

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



**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

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

1. LOCATION Camp Alpha	2. DATE (YYYYMMDD) 20151102	3. TIME 1813 Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(1)1.4a

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

- ① Emergency Resupply for friendly forces in Kunduz.
  - ② Hostile forces were on the ground being pushed back by friendly forces.
  - ③ No I did not observe surface to air fire.
  - ④ No I did not receive any effective or ineffective fire at any point during the mission.
  - ⑤ No I did not return fire because I did not take effective fire.
  - ⑥ No I was not aware of any friendly ground forces taking fire
  - ⑦ No knowledge of (b)(1)1.4a, (b)(3), (b)(6) engagement at the time
  - ⑧ Did not see engagement sites etc.
- Not used (b)(3), (b)(6)
- Not used (b)(3), (b)(6)
- Not used (b)(3), (b)(6)

10. EXHIBIT	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 (b)(3), (b)(6) TAKEN AT 1813 Z DATED 20151102

9. STATEMENT (Continued)

*Not used* (b)(3), (b)(6)  
*Not used* (b)(3), (b)(6)  
*Not used* (b)(3), (b)(6)

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, (b)(3), (b)(6) MENT.

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

(Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of NOV, 2015 at 1400Z

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

USAF Attorney, 10 USC 81044  
(Authority To Administer Oaths)

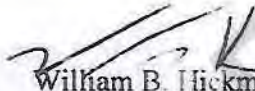
INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 20151102

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

**PRIVACY ACT STATEMENT**

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 2<sup>nd</sup> day of November, 2015.

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

Signature of Witness

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

S

**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 Alpha	2. DATE (YYYYMMDD) 20151102	3. TIME 1813Z	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS  
(b)(1)1.4a

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

- ① Emergency resupply to a small FOB.
- ② Hostile forces were on the ground, friendly forces were taking the city back.
- ③ NO, we did not observe surface to air fire during infil/exfil.
- ④ NO, we did not receive either effective or ineffective fire near the terminal area.
- ⑤ NO, we did not return fire.
- ⑥ NO. I was not aware whether friendly forces were taking fire or not.
- ⑦ I had no knowledge of (b)(1)1.4a, (b)(3), (b)(6) engagement.
- ⑧ I was not able to observe (b)(1)1.4a, (b)(3), (b)(6) engagement site.

~~NOT USED (b)(3), (b)(6)~~

~~NOT USED (b)(3), (b)(6)~~

~~NOT USED (b)(3), (b)(6)~~

10. EXHIBIT	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

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

TAKEN AT

1813 Z

DATED

2015/10/2

9. STATEMENT (Continued)

Not used

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

Not used

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

Not used

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

Not used

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

**AFFIDAVIT**

I,

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

, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

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

)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3 day of November, 2015 at Barran Air Base

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

USAF Albany 10 USF 1044  
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

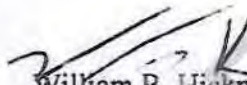
PAGE 2 OF 2 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6) (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 3 NOV 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 3 day of November, 2015.

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

Signature of Witness

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

Signature



**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

(b)(3), (b)(6) You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

(b)(3), (b)(6) You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

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

OF EXECUTION: 3 NOV 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

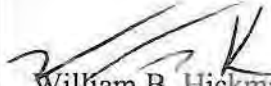
1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all obligations imposed upon you by this Order until and unless you are released from the area of operations and your agreement.

DATE

OF EXECUTION: 10/3/15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

**The Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 30 day of November, 15.

(b)(3), (b)(6)		(b)(3), (b)(6)
Signature of Witness	+ Sig	

**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 Integrity, Kabul, Afghanistan	2. DATE (YYYYMMDD) 2015/11/05	3. TIME	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(3) CAMP INTEGRITY, AFG			

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

Sir,

1.a. What specific concept of the operation was used for the 30 OCT infil to Kunduz? Prior to the execution of the infiltration to the PGOV residence, I was only aware of CONOP (b)(1)1.409-001 (L2C), which was staffed through NSOCC-A/SOJTF-A, TAAC-N and COMRS for approvals and/or concurrence and SA.

1.b. Did you see CONOP (b)(1)1.409-002 that was submitted on the 30th? I did not see the CONOP until after I was notified that the scheme of maneuver had changed and that the partnered force was already in security positions at the PGOV residence.

1.c. At what level did it reach before execution on the night of the 30th? I would be speculating based on seeing the CONOP process slide produced by the IO Team as I was unaware of CONOP until the mission already occurred.

1.d. Did you consider it a CONOP and FRAGO to (b)(1)1.409-001? After the fact, I would have treated this as a FRAGO to the base CONOP - given the circumstances, a verbal FRAGO to the approval authority would have been recommended.

2. When did CONOP (b)(1)1.409-001 show up in the Battle Room? I recall observing the updated SOM graphics sometime on the 1st of OCT.

3. Do you cross reference (b)(1)1.4a, (b)(1)1.4g I personally utilize (b)(1)1.4g

4. Who finally approved the 30 September '15 CONOP (IC) and provided VOCO back thru the SOTF-A and AOB? I was not aware of the CONOP or the approval of the IC CONOP.

5. Was appropriate legal review done for the CONOPs? For the L2C, NSOCC-A/SOJTF-A staff, inclusive of the OPLAW Officer completed a review of the CONOP during the staffing and approval processes.

6. What was the confusion regarding the SoM for the mission on the evening of 30 SEP 15? I was unaware of any confusion until the morning after the prosecution of the mission to the PGOV house. The original CONOP indicated slightly different mission graphics and templated RON site than what I was tracking prior to mission prosecution.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF <u>3</u> PAGES (b)(3), (b)(6)
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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 (b)(3), (b)(6) TAKEN AT CAMP INTEGRITY DATED 2015/11/05

9. STATEMENT (Continued)

7. What procedures were used to identify friendly forces and non-combatants in the area? I am unable to affirm who the GFC utilized to deconflict battle space. However, for operations (strikes) that are conducted with the (b)(3), (b)(6) we utilize the (b)(1)1.4a efforts (in several instances (b)(1)1.4a, (b)(1)1.4g Further, the NSL is verified by our Fires and (b)(1)1.4 personnel.

8. What is the process for receiving and disseminating information on non-combatants and protected sites in the battle space? Currently, we receive an NSL update (as it is updated) email from CENTCOM JTE and disseminate via email. Additionally, NSOCC-A fires officers and subordinate can pull data straight from CENTCOM portal.

9. What tactics, techniques and procedures were used to deconflict the battlespace? I am unable to answer what the GFC did to clear fires during the engagement on INS at the Kunduz Trauma Center.

10. What is the battle drill / SOP to support forces forward when systems are degraded? Currently, the JOC monitors (b)(1)1.4a, (b)(1)1.4g and (b)(1)1.4a, (b)(1)1.4g radios to maintain SA for ongoing OPS. Further, battle rooms are built to amplify SA. When (b)(1)1.4a, (b)(1)1.4g there exists no SOP at the NSOCC-A level to support forces prosecuting operations. In these instances, the JOC relies on telephone updates from the components to pass CCIR and FFIR information to the CoC.

11. Did you and the JOC know there was an MSF Trauma center at the OBJ location prior to the POD of 2/3 October '15? I was aware that the OBJ area was an NDS location, and though I had access to the NSL, I was not particularly aware of all NSF in Kunduz.

12. If no, how did you find out? I found out that the Trauma Center was engaged on the morning of 3 OCT and was informed that it was a NSL facility later in the morning on the 3rd of OCT.

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

CAMP INTEGRITY

DATED 2015/09/09

9. STATEMENT (Continued)

NOTHING FOLLOWS

**AFFIDAVIT**

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

MENT.

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

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 06 day of Nov, 2015

at CAMP INTEGRITY

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

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

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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


PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE (b)(3), (b)(6)  
OF EXECUTION: 3 Nov 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

**The Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 3 day of November, 2015.

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

Signature of Witness

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

Signature of Interviewee



### 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 Camp Integrity, Afghanistan	2. DATE (YYYYMMDD) 2015/11/04	3. TIME 2100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS

(b)(3)

9.

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

1. What specific concept of the operation (CONOP) was used for the 30 Sept infil into Kunduz? (ODA (b)(1)1.4a and the AOB)? Did you see CONOP (b)(1)1.4b-002 that was submitted on the 30th? At what level did it reach before execution on the night of the 30th? Did you consider it a CONOP or a FRAGO (b)(1)1.4b-001?

I first reviewed the CONOP for the mission in Kunduz city (number unknown) planned for POD 2/3 OCT 15, when it was posted in the electronic Battle Room on 30 SEP 15. I was not involved in the staffing or approval process.

2. When did the CONOP (b)(1)1.4b-002 show up in the "Battle Room"?

I do not know the exact time when the CONOP was posted in the Battle Room. I noticed the CONOP in the Battle Room at some point during the evening of 30 SEP 15.

3. Do you cross refer to (b)(1)1.4a, (b)(1)1.4g

I do not have (b)(1)1.4a, (b)(1)1.4g on any of my systems and do not use it for any of my work.

4. Who finally approved the 30 September '15 CONOPs (IC) and provided VOCCO back to thru SOTF-A to AOB-N?

I do not know who approved the CONOP or provided the message to SOTF-A.

5. Was appropriate legal review done for the CONOP(s)?

I cannot confirm a legal review was completed on this CONOP, but all CONOPs by procedure receive a legal review.

6. What was the confusion regarding the SoM for the mission on the evening of 30 Sep 15? (refer to email)

It was unclear to me what tactical actions the Ground Assault Force (GAF) was planning to take ("clear" vice "secure"). The GAF had insufficient combat power to secure objectives along its planned route.

7. You mentioned there was talk about a hospital and Trauma center? (refer to email)

The CONOP maneuver graphics contained a reference to a hospital. The terms "hospital" and "Trauma Center" were being used interchangeably. I was seeking clarification on which facility was being discussed in the CONOP, since there were multiple medical facilities known to be in Kunduz city. Reporting from late September indicated that enemy fighters had take over of a number of medical facilities in Kunduz.

8. What TTPs were used to obtain approvals for the enablers used in the strike (POD 2/3 Oct '15)?

As for all partnered operation where coalition forces accompany ASSF on an operation, it is standard procedure to request and allocate close air support assets through the nightly Joint Air Allocation Meeting. An AC-130 was allocated to the mission through this process.

9. What tactics, techniques and procedures were used to de-conflict the battlespace?

I am not aware of any de-confliction conducted by the SOTF-A JOC during POD 2/3 OCT 15. An air-to-ground engagement called by the Ground Force Commander in defense of coalition forces or PDSS would not have come to the SOTF-A JOC for de-confliction.

10. What procedures were used to identify friendly forces and non-combatants in the area?

I am not aware of the procedures used by the Ground Force Commander to identify friendly forces or non-combatants in the area. I understand that the GFC had regular contact with the senior Afghan commanders who requested and approved operations in Kunduz city and he relied on their network of contacts to identify friendly forces when such identification was not possible through other means.

10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

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

PAGE 1 OF 3 PAGES

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Integrity, AFG DATED 2015/11/04

9. STATEMENT (Continued)

11. What was the process for receiving and disseminating information on non-combatants and protected sites in the battlespace?  
All protected sites in the battlespace can be found on the No Strike List on the CENTCOM SIPR portal and can be imported to most digital mapping software.

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

12. What is the battle drill / SOP to support forces forward when systems are degraded (b)(1)1.4a, (b)(1)1.4g?  
Component headquarters will refer to the communications (b)(1)1.4a published with the CONOP to establish voice and/or data communications with forward deployed forces when primary systems fail

13. Did you and the JOC know there was an MSF Trauma Center at the OBJ location prior to the POD of 2/3 October '15?  
I was aware that there was a Trauma Center in Kunduz. I was not in the JOC at the time of the operation conducted during POD 2/3 OCT 15, but to the best of my recollection the (b)(1)1.4a

14. If no, how did you find out?  
See #13 above.

*Nothing follows*

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

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF

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

TAKEN AT

Camp Integrity, AFG

DATED

2015/11/04

9. STATEMENT (Continued)

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

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE,

(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 \_\_\_ day of \_\_\_ at

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

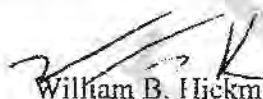
(b)(3), (b)(6)

PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 03 NOVEMBER 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 3<sup>rd</sup> day of NOVEMBER, 2015.

Sig (b)(3), (b)(6) \_\_\_\_\_ (b)(3), (b)(6) \_\_\_\_\_  
Signature of Interviewee

### 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 BAF, CAMP VANCE	2. DATE (YYYYMMDD) 2015/11/03	3. TIME 2230	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3) CAMP VANCE, BAF

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

1. WHAT IS YOUR DUTY POSITION IN THE OPCEN?  
(b)(3), (b)(6)

2. WHAT TIME DID YOU COME ON SHIFT ON THE EVENING OF THE 2ND OF OCTOBER 2015?  
I CAME ON SHIFT AT (b)(1)1.4a

3. WHEN DO YOU GO OFF SHIFT (SHIFT CHANGE)?  
I GO OFF SHIFT AT (b)(1)1.4a

4. IS THERE A SHIFT CHANGE BRIEF? IF SO, WHAT DOES IT ENTAIL? ARE CONOPS BRIEFED?  
THERE IS A SHIFT CHANGE BRIEF, AT A MINIMUM BETWEEN (b)(3), (b)(6) CONOPS ARE BRIEFED DURING THIS TIME, PREVIOUS, ONGOING, AND FUTURE.

5. WHAT WAS GOING ON IN THE OPCEN ON THE EVENING OF 2 OCT 15?  
I ONLY RECALL THE OPERATION TAKING PLACE IN KUNDUZ.

6. WAS THE NORMAL STAFF ON DUTY DURING THE EVENING OF 2 OCT 15?  
AS FAR AS I CAN RECALL YES.

7. IS THERE A BATTLE DRILL WHEN AN AIR TO GROUND ENGAGEMENT IS BEING CONDUCTED? WHAT IS YOUR ROLE DURING THE ENGAGEMENT?  
I AM NOT AWARE OF A BATTLE DRILL, THERE ARE CORDINATIONS THAT TAKE PLACE, I DO NOT HAVE ANY ROLES OR INVOLVEMENT IN AIR TO GROUND ENGAGEMENTS.

8. WAS INFORMATION BEING PASSED TO OPCEN LEADERSHIP?  
AS FAR AS I CAN RECALL YES, TO THE BEST OF EVERYONE'S ABILITY.

10. EXHIBIT	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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 2230 DATED 2015/11/03

9. STATEMENT (Continued)

9. DO YOU MONITOR (b)(1)1.4a, (b)(1)1.4b THAT THE OPCEN LOG?

I MONITOR IT (RARELY) WHEN I NEED TO FOR CERTAIN INFORMATION, THE (b)(1)1.4a, (b)(1)1.4b A LOG, BUT WOULD NOT SOLELY BE THE OPCEN LOG.

10. DESCRIBE YOUR ACTIONS IN THE OPCEN ON THE NIGHT OF 02 OCTOBER 2015.

I PERFORMED MY NORMAL DUTIES AS (b)(3), (b)(6) SPENT THE MAJORITY OF THE EVENING BATTLE TRACKING ON (b)(1)1.4a, (b)(1)1.4b ANSWERING RFIs, AND OPERATING THE TIC BOARD.

11. WHAT IS OR IS THERE A BATTLE DRILL TO MONITOR OPERATIONS WHEN SYSTEMS GO DOWN (b)(1)1.4a, (b)(1)1.4b

(b)(1)1.4a, (b)(1)1.4b HOW DO YOU MAINTAIN SITUATIONAL AWARENESS?

I AM UNAWARE IF THE ISR SECTION HAS SUCH A DRILL, TO MAINTAIN SITUATIONAL AWARENESS WE FOLLOW THE ESTABLISHED (b)(1)1.4a PLAN ON THE CONOP.

12. DO YOU CONDUCT (OPCEN) CONOPS BRIEFS FOR EACH SHIFT FOR OPERATIONS THAT DAY/NIGHT?

YES SEE NUMBER 4.

13. WHAT CHECKS DO YOU PERFORM/WHAT ARE YOUR DUTIES AS PART OF THE CONOPS BRIEFS AND DURING EXECUTION?

GENERALLY THE (b)(3), (b)(6) CHECKS THE QRF'S STATUS, STATUS OF FORCES, GIVES A 5W DURING THE BRIEF, AND BATTLE TRACKS THE ELEMENT BY OPERATING THE TIC BOARD. THIS USUALLY MAINLY ENTAILS FOLLOWING THE OPSCHEDS OF THE OPERATION.

14. IN YOUR DUTIES DO YOU CONSULT/CHECK A NO STRIKE LIST AS PART OF YOUR DUTIES?

TO THE BEST OF THE (b)(3), (b)(6) ABILITY YES.

15. ON THE NIGHT OF 2ND, MORNING OF 03 OCTOBER 2015 DID YOU HAVE SITUATIONAL AWARENESS THAT AOB-N WAS CONDUCTING AN ENGAGEMENT ON A TALIBAN CONTROLLED COMPOUND PRIOR TO THE FIRST ROUND BEING FIRED?

YES, I HAD SITUATIONAL AWARENESS OF AN ENGAGEMENT OF A POSITIVELY IDENTIFIED COMPOUND UNDER HOSTILE CONTROL, PRIOR TO THE FIRST ROUND BEING DEPLOYED. NUMEROUS HOSTILES WERE IDENTIFIED LOITERING OUTSIDE OF THE STRUCTURE.

16. WHILE ON DUTY ON THE NIGHT OF THE 2ND AND MORNING OF 03 OCTOBER 2015, DO YOU RECALL ANY INFORMATION BEING BRIEFED ABOUT AN MSF TRAUMA CENTER (HOSPITAL)? ANY CALLS OR RADIO (TO INCLUDE

(b)(1)1.4a, (b)(1)1.4b TRANSMISSIONS REFERENCE THE MSF TRAUMA CENTER?

I SPECIFICALLY CANNOT RECALL.

17. DO YOU RECALL THE (b)(3), (b)(6) COMING INTO THE OPCEN 2 APPROXIMATELY \_\_\_\_\_?

I DO NOT RECALL WHEN (b)(3), (b)(6) CAME INTO THE OPCEN, I DO NOT HAVE CONSTANT SITUATIONAL AWARENESS TO THE MAJORITY OF THE ROOM TO MY BACK WHEN I AM AT MY WORK STATION.

18. IF SO, WHAT DID HE DISCUSS WITH THE BATTLE CAPTAIN/ BATTLE NCO?

I AM NOT PRIVY TO THEIR DISCUSSION, I DO NOT KNOW WHAT WAS DISCUSSED.

19. WHAT ACTIONS FOLLOWED.

I DO NOT KNOW, I CANNOT GIVE AN ACCURATE ANSWER, AS I DO NOT KNOW THE TIME OF (b)(3), (b)(6) ARRIVAL OR DISCUSSIONS.

20. DO YOU MONITOR (b)(1)1.4a, (b)(1)1.4b OR ANY NET BROADCAST VIA SPEAKER, OR HEADPHONES BY STATION IN THE OPCEN?

(b)(1)1.4a, (b)(1)1.4b COME OVER SPEAKER IN THE OPCEN.

INITIALS OF PERSON MAKING STATEMENT

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

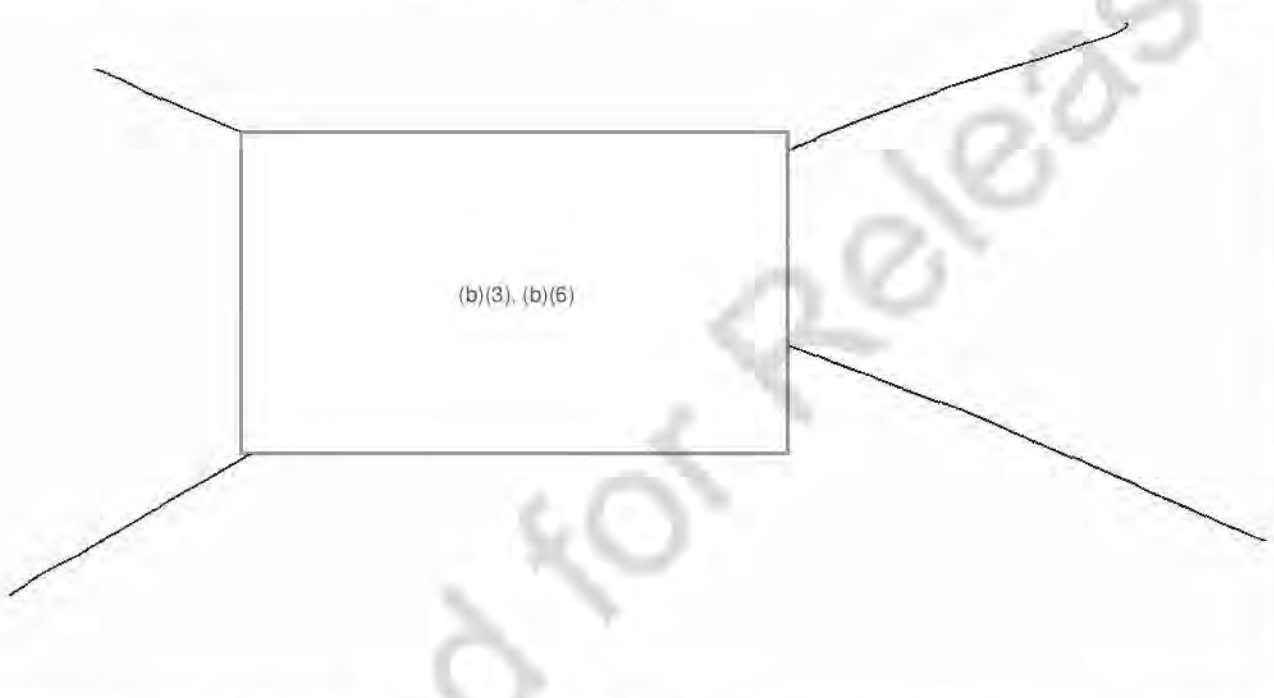
PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

21. WERE YOU ON DUTY IN THE OPCEN ON THE POD OF 30 SEPTEMBER, 01 OCTOBER 2015?  
YES I WAS ON DUTY.

22. IF SO, DO YOU RECALL OPERATIONS THAT WERE CONDUCTED DURING THE EARLY MORNING HOURS OF 01 OCTOBER 2015 (SPECIFICALLY (b)(1)1.4a, (b)(1)1.4g)  
I DO NOT RECALL ANY MISSIONS SPECIFICALLY BESIDES THE OVERALL SITUATION IN KUNDUZ. I ALSO DO NOT RECALL ANY SPECIFIC (b)(1)1.4a, (b)(1)1.4g

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



AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4 day of NOV., 2015 at Camp Vance

WITNESSES:

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

(b)(3) CAMP VANCE  
ORGANIZATION OR ADDRESS

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

(b)(3) CAMP VANCE  
ORGANIZATION OR ADDRESS

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

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

COMMISSIONED OFFICER (CPT)  
(Authority To Administer Oaths)

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

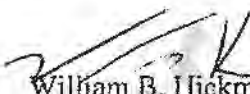


**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
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2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 4 Nov 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 4 day of November, 2015.

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

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

### SWORN STATEMENT

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**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 SOTF-A JOINT OPERATIONS CENTER	2. DATE (YYYYMMDD) 20151104	3. TIME 1330	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS SPECIAL OPERATIONS TASK FORCE-AFGHANISTAN			
9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: 1: (b)(3), (b)(6) 2: 3: (b)(1)1.4a 4: THERE IS A SHIFT CHANGE BRIEF THAT COVERS THE LAST 12 HOURS OF SHIFT AND THE UPCOMING 24 HOURS. 5: ODA TEAMS WERE IN THE PROCESS MOVING THROUGH KUNDUZ CITY IN ORDER TO RE-TAKE IT FROM INS FORCES. 6: THE NORMAL STAFF WAS PRESENT TO MY KNOWLEDGE. 7: THERE IS A BATTLE DRILL YET IT DOES NOT INVOLVE THE (b)(1)1.4a, (b)(1)1.4g CURRENT OPERATIONS DESK AFTER ASSET IS ON STATION. 8: TO MY KNOWLEDGE, INFORMATION WAS BEING PASSED THAT INS FORCES WERE CONSOLIDATING IN A SPECIFIC LOCATION. 9: THE (b)(1)1.4a, (b)(1)1.4g AS WELL AS THE (b)(1)1.4a, (b)(1)1.4g TO ENSURE EACH ASSET IS ON STATION AT THEIR REQUIRED TIME. 10: CUOPS ACTIONS ON THE 2ND OF OCT WERE NORMAL, MONITORING EACH ASSET SCHEDULED FOR KUNDUZ CITY OVERWATCH AS WELL AS ENSURING NO GAPS IN COVERAGE HAPPEND OVER USSF DURING THEIR MOVEMENT. (b)(1)1.4a, (b)(1)1.4g 12: NO 13: MONITOR UPCOMING OPERATIONS TO MAKE SURE EACH HAVE SUFFICIENT (b)(1)1.4a, (b)(1)1.4g 14: NO 15: NO, I LEARNED OF THE STRIKE AFTER THE FACT. 16: AFTER THE STRIKE, I LEARNED THAT THE COMPOUND WE JUST HIT MAY BE A MSF HOSPITAL BUT NO FURTHER INFORMATION WAS GIVEN TO THE (b)(1)1.4a, (b)(1)1.4g CUOPS DESK 17: I WAS UNAWARE OF INDIVIDUALS MOVING IN AND OUT OF THE OPCEN AT THAT TIME 18: N/A 19: N/A 20: PASSIVELY LISTEN TO (b)(1)1.4a, (b)(1)1.4g REQUESTS 21: YES 22: TO MY KNOWLEDGE, NORMAL (b)(1)1.4a, (b)(1)1.4g OPERATIONS WERE BEING CONDUCTED AT THAT TIME			
10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)		PAGE 1 OF 3 PAGES

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

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1330 DATED 20151104

9. STATEMENT *(Continued)*

23: NOT TO MY KNOWLEDGE.

Approved for Release

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

PAGE 2 OF 3 PAGES

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

TAKEN AT 1330

DATED

20151104

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. 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

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

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING

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

PAGE 3 OF 3 PAGES

OPCEN

1. What is your duty position in the OPCEN?
2. What time do you come on shift on the evening of the 2<sup>nd</sup> of October 2015?
3. When do you go off shift (shift change)?
4. Is there a shift change brief? If so, what does it entail? Are CONOPs briefed?
5. What was going on in the OPCEN on the evening of 2 Oct 15?
6. Was the normal staff on duty during the evening of 2 Oct 15?
7. Is there a battle drill when an air to ground engagement is being conducted? What is your role during the engagement?
8. Was information was being passed to the OPCEN leadership?
9. Do you monitor (b)(1)1.4a, (b)(1)1.4g that the OPCEN Log?
10. Describe your actions in the OPCEN on the night of the 02<sup>nd</sup> October 2015
11. What is or is there a battle drill to monitor operations when systems go down (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g? How do you maintain situational awareness?
12. Do you conduct (OPCEN) CONOPS briefs for each shift for operations that day/night?
13. What checks do you perform / what are your duties as part of the CONOPS briefs and during execution?
14. In your duties do you consult / check a No Strike List as part of your duties?
15. On the night of 2<sup>nd</sup> morning of the 3<sup>rd</sup> of October 2015 did you have situational awareness that AOB-N was conducting an engagement on a Taliban controlled compound prior to the first round being fired?
16. While on duty on the night of the 2<sup>nd</sup> and morning of the 3<sup>rd</sup> of October 2015, do you recall any information being briefed about an MSF Trauma Center (Hospital)? Any calls or radio (to include (b)(1)1.4a, (b)(1)1.4g) transmissions reference the MSF Trauma Center?
17. Do you recall the (b)(3), (b)(6) coming into the OPCEN @ approximately \_\_\_\_\_?
18. If so, what did he discuss with the Battle Captain / Battle NCO?
19. What actions followed?
20. Do you monitor (b)(1)1.4a, (b)(1)1.4g for any nest broadcast via speaker, or headphones by station in the OPCEN?
21. Were you on duty in the OPCEN on the POD of 30 September, 01 October 2015?
22. If so, do you recall operations that were conducted during the early morning hours of the 01<sup>st</sup> of October 2015 (Specifically (b)(1)1.4a, (b)(1)1.4g)

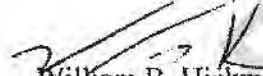
**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6) are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 4 Nov 2015

  
William B. Hickman  
MG, USA  
DCG-O. USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 4<sup>TH</sup> day of NOVEMBER, 2015.

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

Signature of Witness

Signature of Interviewee



### 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 VANCE, BAGRAM AIRBASE, AFG	2. DATE (YYYYMMDD) 2015/11/04	3. TIME 0400	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			
8. ORGANIZATION OR ADDRESS (b)(1)1.4a, (b)(3) SOTF-A			

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

1. What is your duty position in the OPCEN?

THE DUTIES / INTENT OF THE (b)(1)1.4a, (b)(1)1.4g POSITION, AS OUTLINED BY THE UNIT'S SOP:

(b)(1)1.4a, (b)(1)1.4g used by SOTF-A as an internal situational awareness tool. It is not reporting mechanism. It is maintained by personnel within the SOTF-A JOC in order to graphically depict the most timely and accurate representation of what has been reported by subordinate elements. It's sole intent is to provide the (b)(3), (b)(6) with a Common Operational Picture (COP) that will provide him the understanding necessary to make timely and informed decisions."

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

2. What time did you come on shift on the evening of the 2nd of OCT 2015?

I ARRIVED ON SHIFT AT APPROXIMATELY (b)(1)1.4a

3. When did you go off shift?

I WAS RELIEVED FROM THE DUTY DAY AT APPROXIMATELY (b)(1)1.4a OCT

4. Is there a shift change brief? If so what does it entail? Are CONOP's briefed?

EVERY SHIFT CHANGE FEATURES A BRIEFING.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 4 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 (b)(3), (b)(6) TAKEN AT CAMP VANCE AFG DATED 2015/04/11

9. STATEMENT (Continued)

IN ESSENCE, THESE BRIEFINGS INCLUDE A SUMMARY OF CURRENT AND UPCOMING OPERATIONS GIVEN BY EACH AOB (b)(3), (b)(6) ASSIGNED TO THE OPCEN. DURING THESE BRIEFS ASSET REQUESTS AND ASSIGNMENTS ARE REVIEWED FOR THE BENEFIT OF THE OPCEN'S SITUATIONAL AWARENESS, AND TO ENSURE THAT TEAMS' REQUESTS ARE FULFILLED. DURING THESE SHIFT CHANGES (b)(3), (b)(6) TO TRANSLATE ANY CHANGES TO PROJECTED MISSION DATES AND TIMES TO A SPREADSHEET THAT EMULATES THE CONOP TRACKER.

5. What was going on in the OPCEN on the evening of 2 OCT 2015?

FROM MY POINT OF VIEW, THE GENERAL CLIMATE WITHIN THE OPCEN WAS TYPICAL OF ANY OTHER SHIFT ON WHICH OPERATIONS ARE SCHEDULED TO TAKE PLACE. MEMBERS ON SHIFT CALLED OUT RELEVANT INFORMATION, RELIED INFORMATION PASSED FROM FRIENDLY ELEMENTS, AND UPDATED ANY RELATED (b)(1)1.4a, (b)(1)1.4g AND OFTEN PERFORMED CROSSCHECKS BETWEEN MEMBERS TO ENSURE ACCURACY. GIVEN THE CONSISTENCY OF THESE COMMON PRACTICES, I WOULD'VE CONSIDERED THE NIGHT TO BE OTHERWISE UNREMARKABLE.

6. Was the normal staff on duty during the evening of 2 OCT 2015?

I DON'T RECALL ANY SUBSTITUTE STAFF MEMBERS WORKING DURING THAT TIME.

7. Is there a battle drill when an air-to-ground engagement is being conducted? What is your role during the engagement?

MY DUTIES REMAIN THE SAME REGARDLESS OF THE SITUATION AT HAND. SEE ANSWER 1.

8. What information was being passed to the OPCEN leadership?

THE ONLY INFORMATION I SPECIFICALLY REMEMBER BEING PASSED TO LEADERSHIP PERTAINED TO US/FRIENDLY LOCATIONS AND REPORTED/POSSIBLE INSURGENT LOCATIONS/MOVEMENTS. MY FOCUS AT THE TIME WAS TRANSLATING THOSE LOCATIONS AND GRIDS TO THE COM (b)(1)1.4a, (b)(1)1.4g

9. Do you monitor the (b)(1)1.4a, (b)(1)1.4g that the OPCEN Log?

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

10. Describe your action in the OPCEN on the night of the 2nd OCT 2015.

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

11. What is the (or is there a) battle drill to monitor operations when systems go down? (b)(1)1.4a, (b)(1)1.4g How do you maintain situational awareness?

FROM MY POINT OF VIEW AS THE (b)(3), (b)(6) THERE ARE SEVERAL REDUNDANCIES IN PLACE THAT ALLOW ME TO MAINTAIN AT LEAST SOME SITUATIONAL AWARENESS SHOULD A SYSTEM GO DOWN. HOWEVER, GIVEN THE RELATIVELY LIMITED NATURE OF THE INFORMATION I REQUIRE TO FULFILL THE SCOPE OF MY DUTIES, I CAN'T SAY WHETHER OR NOT THESE REDUNDANCIES HAVE THE SAME EFFECT ON OTHER POSITIONS WITHIN THE OPCEN.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP VANCE AFG DATED 2015/04/11

9. STATEMENT (Continued)

12. Do you conduct (OPCEN) CONOP briefs for each shift for operations that day/night?

I DO NOT PERSONALLY CONTRIBUTE TO CONOP BRIEFS. SEE ANSWER 4.

13. What checks do you perform / what are your duties as part of the CONOPS briefs and during execution?

SEE ANSWER 4.

14. In your duties do you consult / check a No-Strike List as part of your duties?

PRIOR TO THE INVESTIGATION, I MAINTAINED LOCAL NO-STRIKE LISTS THAT FELL WITHIN AREAS OF OPERATION DERIVED FROM SUBMITTED CONOPS AND OTHER MEMBERS OF THE OPCEN. PERTAINING TO OPERATION (b)(1)1.4g -001, I VERY SPECIFICALLY REMEMBER RECEIVING A LIST CONSISTING OF FOUR MSF LOCATIONS DURING THE MISSION PREP PHASE, PRIOR TO EXECUTION. I DO NOT RECALL WITH ABSOLUTE CERTAINTY WHO PASSED THE LIST TO ME. THOSE LOCATIONS WERE MARKED ACCORDINGLY WITHIN THE (b)(1)1.4a, (b)(1)1.4g CURRENTLY, THE (b)(1)1.4a, (b)(1)1.4g CONTAINS A COUNTRYWIDE NSL, AND ALSO CONTAINS EVERY NO-STRIKE LOCATION SPECIFICALLY PASSED BY CONOPS AND OTHER OPCEN MEMBERS, TO BE REFERENCED AT ANY POINT IN THE FUTURE BY ANYONE WITH ACCESS TO THE LINK (b)(1)1.4a, (b)(1)1.4g

15. On the night of the 2nd and morning of the 3rd of October 2015 did you have situational awareness that AOB-N was conducting an engagement on a Taliban-controlled compound prior to the first round being fired?

THIS IS A VAGUE QUESTION. THOUGH I CANNOT DEFINITELY PROVIDE TIMES OF THESE REPORTS IT IS MY RECOLLECTION THAT, DURING THIS PERIOD OF TIME, THERE WERE MULTIPLE SEPERATE REPORTS OF MULTIPLE SEPERATE TALIBAN-CONTROLLED COMPOUNDS THROUGHOUT THE CITY.

16. While on duty on the night of the 2nd and morning of the 3rd of OCT 2015, do you recall any information being briefed about an MSF Trauma Hospital? Any calls or radio (to include (b)(1)1.4a, (b)(1)1.4g transmissions reference the MSF Trauma Center?

SEE ANSWER 14. WHETHER OR NOT FORMAL BRIEFS OCCURRED ON THE SUBJECT IS UNKNOWN TO ME.

17. Do you recall (b)(3), (b)(6) coming into the OPCEN @ approximately \_\_\_?

I DON'T KNOW EXACTLY WHEN (b)(3), (b)(6) WAS PRESENT WITHIN THE OPCEN.

18. If so, what did he discuss with the Battle Captain / Battle NCO?

I DON'T SPECIFICALLY RECALL WHEN (b)(3), (b)(6) PASSED INFORMATION TO THE BATTLE STAFF.

19. What actions followed?

AS ANSWERS 16 AND 17 WOULD INDICATE, I HAVE NO RECOLLECTION OF WHEN OR WHAT (b)(3), (b)(6) MIGHT HAVE DISCUSSED WITH THE BATTLE STAFF. WITH THAT BEING SAID, SEE ANSWER 5.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT CAMP VANCE AFG DATED 2015/11/04

9. STATEMENT (Continued)

20. Do you monitor (b)(1)1.4a, (b)(1)1.4g for any net broadcast via speaker, or headphones by station in the OPCEN?

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

21. Were you on duty in the OPCEN on the POD of 30 SEP-01 OCT 2015?

YES.

22. If so, do you recall operations that were conducted during the early morning hours of the 1st of OCT 2015 (b)(1)1.4a, (b)(1)1.4g missions?)

THE ONLY OCCURENCE I REMEMBER WITH ABSOLUTE CERTAINTY FROM 1 OCT WAS THE (b)(1)1.4a (b)(1)1.4a ANYTHING FURTHER WOULD BE SPECULATION ON MY PART.

END OF STATEMENT.

(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 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 INFLUENCE, OR UNLAWFUL INDUCEMENT.

*(Signature of Person Making Statement)*

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4TH day of NOVEMBER, 2015 at CAMP VANCE AFG

WITNESSES:

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

*(Typed Name of Person Administering Oath)*

Commissioned Officer (CPT)

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

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

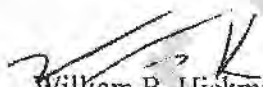
PAGE 4 OF 4 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 4 Nov 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 04 day of November, 2015.

Sig (b)(3), (b)(6) \_\_\_\_\_ (b)(3), (b)(6) \_\_\_\_\_  
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 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 Vance, Bagram Airfield, Afghanistan	2. DATE (YYYYMMDD) 20151104	3. TIME 0230	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
Special Operations Task Force - Afghanistan

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

1. (b)(3), (b)(6)
2. (b)(1)1.4a
3. When able (b)(1)1.4a
4. Yes, involves brief from each member of the JOC reviewing all operations over the past 24, next 24, next 48, and next 72 hours.
5. Battle tracking of SOTF-A operations
6. Yes
7. Yes, I do not have a role
8. Yes
9. Yes,
10. I was planning future operations
11. Yes, SITREPs received by the ODA via COMM (b)(1)1.4a PLAN
12. Yes
13. Review (b)(1)1.4a supporting an operation
14. No
15. I do not recall
16. I do not recall
17. I recall seeing (b)(3), (b)(6) in the OPCEN, I do not recall the time
18. I did not overhear the discussion between the (b)(3), (b)(6) and (b)(3), (b)(6)
19. I do not recall
20. No
21. Yes
22. No

Nothing Follows

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

10. EXHIBIT	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

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

TAKEN AT Camp Vance

DATED 20151104

9. STATEMENT (Continued)

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

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9 day of November, 2015 at CAMP VANCE RAF AFG

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

Administering Oath)

(Typed Name of Person Administering Oath)

COMMISSIONED OFFICER (CPT)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

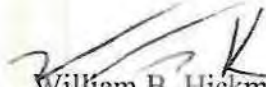
PAGE 2 OF 2 PAGES



1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

S \_\_\_\_\_  
(b)(3), (b)(6)

\_\_\_\_\_  
(b)(3), (b)(6)  
Signature of interviewee

### 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 KUNDUZ CITY, KUNDUZ PROVINCE	2. DATE (YYYYMMDD) 20151023	3. TIME 1350	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS

(b)(3) CJSOAC-A

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

I am currently serving as the (b)(1)1.4a, (b)(3), (b)(6) On 02Oct, (b)(1)1.4a was conducting operations in the vicinity of the Provincial Police Headquarters compound in downtown Kunduz City, Afghanistan. The ODA was conducting fixed site security along with ODA (b)(1)1.4a and (b)(3), (b)(6)

During infiltration on the evening of 29Sep15, we took continuous contact on our way into the city of Kunduz. The enemy had set up many ambush sites with heavy weapons and effectively engaged USSOF forces as well as partner forces. The AC-130 overhead continuously called out and engaged potential ambush sites throughout our infil. The early morning of 30SEP15, ODA (b)(1)1.4a came under a near ambush and heavy weapons fire from the West side of an intersection adjacent to the Provincial Police Headquarters. The ODA members engaged the ambush site and ensured the safety of those around them. After the contact was broken, there were six enemy personnel seen fleeing the machine gun position to the West, and attempting to maneuver on friendly positions. They were engaged by the AC-130, and killed before they were able to maneuver on the rest of the friendly convoy. Once contact was broken, the ODAs moved into the Provincial Police Headquarters and developed a security plan.

Once the security plan was established, ODA (b)(1)1.4a took up positions on the West, Northwest and Southwest positions. Throughout the rest of our time at the compound, we took effective, heavy fire from the West side of the compound. The heaviest amount of enemy fighters attempted to infiltrate our space from the West. Any enemy that attempted to flank to the North and the East, originated from the West and were more often than not, stopped by ODA (b)(1)1.4a before they were able to maneuver on friendly positions. It was from the West that the security positions took effective heavy machine gun fire, RPGs and IDF throughout the conflict.

Throughout the day of 02Oct15, we took heavy contact from the West, Southwest and Northwest. The enemy we're moving from the West and flanking to the North and trying to make their way to the East. We we're taking effective fire from heavy weapons, RPGs and IDF from the West for the entire day. There were several RPGs that impacted the HESCO barriers that our troops were occupying, taking away our freedom to maneuver. It was clear that 02Oct was the day that the enemy was attempting to make their largest push of the 72 hour firefight. The enemy engaged from the West from buildings with heavy machine guns and RPGs. The contact from the West was so fierce that enemy for the first time had created enough space for themselves to start making a push to the Northeast. Throughout the onslaught from the enemy, ODA (b)(1)1.4a successfully engaged enemy positions to the West, to include (b)(1)1.4a dropped from F-16s that were overhead. The enemy that originated from the West made their way to the Northeast, and we're successfully engaging friendly positions from 3 sides at that point. (b)(1)1.4a were dropped to the Northeast on a dug in C2 node that had been firing at friendly positions for several hours. Throughout the entire conflict, it was very apparent that

10. EXHIBIT	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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Vose DATED 20151023

9. STATEMENT (Continued)

the enemy was staging from the West of our compound, and planning all attacks on friendlies from the West side of the city. The only time that enemy personnel were able to maneuver in areas other than the West, was when they made their largest attack on friendly forces from the West, and were able to flank to our Northeast. After the contact had slowed on 02Oct, there were several air assets on station, which focused most of our attention to the West and searched for enemy movement. The majority of call-outs received from air assets were focused to the West of our compound. Late 02Oct, I started my rest cycle and was no longer in contact with air assets overhead.

Moving forward regarding the airstrike on 03Oct, I was asleep leading up to, and during the airstrike. I do not know who requested the AC-130 that night. All of the details leading up to the strike were and are unclear to me, because of the fact that I was in my rest cycle. The last CONOP that I was aware of was the one that was briefed prior to infil into the city on 30 Sep. That CONOP was briefed by (b)(3), (b)(6) prior to us stepping out. I am unaware what the Task and purpose of 4a (b)(3) was upon their launch. I was never provided with or given access to a NSL prior to entering the mission. As far as NSL goes as far as I was concerned, was that I would follow ROE, and if I was unable to know the use of a building then I wouldn't strike it unless it was out of military necessity, which is in keeping with LOAC. There were no graphics to my knowledge that depicted the MSF. We were aware of the main Hospital which was not the same as the MSF, but as far as the MSF facility itself goes, I was never personally made aware of it prior to or during the mission.

I cannot speak to the specific decisions that went through the (b)(3), (b)(6) head during the mission or specifically the MSF strike. Up to that point, as far as CAS went, like I said earlier, it had all been self defense, and I have no reason to believe that he would deviate from the way we had been conducting operations prior to the strike in question, but again I can't read his mind, nor was I awake to hear his thought process. I don't know the method of communicating with partner force during that strike. I am unaware if any OPCEN was able to monitor the strike real time. I am unaware of the specific ROE that was passed to the A/C for this particular strike. As far as what can be done IOT prevent this from happening again is to receive a clearer Task/Purpose and End state from higher. We were thrust into a very dynamic and kinetic situation on very short notice, and were fighting for our lives for at least 72 hours. The decisions that were made, were with no doubt in my mind, made to keep Americans from getting killed. From a ground perspective, we had taken contact from very close proximity for a very long time throughout the entire mission and did what was in the best interest of keeping friendlies safe throughout the entire mission. Again, as far as the specifics on the 03Oct strike, I don't have the answers, but I can tell you that the situation leading up to it was becoming dire, and we were not going to be able to maintain that position indefinitely.

////////////////////////////////////NOTHING TO ADD/NOTHING FOLLOWS////////////////////////////////////

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

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 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of October, 2015 at Camp Vose

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

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

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

From: [redacted] (b)(3), (b)(6)  
To:  
Subject: FW: ~~(S)~~ [redacted] (b)(3), (b)(6) MFR  
Date: Wednesday, November 04, 2015 9:19:57 AM

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CLASSIFICATION: ~~SECRET~~

CLASSIFICATION: ~~SECRET~~

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From: [redacted] (b)(3), (b)(6)  
Sent: Wednesday, November 04, 2015 4:01 AM  
To: [redacted] (b)(3), (b)(6)  
Subject: RE: ~~(S)~~ [redacted] (b)(3), (b)(6) MFR

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET//NOFORN~~

[redacted] (b)(3), (b)(6)

Here's the list of actual training accomplished, outside of the fires shop(SOTACC, MQT, Evals). This stays pretty standardized, year-in, year-out b/c of ops tempo(deploying roughly [redacted] (b)(1)1.4a downrange/[redacted] (b)(1)1.4a at home-station). The CAS FMPs/Advanced med/Shooting school is the backbone of the training with the [redacted] (b)(1)1.4a trips to focus on what's applicable here in Afghanistan.

**Training Event-(Training Focus)**

---

[redacted] (b)(1)1.4a, (b)(1)1.4g

I hope this is along the lines of what you're looking for. If you need any further on assist, or have a question, just let me know.

v/r,

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

Approved for Release

MEMORANDUM FOR RECORD

SUBJECT: Kunduz Request For Information

1. Confirm where exactly were (b)(1)1.4a, (b)(3), (b)(6) between the times of 02 Oct 2000L- 03 Oct 0300L?

I can speak for myself, (b)(1)1.4a, (b)(3) on where I was during those times. I was located in the Southern building of our compound on rest cycle when I heard the attack begin. I was at (b)(1)1.4a co-located with (b)(1)1.4a, (b)(3). I woke up when I heard what sounded like 105 rounds. I stayed laying down there for about 15 minutes, because it was not uncommon to have heard the sounds of firefights at any given time. After 15 minutes, and not being able to fall back asleep, I went outside. I saw (b)(1)1.4a, (b)(3), (b)(6) outside (b)(1)1.4a, (b)(3) asked me to get the HLZ ready for a resupply, (b)(1)1.4a, (b)(3) had left the rest building about 5 minutes before me, and when I got outside he approached me and asked me to help him with the HLZ as well. I went out to the HLZ with (b)(1)1.4a, (b)(3), (b)(6) and we cleared the HLZ and then waited for resupply. The resupply bird came, and then we all began to carry the resupply into the building that I previously mentioned, where we had been sleeping. I didn't have a radio on at all throughout any of this. It was not my turn to control, and up to that point, we were running incredibly low on batteries. I had gone through all my batteries at that point and was borrowing them from team guys. By the time resupply was done being put away, from what I remember, the attack was over. I don't remember where anyone else was at that point. I gathered what I needed to be mission capable again from the resupply, then plussed up my kit, and got ready to spend another full day fighting, like we had been doing for the past three days.

2. How many (b)(1)1.4a were available in the PCOP and what was their condition?

I believe that I was the only person with (b)(1)1.4a, (b)(1)1.4a. As I have said before, during the interview, to this exact question, my (b)(1)1.4a, (b)(3) was functional, however it takes the same batteries as (b)(1)1.4a and we were critically low on batteries. There is a conversation that I had with (b)(1)1.4a, (b)(1)1.4g asset at some point throughout the mission, about (b)(1)1.4a, (b)(3) I told them exactly what I told you before, and what I am telling you again now. If you need me to turn on (b)(1)1.4a, (b)(3) I will, if not, I need



to conserve batteries. They said roger, and did not need me to look at (b)(1) 4a, (b)(3) at that point. No one ever asked me to borrow my (b)(1) 4a, (b)(3) device, which is on the back of my kit, nor did it come up at any point again throughout the mission with me and any other air players. If there were more (b)(1) 4a, (b)(3) devices on the objective, then I was not aware of them.

3. During the AC-130 fire mission there were calls from (b)(1) 1.4a, (b)(1) 1.4g, (b)(3), (b)(6) What inspired these calls?

N/A

4. What was (b)(1) 1.4a, (b)(3) doing after the resupply helicopters left the PCOP? Specifically actions to enable (b)(1) 1.4a, (b)(3), (b)(6) control.

(b)(1) 1.4a, (b)(3) was helping us bring the resupply into the building. After that, I don't know. As far as I can remember though, (b)(1) 1.4a, (b)(3), (b)(6) control was over by the time we were done bringing in the resupply.

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

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

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

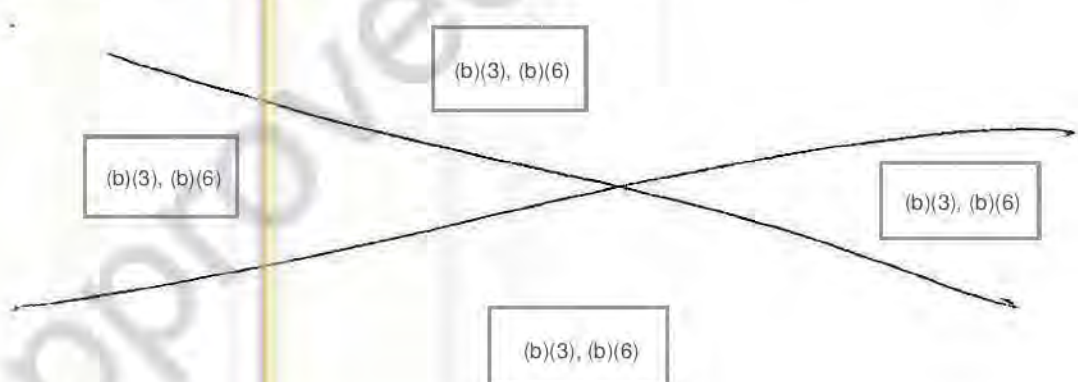
1. LOCATION Camp Pamir, Kunduz, AFG	2. DATE (YYYYMMDD) 20160904	3. TIME	4. FILE NUMBER
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5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS
---------------------------------------	--------------------------	-----------------

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

Prior to infil on 30SEP15 for clearance with partner forces of Kunduz City, we received (b)(1)1.4a, (b)(1)1.4c that the TB were setting up a ZPU and strong hold in a compound inside the city. These (b)(1)1.4c, (b)(1)1.4d During infil our convoy came under effective fire multiple times from heavy weapons, rpg's and VBIEDS. We dealt with the TICs by engaging with organics as well as employing ADMs from AC-130, including one danger close strike. When we finally made it to our strong point (the PCOP) around 0700L on 01OCT15, it didn't take us long to get into a major TIC. Around 1000L we came under heavy effective fire from heavy machine guns and rpg's from about 20 meters away. One rpg blast into our hesko wall about 10ft in front of me, nearly knocking down our barrier. After conducting a show of force from a flight of F-16s with no results, I (b)(1)1.4a, (b)(3) conducted a danger close air strike with F-16s, ultimately conducting 6 x danger close (b)(1)1.4a, (b)(1)1.4d Throughout the rest of the day we continued to receive constant fire from SAF, PKM, RPG, and mortars from all 360 degrees around our compound. The next day (02OCT15) we continued to receive effective fire from all directions. We engaged with organics and (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3) engaged a mortar POO site with F-16 (b)(1)1.4a. The next day we were involved in numerous engagements and conducted numerous air to ground strikes, all in self defense. After running nearly (b)(1)1.4a on food, water, and batteries, we scheduled an aerial resupply for the night of 02Oct15. Simultaneously to our resupply, partner forces were conducting a clearing operation of a known TB C2 node. On their infil, partner forces reported they were under effective fire, which we could hear from our compound. (b)(1)1.4a, (b)(3) was in control of (b)(1)1.4a, (b)(3) (AC-130). While I landed our resupply, (b)(1)1.4a, (b)(3) conducted a strike on the C2 node that friendlies were receiving effective fire from. Once the partner force was in range to effectively engage the TB with their own organics, (b)(1)1.4a, (b)(3) directed the air to ground engagement.



10. EXHIBIT	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 \_\_\_\_\_

TAKEN AT \_\_\_\_\_

DATED \_\_\_\_\_

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,

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

**WITNESSES:**

(b)(3), (b)(6)  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

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

\_\_\_\_\_  
(Signature of Person Administering Oath)

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

(b)(1)1.4a, (b)(3) MFR

- 1) Between 2000L-0300L on 02/03 Oct 15 I was located at the PCOP (our strong hold). During (b)(1)1.4a, (b)(3), (b)(1)1.4a, (b)(3), (b)(1)1.4a control of (b)(1)1.4a, (b)(3), (b)(1)1.4a I was assessing, then establishing, then controlling HLZ (b)(1)1.4a for emergency resupply inside of the PCOP.
- 2) There were (b)(1)1.4a, (b)(1)1.4g systems ( (b)(1)1.4a, (b)(1)1.4g device) at the PCOP, however both were inoperable due to a lack of power. Our battery situation was so dire that we were cannibalizing other ODA team members radio batteries in order to continue to power our (JTAC) radios in order to continue communications with aircraft.
- 3) I always try to have a complete a/c check in, to include (b)(1)1.4a, (b)(1)1.4g even if I am not (b)(1)1.4a, (b)(1)1.4g. It's good to know all the a/c (b)(1)1.4a, (b)(1)1.4g so that you can pass it to another air player if they ask for it. Additionally, I wanted to have their (b)(1)1.4a so that we could attempt to run (b)(1)1.4a, (b)(1)1.4g after our emergency resupply of batteries.
- 4) After I departed the rotary assets from the emergency resupply, I helped download all of the resupply items (food, water, ammo, batteries, etc.). By the time that was finished, (b)(1)1.4a, (b)(3), (b)(1)1.4a engagement was complete.

Name: (b)(3), (b)(6)

Signature: (b)(3), (b)(6)

Date: 3 Nov 15

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 23 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of OCTOBER, 2015.

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

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

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent of this form 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 recorded.  
**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 (b)(1)1.4a	2. DATE (YYYYMMDD) 2015-11-03	3. TIME 1000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(1)1.4a, (b)(3)			

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

1) (b)(1)1.4a, (b)(3), (b)(6) were asleep in the single story building in the SW corner of the compound from approximately 02 OCT 2000L - 03 OCT 0230L when I woke to several explosions. Being asleep I cannot speak to the location of (b)(1)1.4a, (b)(3) during the specific times listed.

2) There were (b)(1)1.4a, (b)(1)1.4g. They were both unused after our battery situation became critical. JTAC's were borrowing batteries from ODA members and ODA members were running (b)(1)1.4a, (b)(1)1.4g each security position to preserve battery life and prolong our communication ability.

3) I cannot speak to these calls as I was sleeping during the transmission of the fire mission to the AC-130. However asking (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(3) a standard call to be able to pass to other air players or use if the battery situation improves from resupply.

4) After the (b)(1)1.4a, (b)(3) took off all personnel that were awake began breaking down the kickers and moving the supplies indoors for accountability and rationing. I was not on comms but the rounds from the AC-130 seemed to be complete before (b)(1)1.4a, (b)(3) departed from the HLZ. Furthermore I cannot speak to (b)(1)1.4a, (b)(3) interaction with (b)(1)1.4a, (b)(1)1.4g control because again I was asleep prior to the strike and not on comms during or after the resupply. Once the supplies were secured I returned to my sleep position.

NOTHING FOLLOWS

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE <u>1</u> OF <u>3</u> 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 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 1000 DATED 2015-11-03

9. STATEMENT (Continued)

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES



9. STATEMENT (Continued)

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

AFFADAVIT

I, (b)(3), (b)(6) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(the Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 3<sup>rd</sup> day of November 2015 at (b)(1)1.4a AFC

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

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

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

ORGANIZATION OR ADDRESS


INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

# PRIVACY ACT STATEMENT

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B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of October, 2015.

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

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Camp Vance, Bagram Airfield	2. DATE (YYYYMMDD) 2015/10/28	3. TIME 1900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(3)			

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

1. What is your responsibility in the review of SOTF-A CONOPS? For the specific 30 Sept Operation CONOP, did you review this and provide an opinion to the CDR?

I review all level 2 CONOPS and many level 1 CONOPS for any legal issues or concerns. I do not provide an opinion to the CDR unless I see something that should be addressed. Even if there were concerns I would work with the team to address the issue prior to bringing it to the CDRs attention. To date I've not had to bring any issues to the CDRs attention. The CONOP for 29 Sep was pushed to 30 Sep because of the ODAs response to the immediate threat of having the airfield taken over. I reviewed this CONOP prior to execution and did not have any legal objections or concerns.

2. For operations 2-3 Oct, did you review the operation? Was there a specific CONOP for the mission against the NDS facility by the (b)(1)1.4 with the AOB-N support? Did you have the grid of the NDS Building to determine if there were any issues with the plan?

Because the 2 Oct operation was developed and directed by Afghan forces/leadership, I did not review a CONOP. I would not normally review ANDSF CONOPS and do not recall ever seeing a pure Afghan CONOP. I did not have grids to the (b)(1)1.4d objective the evening of 2 Oct.

3. For the fire planning, are you part of the target development process? Do the (b)(3), (b)(6) ensure you are integrated into the planning process?

(b)(1)1.4a

4. For the mission on the evening of 2-3 Oct, did you review the deliberate target – NDS facility? Were you aware of the planned munitions that were eventually fired on the MSF facility? What is your assessment of the amount of (b)(1)1.4 rounds that were fired into the building?

There was never discussion of the NDS facility being deliberately targeted. The (b)(1)1.4 were moving to clear the NDS compound of INS. Because the strike was not pre planned, but instead was conducted in self-defense of US and partner forces on the ground, the SOTF was unaware the strike was going to take place. My assessment of the force used against the MSF Trauma Center is based on a basic understanding of the situation on the ground. After three days of heavy fighting, with much of the assaults and fires (RPG, Mortar, heavy machine gun, SAF) on the Provincial Compound coming from the west of US forces positions, the identification of an imminent threat (particularly one coming from the west of US forces positions) within effective RPG/Mortar/Machine Gun range could be considered an imminent threat to US Forces at the compound. If the commander reasonably determined the actions posed an imminent threat to his unit, it is his right and obligation under the law to defend his unit. The law recognizes the reasonableness of the GFCs actions are judged based on the facts available to him at the time, not facts that later come to light. I am unable to answer whether the number of rounds used during the engagement was necessary to eliminate the threat; this decision would have been made by the GFC in coordination with the air asset based on his observations and the information then available.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>3</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 INDICATED.

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Vance DATED 2015/10/28

9. STATEMENT (Continued)

5. For SOTF-A targeting, do you reference the no strike list? Were you aware of a MSF memo that provides the location of their facilities in Kunduz.

Currently the no strike list is referenced during the CONOP process and before all kinetic strikes. I was aware of a memo with MSF grids.

6. What authorities were the AOB-N and the AC130 crew in Kunduz working under on 2-3 Oct?

The CONOP was originally submitted as an RS operation. SOJTF-A approved the CONOP as an OFS operation which would not have required PDSS to defend a partner force. On 1 Oct PDSS was granted for (b)(1)1.4d during accompanied operations. (b)(1)1.4d (b)(1)1.4d was one of the partner forces located at the Provincial Compound. At around 0030 3 Oct, I was informed by email that an additional PDSS memorandum was signed granting (b)(1)1.4a, (b)(1)1.4d during accompanied operations in Kunduz. I do not recall when the AOB was informed their CONOP was approved under OFS, nor when they were informed of the new PDSS memos. (b)(3), (b)(6) statement will be most accurate as to his view of their authorities.

7. Describe the correct process to identify noncombatants and declared hostile forces in Kunduz.

(b)(1)1.4a  
(b)(1)1.4a There was no discussion of targeting anyone in Kunduz based on their status alone ( (b)(1)1.4a ); all strikes were based on determination to a reasonable certainty that the targeted individual(s) were committing hostile acts or demonstrating hostile intent towards US or partner forces. Under CENTCOM PID Policy, determination of hostile act/hostile intent to a (b)(1)1.4a, (b)(1)1.4c  
(b)(1)1.4a, (b)(1)1.4c

8. Describe the SOTF-A process to receive approval for air strikes. For the operation on 2-3 Oct, did the (b)(3), (b)(6) follow the established process to target a building?

Upon discovery of a potential target, the SOTF begins target development. We utilize (b)(1)1.4a, (b)(1)1.4g to build the picture. We ensure the target is not a friendly force through deconfliction with Afghan government agencies and military commanders. Once the SOTF is (b)(1)1.4a, (b)(1)1.4c the target is engaged in a hostile act/intent towards CF or PDSS forces (or, (b)(1)1.4a, (b)(1)1.4c), we will complete our strike sheet and request approval for the strike from either (b)(1)1.4a depending on the CDE or whether a (b)(1)1.4a During the development process, SOTF communicates with SOJTF to keep them informed of any information we receive so they have a clear picture of the strike once approval is requested. (b)(1)1.4a  
(b)(1)1.4a

(b)(1)1.4a  
(b)(1)1.4a This would have been subject to PID of the hostile act/intent. Without knowing all the details the CDR had on the ground I cannot answer for him.  
(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d

certification of PID/POL." Do you think this applies to the 2-3 OCT Mission.

Facts specific to each case will determine whether this guidance is applicable. This guidance talks specifically about (b)(1)1.4c, (b)(1)1.4d (b)(1)1.4c, (b)(1)1.4d in this case, my understanding of the facts is that the CDR had more information than (b)(1)1.4c, (b)(1)1.4d In this case, the CDR had (b)(1)1.4c, (b)(1)1.4d AC-130 reporting and corroboration, and his own hearing and sight when he heard the gun fire and saw what he believed was (b)(1)1.4a, (b)(1)1.4c from the (b)(1)1.4c convoy. If the above facts are true, then this guidance (specifically only para. 18 and not sub paras.) would not apply as there was more than (b)(1)1.4c, (b)(1)1.4d

b. P18. "PID is the positive identification of an individual who is directly participating in hostilities. On the 2-3 Oct mission, who was responsible for PID? Did the leader have the capabilities to identify PID, if so, what capabilities were at that leader's disposal?

In the case of any strike, the ultimate decision to strike lies with the Target Engagement Authority. Currently, strikes in self-defense and collective self defense of PDSS lie with the GFC. TEA for strikes (b)(1)1.4a and below rests with (b)(1)1.4a for strikes (b)(1)1.4a (not in self-defense of US forces) rests with (b)(1)1.4a based on the facts as I know them, I believe (b)(3), (b)(6) had the capabilities available to be reasonably certain that he had PID of the target. At his disposal were (b)(1)1.4c, (b)(1)1.4d AC130 reporting (b)(1)1.4a, (b)(1)1.4g showing him where the (b)(1)1.4d were at the time of the strike. I do not know whether any other capabilities were available.

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

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

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

Yes. My understanding of the situation on the ground makes it reasonable for the GFC to have determined that any threat within RPG/Mortar/Heavy Weapon range was an imminent threat to him, his unit, and his partner forces. The NDS compound the GFC believed was being engaged was well within heavy weapons range from the Provincial Compound. By the time of the strike, US and partner forces had been in a heavy fire fight for 3 days. Several danger close engagements were conducted in self-defense the afternoon of 2 Oct. Much of the fire and assaults had been directed from the west of the Provincial Compound, generally in the area of the grids passed to the AC 130. At the time of the strike, the CDR had (b)(1)1.4c, (b)(1)1.4d that the NDS compound (grids passed to AC 130) was overrun by INS. He had a description of the (b)(1)1.4 objective compound for the evening that was passed to the AC 130. The AC 130 put eyes on the grid passed by the CDR and believed it was the wrong location. AC 130 then described a building matching the description of the NDS compound to the CDR. The POL described by the AC 130 to the CDR matched the POL reported to the CDR by the (b)(1)1.4d. When the call came from the (b)(1)1.4 that they were taking fire, the CDR moved to a higher position in the compound in an attempt to view the engagement. I understand he could not see the engagement, but could hear shots being fired. Additionally, he could see what he believed were the (b)(1)1.4a, (b)(1)1.4b coming off of the lead vehicle in the (b)(1)1.4c convoy placing them in range of their objective for the evening. He also looked on the (b)(1)1.4a, (b)(1)1.4g in a position that corroborated the view he had from his outlook position in the compound. Only after all of this did the CDR authorize the engagement. The fact that (b)(1)1.4 were receiving fire at their location does not change the fact that the CDR could still determine that the threat at the time was also an imminent threat to US forces. US interpretation of the self-defense recognizes that

(b)(1)1.4g

(b)(1)1.4g While the ultimate decision as to whether there was PID of the target lies with (b)(3), (b)(6) based on the facts available to me, there was sufficient information for him to make the decision to authorize the strike. This view is based on the facts at the time of the engagement and not based on information that came to light following.

d. P5. (b)(1)1.4a topics. "Documentation recording the completion of training shall be maintained and provided upon request." Does SOTF-A ask for training documentation from subordinate units? Were there inspections of subordinate units that would have addressed this area?

(b)(1)1.4a, (b)(3), (b)(6) Units below the BN level would not retain documentation for their training. Inspections of the companies/AOBs would not address this area.

Facts used in the analysis in this statement are only my understanding of the facts on the ground. If there are discrepancies between the facts in my statement and the facts provided by individuals on the ground, defer to facts from the ground.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 28 day of Oct, 2015 at Camp Vance

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

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

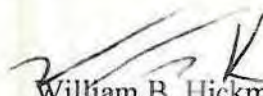
INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: \_\_\_\_\_

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

Approved for Release

# PRIVACY ACT STATEMENT

**The Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of October, 2015.

\_\_\_\_\_  
Signature of Witness

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

\_\_\_\_\_  
Interviewee



**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 VANCE, BAF, AFG	2. DATE (YYYYMMDD) 2015/10/23	3. TIME 2245D*	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

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

Typed below are my responses answered to the best of my knowledge to questions as directed by appointed investigators for the MSF Incident on 03 October 2015:

2. Who requested and approved the AC-130?  
As I work the night shift the request for AC-130 is not in my perview. I do not believe the approval authority for AC-130 is within SOTF's oversight.

4. What units were involved in the 2 OCT mission to secure the NDS compound?  
Boots on ground units to physically secure the NDS site were the (b)(1)1.4a AOB-N teams were enabling from the P-GOV Compound.

6. Who was involved writing and approving the CONOP to include legal review?  
SOTF-A staff was involved writing and vetting a CONOP for the retaking of Kunduz. The plan was (b)(1)1.4c, (b)(1)1.4d while someone within the SOTF put the CONOP to PowerPoint for approval.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

29. What was the objective of the fires?  
I do not have information regarding this question. (b)(3), (b)(6)

*NOTHING FOLLOWS*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF <u>12</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 INDICATED.

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

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

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

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

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

WITNESSES:

(b)(3), (b)(6)  
 \_\_\_\_\_  
 ORGANIZATION OR ADDRESS

\_\_\_\_\_  
 ORGANIZATION OR ADDRESS

\_\_\_\_\_  
 (b)(3), (b)(6)  
 \_\_\_\_\_  
 Subscribed by law to  
 administered by \_\_\_\_\_  
 at CR

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

**COMMISSIONED OFFICER**  
 (Authority To Administer Oaths)

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

PAGE 2 OF 2 PAGES

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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

1. LOCATION CAMP VANCE, BAF, AFG	2. DATE (YYYYMMDD) 2015/11/06	3. TIME 2245D*	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

1. When did you assume your duties as (b)(3), (b)(6) ?  
(b)(3), (b)(6)

2. What are your duties while on shift?  
My duties as Night (b)(3), (b)(6) are:

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

3. What was going on in the OPCEN the night of 02-03 Oct?  
From my SITREP records, there were (b)(1)1.4a on-going during POD 2-3. I have attached SITREPS from 1-3 OCT for additional SA.  
-Kunduz Clearance  
(b)(1)1.4a

4. Who was the senior officer in the OPCEN on the night of 02-03 OCT?  
(b)(3), (b)(6)

5. What is the wake-up criteria?  
Please see attached wake-up criteria document.

*CONT. NEXT PAGE*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 4 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"

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## 9. STATEMENT (Continued)

16. Is there a shift change brief? If so, what does it entail? Are CONOPs briefed?

Yes. Each AST covers operations in their AOs for the previous 12 hours, next 24 in detail, and a quick rundown of operations for the next 72 hours. (b)(1)1.4a and confirmed assets are on-station or requested for upcoming operations. An

(b)(1)1.4a

of forces. OPCEN leadership deliver closing comments. Yes

CONOPs are briefed to the OPCEN.

17. Was the normal staff on duty during the evening of 2 Oct 15?

Yes

18. Is there a battle drill when an air to ground engagement is being conducted? What is your role during the engagement?

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

19. Was information being passed to the OPCEN leadership?

Information flow was managed and reported. As (b)(3), (b)(6) I assume they were tracking all major events ongoing in the operations center, but am not certain. Their answers will be more accurate.

20. Do you monitor (b)(1)1.4a, (b)(1)1.4g that the OPCEN Log?

Yes, I (b)(1)1.4a, (b)(1)1.4g is not the OPCEN Log. The OPCEN log is the (b)(1)1.4a, (b)(1)1.4g

21. Describe your actions in the OPCEN on the night of the 02 October 2015

I do not completely recall many specific events of this evening. I remembered coming on shift early and leaving late by looking at the SITREP for that evening. I remember the pieces of the MSF event because I have been asked questions about it many times. I have also personally reflected about the incident. When working in the OPCEN everyday it is difficult to remember specific days. I can remember a specific incident, but not routine things. Shift Change briefs, answering phones, editing and sending the SITREP, keeping the TOC updated about information from radio reports, and other duties listed above (question 2) are routine activities that are conducted nightly.

22. What is or is there a battle drill to monitor operations when systems go down (b)(1)1.4a, (b)(1)1.4g? How do you maintain situational awareness?

(b)(1)1.4a, (b)(1)1.4g a relatively common in the OPCEN situation in the OPCEN. This does not affect the team's ability to fight and defend itself. The OPCEN will continue to (b)(1)1.4a, (b)(1)1.4g if available to monitor the situation on the ground.

23. Do you conduct (OPCEN) CONOPS briefs for each shift for operations that day/night?

As answered in question 16, yes, CONOPs are briefed during shift change.

24. What checks do you perform / what are your duties as part of the CONOPS briefs and during execution?

During shift change, when CONOPs are briefed, I check the status of enabling efforts. For higher level operations we conduct a "conditions check" to verify all staff agencies and supporting arms agree that an operation should be conducted.

25. Do you consult / check a No Strike List as part of your duties?

(b)(3), (b)(6) Yes, I now verify the NSL is updated on the portal when it is received from higher agencies-it was not sent at all prior to the strike. I now receive updates every day. The COP manager has it available for viewing on the map in the OPCEN.

26. On the night of 2nd morning of the 3rd of October 2015 did you have situational awareness that AOB-N was conducting an engagement on a Taliban controlled compound prior to the first round being fired?

I did not specifically know it was a compound they were firing on. As discussed in the answer above in question 9, I was aware only (b)(1)1.4a, (b)(3), (b)(6) being "hot."

27. While on duty on the night of the 2nd and morning of the 3rd of October 2015, do you recall any information being briefed about an MSF Trauma Center (Hospital)? Any calls or radio (to include (b)(1)1.4a, (b)(1)1.4g) transmissions reference the MSF Trauma Center? I recall multiple (b)(1)1.4a, (b)(1)1.4d, (b)(1)1.4g, (b)(3), (b)(6) prior to the strike and after the strike. I did not read them. But prior to the strike he told me (b)(1)1.4a, (b)(1)1.4g MSF grids and additional information. After the strike I recall he may have seen (b)(1)1.4a, (b)(1)1.4g after the strike either he, or I, requested that the (b)(3), (b)(6) the TOC on the (b)(1)1.4a, (b)(1)1.4g

28. Do you recall the (b)(3), (b)(6) coming into the OPCEN? What time?

I do not recall the times (b)(3), (b)(6) visited the OPCEN

29. If so, what did he discuss with the Battle Captain / Battle NCO?

Please refer to question/answer number 9.

30. What actions followed?

Please refer to question/answer number 9.

31. Do you monitor (b)(1)1.4a, (b)(1)1.4g or any (b)(1)1.4a, (b)(1)1.4g speaker, or headphones by station in the OPCEN? I monitor command

(b)(1)1.4a, (b)(1)1.4g speaker is at my back at level with my right ear when I am sitting down.

CONT. NEXT PAGE

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

9. STATEMENT (Continued)

32. Were you on duty in the OPCEN on the POD of 30 September, 01 October 2015?

Yes.

33. If so, do you recall operations that were conducted during the early morning hours of the first of October 2015 (Specifically

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

No, not specifically.

34. When did you receive the grids for the MSF facilities? Who gave them to you?

I remember coming onto shift and seeing a piece of paper with MSF grids on them. I also remember that (b)(3), (b)(6) briefed me about it. I think this was 30 SEP15. I do not recall besides it was at least 2 days prior to the MSF strike.

35. When you called to verify if the ground forces received the (b)(1)1.4a what do you ask (did you specifically ask about the grids or just message in general)?

I did not call the ground force about a (b)(1)1.4a

36. When was the 1C CONOP posted in the battle room?

I do not have information about when CONOPs are posted in battle rooms. The admin of those rooms are not controlled at the SOTF level.

*NOTHING FOLLOWS*

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

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

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

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

**AFFIDAVIT**

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

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

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of November, 2015 at Bagram Airfield, AFG

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

Commissioned Officer

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

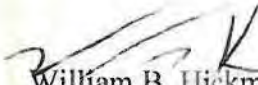
(b)(3), (b)(6)

PAGE 4 OF 4 PAGES

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 27 Oct 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

Approved for Release

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

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



### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION BAGRAM AB, AFGHANISTAN	2. DATE (YYYYMMDD) 20151023	3. TIME 2100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS  
(b)(3)

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
On 2 Oct 15 at approximately 1400Z I was informed that (b)(1)1.4a, (b)(3), (b)(6) was being directed to alert launch ISO the operations in Kunduz. The early launch time was due to an open AIRTIC and because the other aircraft overhead the city were almost out of ordnance. Once I facilitated the alerting and launch of the crew, I proceeded to a planning meeting for a different mission.  
(b)(1)1.4a, (b)(1)1.4g

A few hours later I was informed by (b)(1)1.4a, (b)(3), (b)(6) had engaged, resulting in a building destroyed with approximately 50 EKIA. This was the first time I was informed about the engagement.

At approximately 2355Z, (b)(3), (b)(6) Ops and told one of the gunship planners that there was a report of a CIVCAS incident on an ATG engagement, and based on the time and location he thought it was (b)(1)1.4a, (b)(3), (b)(6) engagement. The planner told me, and I immediately informed (b)(3), (b)(6) This was the first I heard that there was an issue with the engagement.

When the crew returned to Gunship ops, I immediately had the (b)(1)1.4a walk me through the engagement. I then (b)(1)1.4a, (b)(1)1.4g to verify the details, and then went to talk to (b)(3), (b)(6) and the CJSOAC-A (b)(3), (b)(6) then debriefed the crew and (b)(1)1.4a, (b)(1)1.4g They then began fielding RFIs and passing them to (b)(3), (b)(6) and me so we could answer them. I helped (b)(3), (b)(6) build the standard MISREPs and Storyboards for the (b)(1)1.4a and the ATG engagement, as well as multiple other products for the RFIs. This lasted through the daytime and into the following POD.

10. EXHIBIT	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 (b)(3), (b)(6) TAKEN AT Bagram AB DATED 20151023

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. 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)

*(Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24<sup>th</sup> day of OCTOBER, 2015 at BAGRAM AIR FIELD, AFB

ORGANIZATION OR ADDRESS

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

*(Typed Name of Person Administering Oath)*

ARTICLE 13L, JUDGE ADVOCATE  
*(Authority To Administer Oaths)*

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

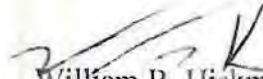
(b)(3), (b)(6)

PAGE 2 OF 2 PAGES

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: \_\_\_\_\_

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

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

23 OCT 15

## PRIVACY ACT STATEMENT

**The Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of OCT, 2015.

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
(b)(3), (b)(6)  
Signature of Interviewee

25 October 2015

MEMORANDUM FOR RECORD

TO: 2-3 October 2015 Kunduz Hospital Strike - Investigation Team

FROM:

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

SUBJECT: Personal Statement

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

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

incredibly jet lagged, I retired to my room to try to get my sleep schedule aligned with our operations cycle. When I reported to work the next morning (~1030Z), I learned of the strike over Kunduz overnight. All of my knowledge and background was formed after the strike occurred.

3. This statement is true to the best of my knowledge. Please contact me with any questions regarding this statement.

Contact information:

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

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

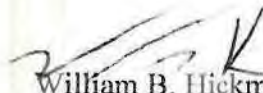
1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: \_\_\_\_\_

23 Oct 15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

Approved for Release

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature

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

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

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

1. LOCATION BAGRAM AF, AFGHANISTAN	2. DATE (YYYYMMDD) 20151025	3. TIME 1432	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			

8. ORGANIZATION OR ADDRESS

9. I, , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 This statement is Classified up to and including ~~SECRET//NOFORN~~

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

On the night of 2 October we were launched an hour or so early on a Troops-in-Contact call to go to Kunduz. This was my third flight over Kunduz, my second on 30 Sep being a US forces convoy escort into the city center during which we witnessed the convoy take heavy fire and engaged multiple times in defense of US and partner Afghan forces against enemy compounds and ambush locations. Prior to us pushing off station on 30 Sep we had assisted friendly ground forces, to include the controlling JTAC for 2 Sep, into what became known as the Provincial Governor compound where they strong-pointed for the next several days. So, we had good situational awareness from that sortie on friendly locations and blocking positions that was relevant in the days following to include 2 Sept as well as a fairly good indication of normal Pattern of Life and Enemy posture and tactics in Kunduz. On the 2, we pushed overhead the PGOV compound/City Center area and began fulfilling  tasks from the controlling JTAC.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <input type="text" value="(b)(3), (b)(6)"/>	PAGE 1 OF <u>3</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 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 1432 DATED 20151025

9. STATEMENT (Continued)

After looking at a passed Taliban C2 node and a mortar position, (b)(1)1.4a  
(b)(1)1.4a After that event we were passed the grids of what was communicated in the  
plane as a Prison Compound that (b)(1)1.4a from Camp Pamir to the S/SE, were going up to clear. I (b)(1)1.4a, (b)(1)1.4g to the grid  
location while we were holding route (b)(1)1.4a, (b)(1)1.4g the city center and it put me in a field with residential buildings. Nothing in the  
immediate location matched the target description but from training I was aware that at significant (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(1)1.4g So, I (b)(1)1.4a, (b)(1)1.4g found a large compound that appeared  
to match the initial target description. It had multiple one-story buildings and a wall surrounding from what I could immediately see.  
I confirmed there was nothing else near the original location that could match the description of a prison that I might have missed  
before calling "Contact". The compound was 300 meters south of where I was (b)(1)1.4a, (b)(1)1.4g which was communicated to (b)(3), (b)(6)  
in a radio call/target update. (b)(1)1.4a, (b)(1)1.4g

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

the newly passed objective compound area for activity. As we got closer I observed multiple (b)(1)1.4a walking in-between buildings

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

entrances with (b)(1)1.4a posted. After passing back the information to the JTAC, he said the compound was under enemy control and  
that those (b)(1)1.4a were declared hostile. At that point I just wanted to double-check and confirm this was the target compound to  
make sure we were not inadvertently declaring civilians hostile. I wasn't completely skeptical because of the way those (b)(1)1.4a were  
behaving, but I had also (b)(1)1.4a, (b)(1)1.4g So, I re-entered the coordinates to determine any system

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

(b)(1)1.4a, (b)(1)1.4g of what I believed to be the target compound. At that location I  
looked and found a much smaller compound with two large buildings, what appeared to be a third smaller shack, two overhangs, a  
wall surrounding, what appeared to be guard towers at the four corners with a single entrance on the south side of the compound and  
was unable to observe any movement in that compound. At that point I had the Navigator request a more detailed target description  
from the JTAC and moved to the first compound while the IR stayed on the second compound. The JTAC came back with a target  
description of multiple buildings with a wall surrounding, and a main gate with an arch shape. I asked for further clarification on  
which side of the compound that gate was on, to which he replied, the North side of the compound. The gate I was able to make out  
at the first compound was on the north side and matched the target description. The JTAC came over and said that being 30 meters  
away he was confident we are on the right compound, at which point we corrected him and said the compound that matched the  
target description was 300 meters away from where we initially ended up from the coordinates passed. He affirmed that was our  
target, and we continued to characterize the compound. The JTAC renamed the convoy to Objective, OBJ, we passed what we were  
seeing and he began going through Ground Force Commander's intent for this target. (b)(1)1.4a, (b)(1)1.4g

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

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

About this time friendly forces were pushing out of camp Pamir.  
The (b)(1)1.4a, (b)(1)1.4g while we further clarified the intent for the strike, mainly which building was to be targeted and intent on  
(b)(1)1.4a During this process, the Friendly convoy had pushed onto the main hardball as we check the final  
approx. distance of the friendly convoy was outside the closest known friendly within the city of 800+m. After that was verified and  
we had confirmed with the JTAC the building to be struck was the large T-shaped building we postured to strike to eliminate the  
threat before friendly forces approached what we believed without a doubt to be a hardened strongpoint/ambush location that they  
would have to clear. We engaged for approx. a half-hour before checking on the convoy's progress throughout at both the request of  
the JTAC and for our own S/A. Post engagement, the TV was safed and gun deselected in order to track the friendly posit as they  
pushed closer to the Obj compound. I found them approx. 700-800m out as the lead vehicle made its turn to the West. It almost  
immediately began shooting down the road so I started to scan ahead for any movement. About this time we saw no movement from  
the Obj compound and called engagement complete. A large fire was burning and had engulfed the main T building. As friendlies  
cleared two parallel roads, they stopped around 650m from the Obj. For the rest of our time O/S we maintained (b)(1)1.4a, (b)(1)1.4g over  
the friendly convoy. We discovered we had hot gun on the (b)(1)1.4a during this time and pushed to an open field near the river, outside  
the city, away from residential to clear the impact zone and attempt to fire the round. Cleared the round without issue and continued  
to monitor friendly movement. Friendlies dismounted vehicles and pushed to the end of the road 500+m from objective, one block to  
the N from the NE intersection of the Obj compound block. The friendly convoy didn't advanced to the compound before we had to  
RTB for min fuel, which we believed to be because of the large fire.

This statement is Classified up to and including ~~SECRET/NOFORN~~

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

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. 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.

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

(b)(3), (b)(6) \_\_\_\_\_  
Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26<sup>th</sup> day of OCTOBER, 2015 at RAGGAM AIR FIELD AFG

(b)(3), (b)(6) \_\_\_\_\_

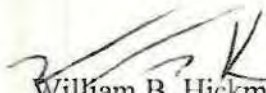
(Typed Name of Person Administering Oath)  
ARTICLE 136 (b)(3), (b)(6)  
(Authority To Administer Oaths)

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

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 OCT 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCEN

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of OCTOBER, 2015.

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

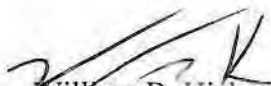
(b)(3), (b)(6) wee

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 28 OCT 15  
(b)(3), (b)(6)

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 7<sup>th</sup> day of Oct, 2015.

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

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

## RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is PMG

### DATA REQUIRED BY THE PRIVACY ACT

**AUTHORITY:** Title 10, United States Code, Section 3012(g)  
**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 <b>BAF, AFGHANISTAN</b>	2. DATE <b>23 OCT 15</b>	3. TIME <b>1150(L)</b>	4. FILE NO.
5. NAME (Last, First, MI) <div style="border: 1px solid black; padding: 2px;">(b)(3), (b)(6)</div>		8. ORGANIZATION OR ADDRESS <div style="border: 1px solid black; padding: 2px;">(b)(3)</div>	
6. SSN <div style="border: 1px solid black; padding: 2px;">(b)(3), (b)(6)</div>	7. GRADE/STATUS <div style="border: 1px solid black; padding: 2px;">(b)(3), (b)(6)</div>		

### PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

#### Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army AR 15-6 Investigation and wanted to question me about the following offense(s) of which I am

suspected/~~charged~~ Art. 92, Dereliction of Duty

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

- I do not have to answer any question or say anything.
- Nothing I say or do can be used as evidence against me in a criminal trial.
- For personnel subject to the UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

- 4. If I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

#### 5. COMMENTS (Continue on reverse side)

*Have you previously been read your rights previously*  No 

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

#### Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available) 1a. NAME (Type or Print)  b. ORGANIZATION OR ADDRESS AND PHONE  2a. NAME (Type or Print)  b. ORGANIZATION OR ADDRESS AND PHONE	3. SIGNATURE OF INTERVIEWEE  4. SIGNATURE OF INVESTIGATOR  5. TYPED NAME OF INVESTIGATOR  6. ORGANIZATION OF INVESTIGATOR
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#### Section C. Non-waiver

- 1. I do not want to give up my rights  
 I want a lawyer  I do not want to be questioned or say anything

2. 

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

At \_\_\_\_\_ P.M. STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

**PART II - RIGHTS WARNING PROCEDURE**

**THE WARNING**

1. WARNING - Inform the suspect/accused of:
  - a. Your official position.
  - b. Nature of offense(s).
  - c. The fact that he/she is a suspect/accused.
2. RIGHTS - Advise the suspect/accused of his/her rights as follows:
 

"Before I ask you any questions, you must understand your rights."

  - a. "You do not have to answer my questions or say anything."
  - b. "Anything you say or do can be used as evidence against you in a criminal trial."
  - c. (For personnel subject to the UCMJ) "You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer

can be a civilian you arrange for at no expense to the Government or a military lawyer detailed for you at no expense to you, or both."

- or -

*(For civilians not subject to the UCMJ)* You have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with you during questioning. This lawyer can be one you arrange for at your own expense, or if you cannot afford a lawyer and want one, a lawyer will be appointed for you before any questioning begins."

- d. "If you are now willing to discuss the offense(s) under investigation, with or without a lawyer present, you have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if you sign a waiver certificate."

Make certain the suspect/accused fully understands his/her rights.

**THE WAIVER**

"Do you understand your rights?"

*(If the suspect/accused says "no," determine what is not understood, and if necessary repeat the appropriate rights advisement. If the suspect/accused says "yes," ask the following question.)*

"Have you ever requested a lawyer after being read your rights?"

*(If the suspect/accused says "yes," find out when and where. If the request was recent (i.e., fewer than 30 days ago), obtain legal advice whether to continue the interrogation. If the suspect/accused says "no," or if the prior request was not recent, ask him/her the following question.)*

"Do you want a lawyer at this time?"

*(If the suspect/accused says "yes," stop the questioning until he/she has a lawyer. If the suspect/accused says "no," ask him/her the following question.)*

*"At this time, are you willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer and without having a lawyer present with you?" (If the suspect/accused says "no," stop the interview and have him/her read and sign the non-waiver section of the waiver certificate on the other side of this form. If the suspect/accused says "yes," have him/her read and sign the waiver section of the waiver certificate on the other side of this form.)*

**SPECIAL INSTRUCTIONS**

**WHEN SUSPECT/ACCUSED REFUSES TO SIGN WAIVER CERTIFICATE:** If the suspect/accused orally waives his/her rights but refuses to sign the waiver certificate, you may proceed with the questioning. Make notations on the waiver certificate to the effect that he/she has stated that he/she understands his/her rights, does not want a lawyer, wants to discuss the offense(s) under investigation, and refuses to sign the waiver certificate.

**IF WAIVER CERTIFICATE CANNOT BE COMPLETED IMMEDIATELY:** In all cases the waiver certificate must be completed as soon as possible. Every effort should be made to complete the waiver certificate before any questioning begins. If the waiver certificate cannot be completed at once, as in the case of street interrogation, completion may be temporarily postponed. Notes should be kept on the circumstances.

**PRIOR INCRIMINATING STATEMENTS:**

1. If the suspect/accused has made spontaneous incriminating statements before being properly advised of his/her rights he/she should be told that such statements do not obligate him/her to answer further questions.

2. If the suspect/accused was questioned as such either without being advised of his/her rights or some question exists as to the propriety of the first statement, the accused must be so advised. The office of the serving Staff Judge Advocate should be contacted for assistance in drafting the proper rights advisal.

**NOTE:** If 1 or 2 applies, the fact that the suspect/accused was advised accordingly should be noted in the comment section on the waiver certificate and initialed by the suspect/accused.

**WHEN SUSPECT/ACCUSED DISPLAYS INDECISION ON EXERCISING HIS OR HER RIGHTS DURING THE INTERROGATION PROCESS:** If during the interrogation, the suspect displays indecision about requesting counsel (for example, "Maybe I should get a lawyer."), further questioning must cease immediately. At that point, you may question the suspect/accused only concerning whether he or she desires to waive counsel. The questioning may not be utilized to discourage a suspect/accused from exercising his/her rights. (For example, do not make such comments as "If you didn't do anything wrong, you shouldn't need an attorney.")

COMMENTS *(Continued)*



24 October 2015

MEMORANDUM FOR Record

SUBJECT: [redacted (b)(3), (b)(6)] -Afghanistan, Bagram Airfield; Article 31 Rights; Investigation into Potential Civilian Casualty (CIVCAS) Incident in Kunduz, Afghanistan

1. This investigation was appointed to conduct an investigation into reports that US Forces struck facilities and individuals at or near the Medecins Sans Frontieres (MSF) Trauma Center in Kunduz City, Afghanistan, on or about 3 October 2015.

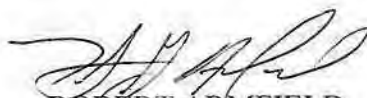
2. On 23 October 2015, at the SOTF-A Headquarters, [redacted (b)(3), (b)(6)] was interviewed by the Investigation Team for approximately twenty minutes.

3. [redacted (b)(3), (b)(6)] stated that he was aware that the intended target on the night of 3 October was not struck, and that the MSF hospital was mistakenly struck. He detailed his actions during the events in Kunduz City 29 September through 3 October, the concept of operations (CONOPS) and actions on the original objective, the actions of the [redacted (b)(1)1.4d] during the event, and his understanding of the integrated defense plan of the Provincial Chief of Police Compound.

4. He confirmed that he was relying on the [redacted (b)(1)1.4c, (b)(1)1.4d] on the objective, the Joint Tactical Air Controller (JTAC) call sign [redacted (b)(1)1.4a, (b)(3), (b)(6)] relayed his words to the aircrew of [redacted (b)(1)1.4a, (b)(3), (b)(6)]. [redacted (b)(1)1.4a, (b)(3), (b)(6)] the words contained in the transcript of radio conversations between the JTAC and the crew of the aircraft on the night of Period of Darkness 2/3 October were his words, he was not physically observing either the intended or the struck target, and told the aircraft to soften up the building. At that point of the interview, the IO informed [redacted (b)(3), (b)(6)] of his rights under Article 31.(b), Uniform Code of Military Justice (UCMJ).

5. [redacted (b)(3), (b)(6)] invoked his rights under Article 31 and chose to consult with counsel prior to making any statements to the investigation. [redacted (b)(3), (b)(6)] consulted with counsel, [redacted (b)(6)] [redacted (b)(3), (b)(6)] US Army Trial Defense Service. Counsel has informed the investigation that [redacted (b)(6)] [redacted (b)(3), (b)(6)] would prefer to cooperate with the investigation, but has requested the investigating officer provide questions to [redacted (b)(3), (b)(6)] in writing. Efforts are underway to provide the investigating officer's questions to [redacted (b)(3), (b)(6)] via his counsel.

6. POC for this memorandum is [redacted (b)(3), (b)(6)]  
[redacted (b)(3), (b)(6)]@afghan.swa.army.mil.

  
ROBERT ARMFIELD  
Brig Gen, USAF  
Assistant Investigating Officer

The investigation interview of [redacted] at Bagram Airfield Afghanistan on 28 October 2015 at approximately 1400 hours, convened pursuant to memorandum of appointment by General Campbell, dated 17 October 2015.

Present for the Interview included:

Major General William Hickman, Investigating Officer

Brigadier General Sean Jenkins, Deputy Investigating Officer

Colonel [redacted] Investigation Team Special Forces Subject Matter Expert

LTC [redacted] Investigation Team Legal Advisor

Lt Col [redacted] Investigation Team Intelligence Subject Matter Expert

MAJ [redacted] Interviewee

CPT [redacted] Defense Attorney for Interviewee

CW4 [redacted] Investigation Team Targeting Subject Matter Expert

[redacted]: We are going to use that device so I am [redacted] I am the legal advisor to General Hickman and the investigative team here investigating the alleged civilian casualty incident in Kunduz Afghanistan on or about the period of darkness 2 to 3 October 2015. As we've discussed earlier, the ground rules for this interview we have present [redacted], from US Army Trial Defense, [redacted] [redacted], then we also have present from the investigation team, Major General Hickman, Brigadier General Jenkins, [redacted], our SME for Special Forces. We have our chief targeter, [redacted], and also [redacted] from INTEL. The ground rules are, so previously we spoke to you, [redacted], and we did advise you of your Article 31b rights. At that time you requested an attorney. Is that correct?

[redacted]: Yes, Sir.

[redacted]: Okay, knowing that, you have agreed to speak to the investigation team that is present here today. Is that correct?

[redacted]: Yes, Sir.

[redacted]: Okay. Subject to those, anything else I've missed [redacted]?

[redacted]: No, Sir, just for the record, [redacted] stationed here at Bagram Airfield, Afghanistan, gentlemen.

[redacted]: I'll turn it over to you [redacted]

(b)(3), (b)(6): Okay, so I think you've met, have you met the rest of the team besides me so far?

(b)(3), (b)(6): I don't think I've officially met (b)(3), (b)(6) Sir, but we saw you guys here before.

(b)(3), (b)(6): Okay, I'm (b)(3), (b)(6), I'm just, I am the (b)(3), (b)(6) (b)(3), (b)(6) presently and then detailed to be part of this investigation. I've previously served as (b)(3), (b)(6) here in Afghanistan just as far as kind of my background.

(b)(3), (b)(6): Yes, Sir. You definitely look familiar, Sir.

(b)(3), (b)(6): I've been around, that's for sure.

(b)(3), (b)(6): So we just want to, just in follow up to the previous interview which I was obviously not here for. I just wanted to follow up with a few more questions. It's a laundry list, so we'll try to knock these out and we'll certainly provide you with a copy of the entire list if you didn't already have it, but we'll try to make sure you get a copy for sure.

(b)(3), (b)(6): I want to be supportive, Sir, I'll answer whatever I can comfortably answer here and the rest of it, we'll just step out and I just need a few minutes if there is something I don't feel comfortable answering right here.

(b)(3), (b)(6): Okay, absolutely. So, the first one I think is going to be pretty easy. We just want to talk in general about your pre-mission training. So, prior to your departure, just talk us, in general, but fairly detailed kind of what you did, and really what your focus was on. Was it on, did you focus on train, advise and assist or did you focus on movement to contact, offensive operations, defensive operations,

(b)(3), (b)(6): Yes, Sir

(b)(3), (b)(6): With the full gamut, where was it or how was it balanced or weighted

(b)(3), (b)(6): Yes, Sir, it was very

(b)(3), (b)(6): and kind of where did you go to do your pre-mission training?

(b)(3), (b)(6): Yes, Sir. It was very heavily weighted in favor of train, advise, and assist type operations. We were well aware of what the operational environment is here in the RS context and we knew that it was, getting outside of the wire to do combat operations was mostly a thing of the past and we were really here to enable if that. We really wanted to improve Afghan capacity and their ability to do independent ops. So our

pre-mission training event for the AOB was we participated in (b)(1)1.4d  
(b)(1)1.4d We were partnered with 7 different partnered forces from different national contingents, (b)(1)1.4d it was quite a few.

(b)(3), (b)(6): Yep

(b)(3), (b)(6): and it was focused entirely on very much bread and butter troop leading procedures seven dash eight TAA.

(b)(3), (b)(6): Okay.

(b)(3), (b)(6): The (b)(1)1.4d were a little upset because it was (b)(1)1.4d unit, and so they became trainers as well and we partnered them up with someone so that they felt better about it. They didn't, they didn't appreciate not hitting an aircraft in favor of talking about troop leading procedures.

(b)(3), (b)(6): Yeah, roger that.

(b)(3), (b)(6): So that that was our main focus, Sir. I arrived in the company, actually, I got pulled back in from where I was after I completed ILE.

(b)(3), (b)(6): Yes, okay, good.

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

(b)(3), (b)(6): Absolutely.

(b)(3), (b)(6): So I got released from (b)(3), (b)(6) and went out to do that, so that was, I hit the ground running with that.

(b)(3), (b)(6): Okay, good.

(b)(3), (b)(6): Once we were done with (b)(1)1.4d, Sir, all that was left after that in terms of train up was our academics week.

(b)(3), (b)(6): Okay.

(b)(3), (b)(6): And that's where we covered all the intricate details of ROE, current authorities, we did numerous VTCs with the SOTF forward here as well as SOJTF. We met with (b)(3), (b)(6) in the rear at the (b)(1)1.4a to get his Guidance. So we came over very clear of what the current expectations in environment were. We were permitted to do what we were expected to do and which

way people saw the trends going in terms of US partnership. So we were very aware of what we thought we would be doing. Now what's actually happened has diverged a little bit, but we all know how things

(b)(3), (b)(6): Oh yeah, of course.

(b)(3), (b)(6): continuously change.

(b)(3), (b)(6): Yeah, of course. Yep, okay. So talk to me a little bit about your relief in place timeline and kind of what overlap you had, just some specific dates if you have them.

(b)(3), (b)(6): Yes, Sir.

(b)(3), (b)(6): When you got here, when your actual RIP date was, and stuff like that.

(b)(3), (b)(6): Yeah, I actually benefitted from a very extended RIP compared to historically. I came out on the first chalk of personnel. I was on the ground on (b)(1)1.4a and I was out to (b)(1)1.4a which is (b)(3), (b)(6) location which is on the southern end of Kabul, Sir, it's next to what used to be (b)(1)1.4a. It's part of that whole (b)(1)1.4a complex.

(b)(3), (b)(6): Okay.

(b)(3), (b)(6): So, I got there by (b)(1)1.4a was the day I arrived there and immediately began transition activities. The current (b)(3), (b)(6) was actually forward in the Kogeony District, Nangahar Province as part of an EAP package that TAAC-E was doing to advise.

(b)(3), (b)(6): Help me out with EAP

(b)(3), (b)(6): Expeditionary Advisory Package, Sir.

(b)(3), (b)(6): Okay

(b)(3), (b)(6): So they were, they had, forward TAA node to advise the (b)(1)1.4d

(b)(1)1.4d They were conducting a large operation called (b)(1)1.4a

I arranged for some air to get out there and I did the initial part of my RIP with my counterpart on the ground in Kogeony District alongside the TAAC-E leadership.

(b)(3), (b)(6): Okay

(b)(3), (b)(6): So, I got to see firsthand, before the rest of my guys even showed up, what TAA was like over here at this point of the war, because it was very different than when I was here the last time. So, I managed to get about 48 hours there, I went

back to (b)(1)1.4a and we ended up actually doing (b)(3), (b)(6) I believe on (b)(3), (b)(6) So, I had a healthy amount of time compared to what people traditionally get.

(b)(3), (b)(6) Yep, fair enough, okay. How often have you conducted combat ops in an urban environment in your personal career?

(b)(3), (b)(6): Sir, I was a (b)(3), (b)(6) in Ramadi, Iraq in (b)(3), (b)(6) OIF, so I was, that was nothing but urban for a year. It was a different environment, but, then Kunduz, but to be fair, I didn't see much of Kunduz. I saw it at night during penetration to get into the city, then from the perimeter from then on, so, it was different, but I have quite a bit of experience with urban combat. My experience in Paktika, we actually, we made it quite a point to avoid, it's much more rural province, but we made quite a point to avoid urban contact. It was a routine talking point in our **Shurahs** when we'd go into a village. You know, we're always ready to fight but we all agree let's do it outside the village.

(b)(3), (b)(6): Yeah.

(b)(3), (b)(6): Everyone had their standing rules of engagement with that and as General Jenkins knows there is plenty of fights to be had in Paktika, but it generally took place outside the city.

(b)(3), (b)(6): Yep, okay. How long had you worked with (b)(3), (b)(6)? I see probably, I don't want to put words in your mouth, but you obviously had just shown up to the Company...

(b)(3), (b)(6): and actually, Sir, (b)(1)1.4a I can't say it's persistently present in Kunduz, it's technically a cold base, but they've been there the whole time. They are not an organic part of my Company in the rear. Now we developed a relationship.

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

(b)(3), (b)(6) Yes, Sir, now of course, it would have been foolish of us not to develop a relationship with them before we came over and we did that. They received all of our briefs they gave us their back briefs. I did not know (b)(3), (b)(6) by name; however, until I got on the ground for this on 29 September.

(b)(3), (b)(6): Okay.

(b)(3), (b)(6) I knew the leadership of the ODA, but I couldn't have told you more than a couple guys on the team.

(b)(3), (b)(6) So then I'll ask the next question anyway. So, did you train with (b)(3), (b)(6) prior to coming to Afghanistan?

(b)(3), (b)(6) No, I did not, Sir.

(b)(3), (b)(6) Okay. Did (b)(1)1.4a participate in PMG with you guys, but part of (b)(1)1.4a (b)(1)1.4a they weren't did they not get sliced to (b)(1)1.4a?

(b)(3), (b)(6) No, Sir, they did not. We couldn't even bring our (b)(1)1.4a to (b)(1)1.4d. The restrictions, we could only bring (b)(1)1.4a. The remainder conducted alternate activities back in CONUS, two of them went to AP Hill, Virginia and they partnered up with our support company and used that as their TAA force. We had another one that went to Fort Pickett and did the same thing there, but we did not have (b)(1)1.4a for any of the pre-mission train up.

(b)(3), (b)(6) Okay, fair enough. So talk to me a little bit about your experience with AC-130 gunships in general, do you have you used them before in combat, in training, and if so where, and talk to us a little about

(b)(3), (b)(6) No, I have not, Sir, I have had them overhead in Paktika on five, maybe six occasions, but it wasn't something I routinely got, for one thing, doing, doing offensive half operations was still the exception to what we normally did in Paktika, we would do it, but it wasn't our primary purpose, and even when we did, there were so many US Forces and elements present in Afghanistan back then, it was generally reserved for (b)(1)1.4a

(b)(3), (b)(6) Trust me, I know.

(b)(3), (b)(6) So, there were a handful of occasions where I had it, Sir, but I never employed it even when I did have it. This was the first time.

(b)(3), (b)(6) Okay, so for (b)(1)1.4a where did Kunduz province fall in kind of your level of priority as you kind of prioritized the effort of your Company?

(b)(3), (b)(6) Yes, Sir. In terms, if I was to rank each of our (b)(1)1.4a, (b)(1)1.4g provinces in AOB North in order of relative importance to me, Kunduz was number two; however, I had briefed on several occasions, I did not believe, and ironically, I probably jinxed myself with this, I said, I did not believe that we should get involved in Kunduz any further than TAA, unless the provincial capital falls because structurally it is such a political and ethnic problem, it's not something that we can effectively weigh in on. The only thing that I said was a show stopper was we can't lose the provincial capital, because it had already been surrounded when we got here. We knew it was coming, but we didn't expect it until the spring and we sure didn't think they could take a provincial capital. I don't think anybody really did.

(b)(3), (b)(6) Right. So had you ever been in Kunduz city prior to the 30<sup>th</sup> of September or so?

(b)(3), (b)(6) No, Sir.

(b)(3), (b)(6) So getting into the operation a little bit, when was the last night prior to the operation or I suppose during, but probably not during. Prior to the operation when is the last time you had more than four hours of sleep? Do you remember what period of darkness that might have been?

(b)(3), (b)(6) POD 26 to 27 September, Sir.

(b)(3), (b)(6) Okay, at about, without getting into detail, did you get a full eight hours of sleep or

(b)(3), (b)(6) I probably got a solid six hours, Sir. That's generally what I shoot for, but then after that, things started deteriorating, then the city fell, and the next day, I was in Kunduz so there wasn't much sleep to be had.

(b)(3), (b)(6) Yeah, no, roger that. So we're going to talk a little bit about persons designated with special status. If you can remember who you made the request to, why did you make the request, and what did you understand that to mean as far as this operation went.

(b)(3), (b)(6) Yes, Sir, we had been briefed as part of our pre deployment training about PDSS and we had covered it with our counterparts forward. In the case of this, because we weren't sure what type of authorities this operation would go under even after, we had talked to General Campbell on VTC, but we didn't discuss authorities on it.

(b)(3), (b)(6) Yeah.

(b)(3), (b)(6) He was very much in a hurry to get back to DC, he had a lot on his plate.

(b)(3), (b)(6) Right.

(b)(3), (b)(6) I always go under the default that we are going to be operating under RS, that's just the safe bet.

(b)(3), (b)(6) Yep, sure.

(b)(3), (b)(6) So I knew that PDSS in those situations would be a requirement. What I understand that to mean is if I have a document that says PDSS has been



granted for this list of partnered forces for this period of time, then that means if I see a

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

(b)(3), (b)(6): Right.

(b)(3), (b)(6) Hostile Intent, I may be wrong, but I was under the assumption, or I believe that hostile intent is not sufficient for me to engage under PDSS, and I may be wrong, but again, better to err on the side of caution.

BRIGADIER GENERAL JENKINS: Okay, so Can we go to the SVCT?

(b)(3), (b)(6) Sir, of course.

BRIGADIER GENERAL JENKINS: Can you, I know it's been some time, but just kind of the conversation, so you're out at the camp,

(b)(3), (b)(6) Yes, Sir

BRIGADIER GENERAL JENKINS: They're in the SVCTs, right, you've got the commander here that's on speaker phone with (b)(3), (b)(6) who's on the SVCTs because it's over a unique system

(b)(3), (b)(6) Yes, Sir

BRIGADIER GENERAL JENKINS: and we learned that today. Can you recall any of the discussion, I know you had a speaking part

(b)(3), (b)(6) Yes, Sir.

BRIGADIER GENERAL JENKINS: In that, really given the conditions of the city of Kunduz and the provincial capital. Any guidance that you got, anything said would be helpful.

(b)(3), (b)(6): Well, Sir, the primary conversation was between General Campbell and then (b)(1)1.4d, (b)(6)

BRIGADIER GENERAL JENKINS: Tracking.

(b)(3), (b)(6): General Campbell was understandably upset. Not only was it a shock and travesty that they had (b)(1)1.4d

(b)(1)1.4d We learned that it was a little more formidable force than we thought, but I definitely supported and reinforced the General's opinion that it hadn't been a (b)(1)1.4d He was very pointed in his questions to (b)(1)1.4d, (b)(6) of what are you doing to retake the city and (b)(1)1.4d, (b)(6) understands a good bit of English, can speak some, and he was already very, he was

(b)(1)1.4d

General Campbell was very straightforward with him about his expectations and (b)(1)1.4d, (b)(6) because he was not using the interpreter that I had next to me, continued to answer questions that were not the ones that General Campbell was asking and after about three times of repeating himself, General Campbell was somewhat upset

BRIGADIER GENERAL JENKINS: Sure.

(b)(3), (b)(6): understandably, and that's when I inserted myself into the discussion and said

BRIGADIER GENERAL JENKINS: On behalf of (b)(1)1.4d, (b)(6) basically, yeah.

(b)(3), (b)(6): General, I've got this

(b)(3), (b)(6) So I told him what the plan was for employment of (b)(1)1.4d (b)(1)1.4d in the city. I said that there was a back fill plan that (b)(1)1.4d, (b)(6) (b)(1)1.4d had briefed to us. We were skeptical of it. We had heard it before, but nonetheless, it was very clear from General Campbell and I fully concurred that the sooner we got into the city, the better because based on my experience with urban combat, from when I was a young Lieutenant, the more time an urban defender has time to prepare, the worse it's going to get for everybody. (17: 20). Any civilians that are left in the city the people on offense and everything else. It's only going to get worse and so we all agreed it had to happen fast and the only people who were willing to go in unfortunately were people who did not know the city of Kunduz.

BRIGADIER GENERAL JENKINS: Right, Okay. Any guidance to you, specifically, you and the team?

(b)(3), (b)(6) Sir, it wasn't specific guidance to me and the team, it took it more as being directed at (b)(1)1.4d, (b)(6) but the intent was make sure this happens. I, I definitely left the VTC feeling like and totally agreeing that this was a vital operation that had to happen. It had to happen as soon as possible, failure was not an option on this operation. It would have regional strategic impact if it didn't happen, so I felt that whatever words specifically were spoken to (b)(1)1.4d, (b)(6) it was understood by all that this had to happen immediately and I had to make sure that it happened. We had to get in there and take the city.

BRIGADIER GENERAL JENKINS: Okay, thank you.

(b)(3), (b)(6): Okay, getting briefly back to the PDSS, was PDSS approved?

(b)(3), (b)(6): Yes, sorry, Sir, I totally forgot to cover that part.

BRIGADIER GENERAL JENKINS: No worries, I interjected.

(b)(3), (b)(6): So we brought it up, actually the night before we ended up going into the city. When I got off the helicopter, (b)(1)1.4d, (b)(6) came up and said basically they're abandoning the perimeter and the base is about to fall and so, we quickly told the (b)(1)1.4a that were there put together a quick CONOP drive north, and reestablish the perimeter. And so, while we were focusing on that, I called back here to to SOTF, I believe I talked directly to (b)(3), (b)(6) and inquired about

(b)(1)1.4a  
(b)(1)1.4a This is not the movement into the city. He started the works in motion to get PDSS for what we knew, I mean, I still was skeptical we would actually end up going in to the city the next day, but we definitely had to lean that way and so he started the ball in motion to make sure that we had it for the next one. But he said for that night, we wouldn't need to worry about it because based on the nature, the task and purpose of saving the base and defending the perimeter, it would be covered by self-defense. There's no way around that, so it wasn't going to be necessary for that. No one was projecting, so we did get PDSS granted. I remember getting confirmation about two hours before we launched on the

(b)(1)1.4a  
they gave us. I had asked originally

BRIGADIER GENERAL JENKINS: And for which units?

(b)(3), (b)(6) I was told for all the ones on the CONOP, Sir, so that would have covered (b)(1)1.4d

BRIGADIER GENERAL JENKINS: (b)(1)1.4d

(b)(1)1.4d, (b)(3), (b)(6) wasn't initially on it, Sir. They ended up eventually joining us. (b)(1)1.4d unfortunately has been the most (b)(1)1.4d which is really saying something. They (b)(1)1.4g yet and things started going so bad in this province that they were pushed forward to static checkpoints, so most of (b)(1)1.4d was not familiar with Kunduz city either. They'd been on perpetual

(b)(1)1.4d

(b)(3), (b)(6): Which CONOP do you believe you were operating underneath of there during the period of darkness between 2 and 3 October?

(b)(3), (b)(6) There was only 1, Sir, so, let's see, Dash 002. Alright, well this one's got the, they all have cover sheets, okay, prison, yeah, because this one has the 31 September even though there is no 31 September. Yes this is all correct, just let me make sure that this one is something different. Yes, this is the original one. (b)(1)1.4d, (b)(6)  
(b)(1)1.4d. Original plan, Sir, the one that for the record here is listed as, let's see here, I can't find the distinguishing mark for this one, but it's got the NATO Resolute Support Cover Sheet says Kunduz City Foothold Establishment with (b)(1)1.4d who was

not part of the operation. This one was what was initially submitted, it wasn't even truly submitted. It made it to SOTF as far as I know

(b)(3), (b)(6): Yep.

(b)(3), (b)(6): because we were, when we, like when I was en route on the 29<sup>th</sup>, I was in the air they were putting this together in preparation in case there was going to be some situation where we had to go into the city, but that night, we ended up having to defend the airfield.

(b)(3), (b)(6): Defend the airfield, right.

(b)(3), (b)(6): By the next day the plan had shifted and we were all glad it shifted from the west side of the city and the hospital to the east. One thing we discussed and we discussed later on when we were in the city, okay, so the one we actually used (b)(1)1.4-09-002, Kunduz Clearing Patrol. That is the CONOP we used.

BRIGADIER GENERAL JENKINS: Do you recall when that came back approved?

(b)(3), (b)(6): Not the exact date time group, Sir, but it would have been around 2030, 2100, just before when our scheduled execution time was. We weren't able to launch on time anyway. As like a final insult to injury no one on (b)(1)1.4a would provide the (b)(1)1.4 with fuel for the vehicles even though the (b)(1)1.4 were the only force that were willing to go fight in the city so they had to find a source of fuel before we could leave. We didn't end up SP'ing until about 2300 or so.

BRIGADIER GENERAL JENKINS: Yep, okay.

(b)(3), (b)(6): Jumping around a little bit, but getting back to the VTC, were you the only US member

(b)(3), (b)(6): Yes, Sir.

(b)(3), (b)(6): in the VTC at your position.

(b)(3), (b)(6): Yes, Sir.

(b)(3), (b)(6): The only people who were there it was (b)(1)1.4d, (b)(6) myself, my interpreter, and down at the end there were the (b)(1)1.4d personnel who were maintaining the infrastructure.

(b)(3), (b)(6): Okay. Again, just to cover this for the, so you got a bunch of information from the VTC, did you relay any instructions that General Campbell gave to you or to (b)(1)1.4d, (b)(6) to your force prior to departure?

(b)(3), (b)(6): Sir, I definitely included as part of my commanders comments at the end as part of my pre-mission CONOP brief and rehearsal, I definitely had comments at the end that just underlined the strategic importance of this. This wasn't our normal operation. This wasn't to disrupt prioritized threat network. This was to make sure that the Afghans were able to re-secure a Capital City and we didn't have much access to the media at that point in time, but I think that everyone understood very well that this was something that was going to be in international headlines and it was going to be a big issue for everyone.

(b)(3), (b)(6) Absolutely, so on that line too, you remember making a statement to the effect of, "the whole world is watching?"

(b)(3), (b)(6): That sounds like the kind of fire up speech I would have given, Sir.

(b)(3), (b)(6): Roger, that. So as you were departing, besides one over fifty map, did you have any other (b)(1)1.4a, (b)(1)1.4g or anything going in?

(b)(3), (b)(6): The controllers, Sir, they tried to make (b)(1)1.4a, (b)(1)1.4g for everyone, I can't call them truly (b)(1)1.4a, (b)(1)1.4g. They tried to make imagery with grids on them for some fire de-confliction purposes. It wasn't like we had numbered buildings. That would have been basically impossible on something this size especially in the time we had available. They tried to print imagery; however, (b)(1)1.4a infrastructure, being a cold base, on top of not getting as much love up there, they had one old printer and it was printing out these giant magenta blobs. They were worthless so nobody ended up using them. I think the all the JTACs still brought them out, but they wouldn't have been valuable.

(b)(3), (b)(6) They were useless, yeah.

(b)(3), (b)(6): They still had their digital means, until we started running out of batteries.

(b)(3), (b)(6) Yeah.

(b)(3), (b)(6): and that ended up contributing to the perfect storm with the batteries.

(b)(3), (b)(6): Sure. How long did you guys think you were going to be gone when you departed on the 30th?

(b)(3), (b)(6): 24 hours, Sir, max. We had 36 hours, maybe 48 hours' worth of supplies, but we, I really thought and I told General Campbell in the VTC, I believe this was a well-coordinated attack by a small group of dedicated individuals, maybe (b)(1)1.4a, (b)(1)1.4c

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d

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

thought they launched a simultaneous attacks on a few weak check points and everybody had basically thought the Mongol hoard is coming and abandon the City. I did not, I fully expected that we would meet some stiff but brief resistance moving into the city, and they would realize okay they're not going to let us have it, they would move back to their perimeter, and they would enjoy the spoils of what they came in to get, all the ammunition and vehicles that they had already plundered. That's what I expected. So I really thought that the Afghans would see that it wasn't that big of a deal and they would all come back in.

(b)(3), (b)(6): Yeah, okay.

BRIGADIER GENERAL JENKINS: What do you think that the, and I know it's an estimate, did you have an INTEL brief upfront as you were getting ready to depart on the 29<sup>th</sup> via SVTCs or via (b)(1)1.4a, (b)(1)1.4g

(b)(3), (b)(6): I had products passed to me from SOTF Headquarters, Sir, as well as what my (b)(1)1.4a center could piece together. It was more related to the insurgent leadership in the Province. Now some of those reports would have the standard blurb about is responsible for (b)(1)1.4a, (b)(1)1.4c

BRIGADIER GENERAL JENKINS: (b)(1)1.4a, I don't want to put words in your mouth, but leadership.

(b)(3), (b)(6): I was tracking the leadership very well despite not knowing Kunduz, itself, Sir. (b)(3), (b)(6) has a focus on (b)(1)1.4a, (b)(1)1.4c so I was very familiar with (b)(1)1.4a, (b)(1)1.4c

BRIGADIER GENERAL JENKINS: Okay, okay.

(b)(3), (b)(6): But I, as for number of enemy combatants that would have been pure speculation.

BRIGADIER GENERAL JENKINS: If you could estimate a cap

(b)(3), (b)(6): A cap that what I

BRIGADIER GENERAL JENKINS: Do you think its thousands; do you think its hundreds?

(b)(3), (b)(6): That I actually saw, Sir?

BRIGADIER GENERAL JENKINS: No, no.

(b)(3), (b)(6): or what I expected?

BRIGADIER GENERAL JENKINS: What you expected.

(b)(3), (b)(6): Based on my experience working with Afghans, Sir, and our consistent (b)(1)1.4d math, I would have expected that the most they could have mustered for this was maybe 300. I figured Province-wide, it's not hard to believe that there would have been 100 to 150 in each district, so maybe you figure they've got their standing home defense force that are more like the militia levy, and they have their foreign fighters that they can bring together, whether it's IMU or whoever they can bring together for an assault like this. So, I couldn't imagine going in that there would be more than 300.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6): But I didn't truly consider the max number.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6): So fast forwarding to the night of the incident, we understand that you started initiating a rest plan, and on that, I think (b)(3), (b)(6) had the first shift, (b)(3), (b)(6) had the second shift, and then you came on at midnight does that sound roughly accurate?

(b)(3), (b)(6): That sounds right, Sir, I honestly can't remember which one of them came and woke me up. I think (b)(3), (b)(6) did. I can't remember for sure.

(b)(3), (b)(6): Okay, that frankly doesn't matter. So, but you did come on duty at roughly midnight on

(b)(3), (b)(6): It was a little before that, Sir, they got me up right as resupply convoy was approaching

(b)(3), (b)(6): As the (b)(1)1.4c came back in

(b)(3), (b)(6): This actually, no, Sir, this isn't the (b)(1)1.4d. We were so down on supplies that they brought out a little (b)(1)1.4d re-enforcement package. They came out with I don't remember how many vehicles, but they had the international truck from (b)(1)1.4a and that had a 55 gallon drum of Class III for us with a pump, a bunch of water, a few cases of MREs, little bit of small arms ammo, no batteries unfortunately, that's what we needed the most, but it was the international truck with an escort. It took sporadic contact on the way in, but didn't receive the, you know, the brunt of anything.

(b)(3), (b)(6): So, again, you came on duty somewhere between 2300 and midnight?

(b)(3), (b)(6): Yeah, somewhere in there, Sir.

(b)(3), (b)(6): So about how many calls did you receive from the (b)(1)1.4b or any other Afghan Security Force Personnel with regards to kind of the (b)(1)1.4b plan to come up and retake the NDS facility?

(b)(3), (b)(6): The plans that I had gotten, Sir, all the plans were worked out as far as I knew before they ever left. I hadn't gotten any updates on a change to the plan.

(b)(3), (b)(6): Before you left on the 30th or

(b)(3), (b)(6): No, Sir, so, on the 2nd.

(b)(3), (b)(6): So where did you, just talk us through how you learned of the plans for the (b)(1)1.4b to retake the NDS.

(b)(3), (b)(6): Yes, Sir. Okay Sir, so on the 2<sup>nd</sup> at the height of the contact in the afternoon around 17 or 1800, we were really being strongly tested, had to employ several danger close strikes, the (b)(1)1.4b had taken some wounded, we helped them get those guys stable, they had loaded them into their ambulance (b)(1)1.4b I convinced the Commander on the ground who after now since I have been fed all these great line and block diagrams with all the mug shots, I believe it was the (b)(3), (b)(6) but he talked about wanting to take them back right then. It was still daylight out, the contact was ridiculous, I convinced him that was a bad idea. The guys were stable; it could wait until it was dark. He came back at some point soon after that and said they had targets in mind, and I said something to the effect of okay so, you know, brief (b)(3), (b)(6), and tell him what you want to do and what you need and we'll figure it out. So he gave a patrol brief to (b)(3), (b)(6) at some point. I thought it was right around at that timeframe, but I believe that they've said it was a little later than that, but I don't know for sure, so

(b)(3), (b)(6): Okay, that's good

(b)(3), (b)(6): He gave it to (b)(3), (b)(6) came to me once things had started to get more under control. When there wasn't any more human waves coming at the towers, he came up, he showed me the plan, it was written on a piece of green write in the rain paper that he had torn out. It had a grid, said, I think it was NDS prison was what the nomenclature was for it. They said they were going to do it as part of a re-supply operation. They'd go back to (b)(1)1.4b they'd drop off their casualties, pick up what supplies were needed, and they would drive back out. There was actually two targets they said they were going to hit, but they didn't even have a location for the other one, so we didn't concern ourselves much with it, they just said it was further north, like up around the market somewhere. So, we focused on NDS prison. When I plotted the grid, the NDS prison we were tracking, just kind of like how we were tracking a different hospital than the one that ends up becoming in question, we were tracking a prison right along (b)(1)1.4a south of where the complex is right there and that



was one of our objectives on the initial infiltration. The grid didn't plot there so I was a little confused and I was told by I think it was the (b)(6) at that point, oh there's another one, there's a different one and this was a consistent theme throughout our time there. There were multiple things called the NDS headquarters, the NDS prison. There was all kinds of posts throughout a City of this size and even the (b)(1).4 don't think fully appreciated it. I always assumed they were getting their information from the NDS, but I couldn't be sure. So, okay, fine, other NDS prison, that's fine. What do you need? He asked if they would have air support. It's been an ongoing concern even now, even once things are pretty stable up there, will we have air support? And I told him, as long as you're part of our integrated defense, then you're covered, so no issues, if you're part of our integrated defense, and the way I define it, I didn't spell it out to him, it wasn't really something he needed to fully understand, but if it was within a range where if they put a DISHKA or ZPU on a roof that they could shoot down into our compound, or effectively against our HESKO walls, I considered that to be our imminent threat/self-defense bubble because we knew they possessed those weapons, they had been employing them against us, and (b)(1).4a, (b)(1).4g and those HESKOs were basically what was keeping us alive, so I considered that to be an imminent threat. The only communication I had after that was after I was woken up, I inquired about when they were going to leave. There was a call back to whoever it was in the rear I don't know who the (b)(6) spoke to from the (b)(1).4 but he said I'm planning on SPing about 0130.

BRIGADIER GENERAL JENKINS: Do you recall the name of the LNO?

(b)(3), (b)(6): I don't, Sir. I eventually was sent a picture of the guy who I believe it to be. It wasn't part of the initial line and block diagram that the CCAT team sent to me. They found it later and said what about this guy, said well it was dark when everything happened, but he was definitely the closest match, but I can't remember his name.

(b)(3), (b)(6): My understanding is that the general reporting chain how things are reported up came from an Afghan and the (b)(1).4 to a Terp?

(b)(3), (b)(6): The one who was the (b)(6) did not speak English, so I did have to use an interpreter when I was speaking to him

(b)(3), (b)(6): So maybe there were two Terps, maybe an Afghan, no so well it went to Afghan

(b)(3), (b)(6): So, if I wanted to get information, Sir, I would have to talk to my interpreter, who would talk to the (b)(6), who would call to somebody

(b)(3), (b)(6): At the (b)(1).4

(b)(3), (b)(6) Call back to (b)(1)1.4a and yes, it was somebody back there, Sir.

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

(b)(3), (b)(6) and I never asked them to specify, like are you talking to the (b)(1)1.4d  
(b)(1)1.4d commander

(b)(3), (b)(6): So you don't know who you were talking, I don't want to put words in your mouth, do you know who you were talking to?

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

(b)(3), (b)(6): Sure, okay. At any point, did you provide the SOTF with what you thought the (b)(1)1.4d plan was to go to the NDS facility?

(b)(3), (b)(6): I definitely called up that they had a plan and route back that they were going to try, I don't remember which tactical term I used, I believe it was secure, the NDS prison so they were tracking that. I don't remember providing any grids. I may have given them a more detailed brief, but I sure don't remember it, Sir. I'm sure that I told them that en route back they were going to secure/clear, one of those terms, the NDS prison.

BRIGADIER GENERAL JENKINS: On the way back up from the Camp to your location?

(b)(3), (b)(6) Yes, Sir. I can't remember when I reported it. I don't know if I reported it right after they told me, they gave me the initial WARNO they were going to do it or after I got the patrol brief from (b)(3), (b)(6)

BRIGADIER GENERAL JENKINS: Okay

(b)(3), (b)(6) I can't remember

(b)(3), (b)(6) So in your discussion with the (b)(1)1.4d at some point you got from from a Terp from the Terp to the (b)(6), they provided a description of the NDS objective. Do you remember when you got that or from whom, any idea from whom in the actual (b)(1)1.4d other than the Terp, you got it from, and then do you remember what that description was?

(b)(3), (b)(6): I do, Sir, but this is actually getting close to the strike piece of it can we take a break, Sir.

*The interview was recessed at 15:05 Local.*

*The interview reconvened at 15:10 Local.*

(b)(3), (b)(6): In your discussions with the (b)(1)1.4d through an (b)(6) or interpreter, what is your impression of the original description they gave you for the NDS facility.

(b)(3), (b)(6): Yes, and this is where it gets confusing I think for the investigation team because there's the (b)(1)1.4a you have to go off and there's the way I recall it

(b)(3), (b)(6): And that's what we are looking for. That's what we want is what you recall, that's what we're trying to, exactly, because we've got the (b)(1)1.4a and we know what was said there

(b)(3), (b)(6): yeah.

(b)(3), (b)(6): and we understand the disconnect there so we're really looking for

(b)(3), (b)(6): yeah, the way I

(b)(3), (b)(6): is what you understood,

(b)(3), (b)(6): Yes Sir.

(b)(3), (b)(6): not, we understand the whole telephone game and how things go and there was a telephone game between you and (b)(3), (b)(6) to the crew

(b)(3), (b)(6): Yes, Sir.

(b)(3), (b)(6): There's a big line there, so what we are looking for is what you understood.

(b)(3), (b)(6): Understand, so the way I remember everything happening was that (b)(3), (b)(6) asked me for a description of the target. I asked the (b)(1)1.4d, (b)(6) and the description I got, and this is before they even SP'd from (b)(1)1.4a was a long T-shaped building with a small off shoot. I can't remember the word I would have used for it. In a walled in compound with multiple out buildings and there was a gate facing to the north with an arch.

(b)(3), (b)(6): Okay.

(b)(3), (b)(6): And that was the description that I remember.

(b)(3), (b)(6): That you received?

(b)(3), (b)(6): receiving and then passing through (b)(3), (b)(6) to the Air Crew. Now the (b)(1)1.4a makes it sound like they describe it and pass it to us. I don't remember it happening that way.

(b)(3), (b)(6): That's fine. I appreciate your response.

(b)(3), (b)(6): Okay, Sir.

(b)(3), (b)(6): So now we're going to move in to it a little further and again please take whatever time you guys need. From your perception, your expectation, what was the purpose of the AC-130 fires and then what purpose did you pass through the JTAC. What did you expect to get passed to that AC-130 crew as far as your purpose for the AC-130 fires.

(b)(3), (b)(6): The AC-130's overall purpose for the operation was self-defense of our perimeter, now in the case of where the (b)(1)1.4 were going, it fell within what I considered to be our self-defense bubble.

(b)(3), (b)(6): Sorry about that

(b)(3), (b)(6): No problem, Sir. So

BRIGADIER GENERAL JENKINS: Can you say that statement again. It fell within your perimeter for the self-defense.

(b)(3), (b)(6): Yes, Sir, I considered it to be within that. There were buildings where if a heavy weapon were placed on top of it, it could accurately engage us and pose a pretty significant threat. So, as (b)(1)1.4g (b)(1)1.4g it's still a delay and we were talking about distances of City blocks here where dismounted insurgents with chest racks on cover distance very quickly and we knew that they had pretty significant numbers by this point in time so I wanted to make sure that any fire if it was required was going to be very responsive, now the task and purpose that I passed for those fires was that if the (b)(1)1.4 were to take fire en route to the objective and they got fixed in place what I wanted to do was to reduce heavy weapons and strong points so that they would be able to effectively maneuver on to the objective.

(b)(3), (b)(6): Okay.

(b)(3), (b)(6): I mean honestly, a (b)(1)1.4g

(b)(1)1.4g I can't expect them to assault that.

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

(b)(3), (b)(6) But they can't sit out there and die on the road.

(b)(3), (b)(6) Yeah.

(b)(3), (b)(6) So that was, that was the intent, the task and purpose for the fires.

(b)(3), (b)(6) From your understanding, did the JTAC accurately pass your guidance to the AC-130 crew. I don't know if you were standing right next to (b)(3), (b)(6) or where you were

(b)(3), (b)(6) I was walking

(b)(3), (b)(6) physically with him, but I know you were all kind of around a HMMWV but

(b)(3), (b)(6) I generally tried to stay with him, Sir. I was walking around a lot, but he did ask me for clarification on what my intent was and that is when I remember very specifically spelling it out reduce heavy weapons and strong points to allow friendly force to maneuver. So that, there shouldn't have been any confusion after that. I don't know what he passed before that, I mean I do now that I have read the (b)(1)1.4a

(b)(3), (b)(6) Right, right.

(b)(3), (b)(6) But I never used the words to my knowledge that he passed.

(b)(3), (b)(6) So you were confident that (b)(3), (b)(6) understood your intent.

(b)(3), (b)(6) Well, yeah, I'm confident that after he got clarification, there was no doubt.

(b)(3), (b)(6) Okay.

(b)(3), (b)(6) And again, this is why I wanted to go through it prior to the actual contact. Because if they were going to take contact, I did not want to play twenty questions while they were taking fire. So I wanted to make sure that we were on target and that everyone understood exactly what needed to happen.

(b)(3), (b)(6) Yes, okay. So as you came, so what authorities and what evidence did you have of those authorities to authorize the AC-130 to then begin engaging on the objective?

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

(b)(3), (b)(6) Okay.

(b)(3), (b)(6) While our physical perimeter was smaller than that, it fell within the imminent threat of destruction to our force perimeter.

(b)(3), (b)(6): Okay

(b)(3), (b)(6): And so, that's what I considered.

(b)(3), (b)(6) Okay. What evidence did you have that insurgents were located at the objective and then what evidence did you have that there weren't any civilians at the objective or in the objective building.

(b)(3), (b)(6) Well, Sir, in terms of insurgent presence, everything west of route (b)(1)1.4a was swarming with insurgents and that was confirmed over the previous 48 hours by (b)(1)1.4c Squad sized elements maneuvering with heavy weapons, with HMMWVs that they had seized, it was something we knew, we knew from the reports that were furnished to me by AOB and SOTF going in that insurgents had seized everything in the City of value and were also present in various homes and non-government structures. So in terms of that specific location when I believed the target to be on the National Directorate of Security location.

(b)(3), (b)(6) That's where we're going all along here

(b)(3), (b)(6): Yes, nobody squats in an NDS facility. That is something that I can safely say. An abandoned house, an abandoned old government building, maybe. The last place that you are going to decide to shack up whether, if you are a civilian or somebody who's not associated with the NDS, no one goes to the NDS to camp out. That's not the place you want to go. You're just going to have trouble if you do that.

(b)(3), (b)(6) Yep, fair enough.

(b)(3), (b)(6) So when I, and I asked to the (b)(1)1.4d I'm like confirm that this, because after we had the (b)(1)1.4a, (b)(3), (b)(6)

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

(b)(3), (b)(6): Yes, Sir, I said confirm this has been taken over by the insurgents. I knew there was no friendly forces. And they said absolutely confirmed and

since we were getting the vast majority of the grids and other (b)(1)1.4c from the NDS, it was reasonable to believe that the NDS was (b)(1)1.4c about their own location having fallen, and when I combine it with talking with the (b)(1)1.4c when they were giving the building description, they said there was going to be a guard force that was about squad sized, there was about a squad sized element of guard forces. They were going to be behaving a certain way. Everything correlated, the POL correlated, the building description, the (b)(1)1.4c were very clear that this is under insurgent control and that drove my thought process going into it. This is definitely under enemy control.

(b)(3), (b)(6): Okay, so let's talk then about positive identification. What technique did you use to positively identify the insurgents?

(b)(3), (b)(6): Sir, since I couldn't directly observe the location I knew that I needed more than (b)(1)1.4c to do it. So my initial one was obviously the (b)(1)1.4c, (b)(1)1.4d providing intelligence about where they were going and what its enemy disposition was, so that was the first one. That alone wouldn't have convinced me to strike it; however, when I had an (b)(1)1.4a, (b)(1)1.4g that describes a target, the disposition of the target and the pattern of life on it that's completely consistent with what I've heard from the Afghans, so now I've got (b)(1)1.4a, (b)(1)1.4c saying, same thing, so that reinforces it, but what did it for me in the end was when I believed the (b)(1)1.4c convoy to be at that parallel cross street

(b)(3), (b)(6): Yep.

(b)(3), (b)(6): or the perpendicular cross street

(b)(3), (b)(6): Yep.

(b)(3), (b)(6): to the facility, I heard sustained automatic weapons fire and when I tried to find the

(b)(3), (b)(6): that's when you were talking to them on the phone?

(b)(3), (b)(6): Well, I was, we were

(b)(3), (b)(6): Oh, you could hear it from your own location.

(b)(3), (b)(6): I could hear the fire, yes, Sir, and I mean, there was always some, even in the middle of the night, there was always sporadic fire.

(b)(3), (b)(6): Sure.

(b)(3), (b)(6): But this was sustained bursts of automatic weapons fire.

(b)(3), (b)(6): Right.

(b)(3), (b)(6) and it was coming from that general direction. And so I asked the (b)(1)1.4d, (b)(6) are they in contact. He can't get through them at first,

(b)(3), (b)(6) Yep.

(b)(3), (b)(6): and so I think okay so that's a sign that their probably in contact.

(b)(3), (b)(6): Yep.

(b)(3), (b)(6) Fire continues and I ask him again and he says strike now. I assume they are decisively engaged

(b)(3), (b)(6) Yep.

(b)(3), (b)(6) based on my own hearing of close proximity fire from that direction.

(b)(3), (b)(6): Yep.

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

(b)(3), (b)(6): Okay. What pattern of life was established on the objective?

(b)(3), (b)(6): Yeah, so.

(b)(3), (b)(6) and then what pattern of life did the AC-130 pass to you or the JTAC to describe the activities by the individuals on the objective.

(b)(3), (b)(6): Sir, the best of my knowledge when they were describing, the Afghans were describing to me what the target looked like and enemy disposition, you know, they said there's a hundred of them inside there that are there for a meeting, planning the next assault. I told them, yeah, it's unlikely that we're going to find a hundred people packed into any structure anything like that and they said well there's guards. There's about a squad and there's going to be a couple by the gate. What gets passed from the aircraft is there's a (b)(1)1.4a there's (b)(1)1.4g that appear to be guards near the gate, and so it checked out with what we were expecting to see. I mean it was frankly, with the amount of contact that we had received and the vast majority of it coming from the west, it was unthinkable for me to believe that there would have been anything functional over there in terms of essential services.

(b)(3), (b)(6): Yeah, okay. Sir, I think that concludes our questions

(b)(3), (b)(6): Your portion.



(b)(3), (b)(6): Unless there are any follow up questions, General Jenkins, General Hickman...

BRIGADIER GENERAL JENKINS: I'm just going to look through my notes real quick here

(b)(3), (b)(6): Thank you (b)(3), (b)(6) I appreciate it.

(b)(3), (b)(6): Of course, Sir.

(b)(3), (b)(6): Thank you very much for answering these questions for us.

(b)(3), (b)(6): We want to participate as much as possible

(b)(3), (b)(6): We're just trying to get to the, you know this is a very complex, complicated situation and we're just, we are really just trying to get to the bottom of it because there is

(b)(3), (b)(6): I understand, Sir.

(b)(3), (b)(6): There is so much information out there and this is

(b)(3), (b)(6): I can't wait for some accurate information to get out based on what I've seen in the news

(b)(3), (b)(6): Us too, trust me.

BRIGADIER GENERAL JENKINS: I'm just going to revisit real quick (b)(3), (b)(6)

(b)(3), (b)(6): Yes, Sir.

BRIGADIER GENERAL JENKINS: The (b)(6) passed you the description of the objective through the interpreter.

(b)(3), (b)(6): That is the way I remember it, Sir.

BRIGADIER GENERAL JENKINS: Okay

(b)(3), (b)(6): Is that they passed it to me, we passed it to the aircraft

BRIGADIER GENERAL JENKINS: Long T-shaped building, I don't want to put words in your mouth, just so I'm correct, Long T-shaped building with small off shoots and out buildings and gates surrounded by a compound. Was there a mention of a gate with an arch?

(b)(3), (b)(6): Yes, Sir.



(b)(3), (b)(6) Yes, Sir, map on the hood and sitting in the TC seat with the radio turned up. Now, I can't guarantee what (b)(3), (b)(6) did on their shift, but I definitely walked away from it periodically, but it, I, they, I talked to them on (b)(1)1.4a, (b)(1)1.4g as well pretty frequently because frankly the type of traffic I was going to pass on

(b)(1)1.4a, (b)(1)1.4b was going to continue to be, yes, we're still taking fire, not helpful, but I could talk to them on (b)(1)1.4a, (b)(1)1.4b and we could go through like the resupply COAs. When we decided we were going to stay later, as they started, I would call up to them on the (b)(1)1.4a, (b)(1)1.4b and they would tell me what COAs they were working for how we were going to get re-supplied, what the status was of the forces at (b)(1)1.4a. By then (b)(3), (b)(6) was there, so he was trying to help with getting the necessary supplies on to the convoy, so there was an exchange of information back and forth.

BRIGADIER GENERAL JENKINS: Sure

(b)(3), (b)(6) But they really had to rely on us for enemy disposition

BRIGADIER GENERAL JENKINS: Okay. Do you recall a PRT map, was there a pull of a PRT map?

(b)(3), (b)(6): This is the worst part of it, Sir. We ended up finding a PRT produced map from 2013 after this engagement happened when we moved across the street into the provincial governor's actual office area, and it was a big beautiful laminated map with nice crisp imagery and it had everything labeled with 10 digit grids, schools, clinics, everything. It actually had some stuff that isn't on the initial no strike list that we saw after all this happened when that started getting disseminated. It was a great piece of work and we found it buried in the corner of the provincial governors compound the day after the strike, so.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6) Gentlemen, do we have a blow up of this Map here. While he's doing that, Sir, I recommend we have him identify a couple few things where route (b)(1)1.4a was on the map and where he last saw the (b)(1)1.4b convoy that he discussed.

(b)(3), (b)(6) Sure, pull the map out. We'll take care of this.

MAJOR GENERAL HICKMAN: I don't want to do it while they're messing around there, so go ahead and, do you want to ask him some questions?

(b)(3), (b)(6) I have a green highlighter here so can you just highlight route (b)(1)1.4a (b)(1)1.4b is?

(b)(3), (b)(6) Okay, Sir.

(b)(3), (b)(6) Also, mark where you believe saw the convoy.

(b)(3), (b)(6): route (b)(1)1.4a is the generally north-south running road. It's the primary thoroughfare in the city that leads to the market and traffic circle. It runs generally parallel to Highway 3 and you diverge a little as you get closer to (b)(1)1.4a but it runs directly along-side the provincial governor's compound. Now where I saw the convoy,

(b)(3), (b)(6): You can use the pen

(b)(3), (b)(6): Okay, Sir, you need me to label (b)(1)1.4a then, is that what you're?

(b)(3), (b)(6): No, no.

(b)(3), (b)(6): No, just use the pen to mark where you last saw the (b)(1)1.4d convoy.

(b)(3), (b)(6): This is where I believed the convoy to be

*[Indicates on Map]*

(b)(3), (b)(6) at this intersection of route (b)(1)1.4a and I believe it is called route (b)(1)1.4a and that route (b)(1)1.4a is the east west running road if that is called route (b)(1)1.4a east west running road that runs to what I now know to be the MSF Hospital. Now, my reasoning for believing they were there because I have seen the (b)(1)1.4a and I'm aware there's a disparity there. The reason I believe they were there is the Afghans do employ their own form of (b)(1)1.4d and that's present in the (b)(3), (b)(6) There was an (b)(3), (b)(6) present at this intersection.

*[Indicates on Map]*

(b)(3), (b)(6) Now, it could be that it was a (b)(1)1.4a, (b)(1)1.4a and I did not notice in the dark and with everything else going on that it was (b)(1)1.4a, (b)(1)1.4g, but I saw a (b)(1)1.4a, (b)(1)1.4g there and when everything was happening, I was able to move up, you might have seen it when you were at the provincial compound, there was a green building in the southwest corner near the tower. I moved up on to the balcony there. I saw what appeared to be a (b)(1)1.4a, (b)(1)1.4g would suggest convoy. Now, I can't confirm that it was a (b)(1)1.4a, (b)(1)1.4a and not a (b)(1)1.4a, (b)(1)1.4a because (b)(1)1.4a, (b)(1)1.4g

(b)(3), (b)(6): Right.

(b)(3), (b)(6): So when I saw (b)(1)1.4a, (b)(1)1.4a that suggests to me convoy is there and I heard the fire coming from this general direction.

(b)(3), (b)(6): That direction, yep.

*[Indicates on Map the location of the convoy]*

(b)(3), (b)(6): At that point in time it all added up to me.

(b)(3), (b)(6): Yep, Okay.

MAJOR GENERAL HICKMAN: So let me ask the questions then, okay.

(b)(3), (b)(6): Yes, Sir.

MAJOR GENERAL HICKMAN: Do you know when the grid was passed to the aircraft so that they could start searching for the compound for the objective that night?

(b)(3), (b)(6): The exact time, I don't, Sir

MAJOR GENERAL HICKMAN: In generally speaking how far in advance?

(b)(3), (b)(6): I want to say probably half hour to forty minutes before the engagement.

MAJOR GENERAL HICKMAN: Yeah, Okay. Of course we can look at the (b)(1)1.4a but it was at least forty minutes, I think it was a little farther than that, but a significant amount of time relatively speaking

(b)(3), (b)(6): Yes, Sir.

MAJOR GENERAL HICKMAN: This wasn't an immediate CAS

(b)(3), (b)(6): No, it wasn't.

MAJOR GENERAL HICKMAN: in the sense of what you all did many times the day before when you had seconds or minutes to engage the target. Okay, so did you know where, did you know where, when the AC-130 put the grid in their system that the, what objective, or point on the ground they identified?

(b)(3), (b)(6): I couldn't see (b)(1)1.4a, (b)(3), (b)(6) because we didn't have the (b)(1)1.4a, (b)(3), (b)(6) so

MAJOR GENERAL HICKMAN: Did they tell you though, what they found when they put the grid in the system?

(b)(3), (b)(6): They reported back to, I mean, it's hard for me to remember what actually heard from (b)(1)1.4a, (b)(3), (b)(6) and what I know from having seen the transcripts of the (b)(1)1.4a but I know that they told him that the grid didn't make sense.

MAJOR GENERAL HICKMAN: So what actions were taken after that? What do you mean didn't make sense, let me ask you that question?

(b)(3), (b)(6): I know from the transcripts they said it plotted in an open field. I can't remember if that was the exact verbiage he passed.

MAJOR GENERAL HICKMAN: But it was not.

(b)(3), (b)(6): But he said that the grid didn't make sense.

MAJOR GENERAL HICKMAN: Okay, implying it did not what, it wasn't what?

(b)(3), (b)(6): That it could not be what we were looking for

MAJOR GENERAL HICKMAN: What were you looking for?

(b)(3), (b)(6): I was looking for something that appeared to be the NDS compound, Sir, with the description that

MAJOR GENERAL HICKMAN: At this time did you have the description, or you just know it was a compound?

(b)(3), (b)(6): Yes, Sir.

MAJOR GENERAL HICKMAN: You already knew it was a T-Shaped building?

(b)(3), (b)(6): Yeah we did, Sir, yeah, so.

MAJOR GENERAL HICKMAN: Okay, so before you even got the grid you knew the description of the building?

(b)(3), (b)(6): Yeah, because I definitely passed him when he asked for a description of it, I passed it to (b)(3), (b)(6) off the top of my head.

MAJOR GENERAL HICKMAN: So what did the crew do to try to find, where you told the actions the crew took to try to find the compound?

(b)(3), (b)(6): No, Sir. They, he called contact basically after a while

MAJOR GENERAL HICKMAN: What's that mean?

(b)(3), (b)(6): when he called contact, Sir, it basically means they have identified the target.

MAJOR GENERAL HICKMAN: Yes.

(b)(3), (b)(6): I don't know what the exchange was with that.

MAJOR GENERAL HICKMAN: Okay, so they identified a compound?

(b)(3), (b)(6) Yes, Sir.

MAJOR GENERAL HICKMAN: At this time you still think it's the NDS compound, hindsight we know it wasn't.

(b)(3), (b)(6) Yes Sir.

MAJOR GENERAL HICKMAN: They found a compound. You still think it's the NDS compound.

(b)(3), (b)(6) Yes Sir.

MAJOR GENERAL HICKMAN: Why do you, because of why? Why do you think they are on the right compound?

(b)(3), (b)(6) The description of the target structure and the pattern of life, Sir.

MAJOR GENERAL HICKMAN: Okay, so let me ask again what was the pattern of life?

(b)(3), (b)(6) They said it was going to be about a squad sized element.

MAJOR GENERAL HICKMAN: Yeah, but what did the aircraft tell you the pattern of life was?

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

MAJOR GENERAL HICKMAN: Okay.

(b)(3), (b)(6) I believe that they also passed to them that there was two that appeared to be performing guard duty near the gate.

MAJOR GENERAL HICKMAN: Yeah, okay, so in your mind nine individuals. Why did you determine that they were hostile or had hostile intent or did you determine that they were hostile?

(b)(3), (b)(6) I made the determination that they were hostile based on believing that it was indeed the NDS compound, sounds based on description that we were sure of it, Sir, and the (b)(1)1.4c said, without question, the facility had been taken over.

MAJOR GENERAL HICKMAN: Yeah, okay, so it's based off (b)(1)1.4c, (b)(1)1.4d?

(b)(3), (b)(6) Yes, Sir, and the (b)(1)1.4a, (b)(1)1.4g

MAJOR GENERAL HICKMAN: Yes, but the (b)(1)1.4a, (b)(1)1.4g told you what?

(b)(3), (b)(6) They told me what was present on the objective, Sir.

MAJOR GENERAL HICKMAN: Which were nine individuals?

(b)(3), (b)(6) Yes, Sir.

MAJOR GENERAL HICKMAN: No other, any other description of these nine individuals?

(b)(3), (b)(6) I don't recall any, Sir.

MAJOR GENERAL HICKMAN: Okay. Okay, so my last question let's go back to what we were talking about on the map here, so you saw an (b)(1)1.4a, (b)(1)1.4g You're not sure if it was (b)(1)1.4a

(b)(3), (b)(6) Yes, Sir.

MAJOR GENERAL HICKMAN: And you heard firing at the same time

(b)(3), (b)(6) Yes Sir.

MAJOR GENERAL HICKMAN: is that a true statement, because again, I don't want to tell you something you don't already know

(b)(3), (b)(6) Yes Sir.

MAJOR GENERAL HICKMAN: So, in your mind, I'm going to go back up then, but you already answered the question, but I want to hear it one more time, why do you think you are allowed to provide fire support for the (b)(1)1.4d

(b)(3), (b)(6) Sir, at this point

MAJOR GENERAL HICKMAN: Just any, just in general

(b)(3), (b)(6) No, yeah, in this case, Sir, where I believed them to be was well within what I considered to be our integrated defensive posture

MAJOR GENERAL HICKMAN: Okay, and that's what you said earlier and I understand that totally. So why, what, how did you identify where the fire was going so you knew where to put the AC-130 fires on to protect the force?

(b)(3), (b)(6) I'm sorry, Sir, I don't fully understand

MAJOR GENERAL HICKMAN: Okay, You felt the (b)(1)1.4w vehicles were at that intersection.

(b)(3), (b)(6) Yes, Sir



MAJOR GENERAL HICKMAN: You also heard fire coming from the West or from the Southwest?

(b)(3), (b)(6) Yes, Sir.

MAJOR GENERAL HICKMAN: Yes or No?

(b)(3), (b)(6): Yes, Sir. True.

MAJOR GENERAL HICKMAN: Okay so how did you, what process did you go through to identify where the fire was coming so you could protect the (b)(1)1.4d force?

(b)(3), (b)(6) Sir, this is, based on our infiltration of the City, we had also taken fire down all of these east west running roads as we came in. This was where they were setting up their ambush positions, and so when they took fire here, I believed that, well I didn't know that this is what they were aiming at. I believe that they were taking fire from down the street, one of these long axis, so there wasn't much more thought process on that. It was this has to be where it is coming from.

MAJOR GENERAL HICKMAN: Okay, listen to the question. The (b)(1)1.4d were taking fire, is what you believed because you thought you knew where they were looking at your (b)(1)1.4d, and you heard fire in the distance. How did you determine where the AC-130 fires were going to land based on the fires, the contact, the (b)(1)1.4d were having?

(b)(3), (b)(6): Sir, I, my process was I knew that they were going to a certain location and they believed that place to be the enemy C2 node with all the fighters, so that's where the fire would be coming from and if not, that's what was going to break up the assault.

MAJOR GENERAL HICKMAN: Okay. Okay, you kind of said two different things here, they're at the intersection taking you believe they're taking fire, and I am trying to understand how you identified where the fire was coming and decided where to fire the AC-130 at. You said you thought they were coming down, I don't want to put words, you said you thought the fire would be coming down from those two east west roads.

(b)(3), (b)(6) Yes, Sir, it made the most sense that they would be receiving fire from down one of the long east west roads and since that's where I expected them to go, that's where I expected the fire to come from.

MAJOR GENERAL HICKMAN: Okay, but you authorized fire to be fired in to a building on the NDS facility.

(b)(3), (b)(6) Yes I did.

MAJOR GENERAL HICKMAN: Okay, that's all I got.

(b)(3), (b)(6) Okay, does anyone have any more follow ups?

(b)(3), (b)(6): Sir, you want to

BRIGADIER GENERAL JENKINS: Yeah, if you would just real quick (b)(3), (b)(6) if you could come up, Blue Pen

(b)(3), (b)(6): Yes Sir.

(b)(3), (b)(6) I got a better, I got a black sharpie that

BRIGADIER GENERAL JENKINS: Alright, just put the friendly positions, so we understand just where you had in terms of the towers.

(b)(3), (b)(6) Well the towers themselves, Sir.

BRIGADIER GENERAL JENKINS: Yeah, right, we were there yesterday, so it's not really the towers you got them.

(b)(3), (b)(6): These were the two that made the most contact.

BRIGADIER GENERAL JENKINS: Yep.

(b)(3), (b)(6) Then there was a usually a nice presence up here on top of the roof, there's a (b)(1)1.4c, (b)(1)1.4d position there, and this is just at the time of the strike

BRIGADIER GENERAL JENKINS: Yeah.

(b)(3), (b)(6): Ok, then (b)(1)1.4d had well actually they had abandoned these positions to do the resupply. Normally they had vehicles at the intersections here

*[Indicates location on Map]*

(b)(3), (b)(6): that would kind of bob back and forth almost like berm drills.

BRIGADIER GENERAL JENKINS: Okay, alright, so that's kind of the set as we go into the term from 2 to 3 October.

(b)(3), (b)(6) Yes Sir, that's the closest. (b)(1)1.4d that weren't really doing much for the defense. There was Afghans along the street here.

*[Indicates location on Map]*

(b)(3), (b)(6) This road's blocked off right here as you saw.

BRIGADIER GENERAL JENKINS: Yep, okay.

(b)(3), (b)(6) So the Afghan had their vehicles here,

*[Indicates location on Map]*

(b)(3), (b)(6) I was located right about here,

*[Indicates location on Map]*

(b)(3), (b)(6) I mean moving around, but

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6): that's generally where my truck was

(b)(3), (b)(6): Where you put that, pardon me, Legal Advisor, where you put that X could you mark it with (b)(3), (b)(6) and where you put those circles, put an F so that we know what we're looking at, so

*[interviewee marks X with (b)(3), (b)(6) and marks F where the circles are]*

BRIGADIER GENERAL JENKINS: Okay, just got a couple more quick questions. Did you, and I know your running like a small CP out of a HMMWV

(b)(3), (b)(6) Yes, Sir.

BRIGADIER GENERAL JENKINS: And probably sitting in the right seat with the

(b)(1)1.4a, (b)(1) Do you recall any (b)(1)1.4a, (b)(1)1.4g coming in?

(b)(3), (b)(6) Yes.

BRIGADIER GENERAL JENKINS: Through the day or night and they should be, as you shift change between yourself and the other (b)(1)1.4a, do you kind of go in there, you know, you can review all the messages that have come in in the past?

(b)(3), (b)(6) Yes, Sir, and we always did a handover brief for everything.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6): Based on (b)(1)1.4a, (b)(1)1.4g conversations, anything. There was one message that I remember getting that day and it had a big list of grids, and it was for the (b)(1)1.4d which is Northwest of Kunduz City. There's, there was an ANA garrison from the (b)(1)1.4d that had become isolated out there, which, had found out later that it wasn't really that they were isolated, they were told to go there and

they were told they couldn't leave, but they'd passed us a list of friendly grids and a list of enemy grids that was threatening the garrison. So that was another thing I had talked though with (b)(3), (b)(6) was the potential for if that position needed support from some of our air assets later, but it was so far outside, I left that to SOTF.

BRIGADIER GENERAL JENKINS: Okay, on that, did you keep a JOC log? You know you can type in the system or on paper of calls coming in or calls going out.

(b)(3), (b)(6) No, Sir, the only people keeping logs that I remember were the controllers.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6) They, they kept, they had their boards with all their controls that they'd keep logs on.

BRIGADIER GENERAL JENKINS: Yeah, but they swipe that each time, right?

(b)(3), (b)(6) They did, Sir, yeah.

BRIGADIER GENERAL JENKINS: So it doesn't remember each one and each entry.

(b)(3), (b)(6) No, it doesn't.

BRIGADIER GENERAL JENKINS: Okay, do you keep a log of (b)(1)1.4a, (b)(1)1.4g calls that come in?

(b)(3), (b)(6) No, I did not, Sir.

BRIGADIER GENERAL JENKINS: Okay, but that gets passed on in the changeover?

(b)(3), (b)(6) Yes, Sir.

BRIGADIER GENERAL JENKINS: Received calls, so a call of, hey this is a grid to the MSF, there's no recollection of?

(b)(3), (b)(6) No, Sir

BRIGADIER GENERAL JENKINS: Okay, that being called out from

(b)(3), (b)(6) Like right after the strike after they told me to come up on (b)(1)1.4a, (b)(1)1.4g and told me about that, I went back to check on (b)(1)1.4d to take a look at the grids and everything that they were passing me and then there was a (b)(1)1.4a that says Doctors without borders says you're striking their facility.

BRIGADIER GENERAL JENKINS: And what system was that was on?

(b)(3), (b)(6) That was on (b)(1)1.4d Sir.

BRIGADIER GENERAL JENKINS: On (b)(1)1.4d

(b)(3), (b)(6) Yeah, I think that yeah the JOC personnel after we've done numerous AARs about the incident ourselves.

BRIGADIER GENERAL JENKINS: Yeah.

(b)(3), (b)(6) They passed a blanket (b)(1)1.4a, (b)(1)1.4g regarding the MSF they said. I did not receive that message. Now (b)(3), (b)(6) was the one who was normally responsible for passing that stuff. I had talked to him on the (b)(1)1.4a, (b)(1)1.4d. And he asked me if I had seen the (b)(1)1.4d. I thought he was talking about the (b)(1)1.4d and I said, yeah, I got the message, so

BRIGADIER GENERAL JENKINS: And he said after words, he meant the doctors without borders.

(b)(3), (b)(6) Yeah.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6): That's correct, Sir, one of many more things that contributed to this.

BRIGADIER GENERAL JENKINS: Well it's part of why we are here, so we learn from it, right, so again, we've talked the change-over and I think enough with the sleep cycle as you're moving through this and everybody's been going for sixty hours and then trying to catch a little bit there and then you're up through that time period. With the (b)(1)1.4d again, just to reiterate, you don't know who's on the far end. You assume it's the (b)(1)1.4d or

(b)(3), (b)(6) There's somebody responsible, yes, Sir.

BRIGADIER GENERAL JENKINS: Somebody responsible, okay, and the (b)(6) that's with you, when did that (b)(6) detach from you and get to go back to the (b)(1)1.4d

(b)(3), (b)(6) Must have been the next morning, Sir.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6) because most of the time out there, we dealt with one of the few whose names I remember was (b)(6), he was one of the officers. He was with us most of the time, and so

BRIGADIER GENERAL JENKINS: Through the second and third, the first, second, third?

(b)(3), (b)(6): Yeah, most of the time, Sir, he was the one that was in there. So I knew him. He lived with us over at the governor's compound the last night we were there and the day of the fourth, but we saw him very frequently.

BRIGADIER GENERAL JENKINS: Okay, and finally, just on procedures and systems. Was the SOTF aware that your (b)(1)1.4a, (b)(1)1.4g?

(b)(3), (b)(6): I believe so, Sir. We had told them that our battery situation was such that we were down to rotating (b)(1)1.4g I can't remember specifically saying myself that the (b)(1)1.4a, (b)(1)1.4g but I do believe that everyone in the fires cell was tracking that we did not have (b)(1)1.4a, (b)(1)1.4g

BRIGADIER GENERAL JENKINS: Alright, and you were tracking the systems down in the aircraft so

(b)(3), (b)(6): Yes, Sir

BRIGADIER GENERAL JENKINS: that would have just compounded it (b)(1)1.4a, (b)(3), (b)(6) or not.

(b)(3), (b)(6): Yes, Sir. We had, you know, we had windows were there was very good comms on a lot of things, but there was some like the (b)(1)1.4a, (b)(3), (b)(6) the running joke among the controllers was that we could never make contact with (b)(1)1.4a, (b)(3), (b)(6) ourselves, so there was, there was always some kind of (b)(1)1.4g but we had good (b)(1)1.4a, (b)(1)1.4g with the aircraft.

BRIGADIER GENERAL JENKINS: Okay, did you ever request to (b)(1)1.4a, (b)(3), (b)(6) to cover the threat

(b)(3), (b)(6): Over this one, Sir?

BRIGADIER GENERAL JENKINS: The danger, well or over you to watch your perimeter.

(b)(3), (b)(6): No, honestly, Sir, I don't remember tasking (b)(1)1.4a, (b)(3), (b)(6) anything.

BRIGADIER GENERAL JENKINS: So (b)(1)1.4a, (b)(3), (b)(6) remained under SOTF control?

(b)(3), (b)(6): Yes, Sir.

BRIGADIER GENERAL JENKINS: Okay.

(b)(3), (b)(6) AC-130 is what I was concerned about because that was the thing that would fire if there was any trouble. (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(3), (b)(6)

BRIGADIER GENERAL JENKINS: Okay, okay, I'm good, anyone?

(b)(3), (b)(6) Gentlemen can we take a few moments just to kind of compare notes in case there is anything that (b)(3), (b)(6) wants to kind of just share before we conclude the interview, is that okay?

BRIGADIER GENERAL JENKINS: Sure, Absolutely.

(b)(3), (b)(6) Thank you.

(b)(3), (b)(6) Is that something I should step out for?

(b)(3), (b)(6) No, you and I, so yes.

(b)(3), (b)(6) Back on the time is 15:47 Local.

(b)(3), (b)(6) Gentlemen, I don't think there is anything we need to add unless there is anything else from all you

*[All Interviewers responded no]*

Interview concluded at 15:47 at Bagram Airfield Afghanistan.

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

**From:** (b)(3), (b)(6)  
**Sent:** Tuesday, October 13, 2015 4:37 PM  
**To:** (b)(3), (b)(6)  
**Subject:** FW: (S) RFIs for Kunduz CCAT

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**From:** (b)(3), (b)(6)  
**Sent:** Tuesday, October 13, 2015 7:19 PM  
**To:** (b)(3), (b)(6)  
**Cc:** (b)(3), (b)(6)  
(b)(3), (b)(6)  
**Subject:** RE: (S) RFIs for Kunduz CCAT

Sir:

I'll answer the ones I can right now before anyone has to dig them up –

1. [Redacted]
2. [Redacted]
3. (b)(1)1.4a, (b)(1)1.4d, (b)(1)1.4g

I have no information on the 4<sup>th</sup> question. On the 5<sup>th</sup> question, there were numerous strikes that day for which the JOC probably has precise times and grids. The most relevant is our reduction of an INS strong point approximately 175-200m west of the SW tower (in the direction of the MSF facility). It took (b)(1)1.4a, (b)(1)1.4g to stop the volume of RPG fire from that particular position. Risk estimate distance which establishes "danger close" for this munition is (b)(1)1.4a, (b)(1)1.4g so I felt pretty strongly about the level of INS threat to our position throughout the afternoon/evening.

v/r

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

**From:** (b)(3), (b)(6)  
**Sent:** Tuesday, October 13, 2015 5:43 PM  
**To:** (b)(3), (b)(6)  
**Cc:** (b)(3), (b)(6)



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

Subject: ~~(S)~~ RFIs for Kunduz CCAT

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

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

Some RFIs for SOTF-A & CJSOAC that came out of a review we did of the CCAT report this afternoon: Text response is very sufficient, no product required. This is to confirm and clarify areas for the CCAT report, would like to have these tonight or by the morning to inform the report draft that will be reviewed with Afghans and others tomorrow afternoon.

(b)(1)1.4a, (b)(1)1.4d, (b)(1)1.4g, (b)(3), (b)(6)

- 4) Reference to (b)(1)1.4a, (b)(1)1.4d in the email sent to (but not received) by (b)(1)1.4a Who added the Kunduz Hospital entry (at MSF Trauma center location)? When was it added, and was it sent out with that entry prior to the email sent to the CJSOAC and (b)(1)1.4a? (or was this its first issuance)? Who provided the data (NSL derived or derived from MSF commo to the (b)(3), (b)(6) )?

5) We addressed that there were a number of strikes (4 I believe) in the hours (7-9 hours) leading up to the ATG engagement at the Kunduz Trauma Center. I will reference the slides already produced but were there any storyboards or reports for those? I believe at least 1 of them was a bomb on a structure proximate to the PGOV compound. Reports on those/ storyboards would be helpful for deepening the understanding of the context the (b)(1)1.4a were operating in leading up to the (b)(1)1.4a ATG engagement.

For CJSOAC:

- 1) Did other (b)(1)1.4a fly ISO Kunduz on previous days?
- (b)(1)1.4a, (b)(3), (b)(6) Kunduz previously (b)(1)1.4a. What dates/ times were those flights.
- 3) If any other crews/ AC flew, or for the previous (b)(1)1.4a, (b)(3), (b)(6) were any pre-mission products provided? If so what were they.

You do not have to wait for all to be answered, if there are existing products just send them, text typed responses are fine for most of these.

v/r,

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

From: (b)(3), (b)(6)  
Sent: Tuesday, October 13, 2015 3:11 PM  
To: (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ (b)(1)1.4a Leadership Diagram

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//NONE~~

Handling: The message content is ~~SECRET//NONE~~ when separated from attachment.

Sir, the RFI response from (b)(1) is attached.

Please let us know if does not fit the bill.

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

---

From: (b)(6)@soc.smil.mil [mailto:(b)(6)@soc.smil.mil]  
Sent: Tuesday, October 13, 2015 3:09 PM  
To: (b)(3), (b)(6)  
Subject: FW: (b)(1) Leadership Diagram

CLASSIFICATION: ~~SECRET~~  
CAVEATS: NONE  
TERMS: NONE

Sir,

Do the attached slides answer the mail?

**V/R,**

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

From: (b)(3), (b)(6)  
Sent: Tuesday, October 13, 2015 3:08 PM  
To: (b)(3), (b)(6)  
Cc: (b)(3), (b)(6)  
Subject: (b)(1), Leadership Diagram

CLASSIFICATION: ~~SECRET//REL TO USA, ISAF, NATO~~  
CAVEATS: NONE  
TERMS: NONE

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

Please see attached (b)(1), Leadership Diagram for the (b)(1), 4d

Please let me know if you have any additional questions or concerns.

Respectfully,

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

DERIVED FROM: NS FPP SCG  
CLASSIFIED BY: (b)(3), (b)(6)  
DECLASSIFY ON: 25 YEARS FROM DATE OF ORIGATION  
DATE OF SOURCE: 20121011

CLASSIFICATION W/O ATCH: ~~SECRET//REL TO USA, ISAF, NATO~~  
CAVEATS W/O ATCH: NONE  
TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET//REL TO USA, ISAF, NATO~~  
CAVEATS: NONE  
TERMS: NONE

DERIVED FROM: NS FPP SCG  
CLASSIFIED BY: (b)(3), (b)(6)  
DECLASSIFY ON: 25 YEARS FROM DATE OF ORIGATION  
DATE OF SOURCE: 20121011

CLASSIFICATION W/O ATCH: ~~SECRET~~  
CAVEATS W/O ATCH: NONE  
TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET~~

CAVEATS: NONE  
TERMS: NONE

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//NONE~~

Handling: The message content is ~~SECRET//NONE~~ when separated from attachment.

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

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

**From:**

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

**Sent:**

Wednesday, October 14, 2015 7:06 PM

**To:**

**Cc:**

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

**Subject:**

RE: ~~(S)~~ CCAT draft report RFIs

Sir:

(b)(1)1.4d while it is nominally stationed on the edge of Kunduz city, was hastily deployed last (b)(1)1.4d (b)(1)1.4d into static checkpoints outside the city in places such as Khanabad District to deal with the initial indications of insurgent encroachment, and likely as pawns supporting the ethnic/political maneuvers of some senior stakeholders as well. There were no (b)(1)1.4d personnel present on the initial task organization when we pushed into the city, since they had no adequately-manned organic units other than their (b)(1)1.4a when the city fell (most of its personnel were performing the aforementioned checkpoint duty). There was not a true (b)(1)1.4d -) with organic leadership employed in the city or surrounding area prior to 04 OCT.

v/r

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

**From:** (b)(3), (b)(6)

**Sent:** Thursday, October 15, 2015 2:56 AM

**To:**

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

**Cc:**

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

**Subject:** ~~(S)~~ CCAT draft report RFIs

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Gentlemen,

On behalf of the CCAT team I am passing on thanks for all the cooperation and support. The report went through a review this evening and there are a few RFIs that came out, in some cases for confirmation and others for recommended terms to use based on unit/ expert knowledge.

The CCAT will have a (b)(1)1.4d the follow on (b)(1)1.4a and therefore the most inclusive of products submitted to date. As I review all products submitted thus far, if I note any discrepancies I will send them back for refinement before they become final entries. Some clarification and edits have been provided already.

Responses by 1200 on 15 October would be most helpful for inclusion into the next draft version of the CCAT report. The (b)(1)1.4a, (b)(1)1.4g request can be send later, by 1700 on 15 October as it is for the (b)(1)1.4d report.

Final RFIs

CJSOAC:

- 1) How would CJSOAC characterize the AC-130 (b)(1)1.4a, (b)(3), (b)(1)1.4g mission flown the morning of 2 October in Kunduz City? If the report includes a statement describing the mission being flown, what term would most accurately describe it? The report currently states Close Air Support but I wanted to ensure it is correct.
- 2) (b)(1)1.4a, (b)(1)1.4g
- 3) It is understood what (b)(1)1.4a, (b)(1)1.4g and that it was broken, and what functions were not available. Request that a slide be built for an exhibit in the (b)(1)1.4a report? The questions that were asked tonight specifically were:
  - a) (b)(1)1.4a, (b)(1)1.4g
  - b. (b)(1)1.4a, (b)(1)1.4g
  - c. (b)(1)1.4a, (b)(1)1.4g
  - d. The final round fired in the event under investigation was a (b)(1)1.4a round that was referenced as a "hot gun". The (b)(1)1.4a, (b)(1)1.4g ends prior to this round being fired, but the (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g continues to include this being addressed. The Air Crew gets clearance from (b)(1)1.4a, (b)(3), (b)(1)1.4g fire the (b)(1)1.4a round into the (b)(1)1.4a, (b)(1)1.4g ends just as it is about to be fired. Request confirmation of where that round was fired?

SOTF-A:

- The report captures that the US/Aghan partnered SOF force was unfamiliar with Kunduz City specifically, up until the initial infil. That is pretty straight forward for (b)(1)1.4a, (b)(1)1.4d is stationed at (b)(1)1.4d does it have experience within Kunduz City itself? It was identified that just because the (b)(1)1.4d stationed proximate to Kunduz City, it may not have operational experience in the city itself.

Thank you again,

v/r,

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

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Classification: ~~SECRET//REL TO USA, FVEY~~

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

**From:** (b)(3), (b)(6)  
**Sent:** Thursday, October 15, 2015 2:01 PM  
**To:**  
**Cc:** (b)(3), (b)(6)  
**Subject:** RE: (S) (b)(6) Picture

Sir:

That very well might be the guy who was the (b)(6) that night. It was dark, but it looks like him, at least more than anyone I saw in the slide deck. If it is, he's the guy who was on the phone with the (b)(1) outside the perimeter, and was the one who passed everything I received during their movement.

v/r

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

---

**From:** (b)(3), (b)(6)  
**Sent:** Thursday, October 15, 2015 10:09 PM  
**To:** (b)(3), (b)(6)  
**Cc:** (b)(3), (b)(6)  
**Subject:** FW: (S) (b)(6) Picture

**Classification:** ~~SECRET//REL TO USA, FVEY~~

**Message Body Classification:** ~~SECRET//NONE~~

**Handling:** The message content is ~~SECRET//NONE~~ when separated from attachment.

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

Attached is a photo of (b)(6). He is the one Officer we did not have a photo of, Is he someone you recognize from the PGOV compound that night? If so did he serve to pass any information to you?

Thanks,

v/r,

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

---

**From:** (b)(6)@Soc.smil.mil [mailto:(b)(6)@Soc.smil.mil]  
**Sent:** Thursday, October 15, 2015 10:01 PM  
**To:** (b)(3), (b)(6)  
**Subject:** FW: (b)(3), (b)(6) Picture

**CLASSIFICATION:** ~~SECRET~~

CAVEATS: NONE  
TERMS: NONE

Sorry, messed up the first time sir.

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

---

From: (b)(3), (b)(6)  
Sent: Thursday, October 15, 2015 5:29 PM  
To: (b)(3), (b)(6)  
Subject: FW: (b)(6) Picture

CLASSIFICATION: ~~SECRET~~  
CAVEATS: NONE  
TERMS: NONE

Sir,  
Let me know if this is the guy. Seemed to be the closet to the description per our conversation.

v/r

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

---

From: (b)(3), (b)(6)  
Sent: Thursday, October 15, 2015 5:15 PM  
To: (b)(3), (b)(6)  
Subject: (b)(6) Picture

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Sir,  
As requested.

v/r

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



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

CLASSIFICATION W/O ATCH: UNCLASSIFIED

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

DERIVED FROM: NS FPP SCG

CLASSIFIED BY: (b)(3), (b)(6)

DECLASSIFY ON: 25 YEARS FROM DATE OF ORIGATION

DATE OF SOURCE: 20121011

CLASSIFICATION W/O ATCH: ~~SECRET~~

CAVEATS W/O ATCH: NONE

TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET~~

CAVEATS: NONE

TERMS: NONE

DERIVED FROM: NS FPP SCG

CLASSIFIED BY: (b)(3), (b)(6)

DECLASSIFY ON: 25 YEARS FROM DATE OF ORIGATION

DATE OF SOURCE: 20121011

CLASSIFICATION W/O ATCH: ~~SECRET~~

CAVEATS W/O ATCH: NONE

TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET~~

CAVEATS: NONE

TERMS: NONE

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//NONE~~

Handling: The message content is ~~SECRET//NONE~~ when separated from attachment.

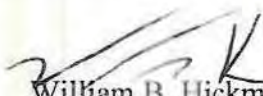
Classification: ~~SECRET//REL TO USA, FVEY~~

Approved for Release

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of October, 2015.

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

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

Signature of interviewee

**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 Vance, Bagram, Afghanistan	2. DATE (YYYYMMDD) 20151025	3. TIME 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			

8. ORGANIZATION OR ADDRESS  
 \_\_\_\_\_ - Afghanistan  
 \_\_\_\_\_ (b)(3)

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

1. What were the facts and circumstances surrounding the 3 OCT airstrike? \_\_\_\_\_ (b)(1)1.4a had been in the Provincial Governor's Compound for 3 days at the time the operation was planned by Afghan leadership at Camp Pamir. During their time in Kunduz they had been in a constant fight with enemy forces who continued to come after them. Once our operation in \_\_\_\_\_ (b)(1)1.4a (the \_\_\_\_\_ (b)(1)1.4a) was cancelled the night of 28 SEP, they were immediately thrust into the fight in Kunduz which, at this point, was already out of control. Friendly security forces had \_\_\_\_\_ (b)(1)1.4d to the airfield and Camp Pamir. Additionally, up to 300x displaced persons were on the airfield as well. An NDS position, located either directly outside the airfield, or in a building on the airfield, was overrun (apparently they had to destroy their equipment and an \_\_\_\_\_ (b)(1)1.4c, (b)(1)1.4g phone). \_\_\_\_\_ (b)(1)1.4a was launched forward to assist as the situation on Pamir looked like it may soon degrade as well. \_\_\_\_\_ (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d \_\_\_\_\_ (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d forces remained outside of Camp Pamir and the airfield. On 29 SEP, \_\_\_\_\_ (b)(3), (b)(6) arrived at Pamir to help C2 the \_\_\_\_\_ (b)(1)1.4a efforts in the District. On 29 SEP \_\_\_\_\_ (b)(1)1.4a submitted a CONOP to seize a foothold in the city with the main objective being the Kunduz Hospital (south of the MSF Trauma Center). The night of the 29th, the \_\_\_\_\_ (b)(1)1.4a was unable to make it off the airfield due to enemy attacks directly outside the walls. That night, the SOTF-A conducted kinetic strikes in support of the \_\_\_\_\_ (b)(1)1.4a resulting in a confirmed 26x EKIA. The following day, 30 SEP, \_\_\_\_\_ (b)(1)1.4a, (b)(3), (b)(6) partnered with \_\_\_\_\_ (b)(1)1.4d to develop a plan to make the push in to seize a foothold in the city. It is important to note that \_\_\_\_\_ (b)(1)1.4d \_\_\_\_\_ (as well as \_\_\_\_\_ (b)(1)1.4a, (b)(3), (b)(6) \_\_\_\_\_) did not have a lot, if any, experience operating in Kunduz City. \_\_\_\_\_ (b)(1)1.4a had positioned themselves forward at Pamir, but had yet to conduct an operation. They are partnered with the \_\_\_\_\_ (b)(1)1.4d Though their altered plan to clear the NDS, PSU, and PGOV Compounds was hasty, and they were partnered with multiple units (some of which not traditional partners) the operation was expertly executed. The push into the city was met with stiff resistance from the start. Shortly after departing Camp Pamir and the airfield, they were engaged by enemy forces. Despite the contact, they continued to press on as planned. Each OBJ was cleared and the combined element continued to move to the next until they reached the Provincial Governor's Compound. Once there, they remained in constant contact, as waves of insurgents continued to attack. During the course of the days and nights leading up to POD 02/03OCT, the level of contact required emergency resupplies and constant support from armed \_\_\_\_\_ (b)(1)1.4a, (b)(1)1.4a. Additionally, there were \_\_\_\_\_ (b)(1)1.4a conducted by the \_\_\_\_\_ (b)(1)1.4a in support of the partnered force. To this point, the unofficial estimate of EKIA is around 500. It is important to note, that the men in the Provincial Governor's Compound were in a near fight, with enemy coming within grenade range of their position. Additionally, on the afternoon of 02 OCT \_\_\_\_\_ (b)(3), (b)(6) was forced to engage on two buildings across the street, from where insurgents engaged US and partner forces with heavy machine guns and RPGs directly on their position.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT _____ (b)(3), (b)(6)	PAGE 1 OF 4 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 (b)(3), (b)(6) TAKEN AT Camp Vance, AFG DATED 20151025

9. STATEMENT (Continued)

The afternoon the (b)(1)1.4a, (b)(3), (b)(6) requested another resupply of food, water, batteries, and ammunition. The (b)(1)1.4a that were at the compound travelled back to Pamir to retrieve supplies for the combined element. The (b)(1)1.4a at Camp Pamir, began planning for the operation that night to seize control of the NDS Compound and asked for the support of the (b)(1)1.4a with CAS. This plan was relayed to (b)(1)1.4a, (b)(3), (b)(6) the Provincial Governor's Compound through the (b)(1)1.4d, (b)(6) He then relayed it to us at the SOTF-A HQ. (b)(3), (b)(6) and I discussed the plan and (b)(3), (b)(6) called the SOJTF CG and DCG-O, while I called (b)(3), (b)(6). When the operation commenced, we did not have a (b)(1)1.4a, (b)(3), (b)(6) or could not communicate via (b)(1)1.4a, (b)(1)1.4g. Throughout the course of the conversations relaying the plan to the SOTF-A the MGRS location for the NDS Compound was never passed. We assumed that the NDS Compound was the same NDS Compound that was cleared the first night during the initial push. It was on the east side of the city, not the west where the other NDS Building is (as well as the Trauma Center). Hence, (b)(1)1.4a, (b)(3), (b)(6) was focused on the east side of the city. (b)(3), (b)(6) and his men were also unable to communicate with (b)(1)1.4a, (b)(3), (b)(6) in a lack of SA in the (b)(3), (b)(6). It was not until around 03 0225-0230D\*, when (b)(3), (b)(6) came into the JOC and asked if a strike on the Trauma Center was taking place, that I knew anything was going on. We (b)(1)1.4a, (b)(3), (b)(6) and look for anything of this nature. Shortly after, we located a plume of smoke, correlated the grid with the Trauma Center from the JOC's Common Operating Picture, and (b)(1)1.4a, (b)(3), (b)(6) was asked him to call us on the (b)(1)1.4a, (b)(1)1.4g. On the phone, we asked for the situation and told him we thought the Trauma Center was struck. A 'cease fire' was given at this point.

2. Who requested and approved the AC-130? The SOTF-A requested the AC-130 through SOJTF. I cannot recall if I called and spoke to anyone about getting it, or if it was coordinated through the fires desk. I know that I spoke with someone in the J3, likely (b)(3), (b)(6) informing him of the mission and it is within reason for me to have requested it. This practice was not uncommon. It is important to understand that we had continuous CAS and (b)(1)1.4a, (b)(1)1.4g throughout this entire operation; The AC-130 was part of the stack every night that (b)(1)1.4a was in the city.

3. What processes were used to request the AC-130 and other combat enablers? We were receiving (b)(1)1.4a, (b)(1)1.4d every night through a standing request at SOJTF. The operation in Kunduz was the #1 priority in the country and the near-constant TIC

4. What munitions were fired? (b)(1)1.4a

5. What units were involved in the 2 OCT mission to secure the NDS Compound? Although the operation on the night of 2OCT was independently planned and conducted by Afghans, it was enabled by (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4d

6. What specific concept of the operation (CONOP) was used for the 2/3 OCT mission? They were operating off of the initial RS-approved 2C CONOP from 29SEP. The plan that night was more reactive in nature; It was a 5W. (\*This is not an uncommon practice) Due to the 'reactive' nature of this CONOP, this was not pre-planned. There were no pre-planned fires built into the scheme of maneuver.

7. Who was involved in writing and approving the CONOP to include legal review? At the SOTF-A level, there was no written CONOP. However, (b)(3), (b)(6) and myself discussed the plan with each other to ensure there was a common understanding of the operation and the target (b)(1)1.4a was going to clear, the NDS Compound. (b)(3), (b)(6) then called (b)(1)1.4a and I called (presumably) (b)(3), (b)(6). There was no need for a legal review, because the legal review was conducted in the previously RS approved 2C CONOP dated 29SEP.

8. What was the task/purpose of the 2 OCT (b)(1)1.4a, (b)(3) mission when launched? You would have to discuss this with them. I am not sure what they were told. From our perspective, they were tasked to provide Close Air Support under the control of (b)(6) (b)(3), (b)(6) to support the US and Afghan forces on the ground.

9. Did the mission change once on station? No knowledge of what was discussed between the aircrew and the GFC.

10. Was the MSF Trauma Center on the 2 OCT NSL and if so, was it considered in the CONOP process? We did not have a NSL at the time of the strike. That being said, we had plotted the MSF Trauma Center and any other government or protected sites we knew of, on the JOC's Common Operating Picture that is maintained and updated in the JOC as the situation is constantly changing. It should be noted, that the initial CONOP approved at the RS level on 29SEP had the Kunduz Hospital (several kilometers south of the MSF Trauma Center) as the clear OBJ.

11. Is the NSL cross checked during CONOP development or during mission execution? Again, we did not have the NSL at the time of the strike in question. However, we all understand what protected sites are and we definitely cross reference the available information prior to any strike.

12. Who all was involved in the CONOP development and approval for the 2 OCT mission? No one at SOTF-A or above was involved in the development of the 5W that was executed that night. The original CONOP taking them into the city was approved at RS.

13. Was the appropriate legal review done for the CONOP(s)? Yes. Once the initial CONOP was approved at RS HQ, PDSS was

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

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 Vance, AFG DATED 20151025

9. STATEMENT (Continued)

granted. After that, it was decided that the follow-on operations would be under OFS authorities.

14. What circumstances surround the decision to authorize pre-planned CAS for the operation? There was no pre-planned CAS strikes during the course of the operation in question, or any operation in Kunduz. While we had pre-planned CAS support on the initial push into the city, there were no pre-planned targets

15. Were there any special instruction issued by chain of command in connection with the approval for CAS support? No. There were no special instructions issued by the chain of command. At the time of the strike on the Trauma Center the team had been in place for 3 days at the Provincial Center with (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d in defense of US and Afghan forces on the ground.

16. Do any graphics at any HQ in the chain of command identify the MSF Trauma Center? Was the MSF Trauma Center on the 2 OCT No Strike List (NSL)? If so, what HQs or unit had it? Yes. The Common Operating Picture, maintained and updated in the SOTF-A JOC identified the MSF Trauma Center. A COP was also provided to SOJTF. We all (SOTF-A) understood the protected status of the Trauma Center and where it was located.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d

18. Were you aware of the presence of the MSF Trauma Center in Kunduz? Yes.

19. Were you aware of any other targets in Kunduz are on the NSL? At the time, SOTF-A did not have the NSL, however, I understand the protected status of government compounds, schools, mosques, hospitals, etc. I also understand the point at which these structures become valid military targets.

20. What graphical products did you produce or understand to be used during the operation? At the SOTF-A, we utilized the Common Operating Picture in the JOC. It is always posted and constantly updated as information is received.

21. Was the MSF Trauma Center marked as a "no strike" target on an CONOP, AOB-N or AC-130 graphic, guidance systems or documents? Not on any CONOP that passed through the SOTF-A. It was never the target of any operation. The location was on a product that was sent to the aircrew that night prior to their departure. However, it is my understanding that their system was down and they never received it. The Trauma Center wasn't on the original CONOP because we did not know its location until after the CONOP was submitted.

22. What communication or reports from (b)(1)1.4d led to the target decision? Not sure. There was word of previously cleared positions being taken back by insurgents as well as plenty of reporting that they had taken positions as strongpoints throughout the city.

23. Did any intelligence exist indicating the presence of insurgents or persons considered hostile under CENCOM OPOD (b)(1)1.4a Unsure of what is being asked.

24. Was any higher headquarters or operations center able to monitor the strike real time? No. We did not have (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) came on station shortly before the strike, but was scanning in the area we believed the objective was, east of the MSF Trauma Center.

25. What was the basis for the use of force against the MSF Trauma Center? I was not there, I do not think I could provide the answer needed for this particular question.

26. What specific operational authorities and rules of engagement were used for the strike? Again, not my place to answer.

27. At what point did US forces realize the strike location was a hospital? At approximately 03 0230D\* OCT 2015, the SOTF-A (b)(3), (b)(6) came into the JOC and asked the Night (b)(3), (b)(6) if we were conducting a strike. He stated that he received a call from the MSF stating that the Trauma Center was under attack. To this point, I had no knowledge that a strike was being conducted. (b)(1)1.4a, (b)(3) was planning out to see more of the city and this is when we saw the plume of smoke coming from the Trauma Center. We were able to get the MGRS from the feed and plotted it on the COP. At this point we identified it was the Trauma Center that was struck.

28. What actions were taken once US Forces realized the strike location was a hospital? (b)(3), (b)(6) that we believe the Trauma Center was struck and a 'cease fire' was issued.

29. Was a check fire or cease fire call ever made? Yes. As addressed above.

30. What munitions were employed by the AC-130? (b)(1)1.4a

31. How was the target positively identified? Again, not my question to answer.

32. What was the official or unofficial collateral damage estimate? N/A

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Vance, AFG DATED 20151025

9. STATEMENT (Continued)

33. What ROE and Tactical Guidance were used for the strike? Not for me to answer.

34. What tactics, techniques, and procedures were used to deconflict the battlespace? I am not sure what (b)(3), (b)(6) did to deconflict the battlespace at the time of the strike. You will have to ask him. However, in any kinetic strike that is processed

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

35. What TTPs were used to obtain approvals for the enablers used in the strike? The traditional Joint Asset Allocation Meeting is chaired by SOJTF daily. This is how the approval to support an operation with enablers is granted. During the course of the operation in Kunduz, we were receiving regular enabler support.

36. What TTPs were used to obtain approval for the airstrike? Unsure, you would have to ask (b)(3), (b)(6) and the aircrew. The SOTF-A was not contacted by the AOB prior to the strike.

37. What procedures were used to identify friendly forces and non-combatants in the area? In general, we would observe through

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

38. What was the process for receiving and disseminating information on non-combatants and protected sites in the battlespace? We would pass the MGRS and description of protected sites through (b)(1)1.4a, (b)(1)1.4g depending on the tactical situation on the ground and what was available at the time.

39. Identify and describe all approvals received for the airstrike? Again, there was no request (b)(1)1.4a so I am unsure.

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

40. What changes should be made to guidance, SOPs, unit procedures or training which could have mitigated the 3 OCT incident? I have actually thought about this one a lot since the incident. The reality is that when a unit is forced into a QRF type role, which I

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

-----END OF STATEMENT-----END OF STATEMENT-----END OF STATEMENT-----

AFFIDAVIT

(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 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 25th day of October, 2015 at Camp Vance, Afghanistan

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 4 OF 4 PAGES



Questions for (b)(3), (b)(6)

03 Nov '15

1. What specific concept of the operation (CONOP) was used for the 2/3 OCT? (b)(1)1.4g 09-002 // KUNDUZ CLEARING PATROL (dated 302200D\*SEP15) You stated in your previous statement that "The original CONOP taking them into the city was approved at RS? That would be the 2C CONOP (b)(1)1.4g 09-001 on the 29<sup>th</sup> of Sept that they never executed due to Kunduz AF fight. The 30 September CONOP, 1C (b)(1)1.4g 09-002 was what they executed the POD of 30 Sept / 01 Oct '15. Was this a FRAGO to the 29 Sept CONOP. Did we send it forward as a FRAGO or a CONOP? It was a FRAGO to the overall CONOP (-001// a 2C CONOP approved at RS HQ) Who do you understand was the final approval authority prior to execution? SOJTF-A DCG-O, with concurrence from (b)(3), (b)(6). When did you push / send it to SOJTF and post in the 'Battle Room'? Throughout the course of the afternoon/evening, (b)(3), (b)(6) provided updates to the plan as it was developed with the Afghan leadership on the ground at (b)(1)1.4a Prior to the execution of this operation, the concept and general scheme of maneuver were relayed to the SOJTF-A CG, DCG-O (b)(3), (b)(6) a phone calls from (b)(3), (b)(6) and me. An email from (b)(3), (b)(6) was sent to the CG, DCG-O (b)(3), (b)(6) as well, but after the element had departed Camp Pamir. I am not sure when the graphic was posted in the battle room. Just to be clear, this FRAGO was communicated and approved through the proper channel. There should have been no confusion as to who was doing the operation and what they were doing.

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

operational need and clear direction from higher (SOJTF-A and RS) was that they execute the operation when they did.

2. Was appropriate legal review done for the CONOP, 1C (b)(3), (b)(6) 09-002? Yes. If so, at what level? The (b)(3), (b)(6) reviewed the concept, scheme of maneuver, and identified objectives for the FRAGO and approved. While I cannot speak for SOJTF-A, it was our understanding that their JAGs were involved in this as well.
3. Who did you, your (b)(3), (b)(6) and other staff speak to at SOJTF reference the 1C (b)(3), (b)(6) 09-002 CONOP? Did they understand execution on the POD 30 Sept '15? This was referenced in my response to question #1, but to emphasize, yes, they understood the execution on POD 30 SEP 15.
4. What TTPs were used to obtain approvals for the enablers used in the strike? The SOTF-A, and therefore AOB-N and the ODAs participating in operation in Kunduz, received an allocation of CAS and ISR platforms to support this theater priority mission. There was constant coverage throughout the course of operations. Following the initial push into the city on POD 30 SEP 15, the Coalition element remained in the PGOV Compound. There were no additional FRAGOs submitted until they finally returned to (b)(1)1.4a on the evening of 04 OCT 15. In addition to what was provided, the nightly JAAM served as a venue for us to request assets for what we understood the Afghan plan to be for that evening (traditionally this is where we deconflict assets with (b)(1)1.4a and CJSOAC). I do not think that the JAAM had anything to do with enabler

support for this operation – or any in Kunduz for that matter – as we were allocated a standard (b)(1)1.4a of assets from SOJTF-A and RS daily/nightly.

5. What tactics, techniques and procedures were used to de-conflict the battlespace? The same

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

6. What TTPs were used to obtain approval for the airstrike? If you are referring to the strike on the MSF Trauma Center, there was no approval requested through the (b)(3), (b)(6)
7. What procedures were used to identify friendly forces and non-combatants in the area? Again, if you are referring to the strike on the MSF Trauma Center, I cannot speak to that; (b)(6) (b)(6) would have to provide clarity.
8. What was the process for receiving and disseminating information on non-combatants and protected sites in the battlespace? We would immediately plot on the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and typically drop the information in the battle room (b)(1)1.4a, (b)(1)1.4g. We would then have to call (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to relay the locations (depending on what was available at the time due to radio traffic (b)(1)1.4a, (b)(1)1.4g batteries on radios or phones).
9. Does the OPCEN mirror the check of all targets as the ODAs/AOB are conducting their missions? I am not exactly sure on what you are asking with this question, but I will answer to what I understand is being asked. If the tactical situation on the ground permits and the (b)(3), (b)(6) this case (b)(3), (b)(6) is able to communicate what he is going to strike in self-defense situations prior to the engagement, then we will cross-reference with our COP, intelligence picture and what SA we are provided through (b)(1)1.4a, (b)(1)1.4g and intervene if we identify something contrary to what he is seeing on the battlefield at the time. For example, if we could see an ASSF/ANDSF unit maneuvering on the flank of an enemy formation attacking the (b)(1)1.4a at the PGOV Compound, we would ensure that – at a minimum – he knew where they were prior to the strike to avoid fratricide.
10. Did you know the Trauma Center was there before the night of 2/3 October '15? Yes. (b)(3), (b)(6) (b)(3), (b)(6) provided me the list of grids to their 4x locations throughout Kunduz City. I instructed the (b)(3), (b)(6) to make sure he communicated it to (b)(6) (b)(3), (b)(6) and the men on the ground. He reported back that he talked with (b)(3), (b)(6) and he had the grids. It was not until after the strike under investigation, that we figured out that he asked (b)(3), (b)(6) "if he received the grids" and he answered "yes." The issue, as we know it now, is that he was not specific in his question and (b)(3), (b)(6) understood the "grids" as a separate set of grids received throughout the day for something else. Additionally, when the night (b)(3), (b)(6) came on shift around midnight, I asked him to make sure that they had the grids. He referenced the print out of the grids provided by MSF and called out to (b)(1)1.4a at the PGOV Compound and spoke to someone (he does not recall who), got a read-back on the grids, and relayed that they had received them. In addition to the phone call, he posted a

message (b)(1)1.4a, (b)(1)1.4g again called out to confirm receipt. He was told (again by who, he cannot recall) that they did.

11. What was your role as (b)(3), (b)(6) during the engagement POD 2/3 October '15? My role that night was the same as any other night. I, along with my (b)(3), (b)(6)

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

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

While most of this is actually done by the personnel in the JOC, I have to track it all and ensure the Commander and SOJTF-A

(b)(3), (b)(6) are tracking.

12. When did you know that the target / objective was a hospital? Just to clarify, the MSF Trauma Center was never a target / objective of any operation. The only hospital that was ever the objective of an operation in Kunduz was the original 2C approved by RS HQ from 29 SEP 2015. I will attempt to answer the question I think you are asking ('when did you know that the MSF Trauma Center was struck that night?'). (b)(3), (b)(6) came into the JOC and asked the JOC (b)(3), (b)(6) if we were striking something because he received a call from the MSF Director that the Trauma Center was being attacked. At that point, (b)(3), (b)(6) (who sit directly behind the Battle Captain in the JOC) stood up and asked what he was talking about. (b)(3), (b)(6) explained that he just received the call from the MSF Country Director, so we inquired if there was a strike going on immediately. That is when (b)(3), (b)(6) told us that

(b)(1)1.4a, (b)(3), (b)(6) engaging. (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

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

(b)(1)1.4a, (b)(1)1.4g At this point, we identified that there was a strike on the Trauma Center. What we were unable to immediately understand is why was it being engaged? For this reason we did not immediately call for the cease fire; immediately calling for a cease fire for a situation we have no SA on, could put the ground force at risk. At this point, (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and reported "good effects on target." He was then instructed to come up (b)(1)1.4a, (b)(1)1.4g did, and was informed that the MSF Trauma Center was struck and on fire. At this point, the cease fire was given.

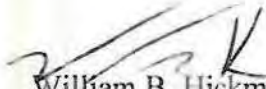
13. Do you change the OPCEN procedures when Teams or the AOB have inoperable SA equipment (b)(1)1.4a, (b)(1)1.4g? Yes, procedures are modified but only to the extent that we need to know more information to mitigate any potential issues that may arise. For example, if no one is able to clearly communicate or (b)(1)1.4a, (b)(1)1.4g we will need a very clear description of what is happening to approve strikes or facilitate any kind of support to the unit on the ground. If the strike under investigation was not conducted in self-defense, and was requested through normal channels, it would have been identified as the MSF Hospital and the procedures for approval would be processed through SOJTF-A and RS.

14. What other operations were ongoing during the POD of 2/3 October '15? AOB-C was executing (b)(1)1.4a

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made in this interview, or any information with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE OF EXECUTION: 23 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of OCT

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

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

Signature of Witness

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION Camp Vance, Bagram Airfield, Afghanistan	2. DATE (YYYYMMDD) 20151025	3. TIME 1800	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(3)			

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
The answers to the questions below are the best of my knowledge based on my perspective as the (b)(3), (b)(6) and recollection of the events.

1. What are the facts and circumstances surrounding the 03 OCT airstrike? I think it is important to understand the context in which the Special Forces Soldiers were sent to Kunduz to conduct operations. On 28 OCT at approximately 1800D\*, SOTF-A conducted a conditions check VTC with SOJTF for a multi-pillared partnered operation in (b)(1)1.4a to be executed that period of darkness (POD). During the VTC at approximately 1830D\*, the SOJTF DCG-O (BG Bauernfeind) received a phone call, and subsequently informed SOTF that the operation in (b)(1)1.4a was cancelled. The DCG-O also informed the SOTF that the (b)(6) asked for all U.S. assets be diverted to Kunduz City because it was being overrun by insurgents. When the decision was made to cancel the (b)(1)1.4a operation and divert all assets to Kunduz, the entire ground force was already on helicopters flying to the forward staging base en route to (b)(1)1.4a and had to be turned around. SOTF then began planning to send reinforcements to (b)(1)1.4a, located at the Kunduz Airfield to the SE of the city. Through coordinations with CJSOAC, ODA (b)(1)1.4a and elements of ODA (b)(1)1.4a arrived at 290550D\*SEP15 at (b)(1)1.4a to provide additional support to ODA (b)(1)1.4a stationed at (b)(1)1.4a. Reporting from Kunduz City indicated all GIROA infrastructure and MOD/MOI check points had been either abandoned or overrun, and there was an impending attack on the Kunduz Airfield, which is the life line for ODA (b)(1)1.4a stationed at (b)(1)1.4a. The situation in Kunduz had deteriorated to the point that ODA (b)(1)1.4a was preparing to secure a portion of the airfield to facilitate the potential extraction of designated personnel if needed. By the time the additional USSF personnel arrived, hundreds of Afghans from Kunduz City had taken refuge on the airfield. At the time there was no screening involved with allowing personnel onto the airfield thus creating a significant security concern for the USSF located at (b)(1)1.4a adjacent to the airfield.

USSF elements immediately began planning with the (b)(1)1.4d located at the Kunduz Airfield. The USSF and (b)(1)1.4d developed a plan to secure the Kunduz Hospital (not the MSF Truama Center) on the west side of the city with USSF and Afghan Special Security Forces (ASSF) securing a foothold and passing the Afghan National Defense Security Forces (ANDSF) through to the city center. On the evening of 29OCT, the combined USSF and ASSF force initiated movement from (b)(1)1.4a yet never made it off the airfield. While the patrol was moving across the airfield to exit the outer perimeter to begin the operation, the airfield came under direct and indirect fire. The USSF and ASSF elements immediately moved to defensive positions to repel the attack. These elements continued to exchange fire with the enemy throughout POD 29/30. During this fight on POD 29/30 at the airfield, SOTF conducted four air to ground (ATG) engagements in defense of the ground force under ROE (b)(1)1.4a approved by SOJTF resulting in 26x EKIA. SOTF also conducted an ATG engagement earlier on the 29th destroying a tank that had been captured by the INS. Eventually on the 30th, the USSF and ASSF elements were relieved from their blocking positions by ANDSF elements, and began planning again to seize a foothold in the city. During the planning process, (b)(3), (b)(6) participated in a VTC with GEN

10. EXHIBIT	11. (b)(3), (b)(6)	MAKING STATEMENT	PAGE 1 OF 5 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 (b)(3), (b)(6) TAKEN AT Camp Vance, AFG DATED 20151025

9. STATEMENT (Continued)

Campbell regarding the plan to retake the city of Kunduz. During this VTC (b)(3), (b)(6) was told to get into the city soon and begin conducting operations. The USSF and ASSF elements quickly created a plan to clear the PSU, NDS, and PGOV compounds as they cleared the main eastern route into the city.

The combined element initiated this operation on the evening of the 30th, and from the time they left the airfield, they were constantly engaged with the enemy. As they cleared north along the route, they cleared the PSU HQ and NDS compounds as they reached them. This element conducted at least 5 ATG engagements resulting in at least 31x EKIA as they pushed into the city and into the PGOV compound. Once this element arrived at the PGOV compound, they cleared the structure and used it to create a foothold in the city. For the next 48 hours, the elements at the PGOV compound were engaged with the enemy so close that USSF element were using grenades to defend themselves. I can personally say that every time I spoke with (b)(3), (b)(6) on the phone (approximately 6-7 times) during this period I heard constant gun fire and on a few occasions heard incoming mortars. We also conducted emergency resupplies to the elements at the PGOV compound because they assessed that if they left, the city would fall into the hands of the enemy again. While USSF elements were at the PGOV compound, the estimated EKIA from both ATG engagements and engagements from the ground forces is estimated at approximately (b)(1)1.4. To highlight the close proximity of the fight, at 021546D\*OCT, the ground forces conducted an ATG engagement on two compounds approximately 240m from the PGOV compound. (b)(1)1.4a, (b)(1)1.4b INS from an elevated position in these compounds shot RPGs and machine guns down into the PGOV compound. Had (b)(3), (b)(6) not made the quick decision to conduct an ATG engagement on these buildings, I believe with relative certainty that US Soldiers would have died that day in the PGOV compound from these INS. At the time of the airstrike on 03 OCT, the USSF elements were waiting on a much needed resupply of ammunition (as a result of the constant fighting over three days), food, and batteries in order to continue to fight and hold their position in the city to meet the intent of the senior military leaders in Afghanistan.

2. Who requested and approved the AC-130? The AC-130 was requested from the SOTF to support the ground forces at the Kunduz PGOV compound who had been fighting in close proximity almost continuously since they arrived at the compound. Every night there was the JAAM to determine what assets will support the USSF elements defending the PGOV compound.

3. What processes were used to request the AC-130 and other combat enablers? REF question #2.

4. What munitions were fired? During the airstrike on 03 OCT, (b)(1)1.4a, (b)(3), (b)(6) munitions.

5. What units were involved in the 02 OCT mission to secure the NDS compound? The (b)(1)1.4d conducted the operation as a partner force of AOB (b)(1)1.4a

6. What specific concept of the operations was used for the 2/3 OCT mission? There was not a specific CONOP used for the mission on 2/3 OCT because AOB (b)(1)1.4a was still operating under the CONOP submitted on 29 OCT that allowed the AOB (-) to seize a foothold in the city. Everyday after the AOB (-) seized the foothold in the PGOV compound, they continued to engage and fight the enemy in close proximity and conduct operations under the authority of the original CONOP.

7. Who was involved in writing and approving the CONOP, to include legal review? The only CONOP that existed was the CONOP that was submitted on 29 OCT for the AOB (-) to seize a foothold in the city. This CONOP was written by the AOB (-), approved by SOTF-A and SOJTF/RS, and the requisite legal reviews occurred at both levels.

8. What was the task/purpose of the 02 OCT (b)(1)1.4a, (b)(3), (b)(6) mission when launched? From the SOTF JOC perspective, (b)(1)1.4a, (b)(3), (b)(6) tasked to support the AOB (-) who had been in a constant fight with the enemy since their initial push into the city on POD 30/01.

9. Did the mission change once on station? The mission for (b)(1)1.4a, (b)(3), (b)(6) did not change once (b)(1)1.4a, (b)(3), (b)(6) was on station. The task remained to support the AOB (-) with fire support as directed by the JOC. (b)(1)1.4a, (b)(3), (b)(6) began conducting engagements in the city on the morning of 30 SEP, and conducted at least nine engagements in the city in support of the AOB (-) prior to the strike on 03 OCT.

10. Was the MSF Trauma Center on the 02 OCT NSL, and if so, was it considered in the CONOP process? I am unaware of a 02 OCT NSL. The MSF Trauma Center location was known in the SOTF-A JOC, and was passed twice to the (b)(3), (b)(6) once at 011857D\*OCT15 and again at 021846D\*OCT15 in the form of (b)(1)1.4a, (b)(1)1.4b by (b)(3), (b)(6). SOTF-A did not have the locations of the MSF facilities at the time of the CONOP writing or approval.

INITIALS OF (b)(3), (b)(6)

PAGE 2 OF 5 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT Camp Vance, AFG DATED 20151025

9. STATEMENT (Continued)

11. Is the NSL cross checked during CONOP development or during mission execution? SOTF-A received the NSL from SOJTF on 03 OCT, so prior to receiving the NSL, CONOPs were not cross checked. SOTF-A has now distributed the NSL to the lowest levels and incorporated the NSL into all CONOPs. During mission execution, the SOTF will monitor the situation on the ground, yet will only intervene if absolutely necessary and the SOTF has information and situational awareness that the ground forces do not have. During POD 02/03, the SOTF's communications systems (b)(1)1.4g the SOTF's situational awareness of the actions by the ground force (REF. Air to Ground Communication in Kunduz on POD 02/02 OCT 15 slide).

12. Who all was involved in the CONOP development and approval for the 02 OCT mission? The only CONOP that existed was the CONOP that was submitted on 29 OCT for the AOB (-) to seize a foothold in the city. This CONOP was written by the AOB (-), approved by (b)(3), (b)(6) and the requisite legal reviews occurred at both levels.

13. Was the appropriate legal review done for the CONOP? Yes

14. What circumstances surround the decision to authorize pre-planned CAS for the operation? There were no pre-planned CAS engagements in the city. All strikes were either conducted in self-defense by the ground forces or conducted by SOTF-A in defense of USSF under ROE (b)(1)1.4d and approved by SOJTF/RS.

15. Were there any special instructions issued by the chain of command in connection with the approval for CAS support? There was no need for special instructions to be issued by the chain of command because this operation was within the scope of capabilities for an AOB, and the AOB had been in a defensive posture in the PGOV compound for 3 days.

16. Do any graphics at any HQ in the chain of command identify the MSF Trauma Center? REF question #10.

(b)(1)1.4c

18. Were you aware of the presence of the MSF Trauma Center in Kunduz? Yes. I received a memorandum from the (b)(3), (b)(6) (b)(3), (b)(6) that stated the location of four MSF facilities in Kunduz City.

19. Were you aware of any other targets in the Kunduz area on the NSL? I did not have the NSL at that time. I did know of the four MSF facilities and do understand that certain buildings have protected status from strikes even if I did not have the NSL.

20. What graphical products did you produce or understand to be used during the operation? I can not speak to what was used by the ground forces during this strike. In the JOC we maintain a common operating picture using (b)(1)1.4a, (b)(1)1.4g regarding any given operation.

21. Was the MSF Trauma Center mark as a "no-strike" target on any CONOP, AOB-N or AC-130 graphic, guidance system or documents? Again, the CONOP was submitted before the MSF facilities had been identified, and SOTF-A sent (b)(1)1.4a, (b)(1)1.4d (b)(3), (b)(6) (REF question #10).

(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d

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



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 Vance, AFG DATED 20151025

9. STATEMENT (Continued)

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

25. What was the basis for the use of force against the MSF Trauma Center? I can not comment on the actions of the ground force commander.

26. What specific operational authorities and rules of engagement were used for the strike? I can not comment on the actions of the ground force commander.

27. At what point did US Forces realize the strike location was a hospital? I can only speak as to when I knew the strike location was the MSF Trauma Center. Due to (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

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

28. What actions were taken once US Forces realized the strike location was a hospital? My initial reaction was to do nothing about the strike because I did not know the situation on the ground that warranted the strike to be conducted, and as the (b)(3), (b)(6) I will always give the (b)(3), (b)(6) the benefit of the doubt when conducting engagements in self-defense. It is essential to the safety of the Soldiers within the SOTF that I trust their abilities to make tactical decisions, and do not interfere while they are conducting air-to-ground (ATG) engagements in self-defense. On (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) he put (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) in on the radio, he was asked to call the SOTF JOC on the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) Once (b)(3), (b)(6) called the JOC, I informed him that the location of the airstrike was the MSF Trauma Center, and I believed at that time he put (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) in a "check fire".

29. Was a check fire or cease fire call ever made? This will have to be confirmed with the AC (b)(3), (b)(6) (b)(1)1.4g

30. What munitions were employed by the AC-130? REF question #4

31. How was the target positively identified? I do not have knowledge of the answer to this question.

32. What was the official or unofficial collateral damage estimate? I do not have knowledge of the answer to this question.

33. What ROE and Tactical Guidance were used for the strike? Without being on the ground with the (b)(3), (b)(6) or being privy to the communications to the aircraft, I can not answer this question.

34. What tactics, techniques and procedures (TTP) were used to deconflict the battlespace? Without being on the ground with the (b)(3), (b)(6) or being privy to the communications to the aircraft, I can not answer this question.

INITIALS OF PERSON

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

PAGE 4 OF 5 PAGES

9. STATEMENT (Continued)

35. What TTPs were used to obtain approvals for the enablers used in the strike? The enablers were requested through SOJTF.

36. What TTPs were used to obtain approval for the airstrike? There was no approval process for these strikes because when ATG engagements are conducted by the (b)(3), (b)(6) self-defense, the (b)(3), (b)(6)

37. What procedures were used to identify friendly forces and non-combatants in the area? This question can only be answered by the (b)(3), (b)(6)

38. What was the process for receiving and disseminating information on non-combatants and protected sites in the battlespace? Information is passed from the (b)(3), (b)(6) to the ground force using the radio (b)(1)1.4a, (b)(1)1.4g

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

39. Identify and describe all approvals received for the airstrike? The AOB (-) was directed and approved by SOJTF and COMRS to conduct operations in the city of Kunduz to repel the INS attacks and seizing of the city. During the initial push into the city and for days leading up to the strike on 03 OCT, the AOB (-) conducted numerous strikes in self-defense without the requirement to seek approval in order to save American and partner force lives. Again, when strikes are conducted in self-defense by the ground force, the (b)(3), (b)(6) During this same period, SOTF conducted numerous strikes as well in defense of the ground forces under ROE (b)(1)1 and with the approval of (b)(3), (b)(6) Throughout the constant fighting in the city leading up to this airstrike, when strike were not in self-defense, all airstrikes were reported to and approved by (b)(3), (b)(6)

40. What changes should be made to guidance, SOPs, unit procedures or training which could have mitigated the 03 OCT incident? This is not a simple question to answer because the implication is that there was a breakdown or an issue with the guidance, SOPs, unit procedures or training. There is a reason that Special Forces elements were asked to conduct this mission. The experience, maturity, professionalism, and ability to operate in the most extreme and austere environments is why they were chosen. There is risk that commanders have to accept when placing American Soldiers in extremis situations, and when GEN Campbell told (b)(6) (b)(3), (b)(6) to take his forces and seize a foothold in a city that had been seized by an estimated (b)(1)1 INS, there was risk associated with this extremely dangerous mission asked of these SF Soldiers. To highlight the risk, from the moment the USSF convoy departed the airfield, they were in a constant firefight for over 2 days. Every time I spoke with (b)(3), (b)(6) (approximately 6 times from 01 OCT - 03 OCT), I heard constant gun fire and explosions in the background. I believe that any changes/restriction to guidance, SOPs, or unit procedures as a result of the airstrike would hinder the ground forces' ability to act in their own self-defense.

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 5. I FULLY UNDERSTAND THE STATEMENT MADE OF EACH PAGE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECT CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREEDOMLY, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON

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

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Oct, 2015 at Camp Vance, Algharda

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

(Signature of Person Administering Oath)

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

(Typed Name of Person Administering Oath)

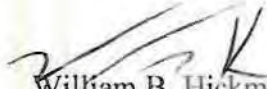
Comma  
(Authority To Administer Oaths)

PAGE 5 OF 5 PAGES

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 Oct 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of Oct 2015.

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

\_\_\_\_\_  
Signature of Witness

\_\_\_\_\_  
Signature

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

### SWORN STATEMENT

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

1. LOCATION CAMP VANCE	2. DATE (YYYYMMDD) 20151024	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			

8. ORGANIZATION OR ADDRESS  
(b)(3)

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
On 28 September 2015, the TB launched a coordinated attack on Kunduz City. During the siege, the (b)(3), (b)(6) section began (b)(1)1.4c

corroborated the insurgent's seizure of key infrastructure. From an analytical standpoint, the insurgency clearly controlled the immediate area within a 600m radius of the NDS Compound and Hospital.

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF _____ 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 \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

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

Approved for Release

INITIALS OF PERSON MAKING STATEMENT

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

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

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

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

*(Signature of Person Making Statement)*

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of OCTOBER, 2015 at CAMP VANCE

ORGANIZATION OR ADDRESS

*(Signature of Person Administering Oath)*

*(Typed Name of Person Administering Oath)*

ORGANIZATION OR ADDRESS

*(Authority To Administer Oaths)*

INITIALS OF PERSON MAKING STATEMENT

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

PAGE \_\_\_ OF \_\_\_ PAGES

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

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

(Signature of Person Making Statement)

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of OCTOBER, 2015 at CAMP VANCE

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

(Typed Name of Person Administering Oath)

(Typed Name of Person Administering Oath)

Act 136, UKM

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

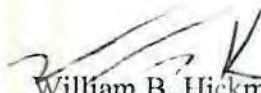
PAGE \_\_\_ OF \_\_\_ PAGES



1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation (b)(3), (b)(6) with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

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

**SWORN STATEMENT**

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

**PRIVACY ACT STATEMENT**

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

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

1. LOCATION CJSOAC-A HQ, Bagram, Afghanistan	2. DATE (YYYYMMDD) 20151023	3. TIME 1718	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

-Approx (b)(1)1.4a showed up to work at my usual time.  
(b)(1)1.4a UUB was relatively standard.  
-Approx 1320: (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) he asked when a (b)(3) was supposed to get on station and I replied with "(b)(1)1.4a". This vul window was a contract I made with SOJTF after the first night in KONDUZ in order to get some predictability to the planning cycle.  
I asked for updated FF grids and a situation update and got no response via (b)(1)1.4a, (b)(1)1.4g  
-Approx (b)(1)1.4a was told to alert launch (b)(1)1.4a, (b)(3), (b)(6) in Konduz. I immediately called the planners at (b)(3), (b)(6) and told them to gather the crew and to get in the air as soon as possible.  
Shortly after this I again asked my SOTF counterpart if he had any updates on the situation in Konduz. I asked specifically "any grids or information that my guys need to have? or you want me to tell them to contact (b)(1)1.4a, (b)(3) so you can update them directly?" SOTF's response was that "all info we will (b)(1)1.4a, (b)(1)1.4g, (b)(3) have available."

(b)(1)1.4a, (b)(3) At this point, the SOTF-ITC emailed me the ITC developed (b)(1)1.4a, (b)(3) Konduz. I forwarded this to the (b)(3), (b)(6) and the (b)(3), (b)(6) stro box, the crew was already headed out to the aircraft.

At this point, I coordinated with CJSOAC-A Airspace to contact tower to give (b)(1)1.4a, (b)(3) priority for takeoff, as well as coordinate (b)(1)1.4a, (b)(3), (b)(6) altitude block of (b)(1)1.4a, (b)(1)1.4g  
Shortly after this (b)(1)1.4a, (b)(3) contacted with (b)(1)1.4a, (b)(3) and was having a discussion with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

(b)(1)1.4a, (b)(1)1.4g  
After this, I got word over (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)  
(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6) reported their takeoff.  
(b)(1)1.4a, (b)(3), (b)(6) started their rendezvous with (b)(1)1.4a, (b)(3), (b)(6)

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

10. EXHIBIT	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.

9. STATEMENT (Continued)

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) and returned with nothing significant to report.

(b)(1)1.4a, (b)(3) reported to me over CJSOAC-A 1.4a, (b)(1)1.4a, (b)(3) that they were going hot, no other amplifying information was provided. I overheard being passed to (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) grids for the engagement, however I was unable to fully hear what the grids were.

(b)(1)1.4a, (b)(3) reported to me they were cold.

(b)(1)1.4a, (b)(3) reported going hot again.

(b)(1)1.4a, (b)(3) reported going cold.

Shortly after this, they reported all of the engagement details that was posted in the initial 5Ws report with the exception of the EKIA count being over 50 compared to the 9 initial I reported from overhearing that conversation between (b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3) confirmed they said 50 EKIA several times and asked them to verify how they got that count. They explained the large number of people that flowed into the building after it was set on fire and that they saw no one leave.

Sometime while they were on station after the engagement, we received a phone call from (b)(3), (b)(6) whose name and function I cannot remember saying that there was a CIVCAS allegation. At first we were not certain that it was for (b)(3), (b)(6) since there had been multiple engagements in Konduz prior to (b)(1)1.4a, (b)(3), (b)(6) station. He called again about an hour or so later and at that point the information he passed matched the times that (b)(3), (b)(6) was on station and we began collecting all of our JOC logs for the night as well as prepped the

(b)(3), (b)(6) to be prepared to collect more information than just the standard post shoot information (b)(1)1.4a, (b)(3) reports.

The rest of the night was pretty quiet until BMNT started to approach at 0030.

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

(b)(1)1.4a, (b)(3) landed back at BAF.

After they landed and debriefed I started working with the (b)(3), (b)(6) to help collect all of the data that was requested of us to include accounting for where every round fired impacted. After this was complete, I went to bed.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Signature)

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23<sup>rd</sup> day of OCTOBER, 2015 at BAGRAM AIR FIELD, AFB

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

(Typed Name of Person Administering Oath)

ARTICLE 136 (b)(3), (b)(6)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

From: (b)(3), (b)(6)@soc.smil.mil  
To: (b)(3), (b)(6)  
Subject: FW: (S) KONDUZ DEV  
Date: Friday, October 23, 2015 7:39:44 PM  
Attachments: KONDUZ DEV (b)(3), (b)(6) (1).4g

---

CLASSIFICATION: ~~SECRET~~  
CAVEATS: NONE  
TERMS: NONE

Sir, This was the first one I received on 1 OCT at 1427z second one to follow

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

---

From: (b)(3), (b)(6)  
Sent: Thursday, October 01, 2015 2:27 PM  
To: (b)(3), (b)(6)  
Subject: (S) KONDUZ DEV

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

DERIVED FROM: NS FPP SCG  
CLASSIFIED BY: (b)(3), (b)(6)

DECLASSIFY ON: 25 YEARS FROM DATE OF ORIGINATION  
DATE OF SOURCE: 20121011

CLASSIFICATION W/O ATCH: ~~SECRET~~  
CAVEATS W/O ATCH: NONE  
TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET~~  
CAVEATS: NONE  
TERMS: NONE

Approved for Release

From: (b)(3), (b)(6) @soc.smil.mil  
To: (b)(3), (b)(6)  
Subject: FW: (S) KONDUZ DEV  
Date: Friday, October 23, 2015 7:54:23 PM  
Attachments: (b)(3), (b)(6) (b)(1)1.4g  
(b)(1)1.4a-01 KUNDUZ CLEARING PATROL 30SEP.pdf  
(b)(1)1.4a

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CLASSIFICATION: ~~SECRET~~  
CAVEATS: NONE  
TERMS: NONE

Sir, here is part 2, these were emailed to the crew when I received them, however due to the outlook issues we discussed earlier the crew did not receive (b)(1)1.4a, (b)(1)1.4g clearing patrol conop.

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

---

From: (b)(3), (b)(6)  
Sent: Friday, October 02, 2015 2:16 PM  
To: (b)(3), (b)(6)  
Subject: FW: (S) KONDUZ DEV

**Classification: SECRET//REL TO USA, FVEY**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

---

From: (b)(3), (b)(6)  
Sent: Thursday, October 01, 2015 6:57 PM  
To: (b)(3), (b)(6) @soc.smil.mil  
Subject: (S) KONDUZ DEV

**Classification: SECRET//REL TO USA, FVEY**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

v/r,

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

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Attachment Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

DERIVED FROM: NS FPP SCG

CLASSIFIED BY: (b)(3), (b)(6)

DECLASSIFY ON: 25 YEARS FROM DATE OF ORIGINATION

DATE OF SOURCE: 20121011

CLASSIFICATION W/O ATCH: ~~SECRET~~

CAVEATS W/O ATCH: NONE

TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET~~

CAVEATS: NONE

TERMS: NONE

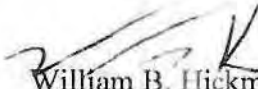


(b)(3), (b)(6)

1. You, \_\_\_\_\_, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 OCT 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENI

Approved for Release

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of OCTOBER, 2015.

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

Signature of Witness

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

Signature of Interviewee



~~SECRET//NOFORN~~

**SPECIAL OPERATIONS JOINT TASK FORCE—AFGHANISTAN**  
**COMBINED JOINT SPECIAL OPERATIONS AIR COMPONENT—AFGHANISTAN**

23 October 2015

MEMORANDUM FOR RECORD

FROM: (b)(3), (b)(6)

SUBJECT: Statement from (b)(3), (b)(6) regarding 03 October Konduz airstrike

1. (~~S//NOFORN~~) (b)(1)1.4a, (b)(3), (b)(6) from SOJTF, which (b)(1)1.4a. Because it is not unusual to receive such a tasking, I cannot remember who specifically issued the tasking and who received it. Normally, it will be issued via a phone call from the (b)(3), (b)(6), and sometimes the DCG-O will personally give the tasking. They will typically call me or the (b)(3), (b)(6) (b)(3), (b)(6), and we will notify the (b)(3), (b)(6) and the AC-130U (b)(3), (b)(6) along with the (b)(3), (b)(6) (b)(1)1.4a (b)(1)1.4a

2. (~~S//NOFORN~~) Shortly after (b)(1)1.4a, (b)(3), (b)(6) I went to the (b)(1)1.4a building for approximately the next 6 hours to conduct planning with (b)(1)1.4a for the upcoming (b)(1)1.4a operation. I returned to the (b)(3), (b)(6) around the time that (b)(1)1.4a, (b)(3), (b)(6) began its kinetic engagements. From the JOC perspective, the only unusual aspect of this engagement compared to previous engagements in Afghanistan was that it was conducted in an urban environment, which occurs on a relatively rare basis.

10/23/2015

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

~~SECRET//NOFORN~~



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

ACDC

9 November 2015

MEMORANDUM FOR RECORD

SUBJECT: (b)(3), (b)(6) Involvement in the Kunduz 15-6 Investigation

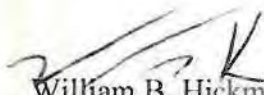
1. (b)(3), (b)(6) assisted the investigation team by providing his expertise and requested products only; therefore, an interview was not necessary from him.
2. The point of contact for this Memorandum is (b)(3), (b)(6)

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

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: \_\_\_\_\_

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

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

### SWORN STATEMENT

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

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**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

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

1. LOCATION KUNDUZ CITY, KUNDUZ PROVINCE	2. DATE (YYYYMMDD) 20151022	3. TIME 1930	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			

8. ORGANIZATION OR ADDRESS  
(b)(1)1.4a, (b)(3)

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

I am currently serving as the (b)(1)1.4a, (b)(3), (b)(6) On 28 September 2015 (b)(1)1.4a conducted operations to secure Kunduz Airfield that came under attack from insurgent positions. 29 September through 04 October 2015, (b)(1)1.4a conducted operations to liberate Kunduz City from insurgency control. ODA (b)(1)1.4a was conducted a convoy and a fixed security along with (b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6)

(b)(1)1.4d The convoy and the fixed positions benefited from AC-130, F-16 and (b)(1)1.4a, (b)(1)1.4d for the 96 hours contact with the insurgency.

The convoy departed (b)(1)1.4a on the evening of 29 September 2015 without a clear guidance of task, purpose and end state of the mission from Resolute Support or SOJTF. ODA (b)(1)1.4a led US element received steady contact from the South to the Provincial Police Headquarters (PCOP) compound from the west on route running North to South road leading to Kunduz City. The insurgency set up ambush near the Provincial Security Unit (PSU) compound west of the road leading into the city. The AC-130 engaged the ambush site, resulting in the destruction of the ambush position allowing the convoy continued north into the city. The convoy continued receiving continuous attacks from the west. The convoy arrived in the Kunduz city center and received two IED attacks and ambushes from the East and West. The convoy halted to terminate the several ambushes with the AC-130 and organic weapons along the way to the Provincial Police Headquarters compound. Several hours into convoy contact was broken from the insurgency, ODA (b)(1)1.4a moved into the PCOP compound and developed a security plan.

Through 30 September 2015 through 3 October 2015 ODA (b)(1)1.4a took up positions on the West, Northwest and Southwest positions. The remainder of time at the PCOP compound, west positions took effective, SAF, PKM, RPG, and indirect fire from the North, South, and West. The largest amount of insurgency assaults came from the west to attempted to penetrate PCOP compound. The insurgency attempted to flank to the North to the East, derived from the West. ODA (b)(1)1.4a immobilized the insurgent movement to the North and East. ODA (b)(1)1.4a received several RPGs that impacted the HESCO barriers providing protection for the members of ODA (b)(1)1.4a

On 02 Oct was the insurgency struggled to regain control with the largest ambition to retake Kunduz City. The insurgency engaged heavy from the West to attempt to maneuver insurgency fighters around the PCOP compound. The fight from the West was so fierce that insurgency for the first time had created enough space to maneuver to the Northeast insurgency element. ODA (b)(1)1.4a successfully engaged insurgent positions to the South-West, West, and North-West. The insurgent force eventually made their way to the Northeast, and effectively engaging friendly positions from West, North, and East in the afternoon of 02 Oct 2015. The insurgency moved closer the PCOP compound from the East and West within 170 meters from the compound with SAF, PKM and highly effective RPG fire into the HESCO barriers and the structures within the compound. ODA (b)(1)1.4a maintained their positions continued engaged the insurgency forces. The enemy fortified position effectively engaged with SAF, PKM and RPG fire. Throughout the conflict, the insurgent staged from the West of the PCOP compound, and prepared all attacks on insurgent position from the West side of the city.

10. EXHIBIT	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.

9. STATEMENT (Continued)

F-16 (b)(1)1.4a, (b)(3) was cleared to engage a fortified enemy position within 170 m from South-West guard tower. After the second (b)(1)1.4 struck the fortified position ceased all enemy fire allowed ODA (b)(1)1.4 members to hold the South-West guard tower. The East structure roof of the PCOP compound (b)(1)1.4a, (b)(3), (b)(6) plus other key members received extremely effective fire from the North-East from enemy fortified three adjoining structures. After the fortified position to the east was destroyed, (b)(1)1.4a, (b)(3) engaged onto the enemy fortified structures, eliminating all fire from structure. After the destruction of the two East and West enemy fortified compounds the insurgency attacks decreased with sporadic attacks through the evening.

On the night of 02 October (b)(1)1.4 planned to refit and rotate with another (b)(1)1.4 company located at (b)(1)1.4a, (b)(1)1.4 requested air support (AC-130) for their convoy to (b)(1)1.4a and on the return they planned on clearing the National Directorate of Security (NDS) compound. At 0001 03 October I went to bed with continually receiving sporadic fire. I woke up twice, once during explosions, and the second time during resupply. At 0500 I woke up and check on members of ODA (b)(1)1.4 and continued the day, checking on my guys, resupplying, and relaying information. Later in the morning we received reports, that during the night enemy Command and Control (C2) element was killed during the night engagement. USSF members moved to Provincial Governors Headquarters compound to allow ANSF occupy Provincial Police Headquarters compound. Occupying the Governors compound with little insurgent attacks USSF moved back to (b)(1)1.4a to fit for future operations.

(b)(1)1.4a departed early morning on 05 October. Once we landed we noticed what happened on the national news and the interpretation on what happened in Kunduz City.

The USSF elements executed the operation under RS ROE, and all the engagements either with organic weapons or air support were under self-defense. During the 30 September through 4 October, (b)(3), (b)(6) rotated from (b)(3), (b)(6).

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 1. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 22 day of OCTOBER, 2015 at CAMP VOSE

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

(Typed Name of Person Administering Oath)

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

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

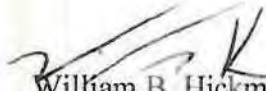
PAGE 2 OF 2 PAGES



1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: \_\_\_\_\_

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

Signature of Witness

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

Signature of Interviewee

**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 BAGRAM AIRFIELD, AFGHANISTAN	2. DATE (YYYYMMDD) 20151025	3. TIME 1500	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			
8. ORGANIZATION OR ADDRESS			
(b)(1)1.4a			

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
 (b)(1)1.4a, (b)(3), (b)(6) was conducting operations in vicinity of the Provincial Police Headquarters compound in downtown Kunduz City, Kunduz Province, Afghanistan. The ODA was conducting fixed-site security along with ODA (b)(1)1.4a, (b)(3), (b)(6) was responsible for securing the compound in the northwestern, western, and southwestern security towers, as well as several other western-oriented elevated sniper positions.

To alleviate personnel fatigue and supply reductions due to continuous fighting, our partner force, (b)(1)1.4d, would run daily resupplies back to (b)(1)1.4a from PHQ. On the night of 02 October, the (b)(1)1.4c came to us with a plan to conduct an enroute mission targeting enemy at the NDS Prison on the way back from (b)(1)1.4a to PHQ, with fresh personnel and a resupply of ammunition. They requested our assistance with respect to supporting them with air support should they need it.

(b)(3), (b)(6) and I would rotate (b)(3), (b)(6) responsibilities at night, generally starting somewhere between (b)(1)1.4a (b)(1)1.4a. There was no set schedule, so when all of us started getting tired, we'd start up the rotation, rotating every couple of hours, but that wasn't set in stone either. If one of us felt good we'd stay on shift a little longer and let everyone else rest up. On the particular night of 03OCT15, I took first shift and was not awake for the strike itself, but awoke when (b)(1)1.4a aircraft came to resupply our position from (b)(1)1.4a. It was at that time that I learned of the AC-130 engagement that had destroyed an enemy C2 position to the southwest of our compound. I was surprised to see that the (b)(1)1.4a aircraft had not taken fire on their way in, simply due to the amount of fire we had been getting--that should have been a very ripe target. I took over for (b)(3), (b)(6) after the resupply came in and, come morning, there was almost no enemy activity. (b)(1)1.4c had told us we had eliminated the enemy C2 position and that Taliban had begun to exfil the city, and by the lack of fire compared to the previous three days, that appeared to be accurate information. It was only when our team arrived back at Bagram on the morning of 05OCT that we saw the news in the chow hall--but that news did not line up at all with what we saw on the ground, so the whole Detachment was in disbelief. All of this said, I will now attempt to weave the narrative utilizing the question list as a guide, with the understanding that I can only provide limited information and atmospherics due to not being awake for the strike itself.

Products: There was one map at (b)(1)1.4a for Kunduz City, and that 1/50k was spread over the hood of the C2 truck for the entirety of the operation once at PHQ. All Detachment leadership utilized and shared that one map. The fidelity on that map was not conducive to urban operations. The Detachment had tried to print imagery prior to infiltration so each member could have imagery, but the printer was malfunctioning, and only printed large magenta blobs. The only actual imagery the Detachment had was in the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) had, but by POD 2/3 OCT, the Detachments were (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) (b)(1)1.4a, (b)(1)1.4g maintain radio communication. I can also say without reservation that the MSF facility was not mentioned or

10. EXHIBIT	11. INITIALS (b)(3), (b)(6)	ENT	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF (b)(3), (b)(6) 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 BAF, AFGHANISTAN DATED 20151025

9. STATEMENT (Continued)

or labeled on any map and/or product that was utilized in planning, and that neither myself nor any member of my Detachment were aware of the facility's location in Kunduz. I was not even aware of the existence of a comprehensive Afghan 'no-strike' list until after we returned and started seeing them as CONOP requirements.

Atmosphere leading up to the strike: Absolute chaos amidst a full-on enemy offensive dedicated to overrunning our position at the PHQ. The northwestern, western, and southwestern towers received the majority of enemy attention; it was blatantly obvious to everyone on the ground that the enemy had absolute freedom of maneuver to the west, where they would directly, effectively, and relentlessly engage us with small arms, PKM, DSHK, RPGs, mortars, and various types of IEDs. Some estimates put the total number of enemy fighters at (b)(1)1.4d would say there was definitely no fewer than (b)(1)1.4e and we were forced to kill at least half of those in self-defense over the 96 hour period from 30 September to 04 October. As an (b)(3), (b)(6) I was in a lot of effective firefights, but this was on a completely different level than even any of the experienced Special Operators on any of the Detachments had seen--particularly over such a sustained period of time. It was readily apparent that there was a level of sophistication and coordination that none of us had ever come up against, and there were numerous--now confirmed--reports of significant foreign involvement from several different countries. Tens upon tens upon tens of thousands of rounds were fired against us during our effort to re-take the city. I don't know how to better describe the atmospherics of the situation; how no one was killed, or even wounded, is an absolute miracle.

Partner Force (b)(1)1.4a absolutely requested assistance for their mission-en-route on the NDS compound that evening. We had a great relationship with them on the ground, and they would come to us with grids ten times a day asking us to check them out. These would most always be a dry hole, but we would allocate assets to them and try to confirm. On the evening of 02 October (b)(1)1.4b had with total confidence that the main enemy C2 node was located at the NDS prison to the southwest of PHQ and they would hit that target location while returning to PHQ. What communication from (b)(1)1.4d, (b)(3), (b)(6) took place during the operation itself, I was not privy to as I was asleep during that time. But the (b)(1)1.4c would call us frequently, and they had several English speakers so it was not uncommon to talk to them directly without an interpreter.

When I realized the strike was on a trauma center: The morning of 03 October when (b)(3), (b)(6) called me to have (b)(1)1.4g go conduct BDA on the target location due to possible CIVCAS. (b)(1)1.4h obliged but reported no damage to any medical facility but a completely destroyed Taliban C2 location. Later that morning (b)(1)1.4i stated that they received information that the (b)(1)1.4b who were co-located with the C2 node. This completed the question of CIVCAS in my mind, and this is why when we returned to BAF what we saw on the news was not at all congruent to what we had seen and heard on the ground.

(b)(1)1.4a, (b)(1)1.4g The officers were constantly calling partner forces before conducting air to ground engagements throughout the entirety of the operation to ascertain partner force locations. Due to the amount of fire being exchanged, and the amount of movement around the battlefield, it was an absolute necessity to ensure that friendly forces were not in the target area. Though I called several danger-close engagements, up to within 20 meters of our own position, we were extremely careful while clearing areas where our partner forces may have projected into--and pulling them back if required to be safe. But, it was extremely difficult to establish their exact location at any given time.

Question 49: What changes should be made to guidance, SOPs, unit procedures, or training which could have mitigated the 03OCT incident?

I'd like to make this statement in order to provide some color and context to a very dynamic situation, with the sincere hope that it be of value for the purposes of highlighting the chaos of the situation, and the dire need for changes in the way that we choose to conduct business moving forward.

The operation to liberate Kunduz was a unique opportunity whose strategic scale, political implications, and tactical danger was unrivaled in recent past. The decision was rightly made to utilize Green Berets to accomplish the task. The men got it done--(b)(6) got it done--and they were true professionals every step of the way, unfettered in their loyalty and sense of duty to save their own country from the brink of embarrassment and of political and military failure. I was fortunate and proud to be part of such an operation.

Though not unsolicited, this portion of my statement will not be popular. However, these words may well be the greatest

INITIALS OF PERSON MAKING STATEMENT	<u>(b)(3), (b)(6)</u>	PAGE <u>2</u> OF <u>3</u> PAGES
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9. STATEMENT (Continued)

contribution of my career for one simple reason: the words I speak are the truth. And decision-makers can make good decisions from the truth. Three enemies of the Kunduz operation unfortunately remain wholly intact and are recognizable by their lingering stench. Two enemies must be identified as 'moral cowardice' and 'profound lack of strategy'. There is a third lingering enemy, but it can remain hidden under the rock of professional courtesy.

Moral Cowardice

When an ODA's mission runs headlong into national strategy, and the Detachment asks for guidance on the level of commitment and receives nothing back over a 96 hour period, that's an abject failure of leadership. Inaction or indecision does, however, enable convenient political expedience, where one can reap the rewards of success without facing the responsibility and consequence of failure. Without commitment to a particular course of action or strategy chosen by a subordinate, a leader can smile for the camera while handing out an award, or sidestep the bailiff when the gavel drops on the judge's bench. No fewer than three times did (b)(6) (b)(3), (b)(6) call and ask for the level of commitment from SOTF, who called SOJTF, who called COM-RS. Sadly, the only sounds audible were the sounds of crickets in the PIHQ center square, though those were hard to hear over the gunfire. 'How far do you want to go?' is not a proper response to 'How far do you want us to go?'. It's not a strategy, and in fact, it's a recipe for disaster in that kinetic of an environment. I learned a great lesson from the Detachment Commander of ODA (b)(1)1 that brought (b)(1)1.4 into country during the initial invasion of 2001, and that was to never let your men leave the wire without a task, purpose, and end-state. How have we as a force, as a group of officers, become so lost from the good lessons that our mentors taught us? I will tell you how. It is a decrepit state that grows out of the expansion of moral cowardice, careerism, and compromise devoid of principle, exchanged for cheap personal gain. We owe the man on the ground more than that, because for him, the decisions that he makes hopefully lands him somewhere between the judge's gavel and the enemy's bullet. However, the decisions that he makes off of the indecision of those above him most certainly leads to no middle ground.

Profound Lack of Strategy

The enemy operates with impunity throughout the country due to our relentless commitment to avoid principled strategy and decision making processes. Do we really think that we can retrograde to super-FOBs and maintain security while the balance sheet of Afghanistan glows red and Pakistan and ISK are coming across the border--flying across the border--with suitcases full of cash, influence, and promises that are backed by action? There is a fine line between not conducting operations to keep people out of harm's way, and not conducting operations in such a fashion that it actually increases overall risk to force and risk to mission. The former, though wonderfully appealing, inevitably invites the latter's cold grasp of failure. Decisive strategy is costly, but would alleviate the recurrence of Kunduz in the future. Unfortunately for the man on the ground and his family back home, decisive strategy must be planned and executed outside of the chains of moral cowardice.

If someone must be held accountable, let it not be the man who was ordered to sky-dive without being given a parachute.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE

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

WITNESSES:

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25<sup>th</sup> day of October, 2015 at Camp Vaux, BAF, Afghanistan

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

(Authority to Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES



HEADQUARTERS  
NATO SPECIAL OPERATIONS COMPONENT COMMAND-AFGHANISTAN  
SPECIAL OPERATIONS JOINT TASK FORCE-AFGHANISTAN  
KABUL, AFGHANISTAN  
APO AE 09354

NSOCC-A/SOJTF-A-DCG-O

26 October 2015

MEMORANDUM FOR Investigating Officer

SUBJECT: Kunduz Investigation

1. In answering these questions, I reviewed my email trails and talked with certain members of the staff to ensure the answers provided were as comprehensive and informative as possible.
2. **Prior to the Taliban attack (27 Sept), what was NSOCC-A's assessment of the security situation in Kunduz?**
  - a. We were tracking a deteriorating situation in Kunduz, which included indications of threats against ANSF and ANP in the area. However, there were no major indicators to highlight the scope of the Taliban's planned offensive into the city.
3. **Based on the perceived threat, what actions were taken, orders given?**
  - a. We submitted a request for in (b)(1)1.4a for ANDSF and ANP in Kunduz on 27 September 2015 citing the threats we were tracking. The request was denied. We also shifted focus from an operation planned in the south and moved an AOB and ODAs to (b)(1)1.4a (b)(1)1.4a Various ANSDF command elements and units also moved to (b)(1)1.4a
4. **Were there any meetings / VTC's conducted that discussed the way forward with RS HQ or subordinate commands?**
  - a. I gave guidance to our team (in the same VTC where we cancelled the operation in the south), but am not aware of any other meetings conducted. I was informed that COMRS held a SVTC with senior Afghan leaders and ANDSF commanders in order to understand what the Afghan's plans were to handle this situation. I understand that (b)(3), (b)(6) was present.
5. **Were there any changes / additions to the COM RS tactical guidance, ROE or other formal/official SOPs?**
  - a. To my knowledge, there were no changes or additions to the COMRS tactical guidance, ROE, or other formal/official SOPs. The last tactical guidance change was the 9 Sep 15 change to the RS tactical guidance. No additional changes were made to the RS tactical guidance during the Kunduz operation to my knowledge.
6. **Did NSOCC-A submit a CONOP for the Kunduz mission to RS HQ and was that CONOP briefed to RS Senior leadership / approved?**
  - a. The CONOP to begin securing the city and retaking multiple governmental buildings taken by the Taliban was staffed and approved by our CG and forwarded to HQRS. My recollection is we received guidance from RS indicating the operation would be conducted under OFS.

7. Was NSOCC-A leadership informed of the planned (b)(1)1.4 operation, with AOB-N support mission, to secure a NDS Facility on the POD 2-3 Oct? If so what level of CONOP was submitted or should have been submitted and what was the approving HQ?
- Yes, we were aware of the potential for this operation. No additional CONOP was submitted as it fell within the scope of the existing CONOP.
8. Did NSOCC-A receive the 29 SEP MSF message indicating the location of their facilities?
- I did not personally see the message but understand that our J2 section did receive and ensured the grids were input into the appropriate systems for tracking.
  - Was the message or information distributed to subordinate units (SOTF-A, CJSOAC)?
    - I do not know of any separate distribution, but once the data was entered, it would have been available to our subordinate units.
  - What is the process for de-conflicting targets and locations on the No Strike List?
    - Deconfliction occurs at multiple levels, through RS, the TAACs, ANDSF and the NMCC. The NSL is linked to our fires processing, and NSL facilities are easily discernable within the area of a deliberate strike target.
  - Are NGO locations known?
    - NGO locations would be known if entered into the NSL or (b)(1)1.4a, (b)(1)1.4d or were separately transmitted for situational awareness.
9. Determine whether the (b)(3), (b)(6) were aware or should have been aware that the facility was the MSF hospital prior to the strike on 3 October 2015.
- Do you track NGO locations?
    - The only other way possible to track a NGO location is if it has been entered on the NSL or provided by some other means.
  - Were you aware of the MSF location?
    - Yes, the MSF Hospital was identified on the (b)(1)1.4a, (b)(1)1.4g
  - Did you think AOB and AC knew of the MSF location?
    - I do not know whether the AOB or AC knew the location.
  - Were there any discussions of dropping buildings?
    - I am aware that there was some discussion regarding a deliberate strike on the NDS facility if determined that the HVIs were present and associated tactical guidance could be met. I do not know whether the GFC or AC were aware of that discussion.

10. Identify whether the hospital was marked as a no-strike facility within the CONOP or other guidance provided to the [redacted (b)(3), (b)(6)] and if so how, e.g. in what maps, guidance systems, or documents – digital or otherwise. If NSOCC-A knew about the MSF hospital, how was that communicated and was it on ops graphics, etc? SOP? How did you confirm SOTF / CJSOAC received it?

- a. The MSF was not identified as a NSF in the CONOP. I did not personally confirm whether subordinate HQs received the MSF grids, but as described above, my understanding is that the information was available to SOTF-A and CJSOAC-A via previously discussed databases and overlays.

11. [redacted (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g]

12. Identify / describe the facts and circumstances surrounding the 2/3 Oct [redacted (b)(1)1.4a, (b)(3), (b)(6)] airstrike: Coalition units/ Afghan units.

- a. The AOB was located at the PGOV compound with some ANDSF partners. The [redacted (b)(1)1.4d] conducted a clearing operation focused on the NDS facility. I do not have sufficient details regarding the strike to describe the facts and circumstances adequately.

13. Aircraft and munitions (# / type)

a. CONOP development and approval details

- i. The CONOP was developed by SOTF and approved by [redacted (b)(3), (b)(6)]

b. Strike approval

- i. My understanding is the [redacted (b)(3), (b)(6)] requested and approved the strike.

c. Over watch

- i. [redacted (b)(1)1.4a, (b)(1)1.4g] was in the area but tasked against a separate objective.

14. Identify and explain the process (es) and personnel who were involved in requesting and approving the combat enablers that were involved in the airstrike.

- a. AC-130 support was included in the original CONOP. The AC-130 would have been allocated during the nightly JAAM on 2 Oct and approved by [redacted (b)(3), (b)(6)]

b. Task/ purpose of AC-130

- i. The task/purpose for the AC-130 on 2-3 Oct would have been standard for this type of operation - [redacted (b)(1)1.4a]



15. Describe the situation at the hospital as observed by (b)(1)1.4a, (b)(1) and radion traffic.

a. Did you monitor the situation real-time? Did you have (b)(1)1.4a, (b)(1)1.4g of the TAI? What did you see or hear?

i. I did not have access to the (b)(1)1.4a, (b)(1)1.4g and did not monitor the situation real-time.

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

16. Was a higher headquarters unit or operations center able to monitor the strike in real time?

a.

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

17. Specifically identify the munitions utilized by the AC-130 aircraft during the strike on the MSF facility, and the targeting methodology applied.

a. Based on the limited reporting I have seen -- (b)(1)1.4a

b. What specific guidance / restrictions for weapons employment were given in this CONOP?

i. The Concept of Fires, included in the CONOP, provides the tasks and any restrictions.

18. What was the objective of the fires?

a. Who approved strike on the building?

i. The (b)(3), (b)(1) directed and approved the strike.

b. Did ROE/tactical guidance / Command directives / SOP enable sound GFC intent?

i. The application of the ROEs (OFS and RS) and the Tactical Guidance guide our operators but are overly complicated, especially in a long-duration, ongoing firefight. We hold our personnel to a high standard, and train them frequently, but we can develop clearer guidance.

19. What is the system used for the common operating picture for NSOCC-A, SOTF-A, AOB-N and assigned SFODA? How is (b)(1)1.4a, (b)(1)1.4g used and which command is responsible for maintaining accuracy in the system?

a.

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

20. How does the command battle track ongoing operations to include pre-planned fires on targets?

a. We utilize execution checklists, (b)(1)1.4a, (b)(1)1.4g and reporting to battle track operations.

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

All deliberate fires ensure the five pillars

(b)(1)1.4a, battlefield deconfliction and no-strike lists are considered and adhered.

**21. Describe the conditions surrounding the alert launch of (b)(1)1.4a, (b)(3), (b)(6) on 2 October.**

- a. The AC-130 was launched approximately 1 hour early due to on-station CAS assets having limited remaining munitions. (b)(1)1.4a

(b)(1)1.4a

22.

23.

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


24.

25.

26.



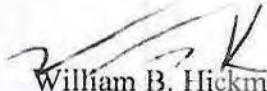
27. The point of contact for this memorandum is the undersigned at SVOIP (b)(6) or SIPR (b)(3), (b)(6) @socom.smil.mil.

  
TONY D. BAUERNFEIND  
Brigadier General, USAF  
Deputy Commanding General, Operations

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

1. You, \_\_\_\_\_, are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 30 Oct 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

Signature of Witness

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

Signature of Interviewee

**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 ALPHA, BAGRAM AB, AFGHANISTAN	2. DATE (YYYYMMDD) 20151026	3. TIME 2000	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(3) - AFGHANISTAN			

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

1. The following is my involvement to the events occurring on 02 October 2015.

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

4. I am the POC for this matter and can be reached at (b)(1)1.4a, (b)(6) @soc.smil.mil./NOTHING FOLLOWS/

10. EXHIBIT	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.

9. STATEMENT (Continued)  
/NOTHING FOLLOWS/

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR REWARD, WITHOUT THREAT OF PUNISHMENT.

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

WITNESSES:

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26<sup>th</sup> day of OCTOBER, 2015 at BAGRAM AIR FIELD, AFG

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

ARTICLE 136, (b)(3), (b)(6)  
(Authority To Administer Oaths)

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

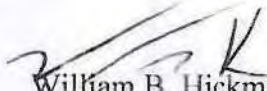
1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 23 Oct 15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT



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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23<sup>rd</sup> day of OCTOBER, 2015.

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

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

Signature of interviewee

# SWORN STATEMENT

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## PRIVACY ACT STATEMENT

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

1. LOCATION Bagram AB, Afghanistan	2. DATE (YYYYMMDD) 20151023	3. TIME 1347 Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(3) Bagram			

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
Ref Q1: What were the facts and circumstances surrounding the 3 OCT airstrike? Please see attachment 1.  
Q2: My understanding is SOJTF-A HQ directed/approved the AC-130 launch.  
Q3: My understanding is SOJTF-A HQ used a phone call to direct the AC-130 launch.  
Q4: (b)(1)1.4a  
Q5: As far as I'm aware, there was no CONOP for 2/3 Oct. The only CONOP for Kunduz I know of was for 29 Sep.  
Q6: SOTF-A wrote the 29 Oct CONOP (I'm assuming), NSOCC-A approved it, don't know who did the legal review.  
Q7: (b)(3) was launched 2 Oct to provide Close Air Support for U.S./Coalition/Partnered forces in Kunduz ISO AIR TIC 001.  
Q8: The mission remained Close Air Support through out the night.  
Q9: CJSOAC used (b)(1)1.4a, (b)(1)1.4b to display the NSL, and I do know the Trauma Center was not in (b)(1)1.4a, (b)(1)1.4b the evening of 2 Oct. I don't know if it was considered in the CONOP, but I know it wasn't displayed in the CONOP graphics on 29 Sep.  
Q10: I don't know if other components cross-check CONOPs with the NSL during CONOP development. However, during mission execution, CJSOAC crews depend on products that are pulled from (b)(1)1.4a, (b)(1)1.4b. Prior to 2 Oct, those products were not cross-checked with the raw NSL database, under the assumption that (b)(1)1.4a, (b)(1)1.4b was dependable in terms of data being current. Additionally, prior to 2 Oct CJSOAC depended on ground components for (b)(1)1.4a, (b)(1)1.4b and those were also not cross-checked against raw information from the NSL database. Post 2 Oct, CJSOAC now builds our own (b)(1)1.4a, (b)(1)1.4b and uses the raw NSL database to build our products. That usually happens before the crews launch, but may also happen after they're airborne. In those cases, we pass the products to (b)(1)1.4a, (b)(1)1.4b and if (b)(1)1.4a, (b)(1)1.4b is unavailable we use voice communications to pass cross-checked information verbally.  
Q11: It's my understanding there was no CONOP for 2 Oct mission.  
Q12: It's my understanding there was no CONOP for 2 Oct mission.  
Q13: First, a decision by the ground force that CAS is required. Second, a formal request for CAS. Third, CJSOAC's Joint Air Allocation process.  
Q14: Not to my knowledge.  
Q15: Yes, SOTF-A (b)(1)1.4a, (b)(1)1.4b from 1 & 2 Oct; however those files did not upload due to (b)(1)1.4a, (b)(1)1.4b. My understanding is that SOJTF HQ had access to the NSL with the MSF Trauma Center listed.  
Q16: My understanding is that SOTF-A HQ knew the structure hit was the MSF Trauma Center.  
Q17: I don't know the answer to this question.  
Q18: I have seen (b)(1)1.4a, (b)(1)1.4b showing the Trauma Center, activity around the center, and (b)(1)1.4c at or near the Trauma Center.  
Q19: The (b)(3), (b)(6) was not aware of the presence of the MSF Trauma Center in Kunduz.  
Q20: No - not that I'm aware. It was not on the 29 Sep CONOP or the (b)(1)1.4a, (b)(1)1.4b CJSOAC received 1 Oct.  
Q21: From the (b)(1)1.4a reviewed, I saw no outward markings indicating the MSF Trauma Center was a hospital.

10. EXHIBIT	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 \_\_\_\_\_"  
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STATEMENT OF (b)(3), (b)(6) TAKEN AT Bagram AB DATED 20151025

9. STATEMENT (Continued)

Q22: This is contained in the (b)(1)1.4a and an outline of those radio calls is contained in attachment 1.

Q23: This is contained in the (b)(1)1.4a and an outline of those radio calls is contained in attachment 1.

Q24: I saw (b)(1)1.4a, (b)(1)1.4g in/around the trauma center.

Q25: From the (b)(1)1.4a it appeared the crew observed a large compound with multiple buildings and advised ground party of (b)(1)1.4a before being told by the (b)(3), (b)(6) it was a Taliban controlled compound and the 9 pax were hostile.

Q26: Negative, (b)(1)1.4a, (b)(1)1.4g

Q27: The Trauma center was described as a Taliban controlled compound with 9x hostile pax and (b)(1)1.4a going to that center to conduct clearing operations. The crew was protecting the partner force under ROE (b)(1)1.4a and the USSF advisors on the ground from what they believed was an all-Taliban force.

Q28: Resolute Support Self-Defense ROE (b)(1)1.4a were passed by (b)(3), (b)(6)

Q29: CJSOAC was notified of a potential CIVCAS allegation against the strike by phonecon from (b)(1)1.4a (b)(3), (b)(6) while the aircrew was still returning to BAF from the operation in Kunduz.

Q30: After (b)(3), (b)(6) called, CJSOAC began to gather information pertinent to the CIVCAS allegation starting (b)(1)1.4a

Q31: There is a cease fire call post-engagement on the (b)(1)1.4a @ 2113:49Z while AC-130 is attempting to clear a hot gun.

Q32: (b)(1)1.4a, (b)(1)1.4g

Q33: (b)(1)1.4a, (b)(1)1.4g

Q34: (b)(3), (b)(6) intent @ 2103Z: Destroy targets of all opportunity that may impede partner forces success. At 2130Z (b)(3), (b)(6) passes: Prosecute enemy pax @ OBJ BLDG, then (b)(3), (b)(6) wants you to prosecute objective building first, (b)(1)1.4a secondary." AC-130 also receives clearance on all movers (not just (b)(1)1.4a from obj building).

Q35: Target description from JTAC matched MSF Trauma Center -- particularly the north gate which didn't match NDS compound. JTAC confirmed this target as Taliban controlled.

Q36: Unknown to me.

Q37: ROE (b)(1)1.4a tac guidance: self defense exception to section 18 on Air Delivered Munitions.

Q38: Unknown, the crew estimated seeing approx 50 personnel during the engagement.

Q39: (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

(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 26<sup>th</sup> day of OCTOBER, 2015 at BAGRAM AIR FIELD, AFG

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

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

(Typed Name of Person Administering Oath)

ARTICLE 136, (b)(3), (b)(6)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

Notes for Investigative Team 22 Oct 15

Set Up

1. Konduz falls – 28 Sep
  - a. (b)(1)1.4a, (b)(3) is alerted to support
2. 29 Sep through 1 Oct (b)(1)1.4a, (b)(3) files in support of Konduz
3. 2 Oct, (b)(1)1.4a, (b)(3), (b) is alerted
  - a. CJSOAC-A received direction from SOJTF-A to launch (b)(1)1.4a, (b)(3) SOF
  - b. No brief or products available (b)(1)1.4a, (b)(3) launched w/frequency, callsign & grid coordinates for friendly forces
  - c. T/O time (b)(1)1.4a
  - d. (b)(1)1.4a, (b)(1)1.4g
  - e. (b)(1)1.4a, (b)(3) on-station at Konduz @ (b)(1)1.4a NSTR
  - f. (b)(1)1.4a, (b)(1)1.4g
  - g. (b)(1)1.4a, (b)(3) on-station at Konduz @ (b)(1)1.4a
  - i. Compound of Interest grid coordinates passed @ (b)(1)1.4a
  - j. (b)(1)1.4a, (b)(1)1.4g

Key Events

1. (b)(1)1.4a - (b)(1)1.4a, (b)(1)1.4g
  - i. Tasking: Sensor to grid coordinates, (b)(1)1.4a to that center IOT conduct clearing operations
  - ii. Result: #1 of 2 large compounds, 300M SW of grid coordinates; referred to as prison compound (b)(3), (b)(6) confirms correct compound.
2. (b)(1)1.4a - (b)(1)1.4a passed + 9x (b)(1)1.4a, (b)(1)1.4g
  - i. (b)(3), (b)(6) declares compound Taliban controlled and 9 pax hostile
  - ii. (b)(3), (b)(6) passes (b)(3), (b)(6): Exploit any possible TB in area to lighten load for partner forces infil
3. (b)(3), (b)(6) re-enters grid IOT re-confirm correct compound
  - i. Comparison of compounds, crew requests building description
  - ii. (b)(3), (b)(6) passes: outer perimeter wall, multiple bldgs., arched main gate
  - iii. 30m vs. 300m clarification
  - iv. (b)(3), (b)(6) passes: \*\*\* open gate to the north\*\*\*
    1. Does not match compound #2, matches compound #1
    2. Preliminary conclusion: compound #1 is the intended compound
4. (b)(3), (b)(6) says "Soften target"
  - i. (b)(3), (b)(6) passes (b)(3), (b)(6) intent: Destroy targets of all opportunity that may impede partner forces success
  - ii. Launches 5 min discussion on clarification
5. (b)(3), (b)(6) passes: Prosecute enemy pax @ OBJ BLDG + (b)(3), (b)(6) \*\*\*
  - i. ROE requested by crew: (b)(1)1.4a
  - ii. (b)(3), (b)(6) requests intent on striking compound & (b)(1)1.4a, (b)(3), (b)(6) response, "Copy."
  - iii. (b)(3), (b)(6) again requests intentions on striking compound & (b)(1)1.4a

1. (b)(3), (b)(6) responds, (b)(3), (b)(6) wants you to prosecute objective building first, (b)(1)1.4a secondary
  - iv. (b)(3), (b)(6) attempts to confirm weaponizing – no response from (b)(3), (b)(6)
  - v. (b)(3), (b)(6) Clear to engage (b)(1)1.4a
6. (b)(1)1.4a (b)(3), (b)(6) requests clarification on building to be struck, confirm T-shaped building, (b)(3), (b)(6) response, "Copy"
  - i. (b)(3), (b)(6) requests (b)(1)1.4a
  - ii. (b)(3), (b)(6) requests 2<sup>nd</sup> clarification on large T-shaped building in center of compound
    1. (b)(3), (b)(6) responds, "Affirm"
  - iii. (b)(3), (b)(6) confirms 3<sup>rd</sup> time "Looking to strike the large t-shaped building in the center of the compound, ensuring we are clear with (b)(1)1.4a on the building."
    1. (b)(3), (b)(6) responds, (b)(1)1.4a, (b)(3), (b)(6) are clear to engage." (b)(1)1.4a
7. (b)(1)1.4a (b)(3), (b)(6) confirms clearance on all movers, not only (b)(1)1.4a from T-shaped building
  1. (b)(3), (b)(6) responds, "Affirm"
8. (b)(1)1.4a - Rounds away

RFIs:

1. What time did we [redacted] (b)(1)1.4a, (b)(1)1.4g
2. What time did we [redacted] (b)(1)1.4a, (b)(1)1.4g
3. [redacted]
4. [redacted] (b)(1)1.4a, (b)(1)1.4g
5. [redacted]
6. Did the crew have all the products we could give them? Why/Why not? **Although crews who are launched off alert [redacted] (b)(1)1.4a, (b)(1)1.4g (per AFTTP 3-1.AC-130, 5 Mar 15) we can do more by [redacted] (b)(1)1.4a, (b)(1)1.4g and [redacted] (b)(1)1.4a, (b)(1)1.4g**
7. Were procedures followed for providing information? If not/why not? **Yes, for alert launch. But we need to evaluate & implement [redacted] (b)(1)1.4a, (b)(1)1.4g procedures.**
8. Are there new procedures that could prevent a similar incident? **Yes.** [redacted] (b)(1)1.4a, (b)(1)1.4g  
[redacted] (b)(1)1.4a, (b)(1)1.4g
9. Are there new technologies that could prevent a similar incident? **Yes.** [redacted] (b)(1)1.4a, (b)(1)1.4g
10. [redacted] (b)(1)1.4a, (b)(1)1.4g
11. [redacted]
12. Is there a deficiency in target confirmation training for AC-130Us? **No. Every training ride, every proficiency ride, every exercise, every tac sortie contains target confirmation training.**
13. [redacted] (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g

General Topics to Consider:

1. Pre-flight procedures (NSL availability, [redacted] (b)(1)1.4a, (b)(1)1.4g product development/distro)
2. Tactical guidance (which ROE was given, who had TEA, is tac guidance clear)
3. Target confirmation (what was the target, did it match tgt description, were procedures good)
4. Role of equipment failure (were backup procedures followed, backup eqpmnt used, S.A. level)

<<<signed>>>

[redacted] (b)(3), (b)(6)

From: [Armfield, Robert G. BG US MIL VICE DIRECTOR](#)  
To: [REDACTED] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ RFIs  
Date: Saturday, November 07, 2015 12:11:30 PM  
Attachments: [REDACTED] (b)(1)1.4a

---

CLASSIFICATION: ~~SECRET//NOFORN~~

[REDACTED] (b)(3), (b)(6)

Please include the below email from [REDACTED] (b)(3), (b)(6) in our records.

I believe you have the three witness statements (attached), if not, please include them into the witness statement book.

Tnx r/ RA

Gwyn Armfield  
Brig Gen USAF

[REDACTED] (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

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From: [REDACTED] (b)(3), (b)(6)  
Sent: Tuesday, November 03, 2015 7:43 PM  
To: Armfield, Robert G. BG US MIL VICE DIRECTOR  
Cc: [REDACTED] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ RFIs

**Classification:** ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET~~

Message Body Caveats: ~~NOFORN~~

Brig Gen Armfield,

Please see below & attached.

V/r,

[REDACTED] (b)(3), (b)(6)



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

From: (b)(3), (b)(6)  
Sent: Tuesday, November 03, 2015 7:03 PM  
To: (b)(3), (b)(6)  
Cc: (b)(3), (b)(6)  
Subject: RE: ~~(S)~~ RFIs

**Classification: SECRET//NOFORN**

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

Please see answers below to the most recent RFI.

V/r,

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

- 1) Please list the specific actions taken at CJSOAC-A following the phone call from (b)(3), (b)(6) on 3 OCT with the initial potential CIVCAS notification.
  - a. Did a post-mission AAR occur with the crew?
  - b. When did the crew realize that they had targeted the wrong compound?
  - c. Was there any consideration given to de-certifying any aircrew members?

(b)(3), (b)(6) received a phone call from (b)(3), (b)(6) stating that there may have been a

CIVCAS. The (b)(3), (b)(6) provided this information to (b)(3), (b)(6) who tasked the Staff Judge Advocate, (b)(3), (b)(6) to contact (b)(3), (b)(6) to determine the nature of the allegation and to find out any details surrounding the allegation. Thereafter, (b)(3), (b)(6) sent an email to (b)(3), (b)(6) (b)(3), (b)(6) that a CIVCAS allegation had been raised and that the aircrew was not yet back at (b)(1)1.4a but that the team would begin pulling together data.

Upon the arrival of the aircrew, the (b)(3), (b)(6) and SJA met the crew to pull the (b)(1)1.4a. The aircrew was advised that there was a CIVCAS allegation and they needed to find out where in the (b)(1)1.4a that might be. This process took about one and a half hours. Thereafter, (b)(1)1.4a, (b)(3), (b)(6) with the aircrew, the (b)(3), (b)(6) and the SJA.

Just prior to (b)(3), (b)(6) review, he sent the following email to (b)(3), (b)(6) "Sir, per our conversation, here's some preliminary data from the gunship crew: There was a known enemy (b)(1)1.4a. The target was identified as an enemy structure controlled by enemy forces with all personnel in/around structure characterized as enemy (b)(1)1.4a, (b)(3), (b)(6) cleared the gunship on the enemy structure and associated personnel. There was approx.. 10 minutes of dialogue prior to the engagement regarding target confirmation and exact location of the building/compound. Perhaps the only issue I see with the shoot, was that ROE (b)(1)1.4a was cited. Regardless, (b)(1)1.4a, (b)(3), (b)(6) picked up

(b)(1)1.4a

At the end of the (b)(1)1.4a it appeared that the strike was procedurally correct in terms of confirming the applicable ROE, confirming the target, and acquiring the (b)(3), (b)(6) (b)(3), (b)(6) intent and authorization.

(b)(3), (b)(6) then began to build a two slide storyboard, (b)(1)1.4a of the strike (showing the declaration that the compound was Taliban controlled with 9 PAX hostile). (b)(3), (b)(6) provided the first impression report to (b)(3), (b)(6)

(b)(3), (b)(6) then began to build a timeline of events and (b)(1)1.4a

Neither the aircrew nor (b)(3), (b)(6) was aware they had hit the wrong compound until weeks after the event. CJSOAC-A/SJA spoke w/SOTF-A/SJA and determined through legal channels the wrong target had been struck, on or about mid-October. The crew likely did not know it was the wrong target until the 15-6 investigator's interviews.

The (b)(3), (b)(6) was suspended from flying, and the (b)(3), (b)(6) were subsequently suspended, but no member has been de-certified. Nor was decertification considered as standards were complied with.

- 2) How many personnel positions (spaces) were assigned to CJSOAC-A in October of 2014 and how many in October 2015? What is the current manning level and where are the vacancies if not 100%?

(b)(1)1.4a

- 3) (b)(1)1.4a

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

4) What Operational Risk Management regulations does CJSOAC use?



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

---

From: Armfield, Robert G. BG US MIL VICE DIRECTOR  
[mailto:(b)(3), (b)(6)@afghan.swa.army.smil.mil]  
Sent: Monday, November 02, 2015 9:28 AM  
To: (b)(3), (b)(6)  
Cc: Bauernfeind, Tony D BG SOJTF-A; Jenkins, Sean M. BG Deputy Director  
Subject: ~~(S)~~ RFIs

CLASSIFICATION: ~~SECRET//NOFORN~~

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

A few RFIs for you and your team:

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



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

Please provide a written response to the above six questions on a signed MFR to me NLT 1200 3 November 2015. Call or email me if you have any questions.

Thanks, RA

Gwyn Armfield  
Brig Gen USAF



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

CLASSIFICATION: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET~~

Message Body Caveats: ~~NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

Attachment Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

Attachment Classification: ~~SECRET~~

Attachment Caveats: ~~NOFORN~~

Message Body Classification: ~~SECRET~~

Message Body Caveats: ~~NOFORN~~

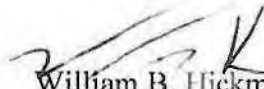
**Classification: ~~SECRET//NOFORN~~**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION:

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

# PRIVACY ACT STATEMENT

The **Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

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

Signature of Interviewee



### 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 CJSOAC-A	2. DATE (YYYYMMDD) 20151023	3. TIME 1700	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		6. SSN	7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

Prior to the evening of 2 October 2015, I had flown up to the city of Kunduz, Afghanistan on September 29 in support of the Afghan government's effort to retake control of the city from anti-coalition forces. That evening my crew and I prosecuted targets and became generally familiar with the layout of the city proper. At mission completion the crew preserved our mission products due to the necessity of maintaining continuity for the area.

On October 2, 2015 my crew and I were tasked to fly back up to Kunduz in support of continued coalition operations, however we were alerted approximately seventy minutes early. This was due to a troops-in-contact situation being declared within the city and a call for a gunship to respond immediately. My crew and I reported into our operations center and received a quick update on what was occurring. (b)(1)1.4a, (b)(1)1.4g  
(b)(1)1.4a, (b)(1)1.4g My crew and I picked up our products from the previous mission and expedited our departure.

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

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 2 PAGES (b)(3), (b)(6)
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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 (b)(3), (b)(6) TAKEN AT 1700 DATED 20151023

9. STATEMENT (Continued)

The (b)(3), (b)(6) raised the crew's Operational Risk Management (ORM) to "high" and stated that at Begin Morning Nautical Twilight (BMNT) the ORM would be elevated to "extreme." The crew then began directing all aircraft overhead the city to immediately begin climbing in an effort to mitigate the emerging threat. Our aircraft commander also began varying our flying orbit over the city in order to avoid the (b)(1)1.4a point of origin. All of this information was relayed by our (b)(3), (b)(6) (b)(3), (b)(6) to our Command & Control agencies back at Bagram AB.

After approximately three hours of maintaining sensor coverage over the city and proactively searching areas requested of us by the ground party we were (b)(1)1.4a. The coordinates we were given from the (b)(3), (b)(6) initially (b)(1)1.4a to a large complex that was approximately three hundred meters away from the original grids. This was due to the complex being the main distinguishable site near the coordinates. Once we were tracking the area we asked for further clarification as to what we were looking for and if the (b)(1)1.4a (b)(1)1.4a was a large T shaped building that had several other buildings associated with it within the complex and that there was an arched gate on the northern side of the complex. The area that we were looking at matched this description and we were then asked to confirm a (b)(1)1.4a which our sensors verified. The (b)(3), (b)(6) then informed us that a friendly convoy was enroute from (b)(1)1.4a to the site in order to conduct a clearing operation. As we continued to monitor the complex the (b)(1)1.4a, (b)(3), (b)(6) to a set of buildings that was less than a kilometer away and asked to receive further clarification that he was (b)(1)1.4a noticing that this set of structures was the only other complex of buildings nearby the grids passed. The (b)(1)1.4a, (b)(3), (b)(6) to the (b)(3), (b)(6) and it was confirmed that it was not the NAI we were requested to track. (b)(1)1.4a continued to monitor the original complex and pass the pattern of life that was found within. A short while later the (b)(3), (b)(6) stated that the (b)(3), (b)(6) intended for us to "soften" the complex. Upon asking for clarification as to the meaning of the word "soften" we were told that the (b)(3), (b)(6) wanted us to engage all targets of opportunity that may hinder the ground party's progress of clearing the complex. Shortly there after the (b)(3), (b)(6) relayed to us that the complex that we were monitoring was under "TB" (Taliban) control and that all associated personnel were declared hostile. After a quick crew discussion, our navigator requested to know the Rules of Engagement (ROEs) that we would be working under for the engagement. The (b)(3), (b)(6) then passed that we would be following Resolute Support (b)(1)1.4a (b)(1)1.4a

After several minutes of continuing to monitor pattern of life at the complex, confirming nearest friendly position (830 meters) and going over weaponing options we were cleared to engage the complex area. My crew and I began posturing for the engagement and while doing so asked for further guidance as to level of destruction and what it was we were specifically going to engage. The (b)(3), (b)(6) stated that we were to engage the nine personnel outside of the main building as well the main T shaped building itself. He further stated that we were to engage all personnel who (b)(1)1.4a from the T shaped building and the surrounding buildings within the complex. The (b)(3), (b)(6) directed us to cease the engagement once the friendly convoy was within three hundred meters of the complex.

Shortly before the engagement we verified our weapon selection which was (b)(1)1.4a. Once the crew was fully postured to engage I gave the (b)(3), (b)(6) brief followed by the (b)(3), (b)(6) confirming the target and we began to strike the personnel in the compound area as well as the main building. The engagement lasted approximately thirty minutes and then we went cold once the friendly convoy was within seven hundred meters. At this point, the T shaped building was on fire and there was no visible activity within the complex area.

Once we went cold we returned to our (b)(1)1.4a on the known friendly positions and scanning for potential threats to the ground party. The rest of the mission after the engagement was uneventful and we returned to base without incident.

INITIALS OF PERSON MAKING STATEMENT

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

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

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1700 DATED 20151023

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 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 23<sup>rd</sup> day of OCTOBER, 2015 at Bagram Air Field AFG

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

ARTICLE 136, (b)(3), (b)(6)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as a (b)(3), (b)(6) in the AC-130U.

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

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6) @us.af.mil.

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



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.

2. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6) @us.af.mil.

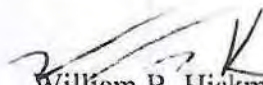
(b)(3), (b)(6)

“For Official Use Only (FOUO) information, which must be protected under the Privacy Act and Air Force Instruction 33-332.”

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 23 Oct 15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. AUTHORITY FOR SOLICITING INFORMATION: 41 U.S.C. § 31; DOD 5200.1-R

B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED: To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION: Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. DISCLOSURE: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED: providing the information is voluntary subject to paragraph D. There will be no adverse effect on your for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 23 day of October, 2015.

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

Signature of Witness

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

Signature of Interviewee

**Digital Sender Cover Sheet Agreement/User Agreement**

I accept the responsibility to safeguard the information contained in this document to a level commensurate with the classification of the information from unauthorized or inadvertent disclosure or use.

I understand that Communications using, data stored on, or information being transmitted over government networked information systems (IS) are not private. I

understand that the use of NSOCC-A networks or any other DoD computer system or network constitutes consent to being monitored at all times for purposes including, but not limited to, penetration testing, COMSEC monitoring, network operations and defense, personal misconduct (PM), law enforcement (LE), and counterintelligence (CI) investigations. At any time, NSOCC-A may inspect and seize data stored or transmitted over government networks.

I will not scan information onto a network if the information has a higher classification than what the network is currently accredited. I will not enter information that is proprietary, contractor-excluded, or otherwise needs special protection or handling, unless approved in writing by Information Assurance (IA). I will have the information to be scanned reviewed and verified by another person for Two Person Integrity (TPI) to prevent unauthorized or inadvertent disclosure or use. I and the TPI person certify to the best of our knowledge that we have taken all appropriate measures to ensure the information contained in this document is authorized for transport over the network on which it will be sent.

I will report incidents pertaining to unauthorized storage or transmission of information of a greater sensitivity than what the system or network is currently accredited for to my servicing Help Desk.

I understand that violations of agreed upon conditions will result in the suspension or termination of my privileges to access classified data. I understand that my access may be suspended, revoked or terminated for non-compliance with DoD security policies. These repercussions also apply to the TPI person.

The undersigned consents to interception/capture and seizure of ALL communications and data for any authorized purpose (including personal misconduct, law enforcement, or counterintelligence investigation). The undersigned understands that violations are punishable by UCMJ action, punitive actions and/or other adverse administrative actions.

Classification of information being scanned: ~~Secret // NoFORN~~

Subject: (b)(3), (b)(6) *Stunt*

YYYY/MMM/DD and Time: *2015 NOV 12 1318 Z*

Print Rank/Title Name of User: *H* [Redacted]

User Signature: (b)(3), (b)(6) [Redacted]

Print Rank/Title [Redacted]

TPI Signature: (b)(3), (b)(6) [Redacted]



**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 CJSOAC-A BAGRAM AIR FIELD	2. DATE (YYYYMMDD) 20151023	3. TIME 1514	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS	
(b)(3), (b)(6)			
8. ORGANIZATION OR ADDRESS			
(b)(3)			

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

\*\*\*Information in this statement is classified up to and including ~~SECRET/NOFORN~~\*\*\*

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

On the night of 02/03 October 2015, my crew and I were launched in response to a TIC (Troops in Contact). After getting ready, I went to our ops room and collected my gear. We immediately stepped out the aircraft with no products for the area, only with the information of the general location (Kunduz). We (b)(1)1.4a (b)(1)1.4a, (b)(1)1.4g was initially working as we proceeded north. After finishing (b)(1)1.4a, (b)(1)1.4g This does happen sometimes and is impossible to predict. To troubleshoot (b)(1)1.4a, (b)(1)1.4g and reconnection, we (b)(1)1.4a, (b)(1)1.4g and it's individual (b)(1)1.4a, (b)(1)1.4g After these steps, I was unable to bring the system and connection back on-line. For the rest of the mission, (b)(1)1.4a, (b)(1)1.4g and being (b)(1)1.4a, (b)(1)1.4g We then proceeded to the operation arriving at (b)(1)1.4a We established two-way line-of-sight radio communication with the Joint Terminal Attack Controller (JTAC), who gave us multiple (b)(1)1.4a the loadmaster called (b)(1)1.4a

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

\*\*\*Information in this statement is classified up to and including ~~SECRET/NOFORN~~\*\*\*

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT <span style="border: 1px solid black; padding: 2px;">(b)(3), (b)(6)</span>	PAGE 1 OF <u>3</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 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 BAGRAM AIR FIELD DATED 20151023

9. STATEMENT (Continued)

\*\*\*Information in this statement is classified up to and including SECRET//NOFORN\*\*\*

(b)(1)1.4a

(b)(1)1.4a As we came back on station, we received multiple grids to look at by the (b)(3), (b)(6). As we looked at one of the grids passed, the (b)(3), (b)(6) assessed that the compound was under Taliban Control and declared all personnel in that compound to be hostile. Inside the compound, we observed only assessed adult males including two guards at the front gate. Later, the (b)(3), (b)(6) assessed that a ground force would be moving through the city to clear that compound and that the (b)(3), (b)(6) intent was to have us "soften the target". After getting clarification of what "soften the target" meant, our crew passed multiple target confirmation radio transmissions to ensure we were on the correct compound. At (b)(1)1.4a, (b)(3), (b)(6) appeared us to engage the building in the center of the compound as well as any (b)(1)1.4a inside the compound, (b)(3), (b)(6). We then got additional target confirmation with the (b)(3), (b)(6) include a large, T-Shaped building in the center of the compound with multiple surrounding buildings with a gate on the north side with an arch. We then went hot (actively shooting) at 2135z targeting the building and associated (b)(1)1.4a. I gave advisory calls that we were going hot back to our (b)(1)1.4a. I eventually passed grids of the target during the engagement. This is normally done post engagement as part of our Battle Damage Assessment but due to the length of the engagement, I passed them early to start to getting the information to our JOC. About 25 minutes into the engagement when we had almost finished shooting, I was asked to pass if there was any damage to a building to the south of the compound. I asked for clarification and they repeated to pass a collateral damage estimate because there was a trauma center south of that compound. I responded saying that there was no assessed damage to any buildings outside of that compound. Throughout the engagement, we continued to check the location of the ground party as they proceeded inbound to the compound not coming closer than 600m to the target compound. Towards the end, we had a (b)(1)1.4a, (b)(1)1.4g with a round stuck in the chamber. We stopped firing at the target at 2204z. We then got clearance from the (b)(3), (b)(6) expend the stuck round in an open field that we cleared that had no collateral damage or civilian casualty concerns.

(b)(1)1.4a

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

\*\*\*Information in this statement is classified up to and including SECRET//NOFORN\*\*\*

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

*End of Statement*

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

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT BAGRAM AIR FIELD DATED 20151023

9. STATEMENT (Continued) (b)(3), (b)(6)

*End of Statement*

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

**AFFIDAVIT**

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24<sup>th</sup> day of OCTOBER, 2015 at BAGRAM AIR FIELD AFB

ORGANIZATION OR ADDRESS

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

(Oath)

(Typed Name of Person Administering Oath)

Article 136

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

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

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

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).  
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**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 Bagram Airfield, Afghanistan	2. DATE (YYYYMMDD) 20151106	3. TIME 1200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
Special Operations Task Force-Afghanistan

9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
Note: The times referenced in the (b)(3), (b)(6) Documents are in various time zones, I will convert the times to UTC +4:30 (Afghanistan local time) for simplicity. All my statements are to the best of my recollection, with any definitive time and date information being drawn from the email timestamps included in the (b)(3), (b)(6) Documents.

1. Describe in detail your knowledge of learning of the MSF Trauma Center in Kunduz (ref your emails and packet provided).  
I first learned of the MSF Trauma Center's location when I saw the document with the coordinates (page 5 of (b)(3), (b)(6) Documents) on the (b)(3), (b)(6) computer. She received the document through the med channels as a possible location to take US/Afghan wounded to in an emergency situation. When I saw the document, I asked her to send it to me as soon as possible (page 6, (b)(3), (b)(6) Documents). I received the document shortly after (010947OCT15), and converted the coordinates to MGRS. Immediately following that, I went to the OPCEN and gave the coordinates to the (b)(3), (b)(6) (b)(3), (b)(6), who was managing the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) After the shift change that day, I gave the information to the (b)(3), (b)(6)

(b)(3), (b)(6) 2. Provide as specific as possible the timing of emails and phone calls (as mentioned in your emails and packet). Understanding your (b)(3), (b)(6) phone was not set to exact time, please provide windows of when you sent, received emails or spoke to an individual reference the MSF. -

My first contact with anyone regarding the Trauma Center was when I contacted (b)(6) from the United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA). I contacted him from his information provided in his email to RS (page 7, (b)(3), (b)(6) Documents) via mobile phone, likely in the afternoon of 01OCT15 IOT begin the process to deconflict any resupply operations that would travel to the hospital. After the conversation, I emailed (b)(6) so that he had my contact information to email me if the need arose (page 9, (b)(3), (b)(6) Documents) and received a response at 011048OCT15.

On 020519OCT15, I received an email (page 11 (b)(3), (b)(6) Documents) from (b)(6) with the information he obtained (page 13 (b)(3), (b)(6) Documents) regarding an upcoming resupply convoy. I believe that (b)(6) called me later that morning, and we discussed MSF's intent to resupply the hospital. The convoy makeup and departure times changed throughout the next several hours, and I received another document with the updated convoy information (pages 15 (b)(3), (b)(6) Documents) provided by MSF at (021321OCT15). I then consolidated that information onto one page (page 16 (b)(3), (b)(6) Documents) and gave it to the (b)(3), (b)(6) so that they could intervene if a strike was called in or vehicles matching that description were heard/observed.

10. EXHIBIT	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.

STATEMENT OF (b)(3), (b)(6) TAKEN AT BAF DATED 20151106

9. STATEMENT (Continued)

Later, that day, but before 021407OCT15, I had an phone conversation with (b)(6) where he asked to put me in touch with (b)(6) (b)(6) to better facilitate the next request from MSF. When I received the call from (b)(6) this request turned out to be a plan for possible extraction from the hospital. In the notes I took (page 043, (b)(6) documents) when I spoke to (b)(6) I wrote that he was asking if we could look into the 'working feasibility' of if/how we could extract them when and if asked. He was clear in indicating that he was not currently asking for an extraction, only that I advise him of the feasibility, which led me to ask about his current disposition. He informed me of the number of beds, number of international aid workers in the hospital, and that the Taliban were 'protecting' the hospital and were treating the government casualties well (I assumed they were from the initial TB push into the city, not from the forces that the USSF accompanied). \*that notes page had several different conversations/notes to myself, not all writing is from the phone call\*

I believe that it was during the conversation referenced above that I recommended to (b)(6) that MSF take the signs normally affixed to the sides of the trucks and to install them on the top of the vehicle for easy identification by aircraft during this and any future MSF resupply operation(s). I do not know if this was done, but the end result of this exchange (probably around 1530-1630, 02OCT15, near to the convoy's expected arrival time) was confirmed through text message and a subsequent phone conversation (page 043, (b)(6) document) with (b)(6) that confirmed the safe delivery of supplies to the Trauma Center.

3. Discuss the communications reference possible extraction of expats from MSF. How far did the planning of this potential operation go within the staff and higher HQs? Was the AOB aware (Warning Order)?

I do not know if the AOB was notified to begin planning for an extraction, I did inform (b)(3), (b)(6) during this period of my conversation. I do not know if specific plans were made to prepare for an extraction or if any other HQs were made aware.

4. Was the OPCEN tracking the movement of supplies via taxi to the MSF trauma center?

The OPCEN was aware that the convoy was occurring; however, due to ongoing operations, I do not believe they were tracking the movements.

5. Describe your interaction with the OPCEN. When did you first notify them of the grid(s) of the MSF? How many times did you interact with the (b)(3), (b)(6) throughout the days leading up to the 2/3 October A-C130 Strike?

I will refer to question #1 to answer the interaction prior to the strike.

6. When did you receive the phone call informing you of the MSF under attack? Who made the call to you?

During the early morning of 03OCT15, I received a phone call from (b)(6) he began by apologizing for calling so late, and stated that the hospital was being hit by an airstrike, asking that I try to stop it. I replied that I would see what was happening.

At that time, I did not know what was happening in the OPCEN, and I did not know if MSF was really being struck by aircraft or had taken RPG fire from Taliban trying to fire at our forces. For that reason, I recall that I went immediately to the OPCEN and asked the (b)(3), (b)(6) if we were conducting any strikes, because I was just told that we were striking the Trauma Center. (b)(3), (b)(6) overheard and asked me to repeat myself, which I did. By this time, (b)(3), (b)(6) (b)(3), (b)(6) had taken action to confirm/deny what I said. I do not recall precisely what time I received the phone call, but it could not have been more than a few minutes between the call and when the OPCEN began to take action to determine what was happening, and ultimately call 'check fire'.

7. When you notified them of the phone call stating the MSF was under attack, how long did it take for a cease fire to be called?

I am not certain how long it took for a cease fire/check fire to be called, but action was taken immediately after I informed the (b)(3), (b)(6) (b)(3), (b)(6) to determine what was happening, and once we knew that a strike had occurred on the Trauma Center, a check fire was called.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

9. STATEMENT (Continued)

8. Provide any amplifying information on the actions concerning the MSF strike.

The text message log sequence in the Washington Post article appears accurate (WP Text Log) although there may be slight discrepancies between the Text Log, (b)(1)1.4a, (b)(1)1.4g. Additionally, I was aware that the strike had ended when I replied to (b)(6) texts that the WP Text Log show occurred at 0252D\*. I did not tell them that the strikes had stopped due to an abundance of caution about OPSEC, and the realization that any information I provided at that point would not affect the situation on the ground. Nothing follows (b)(3), (b)(6)

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

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 3 PAGES

From: [Armfield, Robert G. BG US MIL VICE DIRECTOR](#)  
To: [REDACTED] (b)(3), (b)(6)  
Subject: FW: (U//~~FOUO~~) Communication record between [REDACTED] MSF from 02-03 OCT  
Date: Tuesday, October 27, 2015 3:42:54 PM  
Attachments: (b)(3), (b)(6) documents.pdf

---

CLASSIFICATION: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

[REDACTED] (b)(3), (b)(6)

Please file the below info documenting exchange between UN / RS/ SOTF and MSF

Thanks, r/ RA

[REDACTED] (b)(3), (b)(6)

CLASSIFICATION: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

---

From: Armfield, Robert G. BG US MIL VICE DIRECTOR  
Sent: Tuesday, October 27, 2015 3:42 PM  
To: [REDACTED] (b)(3), (b)(6)  
Cc: Jenkins, Sean M. BG Deputy Director; [REDACTED] (b)(3), (b)(6)  
Team; Hickman, William B. MG US MIL DEPUTY COMMANDER  
Subject: FW: (U//~~FOUO~~) Communication record between [REDACTED] MSF from 02-03 OCT

CLASSIFICATION: ~~UNCLASSIFIED//FOR OFFICIAL USE ONLY~~

[REDACTED] (b)(3), (b)(6)

I believe you are working the MSF Info LOO.

Attached is some great info but it will require some patient work to piece together for our timeline

I read through all of this and recommend that you to start first w/ email below from [REDACTED] (b)(3), (b)(6) then .pdf cover sheet followed by the actual .pdf documents to get the proper feel for the timing.

The info contained is consequential because it highlights the extensive dialogue and relationship between SOTF / RS and MSF to deconflict ops O/A 2 OCT.

r/ RA

Gwyn Armfield  
Brig Gen USAF

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

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

From: (b)(3), (b)(6)  
Sent: Tuesday, October 27, 2015 1:10 AM  
To: Jenkins, Sean M BG MIL USA USCENTCOM CCJ3-A; Armfield, Robert G. BG US MIL VICE DIRECTOR  
Cc: (b)(3), (b)(6)  
Subject: (U) Communication record between (b)(3), (b)(6) MSF from 02-03 OCT

Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Message Body Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Gentlemen,

My timeline, to the best of my recollection is as follows due to errors in time stamps on the mobile telephone:

02 OCT approx. 1320 (b)(3), (b)(6) receives email request from (b)(6) to facilitate direct communication between MSF and (b)(3), (b)(6) regarding the need for a possible extraction plan

- Phone conversation regarding this occurs between MSF Representative (b)(6) and (b)(3), (b)(6) discussing the need for a plan for extraction in case the situation deteriorates further. MSF emphasizes that the plan is not needed at that time, but may be in the future. Also discussed was the Taliban treatment of hospital workers and patients. Taliban are described as 'protecting' the hospital.
- Around this time, the coordination of a convoy to resupply the hospital is discussed. Information describing the vehicles is transmitted from MSF (b)(3), (b)(6) in the form of a Pashto language letter designed for identification at GIRoA or Taliban CPs with pertinent information. Information is provided to the JOC. Updates to the convoy disposition and are provided by email and text message (b)(3), (b)(6) advises marking the top of vehicles with MSF logo to be visible to aircraft.

02 OCT approx. 1700 (b)(3), (b)(6) messages MSF to determine status of convoy. MSF advises of safe delivery of supplies.

03 OCT, between 0200-0220: Phone call received by (b)(3), (b)(6) from MSF stating that the Trauma Center was receiving an airstrike (b)(3), (b)(6) states that he will find out if airstrikes are occurring, asks about casualties, end the call and informs the JOC.

- Text messages are exchanged regarding casualty figures and disposition of the hospital. (as annotated in page four (b)(3), (b)(6) documents' PDF)



Unfortunately, I cannot recall the exact time that I received the phone call; however, I do know that as soon as I hung up the phone, I proceeded to the JOC to inform the relevant parties. The times presented for the 2<sup>nd</sup> of October are based on the email time stamps, and there is no email traffic related to the strike to assist with timeline identification.

If needed, and as previously discussed, I am willing to submit my phone as evidence.

Respectfully,

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

Attachment Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Message Body Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

**Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~**

More

The sequence appears accurate, although there may be slight discrepancies between <sup>the</sup> (b)(1)1.4a, (b)(1)1.4g, (b)(3) and <sup>log 5.</sup> (b)(3)

**Summary phone log of contacts MSF made during the US airstrikes<sup>13</sup>**

MSF made multiple calls and SMS contacts in an attempt to stop the airstrikes:

- At 2.19am, a call was made from MSF representative in Kabul to Resolute Support in Afghanistan informing them that the hospital had been hit in an airstrike
- At 2.20am, a call was made from MSF representative in Kabul to ICRC informing them that the hospital had been hit in an airstrike
- At 2.32am a call was made from MSF Kabul to OCHA Civil Military (CivMil) liaison in Afghanistan to inform of the ongoing strikes
- At 2.32am a call was made by MSF in New York to US Department of Defense contact in Washington informing of the airstrikes
- At 2.45am an SMS was received from OCHA CivMil in Afghanistan to MSF in Kabul confirming that the information had been passed through "several channels"
- At 2.47am, an SMS was sent from MSF in Kabul to Resolute Support in Afghanistan informing that one staff was confirmed dead and many were unaccounted for
- At 2.50am MSF in Kabul informed Afghan Ministry of Interior at Kabul level of the airstrikes. Afghan Ministry of Interior replied that he would contact ground forces
- At 2.52am a reply was received by MSF in Kabul from Resolute Support stating "I'm sorry to hear that, I still do not know what happened"

for further context, see page 4,

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

- At 2.56am an SMS was sent from MSF in Kabul to Resolute Support insisting that the airstrikes stop and informing that we suspected heavy casualties
- At 2.59am an SMS reply was received by MSF in Kabul from Resolute Support saying "I'll do my best, praying for you all"
- At 3.04am an SMS was sent to Resolute Support from MSF in Kabul that the hospital was on fire
- At 3.07am an SMS was sent from MSF in Kabul to OCHA CivMil that the hospital was on fire
- At 3.09am an SMS was received by MSF in Kabul from OCHA CivMil asking if the incoming had stopped
- At 3.10am and again at 3.14am, follow up calls were made from MSF New York to the US Department of Defense contact in Washington regarding the ongoing airstrikes
- At 3.13am an SMS was sent from MSF in Kabul to OCHA CivMil saying that incoming had stopped
- At 3.15am an SMS was received from CivMil OCHA stating that information had been passed to Resolute Support in the North and CJOC in Kabul as well as ANA in Kabul and the North
- At 3.18am an SMS was sent from MSF in New York to US Department of Defence contact in Washington that one staff was confirmed dead and many were unaccounted for

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

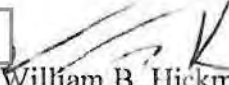
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 3 NOV 15

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

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 3rd day of November, 2015.

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

Signature of Witness

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

Signature of Interviewee

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

1. LOCATION: CAMP VANCE, BAGHRAM AFGHANISTAN
2. DATE (YYYYMMDD): 20151101
3. TIME: 1600
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS

8. ORGANIZATION OR ADDRESS
(b)(3)

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

There was a memorandum from MSF on my desk at the beginning of my shift with the grids on it. I don't know if this was at 01 0000D\*OCT15 or 02 0000D\*OCT15. (b)(1)1.4a, (b)(1)1.4b had secured the PGOV compound and the partner force was conducting clearing operations around the PGOV block I asked them if they had cleared the MSF residence located on that block. They were not tracking the MSF building in that area at that time. Shortly after this, I relayed the 4 grids over (b)(1)1.4a, (b)(1)1.4g (phone) from the paper MSF (Medicines Sans Frontiers, doctors without borders) memorandum. I do not remember the exact time of this conversation. I cannot say with certainty what time I passed the information. At the time I did not think there was any reason to make a record of the conversation. I cannot say with certainty with who I was on the phone. I did not log my conversation in the (b)(1)1.4a, (b)(1)1.4g or any other log. I don't remember what else was discussed on the call. I know I read the 4 grids and got a read back for accuracy. I think I used the term doctors without borders not MSF. I asked if they were tracking these locations previously and they said no. At the time of the conversation I did not see any need to document the interaction.

At 03 (b)(1)1.4a OCT15 when I came on shift at (b)(1)1.4a I saw I'd received an email with updates on the MSF situation and disposition. I advised (b)(1)1.4a, (b)(1)1.4g, (b)(3) that I would be sending them information over (b)(1)1.4a, (b)(1)1.4g and (b)(1)1.4a, (b)(1)1.4g. At about this same time one of the S2 personnel informed me he had a list of potential enemy positions around Kunduz. I instructed him to type the grids into a (b)(1)1.4a, (b)(1)1.4g. After he sent his (b)(1)1.4a, (b)(1)1.4g the information on the MSF email into (b)(1)1.4a, (b)(1)1.4g and sent that. Immediately after I sent that message, (b)(3) (b)(1)1.4a, (b)(1)1.4g briefed me that MSF wanted to do a fixed wing resupply into Kunduz airport the next day (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to give an update and at that time I asked if they had received my (b)(1)1.4a, (b)(1)1.4g and they said they had. It is possible that they received the first and not the second (b)(1)1.4a, (b)(1)1.4g but that time. I then sent a 3rd (b)(1)1.4a, (b)(1)1.4g informing them of the fixed wing MSF resupply mission. (b)(1)1.4a, (b)(1)1.4g do not maintain records of sent messages at the sender location. The only way the sender can see their own traffic is if the recipient sends a reply. There were 4 messages sent from the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) between midnight and 0400: 0104D\*, 0111D\*, 0133D\*, 0233D\*. The fourth message sent at 0233 was replied to and stated (b)(6) for doctors without borders reports trauma center was just hit by an airstrike."

At some point between 0133 and 0233 (b)(3), (b)(6) came into the JOC and informed us that MSF (b)(6) had reported that the clinic had been hit by an airstrike. I sent them the 4th (b)(1)1.4a, (b)(1)1.4g moments later (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) immediately said that we'd received a report that the clinic was hit by an airstrike and for them to come up on (b)(1)1.4a, (b)(1)1.4g

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

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_"
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

9. STATEMENT (Continued)

All times used in this statement are based on the (b)(1).4a, (b)(1).4g message log.

TIMELINE for 3OCT15

(b)(1).4a: I began my shift.

UNKNOWN: I informed (b)(1).4a, (b)(1).4g, (b)(3), (b)(6) would be passing information on (b)(1).4a, (b)(1).4g

0104D\*: (b)(1).4a, (b)(1).4g with enemy locations in Kunduz.

0111D\*: (b)(1).4a, (b)(1).4g with MSF location and situation.

UNKNOWN: (b)(1).4a, (b)(1).4g said they had received (b)(1).4a, (b)(1).4g

UNKNOWN: Briefed by (b)(3), (b)(6) about planned fixed wing resupply to Kunduz airport.

0136D\*: (b)(1).4a, (b)(1).4g with information about MSF planned fixed wing resupply to Kunduz airport.

UNKNOWN: Informed by (b)(3), (b)(6) that MSF Clinic had been hit by airstrike.

0236D\*: (b)(1).4a, (b)(1).4g stating MSF clinic reported being hit by airstrike.

UNKNOWN: I informed (b)(1).4a, (b)(1).4g of report of strike on clinic on (b)(1).4a, (b)(1).4g

Nothing Follows

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

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

AFFIDAVIT

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT

WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

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

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES

**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 VANCE, BAGHRAM AFGHANISTAN	2. DATE (YYYYMMDD) 20151105	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(3)

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

1. What are your duties as the (b)(3), (b)(6) in the OPCEN?  
  
(b)(3), (b)(6)

2. What time did you come on shift on the evening of the 2nd of October 2015?  
(b)(1)1.4a \*OCT15

3. When do you go off shift (shift change)?  
(b)(1)1.4a \*

4. Is there a shift change brief? If so, what does it entail? Are CONOPs briefed?  
I am briefed by (b)(3), (b)(6). The brief covers events of last 12 hours, current situation, disposition of forces in ongoing operations, (b)(1)1.4a, (b)(1)1.4g, upcoming operations, operational and personnel related administrative tasks and requirements.

5. Describe your actions in the OPCEN on the night of the 02nd October 2015  
At 03 (b)(1)1.4a OCT15 when I came on shift at (b)(1)1.4a, I saw I'd received an email with updates on the MSF situation and disposition. I advised (b)(1)1.4a, (b)(1)1.4g, (b)(3) that I would be sending them information over (b)(1)1.4a, (b)(1)1.4g. At about this same time one of the S2 personnel informed me he had a list of potential enemy positions around Kunduz. I instructed him to type the grids into a (b)(1)1.4a, (b)(1)1.4g. After he sent his (b)(1)1.4a, (b)(1)1.4g, I typed the information on the MSF email into (b)(1)1.4a, (b)(1)1.4g and sent that. Immediately after I sent that message, (b)(6) (b)(3), (b)(6) briefed me that MSF wanted to do a fixed wing resupply into Kunduz airport the next day (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to give an update and at that time I asked if they had received my (b)(1)1.4a, (b)(1)1.4g and they said they had. It is possible that they received the first and not the second (b)(1)1.4a, (b)(1)1.4g at that time. I then sent (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) informing them of the fixed wing MSF resupply mission. (b)(1)1.4a, (b)(1)1.4g does not maintain records of sent messages at the sender location. The only way the sender can see their own traffic is if the recipient sends a reply. There were 4 messages sent from the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) between midnight and 0400: 0104D\*, 0111D\*, 0133D\*, 0233D\*. The fourth message sent at 0233 was replied to and stated (b)(6) for doctors without borders reports trauma center was just hit by an airstrike." Additionally I was tracking the other ongoing operations.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 4 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.

9. STATEMENT (Continued)

6. Was the normal staff on duty during the evening of 2 Oct 15?  
To the best of my knowledge and recollection, yes.

7. Is there a battle drill when an air to ground engagement is being conducted? What is your role during the engagement?

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

8. Was information was being passed to the OPCEN leadership?  
Information is always being passed. I cannot remember specifically who said what to whom.

9. Do you monitor (b)(1)1.4a, (b)(1)1.4g that the OPCEN Log?  
I always have (b)(1)1.4a, (b)(1)1.4g monitor and review it when time permits. I rely on the ITCs to notify JOC personnel of any important traffic.

10. Describe your actions in the OPCEN on the night of the 02nd October 2015  
See question 5.

11. What is or is there a battle drill to monitor operations when systems go down (b)(1)1.4a, (b)(1)1.4g? How do you maintain situational awareness?  
I don't know what (b)(1)1.4a, (b)(1)1.4g. When we don't have (b)(1)1.4a, (b)(1)1.4g in the JOC I rely on (b)(1)1.4a, (b)(1)1.4g for situational awareness of what (b)(1)1.4a, (b)(1)1.4g is looking at.

12. What checks do you perform / what are your duties as part of the CONOPS briefs and during execution?  
I do not brief any part of formal CONOP briefs. During mission execution I record OPSCHEDs, update the (b)(1)1.4a, (b)(1)1.4g Room with information passed by the unit, and alert other JOC personnel as required.

13. Do you consult / check a No Strike List as part of your duties?  
I was not aware of the existence of the no strike list on 03OCT15. Now the no strike list is attached to the (b)(1)1.4a (b)(1)1.4a linked (b)(1)1.4a, (b)(1)1.4g

14. On the night of 2nd morning of the 3rd of October 2015 did you have situational awareness that AOB-N was conducting an engagement on an assessed Taliban controlled compound prior to the first round being fired?  
No. I was focused on sending (b)(1)1.4a, (b)(1)1.4g and tracking other ongoing operations.

15. While on duty on the night of the 2nd and morning of the 3rd of October 2015, do you recall any information being briefed about an MSF Trauma Center (Hospital)? Any calls or radio (to include (b)(1)1.4a, (b)(1)1.4g) transmissions reference the MSF Trauma Center?

I sent (b)(1)1.4a, (b)(1)1.4g about the trauma center at 0111D\*. I was briefed by (b)(3), (b)(6) on the situation at the trauma center. It was basically the same information as the email from earlier. I sent a second (b)(1)1.4a, (b)(1)1.4g about the planned fixed wing resupply for the trauma center. (b)(3), (b)(6) informed the JOC that the (b)(6) for MSF reported the trauma center was hit by an airstrike. I sent a (b)(1)1.4a, (b)(1)1.4g, (b)(1)1.4g, (b)(1)1.4g relying that report. Before I could attempt to contact the team by cell phone or any other means they came up on (b)(1)1.4a, (b)(1)1.4g and (b)(1)1.4g immediately informed them we received a report the trauma center had been hit by airstrike and told them to come up (b)(1)1.4a, (b)(1)1.4g

16. Why wasn't a (b)(3), (b)(6) used to monitor the AC-130 engagement or the PCOP given the integrated defense given the imminent threat?  
I do not remember having any awareness of that.

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 4 PAGES



## 9. STATEMENT (Continued)

17. Do you recall the (b)(3), (b)(6) coming into the OPCEN? What time?

I remember talking to him at least twice. The first time was to discuss the email that he had sent me earlier that afternoon and MSF resupply operations into Kunduz. The second time was when he had received a report of an airstrike on the clinic. I do not remember the specific time of either conversation.

18. If so, what did he discuss with the (b)(3), (b)(6)?

The first time we spoke we discussed the situation at the clinic and request to make plans for a possible extraction if the situation deteriorated and also ground and fixed wing resupply operations that had been conducted and were planned by MSF.

19. What actions followed?

Following the first conversation I sent (b)(1)1.4a, (b)(1)1.4g with an update about the planned MSF fixed wing resupply into Kunduz airport.

20. Do you remember (b)(1)1.4a, (b)(1)1.4g broadcast on a speaker in the OPCEN, or headphones at individual positions in the OPCEN?  
(b)(1)1.4a, (b)(1)1.4g a speaker box behind me, between me and the (b)(3), (b)(6).

21. When did you receive the grids for the MSF facilities? Who gave them to you (only the memo)?

I know that the grids had been plotted on the (b)(1)1.4a, (b)(1)1.4g COP prior to my receipt of the memorandum. The memorandum was the first time I remember actually seeing the grids written down anywhere. I was told that the memorandum came from (b)(3), (b)(6)

22. To the best of your memory, tell us about the conversation you had with the AOB when you called to give them the MSF locations?

I told them I had grids to some doctors without borders locations in Kunduz. I told them that 3 were in the city and one was a little to the west. I read them the grids. They read the grids back to me.

23. What was the number of the (b)(1)1.4a, (b)(1)1.4g you used?

They called from the (b)(1)1.4a, (b)(1)1.4g our unclassified (b)(1)1.4a, (b)(1)1.4g, (b)(6)

24. What number did you call?

The ground force called me. The (b)(1)1.4a, (b)(1)1.4g until a call needs to be made.

25. Who did you speak with? Officer or NCO?

I don't remember.

26. Did you pass them MGRS or Lat/Long grids?

MGRS

27. What did you use to convert the grids?

The grids were already converted to MGRS on the paper I was using.

28. When you called to verify if the ground forces received the (b)(1)1.4a, (b)(1)1.4g did you specifically ask about the grids or just message in general?

I did not specifically ask about grids. I asked if they had received my (b)(1)1.4a, (b)(1)1.4g

29. Can you recall when (b)(3), (b)(6) informed the OPCEN about the possible CIVCAS? How much time passed between that moment and you sending the (b)(1)1.4a, (b)(1)1.4g regarding MSF at 0233?

I do not know exactly how many minutes and seconds passed between when I received the initial report and I hit send on the (b)(1)1.4a, (b)(1)1.4g I sent the message directly after receiving the report.

30. Were you on duty in the OPCEN on the POD of 30 September, 01 October 2015?

(b)(1)1.4a \*

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 3 OF 4 PAGES

9. STATEMENT (Continued)

31. If so, do you recall operations that were conducted during the early morning hours of the 01st of October 2015 (specifically

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

No. We almost always have (b)(1)1.4a, (b)(1)1.4g in different parts of the country. I cannot remember what was being looked at on the 1st of October.

32. When was the IC CONOP posted in the battle room?

Full CONOPs are (b)(1)1.4a The CONOP is posted on the portal. There is a single slide (b)(1)1.4a rooms usually. It is usually a slide from the CONOP but not always. I don't remember what slide was (b)(1)1.4a on the date in question.

NOTHING FOLLOWS

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

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

AFFIDAVIT

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

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 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 INFLUENCE

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

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

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

SOFA (b)(3), (b)(6)  
ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 4 OF 4 PAGES

From: [redacted] (b)(3), (b)(6)  
To: PSIT 15-6 ALL  
Subject: FW: ~~(S)~~ Call  
Date: Tuesday, October 27, 2015 11:45:31 AM  
Importance: High

CLASSIFICATION: ~~SECRET//NOFORN~~

ALL, See below email from [redacted] (b)(1)1.4a, (b)(3), (b)(6)

[redacted] (b)(3), (b)(6)

VR

[redacted] (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

From: [redacted] (b)(3), (b)(6)  
Sent: Tuesday, October 27, 2015 9:35 AM  
To: [redacted] (b)(3), (b)(6)  
Cc: [redacted] (b)(3), (b)(6)  
Subject: RE: ~~(S)~~ Call

Sir,

[redacted] (b)(1)1.4a, (b)(3), (b)(6) secured the PGOV compound and was conducting clearing operations around the PGOV block I asked them if they had cleared the MSF residence located on that block. They were not tracking the MSF building in that area at that time. Shortly after this, I relayed the 4 grids over [redacted] (b)(1)1.4a, (b)(1)1.4g from the paper MSF memorandum. I do not remember the exact time of this conversation. I believe it was on 10OCT15.

On 3 OCT 15 when I came on shift at [redacted] (b)(1)1.4a saw I'd received an email with updates on the MSF situation and disposition. I advised [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) would be sending them information over [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) also said he had a list of potential enemy positions around Kunduz. I instructed [redacted] (b)(3), (b)(6) to type the grids into a [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) sent his message at 030133D\*OCT15. After [redacted] (b)(3), (b)(6) [redacted] (b)(1)1.4a, (b)(1)1.4g typed the information on the MSF email in [redacted] (b)(1)1.4a, (b)(1)1.4g and sent that at 030223D\*OCT15. A short time after that [redacted] (b)(1)1.4a, (b)(3), (b)(6) came up [redacted] (b)(1)1.4a, (b)(1)1.4g asked if they had received my traffic [redacted] (b)(1)1.4a, (b)(1)1.4g they replied that they had.

- 1) Did you log your 01 OCT (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) SOTF-A JOC log? If so, please pass and highlight the entry.

I did not log my conversation in the (b)(1)1.4a, (b)(1)1.4g or any other log.

- 2) Who, if anyone, told you to pass the MSF grids? If no one told you to pass them did you do so of your own initiative?

I was not told by anyone to pass the MSF grids. There was a memorandum on my desk at the beginning of my shift with the grids on it.

- 3) Please describe the exact time and date of the call to the best of your ability.

I cannot say with certainty what time I passed the information. I know it was (b)(1)1.4a, (b)(3), (b)(6) secured the PGOV. One of the MSF locations was on the same block as the PGOV. During one of the times the ground force called to update us on the FF disposition they reported the CDOs were clearing in the area where we in the JOC had that MSF location plotted. I asked if they had cleared the MSF building and (b)(1)1.4a, (b)(3), (b)(6) I was talking to did not know what I was referring to. The next time they came up (b)(1)1.4a, (b)(1)1.4g used the grids on (b)(1)1.4a, (b)(1)1.4g the time I did not think there was any reason to make a record of the conversation.

- 4) Who (b)(1)1.4a, (b)(3), (b)(6) speak with (b)(1)1.4a, (b)(1)1.4g OCT when you were calling to pass MSF grids?

I cannot say with certainty whom I was on the phone with.

- 5) What exactly did you tell (b)(1)1.4a, (b)(3), (b)(6) on the other end of (b)(1)1.4a, (b)(1)1.4g Did you use the term "MSF"? Did the person you were speaking with recognize what MSF was? What else was discussed in the call?

I don't remember what else was discussed on the call. I know I read the 4 grids and got a read back for accuracy. I think I used the term doctors without borders. I asked if they were tracking these locations previously and they said no. At the time of the conversation I did not see any need to document the interaction.

Additionally, the phone that we use in the OPCEN to talk to (b)(1)1.4a, (b)(1)1.4g VOIP phone. There were several calls between the (b)(1)1.4a, (b)(1)1.4g and I do not know from the call log on what call the conversation took place.

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

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**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir,

- 6) Did you log your 01 OCT (b)(1)1.4a, (b)(1)1.4g, (b)(3) (b)(6) SOTF-A JOC log? If so, please pass and highlight the entry.

I did not log my conversation in the (b)(1)1.4a, (b)(1)1.4g or any other log.

- 7) Who, if anyone, told you to pass the MSF grids? If no one told you to pass them did you do so of your own initiative?

I was not told by anyone to pass the MSF grids. There was a memorandum on my desk at the beginning of my shift with the grids on it.

- 8) Plse describe the exact time and date of the call to the best of your ability.

I cannot say with certainty what time I passed the information. I know it was (b)(1)1.4a, (b)(3) (b)(6) secured the PGOV. One of the MSF locations was on the same block as the PGOV. During one of the times the ground force called to update us on the FF disposition they reported the CDOs were clearing in the area where we in the JOC had that MSF location plotted. I asked if they had cleared the MSF building and (b)(1)1.4a, (b)(3) (b)(6) that I was talking to did not know what I was referring to. The next time they came up (b)(1)1.4a, (b)(1)1.4g passed the grids on (b)(1)1.4a, (b)(1)1.4g the time I did not think there was any reason to make a record of the conversation.

- 9) Who (b)(1)1.4a, (b)(3) (b)(6) speak with (b)(1)1.4a, (b)(1)1.4g OCT when you were calling to pass MSF grids?

I cannot say with certainty whom I was on the phone with.

- 10) What exactly did you tell (b)(1)1.4a, (b)(3) (b)(6) or on the other end of (b)(1)1.4a, (b)(1)1.4g? Did you use the term "MSF"? Did the person you were speaking with recognize what MSF was? What else was discussed in the call?

I don't remember what else was discussed on the call. I know I read the 4 grids and got a read back for accuracy. I think I used the term doctors without borders. I asked if they were tracking these locations previously and they said no. At the time of the conversation I did not see any need to document the interaction.

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

SIPR [redacted] (b)(3), (b)(6)

From: [redacted] (b)(3), (b)(6)  
Sent: Tuesday, October 20, 2015 2:02 PM  
To: [redacted] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ Passing of MSF Grids

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

From: [redacted] (b)(3), (b)(6)  
Sent: Tuesday, October 20, 2015 5:57 PM  
To: [redacted] (b)(3), (b)(6)  
Cc: [redacted] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ Passing of MSF Grids

**Classification:** ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

[redacted] (b)(3), (b)(6)

From: [redacted] (b)(3), (b)(6)  
[redacted] (b)(3), (b)(6)  
Sent: Tuesday, October 20, 2015 5:39 PM  
To: [redacted] (b)(3), (b)(6)  
Cc: [redacted] (b)(3), (b)(6)  
Subject: ~~(S)~~ Passing of MSF Grids

**CLASSIFICATION:** ~~SECRET~~

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

Please answer the following questions at your earliest convenience. Each relates to your having passed MSF grids (b)(1)1.4a, (b)(3), (b)(6) OCT 15 as described in your email pasted below:

- 1) Did you log your 01 OCT (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) SOTF-A JOC log? If so, please pass and highlight the entry.
- 2) Who, if anyone, told you to pass the MSF grids? If no one told you to pass them did you do so of your own initiative?
- 3) Please describe the exact time and date of the call to the best of your ability.
- 4) Who (b)(1)1.4a, (b)(3), (b)(6) speak with (b)(1)1.4a, (b)(1)1.4g OCT when you were calling to pass MSF grids?
- 5) What exactly did you tell (b)(1)1.4a, (b)(3), (b)(6) on the other end of (b)(1)1.4a, (b)(1)1.4g Did you use the term "MSF"? Did the person you were speaking with recognize what MSF was? What else was discussed in the call?

Please let me know the answers to the above questions before 2000 tonight, 20 OCT. Thank you.

V/R,

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

CLASSIFICATION: ~~SECRET~~

From: (b)(3), (b)(6)  
Sent: Tuesday, October 20, 2015 1:47 PM  
To: (b)(3), (b)(6)  
LNO  
Cc: (b)(3), (b)(6)  
Subject: RE: ~~(S)~~ MSF Grids

Classification: ~~SECRET//REL TO USA, FVEY~~

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir,

One very important fact to note, however is that regardless of whether they had these grids, (b)(1)1.4a, (b)(3), (b)(6) the grid they were actually engaging, so they wouldn't have been able to check the grid (b)(1)1.4a, (b)(3), (b)(6) was engaging against a list of MSF locations, because (b)(1)1.4a, (b)(3), (b)(6) the grid of the intended OBJ (NDS building), and (b)(1)1.4a, (b)(3), (b)(6) talked them onto the hospital, not knowing it was a hospital themselves.

Respectfully,

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

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

From: (b)(3), (b)(6)  
Sent: Tuesday, October 20, 2015 1:13 PM  
To: (b)(3), (b)(6)  
LNO  
Subject: ~~(S)~~ MSF Grids

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

Sir,

From: (b)(3), (b)(6) :

Sir,

(b)(1)1.4a, (b)(3), (b)(6) secured the PGOV compound and was conducting clearing operations around the PGOV block I asked them if they had cleared the MSF residence located on that block. They were not tracking the MSF building in that area at that time. Shortly after this, I relayed the 4 grids over (b)(1)1.4a, (b)(1)1.4g the paper MSF memorandum. I do not remember the exact time of this conversation. I believe it was on 10OCT15.

On 3 OCT 15 when I came on shift a (b)(1)1.4a saw I'd received an email with updates on the MSF situation and disposition. I advised (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) would be sending them information over (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) also said he had a list of potential enemy positions around Kunduz. I instructed (b)(3), (b)(6) to type the grids into a (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) sent his message at 030133D\*OCT15. After (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) typed the information on the MSF email in (b)(1)1.4a, (b)(1)1.4g and sent that at 030223D\*OCT15. A short time after that (b)(1)1.4a, (b)(3), (b)(6) came up (b)(1)1.4a, (b)(1)1.4g asked if they had received my traffic (b)(1)1.4a, (b)(1)1.4g they replied that they had.

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



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

v/r

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

SOTF-Afghanistan

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

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

Message Body Classification: ~~SECRET//REL TO USA, FVEY~~

**Classification: ~~SECRET//REL TO USA, FVEY~~**

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From: [redacted] (b)(3), (b)(6)  
Sent: Monday, October 26, 2015 7:26 PM  
To: [redacted]  
Cc: [redacted] (b)(3), (b)(6)  
Subject: ~~(S)~~ Call  
Importance: High

CLASSIFICATION: ~~SECRET//NOFORN~~

[redacted] (b)(3), (b)(6) when I interviewed [redacted] (b)(3), (b)(6) he said that one his BLT NCOs called down [redacted] (b)(1)1.4a, (b)(1)1.4g sent a [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) relating the grids to the MSF hospital. I'm trying to find out who did this and around what time this happened.

Thank you,

[redacted] (b)(3), (b)(6)

VR

[redacted] (b)(3), (b)(6)

Approved for Release

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECU (b)(3), (b)(6) CT 2015

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

## PRIVACY ACT STATEMENT

The **Privacy Act** requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 28 day of OCTOBER, 2015.

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

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION CAMP PAMIR, KUNDUZ PROVINCE, AFG	2. DATE (YYYYMMDD) 20151031	3. TIME 1030	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
(b)(1)1.4a, (b)(3)

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

1. The situation in Kunduz leading to INS takeover of the city?  
The situation in Kunduz Province was that of an environment where the majority of ANDSF forces were committed to static defensive positions through out Kunduz and Badakhshan Province. (b)(1)1.4d were nearly completely committed to (b)(1)1.4a Kunduz Province. The (b)(1)1.4d had been forward staged in (b)(1)1.4a, (b)(1)1.4d ongoing security operation in the area for nearly 3 months leading up to the INS attack in Kunduz. The remaining (b)(1)1.4d leave and scheduled to return following EID in mid September. It was arranged by the (b)(1)1.4d, (b)(6) during his visit to (b)(1)1.4a before EID to have (b)(1)1.4d redeployed from forward staged position in (b)(1)1.4a back to (b)(1)1.4a leave with the remaining COY that was forward staged remaining ISO of (b)(1)1.4d security operation. The intent was to have the (b)(1)1.4a training after EID, with one (b)(1)1.4d At the time of the attack on Kunduz (b)(1)1.4d had

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

2. ANDSF response to the INS attack on Kunduz?  
ANDSF response to INS attack on Kunduz City was to utilize remaining (b)(1)1.4a, (b)(1)1.4d including those that had returned from (b)(1)1.4d element and attempt to retain the Southeast quadrant of the city near the prison complex; however, they were unsuccessful returning by night fall.  
3. The arrival of key US leadership and teams to (b)(1)1.4a Kunduz?

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

5. All CONOPs (executed or not) developed for the retaking of Kunduz?  
Two CONOPs were developed in the retaking of Kunduz. One for 29SEP and one for 30SEP, but I do not remember the time of

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 5 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 1030 DATED 20151031

9. STATEMENT (Continued)

submittal. Only that they were submitted in the late afternoon and approved by late evening, and approved by COMRS from my understanding.

6. The situation surrounding the securing of Kunduz Airfield?

Some time around 2000, during final PCCs and PCIs for operation to secure foothold in Kunduz on 29SEP the (b)(1)1.4d reported that the Kunduz airfield was under attack, and audible SAF and explosions could be heard in the VIC of the Kunduz airfield. (b)(1)1.4d was re-tasked to secure the Kunduz airfield tower, and departed immediately for the airfield. Additionally, (b)(1)1.4d received FRAGO to secure the Kunduz airfield. (b)(1)1.4a, (b)(1)1.4d and select personnel from (b)(1)1.4a en-route to Kunduz airfield to secure location. Upon departure from (b)(1)1.4a, (b)(1)1.4d element moved to the NW end of the Kunduz airfield to the (b)(1)1.4d (b)(1)1.4d simultaneously moved to the SE corner of the airfield and traveled NW along the landing strip to the airfield control tower to link up with (b)(1)1.4d Around 2050, USSF arrived at the Kunduz airfield control tower. The (b)(1)1.4d arrived at and secured the (b)(1)1.4d element arrived at the Kunduz airport tower. The (b)(1)1.4d conducted link up with the (b)(1)1.4d element that had secured the airfield tower. The (b)(1)1.4d identified a secondary (b)(1)1.4d position in a compound to the North of the airfield tower. The (b)(1)1.4d established strongpoint and C2 at the control tower on the airfield with (b)(1)1.4d element while simultaneously maneuvering (b)(1)1.4d GMVs into vehicle fighting position to the NW along the airfield as well as occupying secondary vehicle fighting position to the SE along the airfield. Upon arrival at the airfield tower the (b)(1)1.4d identified multiple civilian personnel who had fled from Kunduz seeking shelter at the airfield with ANP maintaining airfield ECP security. Sometime around 2130, (b)(1)1.4d received effective fires at the airfield tower from mounted ZPU 1.5 km to the NW. Upon INS initiation of fire on the airfield tower all civilian personnel and ANP airfield security force fled from the airfield traveling SE to (b)(1)1.4a both dismounted and mounted. (b)(1)1.4a, (b)(3) coordinated for eyes on with (b)(1)1.4a, (b)(3), identifying PID of the mounted ZPU firing on the airfield tower. As the airfield began receiving effective fire all civilians and (b)(1)1.4d fled further South across the airfield towards (b)(1)1.4a, (b)(3), (b)(6) after confirming PID called air to ground strike on the mounted ZPU with (b)(1)1.4a, (b)(3), (b)(6) employing (b)(1)1.4a munition on the target after approval from (b)(3), (b)(6) Target was destroyed with the following assessed BDA: 1x HMMV and ZPU destroyed with 2 X EKIA. From the engaged target 4 x personnel maneuvered to the NW to a compound, and (b)(1)1.4a, (b)(3) maintained custody of 4 x personnel with (b)(1)1.4a, (b)(1)1.4g personnel gather at the compound before losing (b)(1)1.4a, (b)(1)1.4g maneuvered GMV from airfield tower in support of (b)(1)1.4d strongpoint in northern compound. Around 2300 (b)(1)1.4d strong point position in North compound and (b)(1)1.4d GMV received effective SAF from unknown number of INS in the green zone 400m NE returning fire with organic weapon systems (b)(1)1.4d advised by (b)(1)1.4d suppressed INS SAF directed at the strong point position through utilization of organic weapon systems and coordinated maneuvering resulting in no further SAF from INS position in the green zone. Around 2330, (b)(1)1.4d maneuvered 3 x GMVs in support of the (b)(1)1.4d strong point position. Sometime around midnight or shortly thereafter the combined (b)(1)1.4d and (b)(1)1.4d element received no further contact with INS forces with no reported change to friendly disposition. Around 0130, ANP airport security force returned from (b)(1)1.4a and reestablished security positions. Around 0200 (b)(1)1.4d was instructed to return to (b)(1)1.4a, and reconsolidated all elements at the airfield tower followed by movement back to (b)(1)1.4a while the (b)(1)1.4d repositioned GMV in support of (b)(1)1.4d strongpoint position. Around 0430, all elements were conducting stand-to at their positions. Around 0630, GFC received notification to conduct EXFIL from strong point positions at the Kunduz airfield. At 0700, all (b)(1)1.4d GMVs were reconsolidated at the airfield tower postured for movement to (b)(1)1.4a, (b)(1)1.4d remained strongpoint in support of ANP airfield security. Around 0715, the (b)(1)1.4d conducted movement SE along the airfield landing strip to (b)(1)1.4a Sometime around 0730, EXFIL was complete.

7. The planning that resulted in the CONOP to retake Kunduz?

I was asleep during the planning to retake Kunduz on 30SEP as we had returned from securing the airfield that morning. I do not know who was there for the planning. I was informed of the plan upon waking up sometime around 1300, and my understanding was that the purpose of the operation was to establishing a foothold through securing key governmental infrastructure from which ANDSF could expand operations.

8. A detailed description of the operation from (b)(1)1.4a to secure the Kunduz PCOP on 30 Sep?

The combined force departed sometime around 2200, with elements moving north in with in order of march of (b)(1)1.4d (b)(1)1.4a, (b)(1)1.4d Lead element received contact from INS forces and PSU returned fire with organic weapon systems. INS threat was engaged by (b)(1)1.4a, (b)(3) and element continued forward receiving contact from 12x INS as the PSU approached the PSU HQ building again returning fire with organic weapons and engaging with (b)(1)1.4a, (b)(3). (b)(3) HQ was secured by the PSU, and at that time and ANA element arrived to assist in securing objective locations as the combined element cleared into the city. PSU remained at the PSU HQ securing the site as the (b)(1)1.4d into the city toward the prison which was to be secured by (b)(1)1.4d with the ANA in trail to establish CPs and assist in securing OBJ locations. Element received INS SAF returning fire with organic weapon systems and continuing to the prison. As the lead element approached the prison INS contact was made again with SAF, RPG and element

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 5 PAGES

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 1030 DATED 20151031

9. STATEMENT (Continued)

returned fire with organic weapons systems and engaged INS with (b)(1).4a, (b)(3) as they attempted to maneuver on element. Combined element continued to the prison which was cleared by (b)(1).4d with no INS contact in the prison. While clearing of prison was being conducted lead element (b)(1).4a, (b)(1).4d received heavy weapons and RPG fire from a large INS force, and lead element was fixed in place unable to move. INS force was engaged with (b)(1).4a, (b)(3) enabling continued movement the PCOP and PGOV complexes. ANA secured the prison complex reporting that an additional jail/prison 1km North next to the PCOP. The combined element continued North where the lead (b)(1).4d element struck a VOIED initiated by a trip wire at the PCOP complex with no friendly casualties (b)(1).4d began to secure the area when the lead (b)(1).4d vehicle was then struck by a VBIED resulting again in no friendly casualties. Element began to receive SAF from the West and returned fire with organic weapon systems (b)(1).4d cleared the Kunduz Hotel South of the PCOP while (b)(1).4d cleared the jail West of the PCOP. At this time BMNT was approaching and element began to look for an entrance for vehicles into the PCOP complex. After locating ECP into PCOP element maneuvered to the entrance and received SAF to the South of the ECP and returned fire with organic weapons as the element entered into the cleared PCOP compound and established security in the PCOP. It was now morning of 01OCT and a hasty defense had been established in the PCOP occupying tower positions on the West and roof tops on the East within the compound with (b)(1).4d securing ECP on the East. That morning the PCOP and new PGOV arrived to tour the site then departed sometime around 0700. Following their departure the element received IDF, RPG, and SAF in increasing intensity from the North and West of PCOP and element returned fire with organic weapons. Volume of fire continued to increase as INS maneuvered to within 30-50m of the compound perimeter. I directed 2 show of forces from (b)(1).4a, (b)(3) which temporarily dispersed INS force for a short duration. Volume of firing then increased again in intensity within close proximity to the West and North perimeter within 20m. (b)(3), (b)(6) then took control of the (b)(1).4a, (b)(3) base while I ran to the Western perimeter to assess situation and direct fires to repel INS assault. INS fire was effective and continuing to increase as combined element repelled multiple assaults on the PCOP complex. Net call came over the radio to pull back from the Western defensive positions IOT allow (b)(1).4a, (b)(3) to repel INS assault. Personnel were pulled from the defensive positions and accounted for then (b)(1).4a, (b)(3) executed gun runs along the Western perimeter having positive effects. Fighting continued through out the day receiving SAF and RPG fire as IDF increased in accuracy impacting along the South wall of the PCOP. (b)(1).4a, (b)(3) provided identification of IDF POO site located to the South of the PCOP in an open area. I directed (b)(1).4a, (b)(3) to engage with multiple gun runs having positive effects reducing IDF impacts at the PCOP. That afternoon another concentrated assault was conducted by INS forces to breach the Western perimeter defensive positions, and was repelled utilizing organic weapon systems. Through out the day fighting was nearly non stop as INS forces continually assaulted the PCOP attempting to breach the outer defensive perimeter. That evening, after (b)(3), (b)(6) made repeated request, ANDSF began to show up to assume responsibility of securing the PCOP, but in a small number of about (b)(1).4a ANP and ANA combined. Immediately they stated that if the USSF left then they would abandon the defense of the PCOP. (b)(3), (b)(6) assessed, with discussion amongst myself and (b)(3), (b)(6) that we would stay at the PCOP another 24 hrs IOT allow the ANDSF time to martial a larger force to secure the site. At this time class I and VII supplies were becoming and issue and request was submitted for resupply. Sporadic SAF continued through out the night into the morning of 02OCT. The morning of 02OCT began with a lull in contact with INS forces, and we were planning on EXFILL back to (b)(1).4a that night; however, early that afternoon a coordinated and heavy assault was conducted by INS forces on the Southwest and Northeast perimeter of the PCOP. It was the heaviest contact we had received up to that point with INS sustaining assaulting effort. ANDSF took 3x casualties (GSWs) who were moved to the center of the compound at the CCP for treatment and stabilized. It was at this time that myself and other (b)(1).4a team members ran to the roof on the eastern perimeter and received SAF returning fire with organic weapons. We could see (b)(1).4a position to the NE in a large 4-5 story green building in heavy contact with INS force receiving SAF, RPG, and PKM fire. So much so that the buildings were nearly obscured by smoke and dust from the exchange of fire. We continued to receive SAF and PKM from the same direction. I then ran back down to the courtyard and had (b)(1).4d, (b)(3) on the roof with me IOT positively identify (b)(1).4a positions utilizing smoke from (b)(1).4a to mark INS position and determine friendly positions from marked INS position via communications through (b)(1).4d, (b)(3) simultaneously, as this was occurring the SW defensive position defended by (b)(1).4a team members was under heavy SAF, RPG, and PKM fire from INS forces. The volume and intensity of fire of the INS coordinated assault on the PCOP was extremely alarming. Once friendly forces had positively been identified (b)(1).4a, (b)(3) conducted air to ground engagements on both the INS positions to the Northeast and Southwest with positive effects in addition to (b)(1).4a, (b)(3), (b)(6) conducting air to ground on strike on HMMWVs captured by INS maneuvering with 15 PAX to the PCOP with multiple PAX from the North. Fighting continued until POD where INS contact became sporadic SAF. It became clear that we would not be able to EXFIL during that POD as the ANDSF would leave the site since no further ANDSFs had arrived. Also, class V was becoming a supply issue as well as charged batteries IOT sustain communications with air support assets. An aerial resupply request was submitted and (b)(1).4d, (b)(3) coordinated with (b)(3), (b)(6) to bring back a ground resupply from (b)(1).4a after transporting the 3 x casualties back. It was at or around 2130 when the (b)(1).4a, (b)(6) approached myself and provided two grids which he stated the (b)(1).4a would be clearing later that night. He described one grid as the NDS HQ and the second grid as a INS C2 location. He requested that we provide (b)(1).4a, (b)(3) the locations, and then departed with

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

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1030 DATED 20151031

9. STATEMENT (Continued)

the casualties for the Kunduz Airfield were they were to exchange the casualties with friendly forces and return with (b)(1)1.4d resupply convoy. Then take the resupply convoy back to the airfield after which the (b)(1)1.4d planned to execute clearance of the the two provided OBJ grids. Upon departure the (b)(1)1.4d received SAF contact with INS force approximately 100m South of the PCOP ECP and returned fire with organic weapons pushing through contact and continuing to Kunduz Airfield. I then passed the grids received from (b)(1)1.4d, (b)(3), (b)(6) indicating that one grid was the NDS HQ and the other an INS C2 node, and that both were OBJs for the (b)(1)1.4d later tonight and to (b)(1)1.4a on the locations. I continued to monitor (b)(1)1.4d progress to and from the Kunduz Airfield requesting (b)(1)1.4a, (b)(1)1.4d to verify FLT's while sporadic SAF continued to the West and Southwest. At or around 022345OCT the (b)(1)1.4d were approaching the PCOP and my shift was nearly over manning the C2 position. I awoke (b)(3), (b)(6) and then assisted in downloading of supplies from the (b)(1)1.4d vehicle as the pulled into the PCOP. Once the download of supplies was complete I went to sleep at or around 030015OCT.

a. Operation objectives, which Afghan units participated, which ODA teams? PSU was to secure the PSU HQ (b)(1)1.4d, advised by (b)(1)1.4d were to secure the PCOP/PGOV, and (b)(1)1.4a, (b)(1)1.4d was to secure the Prison.

b. Did (b)(3), (b)(6) make any statements regarding INS in Kunduz? Did he state that everyone west of route (b)(1)1.4a was an INS? I do not recall (b)(3), (b)(6) making any such statement that everyone West of (b)(1)1.4a was an INS.

c. Disposition of enemy forces in/around Kunduz? Reported INS forces were massed in the Southwest, Western, and Northern areas of Kunduz.

b. Situation surrounding discovery/use of PRT map? The PRT map was discovered in one of the PCOP offices on late evening of 01OCT, and was utilized IOT attempt to mark FLT of friendly units but was not effective as (b)(1)1.4d, (b)(1)1.4g units were not familiar with the area being from Kabul.

10. The (b)(1)1.4d plan to attack the NDS facility (prison) in Kunduz on POD 2-3 Oct? I do not know what the (b)(1)1.4d plan was clear the OBJs other than they planned on conducting the mission after taking the resupply convoy back to Kunduz Airfield.

a. Who from (b)(1)1.4d relayed plans to US forces, grid references passed, names of Afghan leadership involved (if known)? I know that (b)(1)1.4d, (b)(6) the time provided the grids to myself, and were verified by the (b)(1)1.4d, (b)(6) do not recall their names.

b. Who received the grids (which Leader) and what did they do with them? I received the (b)(1)1.4d OBJ grids and relayed them to (b)(3), (b)(6)

c. Was the operation intended to be a combined or partnered operation? I do not know if it was intended to be a partnered operation.

d. Do you know if any US personnel participated in the planning of the (b)(1)1.4d operation? I do not know if an US personnel participated in planning of the (b)(1)1.4d operation.

e. What did the (b)(1)1.4d request in terms of support? Did they only request (b)(1)1.4a, (b)(1)1.4g The (b)(1)1.4d, (b)(1)1.4g, (b)(6) from myself when he passed me the grids.

f. Did (b)(1)1.4d provide a description of the objectives associated with the passed grid references? If so, characterize the description(s).? I never received a description of the OBJs as the (b)(1)1.4d, (b)(6) left once he passed me the grids.

g. How many grid references were passed from the (b)(1)1.4d to you? I received two separate grids.

h. What are those grid(s)? I do not remember what the grids were. I wrote them down on a luminescent tape writing board the size of a 3x5 card with a dry erase marker and erased them at some point in the future to make room for additional grids passed later on during conduct of the operation.

i. How many grid references were passed to (b)(1)1.4a, (b)(3), (b)(6) I passed the two grids provided to (b)(1)1.4a, (b)(3), (b)(6) which were passed to myself from the (b)(1)1.4d, (b)(6)

Nothing Else Follows

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

INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6) PAGE 4 OF 5 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1030 DATED 20151031

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 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECT 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)

(Signature of Person Making Statement)

Subscribed and sworn to before me by (b)(3), (b)(6), a person authorized by law to administer oaths, this 10th day of OCTOBER, 2015 at 1030

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

WITNESSES:

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

ORGANIZATION OR ADDRESS

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

ORGANIZATION OR ADDRESS

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

PAGE 5 OF 5 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 27 Oct 15

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

# PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 27<sup>th</sup> day of October, 2015.

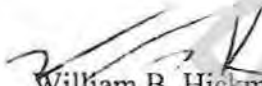
Sig (b)(3), (b)(6) \_\_\_\_\_ § (b)(3), (b)(6) \_\_\_\_\_

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2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 28 Oct 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

PRIVACY ACT STATEMENT

(b)(3), (b)(6) - USAF

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C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION: Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. DISCLOSURE: If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED: providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 28 day of October, 2015.

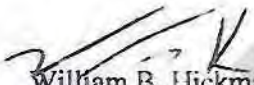
(b)(3), (b)(6)

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

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 9 Nov 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

**C. ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

**D. DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

**E. THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 28 day of October, 2015.

\_\_\_\_\_  
Signature of Witness

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

\_\_\_\_\_  
Signature of interviewee



### 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 BAGRAM AF	2. DATE (YYYYMMDD) 20151028	3. TIME 1600	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS (b)(3)			
9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: On 2 October, 2015, I was the (b)(1)1.4a, (b)(3), (b)(6) We were alerted at approximately (b)(1)1.4a to fly in support of a troops-in-contact situation in Konduz, Afghanistan. Due to the short notice of the tasking, we stepped to the aircraft without printed products. Intel briefed us on the general situation in the area and historical surface-to-air threats. We (b)(1)1.4a before proceeding to the Konduz area. While flying in the area, the aircraft was shot at by an (b)(1)1.4g which was initially  (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)			

Later in the mission, we were passed coordinates for a building from which coalition forces were receiving fire or had received fire earlier in the night. The grid coordinates passed by the JTAC didn't match what the sensors were seeing at that location, so considerable time was spent by the sensors, FCO, and navigator to confirm with the JTAC that the building they were seeing was the same building that the JTAC intended to strike. Based on descriptions from the sensor operators and discussion internally and with the JTAC, the crew determined we had found the correct compound. The NAV requested the specific ROEs we were operating under to strike the building, and the JTAC passed back Resolute Support (b)(1)1.4a based on the Afghan forces being accompanied by American forces and being granted PDSS. The NAV requested clarification on which buildings should be struck due to the large number of individual buildings inside the compound, and the JTAC specified only the large T-shaped building in the center of the compound. The JTAC requested (b)(1)1.4a rounds on the building and (b)(1)1.4a After multiple engagements on the building and (b)(1)1.4a the crew ceased shooting. There were no further engagements that night.

10. EXHIBIT	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 BAGRAM AF DATED 28 Oct 15

9. STATEMENT (Continued)

N/A

Approved for Release

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 3 PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT BAGRAM AF DATED 28 Oct 15

9. STATEMENT (Continued)

W/A

[Large handwritten scribble]

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

(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 28th day of OCTOBER, 2015 at BAGRAM AIR FIELD AFG

\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS

(b)(3), (b)(6)  
(Typed Name of Person Administering Oath)  
ARTICLE 136 (b)(3), (b)(6)  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE OF EXECUTION:

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

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

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

Approved for Release

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 28 day of Oct 2015.

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

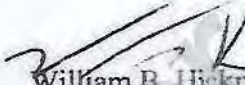
(b)(3), (b)(6)  
Signature of interviewee

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.

2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 04-Nov-15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

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E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 4th day of NOVEMBER, 2015.

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

Signature of witness

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

Signature of interviewee

**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 SOTF-A JOINT OPERATIONS CENTER	2. DATE (YYYYMMDD) 2015-11-04	3. TIME 1242	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	

8. ORGANIZATION OR ADDRESS  
SPECIAL OPERATIONS TASK FORCE-AFGHANISTAN

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

- 1. (b)(3), (b)(6)
- 2. (b)(1)1.4a
- 3. (b)(1)1.4a

- 4. THERE IS A SHIFT CHANGE BRIEF THAT COVERS **EVENTS FROM THE PAST 12 HRS AND PROJECTIONS FOR THE NEXT 24. CONOPS ARE BRIEFED.**
- 5. OPCEN WAS MINOTORING EVENTS IN KUNDUZ WHICH **WAS UNDER ATTACK FROM TALIBAN INSURGENTS.**
- 6. YES
- 7. YES. ENSURE THERE IS ADEQUATE **ISR COVERAGE FOR ONGOING OPERATIONS**
- 8. YES
- 9. YES. YES

(b)(1)1.4c

11. (b)(1)1.4a, (b)(1)1.4g

- 12. YES
- 13. ENSURE THERE IS **ADEQUATE** (b)(1)1.4a, (b)(1)1.4g, ENSURE ASSET AVAILABILITY.
- 14. NO.
- 15. YES. DO NOT **RECALL**
- 16. NO
- 17. NO
- 18. N/A (Q17)
- 19. N/A (Q17)
- 20. **NO**
- 21. **YES**
- 22. **NO**
- 23. **NO**

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	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 SOTF-A DATED 04NOV2015

9. STATEMENT *(Continued)*

Approved for Release

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 3 PAGES

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

TAKEN AT SOTF-A

DATED 04NOV2015

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.

\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

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

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

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

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

\_\_\_\_\_  
ORGANIZATION OR ADDRESS

\_\_\_\_\_  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

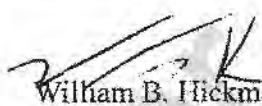
PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE

OF EXECUTION: 04 Nov 2015

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT

## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

A. **AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

B. **PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

C. **ROUTINE USES THAT MAY BE MADE OF THE INFORMATION:** Any information you provide is disclosable to members of the Department of Defense who have an official need to know the information in the performance of their duties.

D. **DISCLOSURE:** If you become a suspect during an investigation, disclosure is voluntary. If you are a witness, you may be ordered to provide information.

E. **THE EFFECT ON YOU IF YOU DO NOT PROVIDE ALL OR PART OF THE INFORMATION REQUESTED:** providing the information is voluntary subject to paragraph D. There will be no adverse effect on you for not providing this information other than certain information might not be available to the appointing or reviewing authority for their decision in this matter.

I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 4<sup>th</sup> day of November, 2015.

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

Signature of Witness

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

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION SOTF-A JOINT OPERATIONS CENTER	2. DATE (YYYYMMDD) 20151104	3. TIME 1330	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS SPECIAL OPERATIONS TASK FORCE-AFGHANISTAN			
9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: 1: (b)(3), (b)(6) 2: 3: (b)(1)1.4a 4: THERE IS A SHIFT CHANGE BRIEF THAT COVERS THE LAST 12 HOURS OF SHIFT AND THE UPCOMING 24 HOURS. 5: ODA TEAMS WERE IN THE PROCESS MOVING THROUGH KUNDUZ CITY IN ORDER TO RE-TAKE IT FROM INS FORCES. 6: THE NORMAL STAFF WAS PRESENT TO MY KNOWLEDGE. 7: THERE IS A BATTLE DRILL YET IT DOES NOT INVOLVE THE (b)(1)1.4a, (b)(1)1.4g DESK AFTER ASSET IS ON STATION. 8: TO MY KNOWLEDGE, INFORMATION WAS BEING PASSED THAT INS FORCES WERE CONSOLIDATING IN A SPECIFIC LOCATION. 9: THE (b)(1)1.4a, (b)(1)1.4g MONITORS EACH INDIVIDUAL ASSET OPERATION (b)(1)1.4a, (b)(1)1.4g AS WELL AS THE (b)(1)1.4a, (b)(1)1.4g TO ENSURE EACH ASSET IS ON STATION AT THEIR REQUIRED TIME. 10: CUOPS ACTIONS ON THE 2ND OF OCT WERE NORMAL, MONITORING EACH ASSET SCHEDULED FOR KUNDUZ CITY OVERWATCH AS WELL AS ENSURING NO GAPS IN COVERAGE HAPPEND OVER USSF DURING THEIR MOVEMENT. 11: THE (b)(1)1.4a, (b)(1)1.4g IS IN CHARGE OF (b)(1)1.4a, (b)(1)1.4g SYSTEMS REGULARLY TO ENSURE NO (b)(1)1.4a, (b)(1)1.4g EACH SYSTEM, THERE IS NOTHING MORE WE ARE ABLE TO DO. 12: NO 13: MONITOR UPCOMING OPERATIONS TO MAKE SURE EACH HAVE (b)(1)1.4a, (b)(1)1.4g 14: NO 15: NO, I LEARNED OF THE STRIKE AFTER THE FACT. 16: AFTER THE STRIKE, I LEARNED THAT THE COMPOUND WE JUST HIT MAY BE A MSF HOSPITAL BUT NO FURTHER INFORMATION WAS GIVEN TO THE (b)(1)1.4a, (b)(1)1.4g 17: I WAS UNAWARE OF INDIVIDUALS MOVING IN AND OUT OF THE OPCEN AT THAT TIME 18: N/A 19: N/A 20: PASSIVELY LISTEN TO (b)(1)1.4a, (b)(1)1.4g 21: YES 22: TO MY KNOWLEDGE, (b)(1)1.4a, (b)(1)1.4g WERE BEING CONDUCTED AT THAT TIME			
10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)	PAGE 1 OF 3 PAGES	

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

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF (b)(3), (b)(6) TAKEN AT 1330 DATED 20151104

9. STATEMENT *(Continued)*

23: NOT TO MY KNOWLEDGE.

Approved for Release

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

PAGE 2 OF 3 PAGES

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

TAKEN AT 1330

DATED

20151104

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. 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

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

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

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT


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

PAGE 3 OF 3 PAGES

**ORDER PERTAINING TO THE INVESTIGATION INTO EVENTS OCCURRING IN  
AND AROUND KUNDUZ, AFGHANISTAN ON OR ABOUT 3 OCTOBER 2015**

1. You, (b)(3), (b)(6), are ordered not to discuss your statements made as a part of this investigation with anyone, to include other witnesses or other individuals who may have no official interest in the investigation, except myself, or a designated member of the team investigating events occurring in and around Kunduz, Afghanistan, on or about 3 October 2015, nor disclose any information that you obtained as a result of this interview until the completion of this investigation. For individuals subject to the Uniform Code of Military Justice, failure to comply with this order could result in adverse action, up to and including punitive action.
2. You will comply with all conditions and obligations imposed upon you by this Order until and unless you are released in writing from this agreement.

DATE  
OF EXECUTION: 04 NOV 15

  
William B. Hickman  
MG, USA  
DCG-O, USARCENT



## PRIVACY ACT STATEMENT

The Privacy Act requires that, because information is being solicited from you which will be filed so as to be retrievable by reference to your name or personal identifier, you must be advised of the following information:

**A. AUTHORITY FOR SOLICITING INFORMATION:** 41 U.S.C. § 31; DOD 5200.1-R

**B. PRINCIPAL PURPOSES FOR WHICH INFORMATION IS INTENDED TO BE USED:** To determine the facts and surrounding circumstances being investigated by the authority of any appropriate CENTCOM regulations regarding Reports of Survey, Line of Duty Investigations, Security Investigations, or any other procedural matters regarding the gathering of evidence in the line of duty.

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I acknowledge that I am hereby informed of the above matters regarding the information to be solicited from me this 4<sup>TH</sup> day of NOVEMBER, 2015.

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

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent of this form 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 recorded.  
**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 VANCE, AFGHANISTAN	2. DATE (YYYYMMDD) 2015-11-04	3. TIME 0115	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME	6. SSN (b)(3), (b)(6)	7. GRADE/STATUS	
8. ORGANIZATION OR ADDRESS (b)(3), (b)(6) SOTF-AFGHANISTAN			

9.

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

1. I am the (b)(3), (b)(6)
2. I do not work a shift. I had been on the floor since (b)(1)1.4a
3. I do not work a shift. I leave when the situation dictates.
4. Yes there is a shift change brief and CONOPs are briefed as well as (b)(1)1.4a etc.
5. We were exercising mission command of (b)(1)1.4a combat operations.
6. Yes, all of the standard personnel were on the OPCEN floor almost all night and morning.
7. There is a battle drill for when the SOTF-A conducts a Kinetic Strike. (b)(3), (b)(6)
8. Yes.
9. I do not monitor 4a, (b)(1)1.4a but I monitor the (b)(1)1.4a
10. I was listening to (b)(1)1.4a, (b)(1)1.4a transmissions.
11. I don't know. I generally maintain SA through (b)(1)1.4a, (b)(1)1.4g transmissions from the ODA.
12. Yes.
13. None.
14. No.
15. No. **NO** (b)(3), (b)(6)
16. I received an email with an attachment that identified a MSF Hospital but I don't recall when.
17. Yes.
18. He said that he received a call or text that there was a Hospital being "bombed".
19. (b)(3), (b)(6) was notified and the ATG engagement was stopped.
20. Yes, it is broadcast on a speak centrally located in the OPCEN.
21. Yes.
22. Yes.
23. **YES** (b)(3), (b)(6)

**NOTHING FOLLOWS**

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

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

9. STATEMENT (Continued)

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

AFFADAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR

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

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

WITNESSES:

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

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

### SWORN STATEMENT

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

#### PRIVACY ACT STATEMENT

**AUTHORITY:** Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).  
**PRINCIPAL PURPOSE:** To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.  
**ROUTINE USES:** Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.  
**DISCLOSURE:** Disclosure of your SSN and other information is voluntary.

1. LOCATION CAMP VANCE, BAGRAM AIRFIELD	2. DATE (YYYYMMDD) 20151104	3. TIME 0100	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(3), (b)(6)		6. SSN (b)(3), (b)(6)	7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS (b)(3), (b)(6)			
9. I, (b)(3), (b)(6), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: The following sworn statement corresponds to a questionnaire given to my by (b)(3), (b)(6) and all questions are answered to the best of my ability. (b)(3), (b)(6)			
2- the evening of the 2nd, I reported to the OPCEN around (b)(1)1.4a			
3- my shift at the time ended at (b)(1)1.4a			
4- at the time, shifts were conducting informal briefs with their counterparts, briefing significant events, upcoming operations and potential due-outs for the new shift.			
5- the night of the 2nd, the operation to retake Konduz was continuing. I had been in country for (b)(1)1.4g night on shift.			
6- to the best of my knowledge, yes. (b)(3), (b)(6)			
7- the reaction to an air to ground kinetic strike depends greatly on the circumstances. Engagements (b)(1)1.4g from the (b)(1)1.4g once authorization is given. Strikes conducted by teams on the ground in self defense are, by definition, harder to track and control. For those we rely on assets to communicate their engagement data to us or relay it through another asset. As (b)(3), (b)(6) I also provide targeting information when necessary if the JTAC is indisposed.			
8- all information available was shared with all leadership			
9- I monitor and frequently use (b)(1)1.4a, (b)(1)1.4g and am unaware whether that is the official OPCEN log			
10- (b)(3), (b)(6) with my counterpart, updated airspace (b)(1)1.4a recorded available information for kinetic strikes, developed JTARs for continued operations in Konduz, and relay information from air players to the Battle Captain			
11- operations all have multiple (b)(1)1.4a, (b)(1)1.4g for maintaining situational awareness. If an (b)(1)1.4a, (b)(1)1.4g it or have the asset reset. In the case of AC-130s, if their (b)(1)1.4a, (b)(1)1.4g capability does as well, (b)(1)1.4a, (b)(1)1.4g becomes the primary means of communication with the OPCEN.			
12- As stated, at the time we were conducting informal shift changes due to the continuous nature of the Konduz operation.			
13- The fires role in conditions checks is to brief ROZ status, JTAC callsign and (b)(1)1.4a, (b)(1)1.4g assets requested and approved for support for any given operation.			
14- checking the (b)(1)1.4a and CONOP is part of the Fire's responsibility. The initiation of the Konduz operation was before my time on ground, and I am unaware whether this procedure was done.			
15- The evening of the 2nd, I recall (b)(1)1.4a, (b)(3)AC-130 saying they were going hot inside our ROZ. We acknowledged their engagement and cleared the net. They did not specify their target at that time.			
16- I do not recall the Trauma Center being mentioned prior to that strike			
10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT (b)(3), (b)(6)		PAGE 1 OF 2 PAGES

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

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_

9. STATEMENT (Continued)

Approved for Release

INITIALS OF PERSON MAKING STATEMENT

PAGE \_\_\_\_ OF \_\_\_\_ PAGES

STATEMENT OF (b)(3), (b)(6) TAKEN AT 0100 DATED 20151104

9. STATEMENT (Continued)

17- If and when (b)(3), (b)(6) came in, I am unaware.

18- Unknown

19- I do not know when he came into the OPCEN, thus cannot say what followed

20- (b)(1)1.4a, (b)(1)1.4g is on a speaker directly next to my desk. It is monitored by myself and/or the (b)(3), (b)(6) duty. the (b)(1)1.4a, (b)(1)1.4g levels above my desk and I hear it and listen in when possible.

21- I was in the OPCEN for part of the day on the 30th of September, but at the time had planned on working the day shift so was not present for all if any of that night.

22- I don't have any useful knowledge of (b)(1)1.4a, (b)(1)1.4g that early morning.

AFFIDAVIT

I, (b)(3), (b)(6), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 2 - I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

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

(Signature of Person Making Statement)

WITNESSES:

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

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

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

PAGE 2 OF 2 PAGES



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as a (b)(3), (b)(6) in the AC-130U.

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

4. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6) @us.af.mil.

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



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.
2. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6) @us.af.mil.

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

"For Official Use Only (FOUO) information, which must be protected under the Privacy Act and Air Force Instruction 33-332."





DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

24 Oct 15

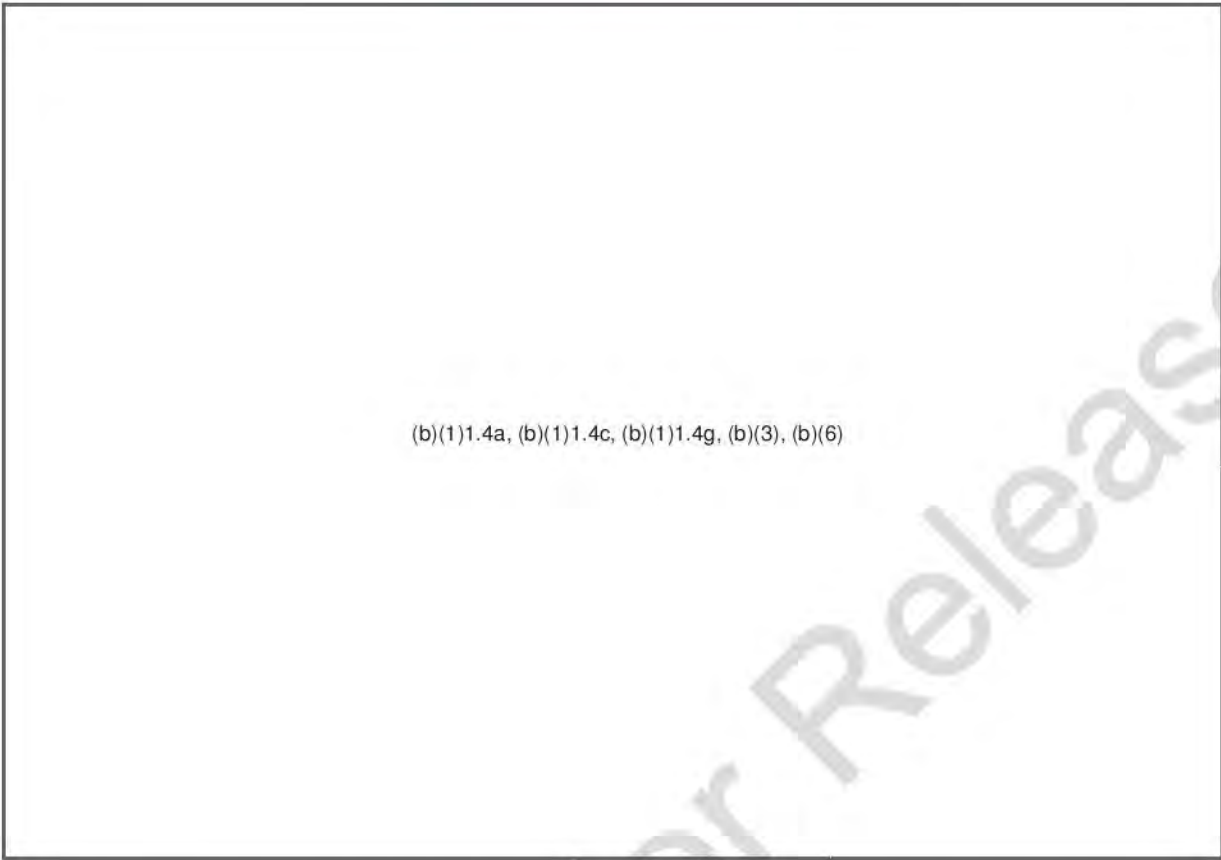
MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (U) (b)(3), (b)(6)

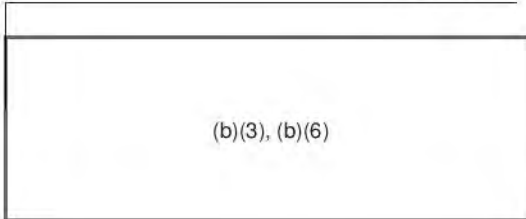
(b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g, (b)(3), (b)(6)

*Approved for Release*



4. (U) My POC for this information is [redacted (b)(3), (b)(6)] He can be reached at DSN [redacted (b)(3), (b)(6)]@us.af.mil.

10/26/2015



I accept the responsibility to safeguard the information contained in this document to a level commensurate with the classification of the information from unauthorized or inadvertent disclosure or use.

I understand that Communications using, data stored on, or information being transmitted over government networks IS are not private. I understand that the use of USFOR-A networks or any other DoD computer system or network constitutes consent to being monitored at all times for purposes including, but not limited to, penetration testing, COMSEC monitoring, network operations and defense, personal misconduct (PM), law enforcement (LE), and counterintelligence (CI) investigations. At any time, USFOR-A may inspect and seize data stored or transmitted over government networks.

I will not scan information onto a network if the information has a higher classification than the network. I will not enter information that is proprietary, contractor-excluded, or otherwise needs special protection or handling, unless approved in writing by Information Assurance (IA).

I will not move information from or to the CENTRIXS-ISAF network unless approved by my Foreign Disclosure Officer (FDO). I will not move information from SIPR to NIPR without approval by my Site Security Officer (SSO). I certify to the best of my knowledge that I have taken all appropriate measures to ensure the information contained in this document is authorized for transport over the network on which it will be sent.

I will report incidents pertaining to unauthorized storage or transmission of information of a greater sensitivity than what the system or network is currently accredited for to my servicing Help Desk.

I understand that violations of agreed upon conditions will result in the suspension or termination of my privileges to access classified data. I understand that my access may be suspended, revoked or terminated for non-compliance with DoD security policies.

The undersigned consents to interception/capture and seizure of ALL communications and data for any authorized purpose (including personal misconduct, law enforcement, or counterintelligence investigation). The undersigned understands that violations are punishable by UCMJ action, punitive actions and/or other adverse administrative actions.

Classification of information being scanned: ~~SECRET~~

Subject: Letter to [ (b)(6) ] dtd 1 Nov 15 (from [ (b)(3), (b)(6) ])

YYYY/MM/DD and time: 2015 Nov 10

Print [ (b)(3), (b)(6) ] [ (b)(3), (b)(6) ]  
Sign [ (b)(3), (b)(6) ] [ (b)(3), (b)(6) ]

Number of Pages 2 this TPI page

TPI Rank must be **CW5, GS-12 & above, or O-4 and above only (No Contractors)!**

Rank/Title [ (b)(3), (b)(6) ] :

Sign: [ (b)(3), (b)(6) ]



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

2 Nov 15

MEMORANDUM FOR [redacted (b)(1)1.4a] J3

FROM: RESOLUTE SUPPORT INVESTIGATION TEAM

SUBJECT: Release of [redacted (b)(1)1.4a, (b)(3), (b)(6)] FOOTAGE

1. MG William Hickman is conducting an AR 15-6 COMRS-requested investigation into the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015.

2. On behalf of MG Hickman, I am requesting the release of video footage from the [redacted (b)(1)1.4a, (b)(3), (b)(6)] mission that occurred on the night of 30 Sep 15 (Mission [redacted (b)(1)1.4a]). We believe the video footage may contain information valuable to our investigation.

3. My POC for this is [redacted (b)(3), (b)(6)]. Please forward any questions regarding this request to him at [redacted (b)(3), (b)(6)].

A handwritten signature in black ink, appearing to read "S.M. Jenkins".

SEAN M. JENKINS  
BG, USA  
Investigation Team Lead



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A

2 November 2015


Memorandum for Record

From: Brig Gen Armfield

Subject: Review of (b)(3) Operational Risk Management Worksheets.

1. The Investigating Team requested CJSOAC's Operational Risk Management Worksheets for September '15 and 1-3 October 2015.
2. The CJSOAC (b)(3), (b)(6) provided 45 ORM worksheets from the (b)(3)
3. On 2 Nov, I reviewed 45 worksheets containing the following information:
  - a.
  - b.
  - c.
  - d.

(b)(1)1.4a
4. The 2/3 OCT 15 (b)(1)1.4a, (b)(3), (b)(6) incident mission operational risk was rated "Low" by the (b)(3), (b)(6) but the Authorizing Official rated it as "High." The (b)(3) (initials (b)(3), (b)(6)) appears to have signed off on the ORM worksheet as a "Low." This ORM worksheet has been scanned and added to the investigation database.

  
Robert G. Armfield  
Brig Gen, USAF  
RS Investigation Team

From: [Redacted]  
To: [Redacted] (b)(3), (b)(6)  
Cc:  
Subject: SOTF Attendees - Kunduz Overview Brief (23 Oct 15)  
Date: Friday, October 23, 2015 1:57:22 PM

---

Sir,

MG Hickman requested a list of the SOTF-A personnel (below) that participated in the overview brief this morning.

<b>Rank</b>	<b>Name</b>	<b>SOTF Position</b>
(b)(3), (b)(6)		

<b>Rank</b>	<b>Name</b>	<b>AOB Position</b>
(b)(3), (b)(6)		

v/r,

[Redacted] (b)(3), (b)(6)

NIP  
SIPR  
NIP  
CXI: [Redacted] (b)(3), (b)(6)



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

ACDC-O

6 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Investigation Officer's Discussion with SJOTF-A Commanding General

1. On 22 October 2015, investigation team members visited SJOTF-A headquarters to receive an operations and intelligence brief followed by interviews with key staff members. During this visit I had the opportunity for two office visits with the MG Swindell; one at the start of the HQ visit, and a final office call prior to departing the headquarters. Provided below is a summary of the key discussion points.

2. The discussion summary points of our morning meeting.

a. We discussed in general terms the drafting of an overarching CONOP that supported the USSF movement into the objective area. Future operations would be based on this initial approval.

b. In general terms, we discussed how the "pillars" are reviewed prior to a strike that is controlled by the SJOTF-A HQ. A detailed review of the pillars process was provided by the staff in a subsequent meeting.

c. We discussed in general terms, prior and on-going network targeting efforts to include OBJ (b)(1)1.4a. Also, he confirmed the NDS had visited the MSF Trauma Center in early summer but USSF forces had not entered the facility.

3. The discussion summary of our end of visit meeting.

a. Reviewed again the targeting of OBJ (b)(1)1.4a in the Kunduz area.

b. Discussed partner operations – to include, "there is no need to actually move together – the US element can be in over watch and the ANDSF can move toward the target."

c. Discussed the (b)(1)1.4a, (b)(1)1.4b system as the SOJTF-A Common Operations Picture system.

ACDC-O

SUBJECT: Investigation Officer's Discussion with SJOTF-A Commanding General

4. I thanked the CG for his team's support to the investigation team. I asked him if he wanted to submit a statement and he declined.



WILLIAM B. HICKMAN  
Major General, U.S. Army  
Investigating Officer

Approved for Release



From: [Armfield, Robert G. BG US MIL VICE DIRECTOR](#)  
To: [REDACTED] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ RFIs  
Date: Saturday, November 07, 2015 12:11:30 PM  
Attachments: (b)(1)1.4a, (b)(3), (b)(6) MFR DA 2823.pdf  
RW MFR.PDF

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CLASSIFICATION: ~~SECRET//NOFORN~~

[REDACTED] (b)(3), (b)(6)

Please include the below email from [REDACTED] (b)(3), (b)(6) in our records.

I believe you have the three witness statements (attached), if not, please include them into the witness statement book.

Tnx r/ RA

Gwyn Armfield  
Brig Gen USAF

[REDACTED] (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

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From: [REDACTED] (b)(3), (b)(6)  
Sent: Tuesday, November 03, 2015 7:43 PM  
To: Armfield, Robert G. BG US MIL VICE DIRECTOR  
Cc: [REDACTED] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ RFIs

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET~~

Message Body Caveats: ~~NOFORN~~

Brig Gen Armfield,

Please see below & attached.

V/r,

[REDACTED] (b)(3), (b)(6)

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

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From: (b)(3), (b)(6)  
Sent: Tuesday, November 03, 2015 7:03 PM  
To: (b)(3), (b)(6)  
Cc: CJSOAC-A CCC  
Subject: RE: ~~(S)~~ RFIs

**Classification: SECRET//NOFORN**

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

Please see answers below to the most recent RFI.

V/r,

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

- 1) Please list the specific actions taken at CJSOAC-A following the phone call from (b)(3), (b)(6) on 3 OCT with the initial potential CIVCAS notification.
  - a. Did a post-mission AAR occur with the crew?
  - b. When did the crew realize that they had targeted the wrong compound?
  - c. Was there any consideration given to de-certifying any aircrew members?

(b)(3), (b)(6) received a phone call from (b)(3), (b)(6) stating that there may have been a

CIVCAS. The (b)(3), (b)(6) provided this information to (b)(3), (b)(6) who tasked the (b)(3), (b)(6) (b)(3), (b)(6) to determine the nature of the allegation and to find out any details surrounding the allegation. Thereafter, (b)(3), (b)(6) sent an email to NSOCC-A/SOJTF-A/CC that a CIVCAS allegation had been raised and that the aircrew was not yet back at Camp Alpha but that the team would begin pulling together data.

Upon the arrival of the aircrew, the (b)(3), (b)(6) met the crew to pull the tapes and begin reviewing the tapes. The aircrew was advised that there was a CIVCAS allegation and they needed to find out where in the tapes that might be. This process took about one and a half hours. Thereafter, (b)(3), (b)(6) reviewed and listened to the strike portion of the tape with the aircrew, the (b)(3), (b)(6)

Just prior to (b)(3), (b)(6) review, he sent the following email to COMNSOCC-A/SOJTF-A: "Sir, per our conversation, here's some preliminary data from the gunship crew: There was a known enemy (b)(1)1.4a The target was identified as an enemy structure controlled by enemy forces with all personnel in/around structure characterized as enemy (b)(1)1.4a, (b)(3), (b)(6) cleared the gunship on the enemy structure and associated personnel. There was approx.. 10 minutes of dialogue prior to the engagement regarding target confirmation and exact location of the building/compound. Perhaps the only issue I see with the shoot, was that ROE (b)(1)1.4a was cited. Regardless, our intel net picked up comms during the shoot and immediately following of enemy personnel attempting to contact their compatriots and being told they were in the building that had been fired upon --- confirming enemy forces in/around the targeted structure."

At the end of the tape review, it appeared that the strike was procedurally correct in terms of confirming the applicable ROE, confirming the target, and acquiring the (b)(3), (b)(6) (b)(3), (b)(6) intent and authorization.

(b)(3), (b)(6) then began to build a two slide storyboard, pulled three snapshots and a video clip of the strike (showing the declaration that the compound was Taliban controlled with 9 PAX hostile). (b)(3), (b)(6) provided the first impression report to NSOCC-A/SOJTF-A.

(b)(3), (b)(6) then began to build a timeline of events and transcribe the tapes.

Neither the aircrew nor (b)(3), (b)(6) leadership was aware they had hit the wrong compound until weeks after the event. (b)(3), (b)(6) and determined through legal channels the wrong target had been struck, on or about mid-October. The crew likely did not know it was the wrong target until the 15-6 investigator's interviews.

The (b)(3), (b)(6) was suspended from flying, and the (b)(3), (b)(6) were subsequently suspended, but no member has been de-certified. Nor was decertification considered as standards were complied with.

- 2) How many personnel positions (spaces) were assigned to (b)(3), (b)(6) in October of 2014 and how many in October 2015? What is the current manning level and where are the vacancies if not 100%?

(b)(1)1.4a

- 3) What was the AC-130 crew requirement on 3 OCT and how many crews did (b)(3), (b)(6) have assigned? If less than 1:1, how was were the crews managed within CJSOAC to meet the requirement (please list ORM, waivers, etc.)? Were any requests made by (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) AFSOC for additional crews or to meet the requirement if less than 1:1?

(b)(1)1.4a

4) What Operational Risk Management regulations does CJSOAC use?

For each mission, Operational Planners (J5), Aircrew, and Mission Commanders (Squadron Commander) assess the ORM using a unit specific form that facilitates an AFSOC mandated process (attached) that was identified as a "best practice" in 2004. ORM worksheets differ between units because of variations in each unit's mission; however, each worksheet is developed with the METT-TC (Mission, Enemy, Terrain, Weather, Troops and Support Available, Time Available, and Civil Considerations) framework.

Each individual operation is analyzed three times prior to execution. First, during mission planning, the aircrew planners analyze known risks for the specific mission at the time the mission is planned. These planners determine overall mission risk at the time of initial planning. Second, the specific aircrew that will fly the mission performs a second ORM analysis based on the most current information. The crew refines the determination of overall risk. Last, the mission and overall risk is briefed to the Mission Commander, who will then validate the identified risks and overall mission risk level. If the overall risk warrants, additional validations/approvers may be required in accordance with CJSOAC-A "mission execution and risk management" policy (dated 24 April 2014 which remains in effect). [redacted] (b)(1)1.4a

[redacted] (b)(1)1.4a

a. Is there specific guidance on what defines low/medium/high risk?

Each aircraft platform independently analyzes risk level based upon aircraft operating parameters, defensive systems, weather capability and how METT-TC factors in for a specific mission.

b. Does CJSOAC consider risk to mission and risk to force separately?

In this ORM process, AFOSC does not consider risk to mission and risk to force separately. Instead, both items gets included in the total METT-TC framework for an overall mission risk assessment.

5) Please talk with [redacted] (b)(1)1.4a, (b)(3), (b)(6) and determine who had a [redacted] (b)(1)1.4a, (b)(1)1.4g etc) at the PCOP compound and specifically, if systems were there, why each system was not working. Was any attempt made to use this system during the 3 OCT incident at the MSF Trauma Center? (FYI—the aircraft's

[redacted] (b)(1)1.4a, (b)(3), (b)(6)

See attached statements. The JTACs state that the [redacted] (b)(1)1.4a, (b)(1)1.4g systems at PCOP were inoperable due to lack of power. The team had exhausted their battery supply [redacted] (b)(1)1.4a, (b)(3) had a conversation at some point with an [redacted] (b)(1)1.4a, (b)(1)1.4g was needed he would turn it on but that they were critically low on batteries. The [redacted] (b)(1)1.4a, (b)(3), (b)(6) that they did not need him to look at the [redacted] (b)(1)1.4a, (b)(3)

time, (b)(1).4a, (b)(3) states that JTACs were borrowing batteries from ODA members and ODA members were running a (b)(1).4a, (b)(1).4g in order to preserve battery life and prolong communication ability. Thereafter, during the engagement that night, several of the JTACs (b)(1).4a, (b)(3), (b)(6) (b)(1).4a, (b)(3), (b)(6) became involved in clearing an HLZ in order to receive an emergency resupply. By the time that resupply was completed, the engagement had ended.

6) Do you know who created the transcript from the 2/3 Oct (b)(1).4a, (b)(1).4g, (b)(3), (b)(6)

Answers previously provided from both SOTF and CJSOAC-A. It was a combined effort led by the attorneys at each organization. After consolidation of the transcripts/review of slight discrepancies, the transcript was forwarded to SOJTF-A.

---

From: Armfield, Robert G. BG US MIL VICE DIRECTOR

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

Sent: Monday, November 02, 2015 9:28 AM

To: (b)(3), (b)(6)

Cc: Bauernfeind, Tony D BG SOJTF-A; Jenkins, Sean M. BG Deputy Director

Subject: (S) RFIs

CLASSIFICATION: ~~SECRET//NOFORN~~

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

A few RFIs for you and your team:

7) Please list the specific actions taken at CJSOAC-A following the phone call from (b)(3), (b)(6) on 3 OCT with the initial potential CIVCAS notification.

- a. Did a post-mission AAR occur with the crew?
- b. When did the crew realize that they had targeted the wrong compound?
- c. Was there any consideration given to de-certifying any aircrew members?

8) How many personnel positions (spaces) were assigned to CJSOAC-A in October of 2014 and how many in October 2015? What is the current manning level and where are the vacancies if not 100%?

9) What was the AC-130 crew requirement on 3 OCT and how many crews did CJSOAC-A have assigned? If less than 1:1, how were the crews managed within CJSOAC to meet the requirement (please list ORM, waivers, etc.)? Were any requests made by

CJSOAC-A to (b)(1)1.4a, (b)(3) or AFSOC for additional crews or to meet the requirement if less than 1:1?

- 10) What Operational Risk Management regulations does CJSOAC use?
- a. Is there specific guidance on what defines low/medium/high risk?
  - b. Does CJSOAC consider risk to mission and risk to force separately?

11) Please talk with (b)(1)1.4a, (b)(3), (b)(6)

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

specifically, if systems were there, why each system was not working. Was any attempt made to use this system during the 3 OCT incident at the MSF Trauma Center? (FYI—the aircraft's

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

12) Do you know who created the transcript from the 2/3 Oct

(b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) ?

Please provide a written response to the above six questions on a signed MFR to me NLT 1200 3 November 2015. Call or email me if you have any questions.

Thanks, RA

Gwyn Armfield  
Brig Gen USAF

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

CLASSIFICATION: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET~~

Message Body Caveats: ~~NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

Attachment Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

**Classification: ~~SECRET//NOFORN~~**

Attachment Classification: ~~SECRET~~

Attachment Caveats: ~~NOFORN~~

Message Body Classification: ~~SECRET~~

Message Body Caveats: ~~NOFORN~~

**Classification: ~~SECRET//NOFORN~~**



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

28 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (U) (b)(1)1.4a, (b)(3), (b)(6) Request for Information

1. (U) The purpose of this memorandum is to describe the requests for information for the aircrew of (b)(1)1.4a, (b)(3), (b)(6)

2. (U) The crew of (b)(1)1.4a, (b)(3), (b)(6) not conduct any flights as an entire (b)(1)1.4a aircrew in the 180 days prior to 2 Oct 15 prior to their deployment to CJOA-A. Since this aircrew was not designated as a "hard crew" prior to their deployment, they were not scheduled for flying training events together at any point prior to deployment. In addition, the officers on the aircrew of (b)(1)1.4a, (b)(3), (b)(6) only flew together once in the last 180 days, on (b)(1)1.4a at the deployed location.

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

4. (U) My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

10/28/2015

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



Major General Mark Quantock

- Been here before
- [redacted (b)(6)] May back @ hospital
- We'd been in Chaka Sa before land of badness
- Much more kinetic up there
- Mainly Taliban, lots of crime
- No indications of an attack days before. Have sufficient [redacted (b)(1)1.4a, (b)(1)1.4g] but not as much post –MK we were focused in there, but there's **act** quite after
- (b)(3), (b)(6) I spoke to [redacted (b)(6)] said he controlled city, focused on North District
- Think [redacted (b)(1)1.4d]
- TAAC-N, NSOC-A, would provide **up to** RS
- Following Afghan's core plan
- Does RS drive IPR for force placement? No
- Use JWICs mainly, think SOF uses [redacted (b)(1)1.4a, (b)(1)1.4g]

We are not using [redacted (b)(1)1.4a, (b)(1)1.4g]



I don't know if our guys saw the memo

- The **logs** has been on NSC since 1990s
- Depends on the supported unit, but 13 sounds like a lot. We did it at M/K.
- Collection plan – GS is normally general support, day by day – can check.
- Would this shop track other operations in area, DGA-NO
- [redacted (b)(1)1.4c]
- Can't shoot a building. Period.
- Proportionality issue as well
- CJOC Intel [redacted (b)(3), (b)(6)]
- Talk to [redacted (b)(3), (b)(6)]



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

03 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: (b)(1)1.4a, (b)(3), (b)(6) Weather Observation IVO Kunduz AFG 2300 local

1. On 03 2300 (L) October 2015, (b)(1)1.4a, (b)(3), (b)(6) was flying in the vicinity of Kunduz AFG and reported the sky conditions as scattered to broken ceiling at 15,000 to 16,000'.
2. This report was obtained from listening to (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) on 30 OCT 2015.

A handwritten signature in black ink, appearing to read "R. G. Armfield".

ROBERT G. ARMFIELD  
Brig Gen, USAF  
Assistant Investigating Officer



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

USFOR-A

07 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(1)1.4d, (b)(3), (b)(6)  
[redacted] (b)(1)1.4d to review partner force location data for Kunduz, Afghanistan.

[redacted] (b)(1)1.4a, (b)(1)1.4d, (b)(3), (b)(6)

3. The point of contact for this memorandum is [redacted] (b)(3), (b)(6)

[redacted] (b)(3), (b)(6)

Investigation JTAC SME



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A

4 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Transcription of Voice Recordings (b)(1)1.4a, (b)(3), (b)(6) Mission, 2-3 October 2015

1. The following details the efforts undertaken to transcribe the recording made of the voice recordings from the (b)(1)1.4a, (b)(3), (b)(6) mission to Kunduz, Afghanistan 2-3 October 2015 provided by (b)(3), (b)(6).

a. According to (b)(3), (b)(6), CJSOAC, "Transcribing the tapes was a collective effort between (b)(3), (b)(6), (b)(3), (b)(6) who were not part of the crew, (b)(3), (b)(6). After these individuals transcribed the tapes, the individual pieces were sent and assembled/reviewed by (b)(3), (b)(6), who forwarded the transcript to SOTF-A for review and comparison. Thereafter, slight discrepancies were resolved and the transcript was forwarded to SOJTF-A."

b. According to (b)(3), (b)(6) SOTF-A, (b)(3), (b)(6) did the initial transcription for SOTF-A then passed different sections out amongst different individuals to make corrections. Shortly after our corrections were made, we received the CJSOAC transcript. I then had (b)(3), (b)(6) go through the two versions and point out any discrepancies. Finally, I went through both transcripts and listened to the tapes where there were discrepancies. Once I made the changes I returned the transcript to CJSOAC with redline changes. They reviewed and gave us a final thumbs up before I submitted them."

c. (b)(3), (b)(6) oversaw the final compilation of the transcript.

2. The Investigation Team listened to the recording multiple times, and compared the transcript with the recording. The investigation team believes that the transcript is a substantially accurate transcription of the recording.

3. The point of contact for this memorandum is (b)(3), (b)(6)  
(b)(3), (b)(6)

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



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

8 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Kunduz Site Visit, 24 October 2015

1. On Thursday, 24 October 2015, members of the AR 15-6 Investigation Team visited several locations in and around Kunduz, Afghanistan. While at the locations, the investigation team conducted interviews of witnesses to events surrounding the 3 October 2015 strike on the MSF Trauma Center in Kunduz City.
2. The team visited the Kunduz Airport, and moved to the ODA (b)(1)1.4a. At (b)(1)1.4a, the team received an Operations and Intelligence overview from ODA (b)(1)1.4a as well as a pre-mission brief. Select members of the investigation team interviewed senior ANDSF leaders, to include (b)(6) who were involved in the ANDSF planning of the operation to re-take Kunduz.
3. Other members of the investigation team interviewed the ODA (b)(1)1.4a, (b)(3), (b)(6). (b)(1)1.4a, (b)(3), (b)(6). (b)(3), (b)(6).
4. Select members of the interview team then interviewed (b)(3), (b)(6) separately. Other members of the interview team did an inspection of the equipment (b)(3), (b)(6) had when he was conducting JTAC duties at the PCOP Compound on 3 Oct.
5. The investigation team then conducted ground movement to the Kunduz Provincial Government Complex, which includes the Provincial Chief of Police Compound (PCOP Compound). The team utilized the same route, (b)(1)1.4a US Special Forces Ground Force (USSF) used to conduct movement to the PCOP Compound during the Period of Darkness 30 Sep / 1 Oct.
6. The investigation team inspected key locations within the PCOP Compound identified during the 3 Oct incident, while (b)(3), (b)(6) and other USSF members discussed their actions during the fighting at the location. Key locations the team inspected within the compound included the west wall, the northwest tower on the west wall, the southwest tower on the west wall, a rooftop that the ODA members identified they stood on during the fight, as well as other rooftops within the PCOP Compound. At each location, the team observed possible sight lines and potential sight distances that were described in previous statements, to include those of (b)(3), (b)(6) the (b)(3), (b)(6) during the 3 Oct strike. The team took photographs from several vantage points within the compound.
7. At every location within the PCOP Compound, the team attempted to determine whether an individual could observe the NDS Compound, the intended (b)(1)1.4d.

GAF) objective on 3 Oct, or the Medecins Sans Frontieres (MSF) Trauma Center. The team determined that neither compound could be observed via direct line of sight from any spot within the PCOP Compound.

8. The team visited the NDS compound, the intended (b)(1)1.4 GAF objective and the intended target of the AC-130U strike on 3 Oct. Although the team was not permitted inside the compound, the team was able to confirm that the main entrance to the compound was on the south side of the location.

9. The team finished by visiting the MSF Trauma Center compound. Select members of the investigation team met several MSF staff members, and were given a tour. The team was able to observe the hospital grounds, the main Trauma Center building that was destroyed, and other select buildings within the complex. The team took photographs of its observations.



SEAN M. JENKINS  
BG, USA  
Assistant Investigating Officer



~~SECRET//REL US, FVEY~~  
HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

8 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Notes of Interview; [redacted] (b)(3), (b)(6) ~~(S//NF)~~

1. (U//~~FOUO~~) On Tuesday, 22 October 2015, the investigating officer and the following members of the AR 15-6 Investigation Team: BG Jenkins, Asst. IO, Brig Gen Armfield, Asst. IO, and Legal Advisor, interviewed [redacted] (b)(3), (b)(6) for the AC-130U callsign (b)(1)1.4a, (b)(3), (b)(6) during the strike on the Kunduz Trauma Center on 3 October 2015. The interview was conducted at the [redacted] (b)(1)1.4a Command Headquarters building, Bagram Airfield Afghanistan.

2. (U//~~FOUO~~) The Asst. IO informed [redacted] (b)(3), (b)(6) the purpose of the investigation. [redacted] (b)(3), (b)(6) confirmed he did not know the target the aircraft struck on 3 October was a hospital.

3. (U//~~FOUO~~) [redacted] (b)(3), (b)(6) provided his relevant experience. He received his commission through

[redacted] (b)(3), (b)(6)

4. (U//~~FOUO~~) [redacted] (b)(3), (b)(6) told him the aircraft was to launch immediately because of a troops in contact (TIC), and was told who dropped the request. He stated that he believed the aircraft had [redacted] (b)(1)1.4a, (b)(1)1.4g capabilities at launch. He stated that the aircraft had products from previous missions over Kunduz. He was not aware of the location of the MSF Trauma Center but knew where Kunduz Hospital was located. He estimated that, from one being the least ready and ten being the most ready, that he was a seven out of ten, because the aircraft launched early, but also had products from previous missions. The information he had prior to the aircraft being refueled just was that there were strikes going on in Afghanistan, and that a TIC was ongoing.

5. (U//~~FOUO~~) The [redacted] (b)(3), (b)(6) work for him. His duties also include advising on weaponeering and managing the gunners on the aircraft.

[redacted] (b)(1)1.4a, (b)(1)1.4g

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

8. (U//~~FOUO~~) The building was selected because the (b)(3), (b)(6) went to the largest compound. His confidence that the aircrew was on the correct target prior to the strike was three out of five, with five being the most confident. The factors reducing his confidence level was the fact that they were in an urban area, and the slaving error. Immediately before the engagement, his confidence level was five out of five.

9. (U//~~FOUO~~) The target description from the (b)(3), (b)(6) and pattern of life raised his confidence level. He recalled an internal discussion about both sites, and the crew as a whole decided they were correct, because the building was the largest T shaped building in the area.

10. (S//~~REL~~) He heard the (b)(3), (b)(6) "soften the target" comment and sought clarification. He detailed the back and forth conversation between the (b)(3), (b)(6) on the radio. The ground asked to confirm (b)(1)1.4a He did not know whether the Ground Force could see the compound. (b)(1)1.4a, (b)(1)1.4g" The (b)(1)1.4a, (b)(1)1.4g

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

11. (U//~~FOUO~~) The other compound was close, but didn't match the (b)(3), (b)(6) description. Its gate was on the north side of the compound.

12. (U//~~FOUO~~) He was good with the COMRS Tactical Guidance and is familiar with both the RS and OFS versions.

13. (U//~~FOUO~~) The POC for this is the Legal Advisor,

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



SEAN M. JENKINS  
BG, USA  
Assistant Investigating Officer





~~SECRET//REL US, FVEY~~  
**HEADQUARTERS  
 UNITED STATES FORCES-AFGHANISTAN  
 BAGRAM, AFGHANISTAN  
 APO AE 09354**

8 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Notes of Interview; [redacted] (b)(3), (b)(6) (~~S//REL~~)

1. (U//~~FOUO~~) On Tuesday, 22 October 2015, the investigating officer and the following members of the AR 15-6 Investigation Team: BG Jenkins, Asst. IO, Brig Gen Armfield, Asst. IO, and Legal Advisor, interviewed [redacted] (b)(3), (b)(6) for the AC-130U, callsign (b)(1)1.4a, (b)(3), (b)(6) during the strike on the Kunduz Trauma Center on 3 October 2015. The interview was conducted at the [redacted] (b)(1)1.4a, (b)(3) Headquarters building, Bagram Airfield Afghanistan.

2. (U//~~FOUO~~) The Asst. IO informed [redacted] (b)(3), (b)(6) the purpose of the investigation. [redacted] (b)(6) [redacted] (b)(3), (b)(6) confirmed he did not know the target the aircraft struck on 3 October was a hospital.

[redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

products on the day of the launch. He estimated that in terms of preparedness, he was a two out of ten, with ten being the most prepared. The crew did not receive an in extremis brief plan, however, for communications issues.

[redacted] (b)(1)1.4a, (b)(1)1.4c

6. (U//~~FOUO~~) The building was selected because the [redacted] (b)(3), (b)(6) went to the largest compound. His confidence that the aircrew was on the correct target prior to the strike was three out of five, with five being the most confident. The factors reducing his confidence level was the

~~SECRET//REL US, FVEY~~

fact that they were in an urban area, and the (b)(1)1.4a, (b)(1)1.4g Immediately before the engagement, his confidence level was five out of five.

7. (U//~~FOUO~~) The target description from the (b)(3), (b)(6) and pattern of life raised his confidence level. He recalled an internal discussion about both sites, and the crew as a whole decided they were correct, because the building was the largest T shaped building in the area.

8. (S//~~REL~~) The aircrew did not seek the compound. However, after thirty minutes, he was fairly confident that they were on the right target. The T Shaped description was important, but he believed that the aircrew used it first.

9. (U//~~FOUO~~) The aircrew were aware of the (b)(1)1.4 Ground Force. The aircrew was tracking the location of the convoy and it was about 1km southeast of the objective when the aircraft began to fire.

10. (U//~~FOUO~~) He had been trained on the Tactical Guidance. The aircrew had a copy of the ROE in the aircraft.

11. (U//~~FOUO~~) The POC for this is the Legal Advisor,

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



SEAN M. JENKINS  
BG, USA  
Assistant Investigating Officer



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UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

9 November 2015

MEMORANDUM FOR Record

SUBJECT: (b)(3), (b)(6) USAF, (b)(3) Bagram Airfield, Afghanistan; Article 31 Rights; Investigation into Potential Civilian Casualty (CIVCAS) Incident in Kunduz, Afghanistan

1. This investigation was appointed to conduct an investigation into reports that US Forces struck facilities and individuals at or near the Medecins Sans Frontieres (MSF) Trauma Center in Kunduz City, Afghanistan, on or about 3 October 2015.
2. On or about 6 October 2015, during a previous AR 15-6 investigation into the event, (b)(6) (b)(3), (b)(6) was informed by the investigating officer of (b)(3), (b)(6) rights under Article 31(b), Uniform Code of Military Justice (UCMJ), for a violation of Article 92, Dereliction of Duty, for failing to follow the Commander-RESOLUTE SUPPORT (COMRS) Tactical Guidance, and violating the Rules of Engagement.
3. (b)(3), (b)(6) invoked (b)(3), (b)(6) rights under Article 31, UCMJ, and chose to consult with counsel prior to making any statements to the investigation. (b)(3), (b)(6) consulted with counsel, (b)(3), (b)(6) (b)(3), (b)(6) USAF, Area Defense Counsel, Ramstein Air Force Base, Germany. Counsel informed (b)(3), (b)(6) to not make any further statements to the investigation regarding the offense of which (b)(3), (b)(6) was informed. (b)(3), (b)(6) also contacted the legal advisor to the current investigation to inform him (b)(3), (b)(6) would not be making any statements to the investigation.
4. The current investigating officer, MG William Hickman, USARCEN, believed (b)(3), (b)(6) committed the offense of Dereliction of Duty. Therefore, (b)(3), (b)(6) was not interviewed during the investigation's visit to the (b)(3) Afghanistan Headquarters ((b)(3)) on 22 October 2015, although (b)(3), (b)(6) was present in the headquarters (b)(3), (b)(6) did not participate in any briefings or group interviews the investigation conducted with the (b)(3) Command and Staff, and no one from the investigation team contacted (b)(3), (b)(6).
5. The investigation legal advisor contacted (b)(3), (b)(6) about alternative means of information. (b)(3), (b)(6) indicated (b)(3), (b)(6) may be interested in providing responses to written questions, and provided a SIPRnet email address for the investigation to send the questions it would like (b)(6) (b)(3), (b)(6) to answer. The legal advisor provided a list of written questions to the SIPRnet email address that (b)(3), (b)(6) counsel provided. As of 9 November 2015, (b)(3), (b)(6) counsel has not indicated whether (b)(3), (b)(6) would be making a statement. The Investigation paralegal emailed (b)(3), (b)(6) counsel a DA Form 3881, Rights Warning Waiver, on or about 5 November 2015. The DA 3881 has not been returned.

UNCLASSIFIED//~~FOUO~~

6. POC for this memorandum is the AR 15-6 Legal Advisor, [redacted] (b)(3), (b)(6)  
[redacted] (b)(3), (b)(6)

[redacted] (b)(3), (b)(6)

Approved for Release



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HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

9 November 2015

MEMORANDUM FOR Record

SUBJECT: (b)(3), (b)(6), USAF, (b)(3) Bagram Airfield, Afghanistan; Article 31 Rights; Investigation into Potential Civilian Casualty (CIVCAS) Incident in Kunduz, Afghanistan

1. This investigation was appointed to conduct an investigation into reports that US Forces struck facilities and individuals at or near the Medecins Sans Frontieres (MSF) Trauma Center in Kunduz City, Afghanistan, on or about 3 October 2015.
2. On or about 6 October 2015, during a previous AR 15-6 investigation into the event, (b)(6) (b)(3), (b)(6) was informed by the investigating officer of (b)(3), (b)(6) rights under Article 31(b), Uniform Code of Military Justice (UCMJ), for a violation of Article 92, Dereliction of Duty, for failing to follow the Commander-RESOLUTE SUPPORT (COMRS) Tactical Guidance, and violating the Rules of Engagement.
3. (b)(3), (b)(6) invoked (b)(3), (b)(6) rights under Article 31, UCMJ, and chose to consult with counsel prior to making any statements to the investigation. (b)(3), (b)(6) consulted with counsel, (b)(3), (b)(6) (b)(3), (b)(6) USAF, Area Defense Counsel, Ramstein Air Force Base, Germany. Counsel informed (b)(3), (b)(6) to not make any further statements to the investigation regarding the offense of which (b)(3), (b)(6) was informed. (b)(3), (b)(6) also contacted the legal advisor to the current investigation to inform him (b)(3), (b)(6) would not be making any statements to the investigation.
4. The current investigating officer, MG William Hickman, USARCEN, believed (b)(3), (b)(6) committed the offense of Dereliction of Duty. Therefore, (b)(3), (b)(6) was not interviewed during the investigation's visit to the (b)(3) Afghanistan Headquarters (b)(3) on 22 October 2015. (b)(3), (b)(6) did not participate in any briefings or group interviews the investigation conducted with the (b)(3) Command and Staff, and no one from the investigation team contacted (b)(3), (b)(6).
5. The investigation legal advisor contacted (b)(3), (b)(6) counsel about alternative means of information. (b)(3), (b)(6) counsel indicated (b)(3), (b)(6) may be interested in providing responses to written questions, and provided a SIPRnet email address for the investigation to send the questions it would like (b)(3), (b)(6) to answer. The legal advisor provided a list of written questions to counsel on 4 November 2015. On 5 November 2015, (b)(3), (b)(6) counsel indicated that (b)(3), (b)(6) had spoken to (b)(3), (b)(6), and that (b)(3), (b)(6) would be making a statement. The Investigation paralegal emailed (b)(3), (b)(6) counsel a DA Form 3881, Rights Warning Waiver, on or about 5 November 2015. The DA 3881 has not been returned as of this date.

UNCLASSIFIED//~~FOUO~~

6. POC for this memorandum is the AR 15-6 Legal Advisor, [redacted] (b)(3), (b)(6)  
[redacted] (b)(3), (b)(6)

[redacted] (b)(3), (b)(6)

Legal Advisor

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HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

ACDC

9 November 2015

MEMORANDUM FOR RECORD

SUBJECT: (b)(3), (b)(6) Involvement in the Kunduz 15-6 Investigation

1. (b)(3), (b)(6) assisted the investigation team by providing his expertise and requested products only; therefore, an interview was not necessary from him.
2. The point of contact for this Memorandum is (b)(3), (b)(6)

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



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BAGRAM, AFGHANISTAN  
APO AE 09354

9 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Interview of (b)(6)

1. On 27 Oct 15, members of the RS Investigation Team interviewed (b)(6) RS (b)(3), (b)(6)

2. (b)(6) stated that he stayed at Camp Pamir on 2-3 Oct 15 as part of an expeditionary group of TAA team. He was sent to Camp Pamir to provide intelligence support and advice to Afghan partners.

(b)(1)1.4a, (b)(6)  
(b)(1)1.4a but had no interaction with US Special Forces (USSF) at the PCOP.

4. (b)(6) mentioned a (b)(6) as a (b)(1)1.4a troop commander (subsequently interviewed by the investigation team). He stated that (b)(6) ran the convoy/resupply route on the night of 2-3 Oct.

5. The point of contact for this Memorandum is (b)(3), (b)(6)

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

15-6 members present during the interview:

BG Sean M. Jenkins (signature)  
(b)(3), (b)(6)





HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

29 Oct 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 28 1415 (L) October 2015, MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3) conference room at Camp Vance, Bagram Airfield (BAF). [redacted] (b)(3), (b)(6) [redacted] (b)(3), (b)(6) The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) was asked about pre-mission training. He stated that his pre-mission was focused on the train, advise, and assist (TAA) role. Following completion of ILE, he reported early in order to participate in Exercise EAGER LION in Jordan. The exercise was focused on TAA with multi-national participation. Following EAGER LION, he continued training at home station, which focused ROE and included VTCs with SOJTF-A.

[redacted] (b)(3), (b)(6)

4. [redacted] (b)(3), (b)(6) stated that he had not worked with [redacted] (b)(1)1.4a, (b)(3), (b)(6) prior to his current assignment.

5. [redacted] (b)(3), (b)(6) stated that this assignment was his first in which he employed AC-130s. He stated that he had participated in urban warfare in the past, but as a [redacted] (b)(3), (b)(6) Iraq.

6. He stated that had he ranked the provinces within his AOR in importance, he would have ranked Kunduz as number 2 of 17. He also stated that he had not entered Kunduz city prior to the operation beginning on 30 Sep 15.

7. Prior to the operation in Kunduz, [redacted] (b)(3), (b)(6) stated that the last time he had more than four hours of sleep was the POD 26-27 Sep 15.

8. [redacted] (b)(3), (b)(6) was asked about Persons with Designated Special Status (PDSS) for the Afghan National Defense Security Forces (ANDSF) conducting the operation into Kunduz. He stated that he thought, as a default, operations would be conducted under RS ROE, which is required for PDSS.

9. (b)(3), (b)(6) was asked about the VTC that was held with COMRS on 30 Sep. He stated that the conversation during the VTC was primarily between GEN Campbell on (b)(1)1.4d, (b)(6) (b)(1)1.4d, (b)(6) indicated that he joined in the conversation to assist (b)(6). He stated that COMRS said the sooner we get into Kunduz the better. (b)(6) (b)(3), (b)(6) said that COMRS never gave specific guidance to him, but he inferred that failure with this operation was not an option. He also stated that he was the only US participant in the VTC form Camp Pamir.

10. Regarding the CONOPs used for the operation in Kunduz, (b)(3), (b)(6) stated that he used the 30 Sep 15 1C "Kunduz Clearing Patrol" CONOP, for which he received verbal approval (VOCO) at around 2100L on 30 Sep 15.

11. (b)(3), (b)(6) was asked about preparing his troops for the operation. When asked if he told his subordinates, "the whole world is watching," he stated that it sounded like something he would say in a speech. He said that he attempted to print graphics/imagery in preparation for the operation, but the printer was malfunction and only produced magenta blobs. (b)(3), (b)(6) stated that he had received (b)(1)1.4a for his partnered forces prior to departing.

12. (b)(3), (b)(6) stated that he severely underestimated the number of enemy forces in Kunduz. He also stated that he thought the operation would last no more than 24 hours, which is also told COMRS during the VTC on 30 Sep 15. He stated that he didn't think the enemy forces would be persistent and that they would fade away to outlying districts after initial contact.

13. Regarding the events that took place on the evening of 2 Oct 15, (b)(3), (b)(6) stated that the height of enemy activity took place between 1700L and 1800L. He stated the (b)(1)1.4d wanted to remove their casualties, but that he convinced them to wait until it was dark. A (b)(1)1.4d officer returned and told him that the (b)(1)1.4d intended to strike the NDS facility in Kunduz upon their return from taking their casualties to Camp Pamir. (b)(3), (b)(6) told the officer to brief their plan to (b)(1)1.4a, (b)(3), (b)(6).

14. (b)(3), (b)(6) briefed (b)(3), (b)(6) on the (b)(1)1.4d plan, explaining that the (b)(1)1.4d had picked two targets: the NDS prison in Kunduz and one other (he did not have information on the other target, so said he didn't worry about it). A (b)(1)1.4d, (b)(6) asked (b)(3), (b)(6) if US forces would provide air support. (b)(3), (b)(6) said he agreed, so long as the (b)(1)1.4d forces were part of the group's "integrated defense" bubble. He stated that he did not remember the name of the (b)(1)1.4d (b)(1)1.4d, (b)(6) He further stated that he assumed the request for air support in support of their targets must have been authorized because no one would ask for that in the ASSF if they did not have the proper authority. He also said that he briefed (b)(3), (b)(6) that the (b)(1)1.4d would secure the prison upon their return from Camp Pamir.

15. (b)(3), (b)(6) was asked if the (b)(1)1.4d, (b)(6) provided a physical description of the target (NDS facility). He stated that the (b)(6) told him the target was a long t-shaped building with out-buildings, a wall around it, and an arched gate on the north side.

16. (b)(3), (b)(6) was asked about the purpose of the AC-130 fires. He stated the purpose was the "overall self-defense of our perimeter," and that everything to the west of (b)(1)1.4a was full of insurgents. He said he did not remember using the term "softening the target."

17. (b)(3), (b)(6) was asked what made him decide to authorize the AC-130 to engage the objective (what he believed to be the NDS but turned out to be the MSF facility). He stated that he heard sustained fires coming from the direction of the NDS and tried to get in touch with the convoy with no success which led him to believe that the (b)(1)1.4a convoy was under fire.

18. (b)(3), (b)(6) was asked what Positive Identification (PID) he had in order to authorize the strike on the objective. He stated that he had three sources of PID. One, the intelligence and description of the compound he received from the (b)(1)1.4d, (b)(6) Two, the confirmed description passed by the AC-130. Three, the sustained gun fire coming from the direction of the objective the convoy planned to clear.

19. (b)(3), (b)(6) was asked what Pattern of Life (POL) information he had for the objective. The (b)(1)1.4a informed him that there would be a small force outside of the building and some guards at the gate. The AC-130 passed a (b)(1)1.4a. They also stated that that there were two individuals guarding the entrance to the compound but did not have weapons. He also stated that when he authorized the strike, he thought it was the NDS building and that non-combatants would not use that building to seek refuge.

20. (b)(3), (b)(6) was asked about a Provincial Reconstruction Team (PRT) map (depicting key infrastructure in the city; including the MSF facility as a hospital) was found at the Provincial Government building. He stated that they did not find the map until after the night of the strike.

21. (b)(3), (b)(6) was asked if he received any phone calls from SOTF-A relaying information. He stated that (b)(3), (b)(6) called and asked if he received a message on the (b)(1)1.4a, (b)(1)1.4g. He acknowledged receiving a message but he was referring to a message regarding enemy activities in another area and not the message with the MSF grids.

15-6 members present during the interview:

MG William B. Hickman  
BG Sean M. Jenkins

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

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



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

1 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(1)1.4a, (b)(3), (b)(6)

1. On 28 October 2015, member of the Resolute Support Investigation Team appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3) conference room at Camp Vance, Bagram Airfield (BAF). [redacted] (b)(1)1.4a, (b)(3), (b)(6)  
The following memorandum outlines what was discussed during the interview.

[redacted] (b)(1)1.4a, (b)(3), (b)(6)

4. During his time at the PCOP compound in Kunduz, [redacted] (b)(3), (b)(6) stated that Afghans would come to him and his team with information about enemy forces, such as their locations in the city. He stated that if the information was found to be valid, the information could be used to target the enemy forces.

5. [redacted] (b)(3), (b)(6) stated that communication between the US and Afghans was not ideal. Most communication occurred via [redacted] (b)(1)1.4a, (b)(1)1.4g phones.

6. [redacted] (b)(3), (b)(6) stated that the coordinates passed from the Afghans for the NDS facility (for which the MSF Trauma Center was subsequently misidentified) were like any other coordinates passed to him and his team. He stated that the [redacted] (b)(1)1.4 forces wanted to strike the NDS facility upon returning from Camp Pamir during the POD, 2-3 Oct. The [redacted] (b)(1)1.4 element would be returning from delivering casualties to Camp Pamir.

7. [redacted] (b)(3), (b)(6) stated that he went down for rest between 2300D\* and 2359D\* on 2 Oct. He stated that he woke up sometime around 0300D\* when a resupply helicopter landed at the PCOP compound.

8. Regarding the Provincial Reconstruction Team (PRT) map found at the site, (b)(3), (b)(6) stated that it was found on the evening of 1 Oct or early on 2 Oct, but that it was found “absolutely before the strike occurred.”

9. When asked if he carried a no-strike list (NSL), (b)(3), (b)(6) responded that he did not and that at the time he was not aware that a country NSL existed.

10. (b)(3), (b)(6) stated that he had heard that non-combatant evacuation operations (NEO) were possible in Kunduz, but that he thought they had already occurred before the night of 2 Oct.

11. (b)(3), (b)(6) stated that he did not receive a briefing from the (b)(3), (b)(6) officer prior to the mission to enter Kunduz. Regarding the intelligence the team had available for the NDS site, he stated that they only had the information passed to them from the (b)(1)1.4 and that he thought the location had been corroborated via (b)(1)1.4a, (b)(1)1.4g

12. Regarding the enemy’s disposition in Kunduz, (b)(3), (b)(6) stated that probably 75 percent of fire was coming from the west.

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

14. (b)(3), (b)(6) remembers receiving one (b)(1)1.4a, (b)(1)1.4g call, which occurred on the day after the MSF strike.

15. Members of the investigation team present included: BG Sean Jenkins, (b)(3), (b)(6)  
(b)(3), (b)(6)

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

15-6 members present during the interview:

BG Sean M. Jenkins 

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



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

8 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of (b)(1)1.4d, (b)(6)

1. On 08 1400 (L) November 2015, BG Sean Jenkins and (b)(3), (b)(6) AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed (b)(6) via telephone (with an interpreter) in the 9 AETF-A HQ building at Camp RS. (b)(6) is a (b)(6) The following memorandum outlines what was discussed during the interview.

2. (b)(6) participated in the (b)(1)1.4 mission to secure the NDS facility on the night of 2 Oct. He said that he received the information about the mission from the (b)(1)1.4d, (b)(6) According to (b)(6) (b)(6) the (b)(1)1.4 believed approximately 150 insurgents were located in the NDS facility on 2 Oct.


3. (b)(6) left Camp Pamir for the NDS facility between 2300 and 2400 on 2 Oct. He stated that before leaving he called (b)(6) at the Provincial Chief of Police Compound (PCOP), who was also participating in the Kunduz operation (b)(6) and told him to ask the US forces to look at the target (NDS facility). (b)(6) said that he also told (b)(6) to tell the USSF at the PCOP to engage anyone at the target site.

4. (b)(6) stated that he did not know who on the Afghan side was the (b)(6) to the USSF at the PCOP. He further stated that he did not know who gave the (b)(1)1.4 target description to the USSF. He mentioned that the (b)(1)1.4 planned for the operation using (b)(1)1.4a, (b)(1)1.4g as he, and presumably others, had never been to Kunduz.

5. (b)(6) stated that the convoy fired as it neared its objective because it feared an ambush from Taliban fighters.

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

15-6 members present during the interview:

BG Sean M. Jenkins   
(b)(3), (b)(6)



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)


1. On 3 November 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(6) in the [redacted] (b)(3) Kabul AF, Afghanistan. [redacted] (b)(3), (b)(6). The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) provided information about the CONOP process for SOJTF-A and subordinate units. He specifically spoke of CONOP [redacted] (b)(1)1.4a 09-001 and the submission of CONOP [redacted] (b)(1)1.4a 09-002. He did not see CONOP 09-002 until after the forces; USSF and partnered forces were already in security positions in the PGOV compound. After the fact he would have treated it as a FRAGO CONOP to 09-001.

3. [redacted] (b)(3), (b)(6) stated he did not see CONOP 09-002 posted to the portal. The concept was posted to the Battle Room where it could be reviewed. I recall this was observed in Battle Room the morning of the 1<sup>st</sup> of October '15. CONOP can be turned within three hours.

4. The NSL is updated via email from the CENTCOM JTE and is disseminated via email.

5. [redacted] (b)(3), (b)(6) stated that currently no SOP exists at the SOJTF-A to support prosecuting forces when there is degradation in systems [redacted] (b)(1)1.4a, (b)(1)1.4g etc).

  
SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

BG Sean M. Jenkins

[redacted] (b)(3), (b)(6)



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UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

9 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of (b)(3), (b)(6)

1. On 04 1500 (L) November 2015, members of the RS investigation team appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed (b)(3), (b)(6) via secret VTC (SVTC) at Camp RS. (b)(6) (b)(3), (b)(6) is assigned to the Afghan National Army Special Operations Command (ANASOC) Special Operations Advisory Group (SOAG). The following memorandum outlines what was discussed during the interview.

2. (b)(3), (b)(6) to ANASOC. HQ notified him on 28 Sep 15 that he would travel to Camp Pamir to advise Afghan forces planning to retake Kunduz from Taliban fighters. He arrived at Camp Pamir on the evening of 1 Oct. At Camp Pamir, he partnered with the ANASOC (b)(6). He also advised (b)(6).

3. When (b)(3), (b)(6) arrived at Camp Pamir, (b)(1)1.4a was already in Kunduz at the Provincial Chief of Police (PCOP) compound. He did not play a role in planning the (b)(1)1.4a mission to strike the NDS facility on the night of 2 Oct.

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

15-6 members present during the interview:

BG Sean M. Jenkins

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





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UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
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USFOR-A-RIST

9 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 04 1500 (L) November 2015, members of the RS investigation team appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) via secret VTC (SVTC) at Camp RS. [redacted] (b)(3), (b)(6) is assigned to the Afghan National Army Special Operations Command (ANASOC) Special Operations Advisory Group (SOAG). The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) is a military advisor to ANASOC. HQ notified him on 28 Sep 15 that he would travel to Camp Pamir to advise Afghan forces planning to retake Kunduz from Taliban fighters. He arrived at Camp Pamir on the evening of 1 Oct. While there, [redacted] (b)(3), (b)(6)

3. When [redacted] (b)(3), (b)(6) arrived at Camp Pamir, he went to [redacted] (b)(1)1.4a headquarters. He stated there were not many people there because the team was located in Kunduz at the Provincial Chief of Police (PCOP) compound. He stated that he was not aware of the situation on the ground at the PCOP in Kunduz. He did not play a role in planning the [redacted] (b)(1)1.4 mission to strike the NDS facility on the night of 2 Oct.

[redacted] (b)(3), (b)(6)

15-6 members present during the interview:

BG Sean M. Jenkins

[redacted] (b)(3), (b)(6)



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BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

9 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 04 1500 (L) November 2015, members of the RS investigation team appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) via secret VTC (SVTC) at Camp RS. [redacted] (b)(3), (b)(6) is assigned to the Afghan National Army Special Operations Command (ANASOC) Special Operations Advisory Group (SOAG). The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) arrived at Camp Pamir on 12 Oct. He was not at Camp Pamir during the operation to retake Kunduz after it fell to Taliban forces on 28 Sep. As such, he could not provide any information related to the current investigation.

[redacted] (b)(3), (b)(6)

15-6 members present during the interview:

BG Sean M. Jenkins

[redacted] (b)(3), (b)(6)



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

ACDC-O

9 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Analysis of the Airstrike on the MSF Trauma Center

1. After a thorough review and analysis of the timeline concerning the AC-130 (b)(1)1.4a, (b)(3), (b)(6) strike on the MSF Trauma Center of 3 Oct 15, the investigation team determined that notable events fell into the categories of Rules of Engagement (ROE) and tactical guidance; situational awareness (SA) and decision making; the targeting process; and leading communications. The following paragraphs provide a brief outline of each consideration.

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

3. Situational Awareness and Decision Making. The (b)(1)1.4a, (b)(3), (b)(6) crew's SA began degrading from the time they took off without mission products. Degraded SA continued through the time they began searching for the initial grid (of the NDS facility) and failed to identify inherent system errors that caused them to identify a point in an open field 329 meters west of the actual grid location passed. Once the objective was incorrectly identified and (b)(1)1.4a, (b)(3), (b)(6) provided an update of the wrong target, (b)(1)1.4a, (b)(3), (b)(6) informed (b)(1)1.4a, (b)(3), (b)(6) that the observed personnel were hostile, despite the observed normal pattern of life (POL) activities, which (b)(1)1.4a, (b)(3), (b)(6) never fully described to (b)(1)1.4a, (b)(3), (b)(6). The (b)(1)1.4a, (b)(3), (b)(6) was the only crew member to realize that the observed location might be incorrect, but efforts to clarify the discrepancy were diluted by inaccurate, misleading, and digressing communications and descriptions between (b)(1)1.4a, (b)(3), (b)(6) and (b)(1)1.4a, (b)(3), (b)(6). Decisions made from the (b)(1)1.4a, (b)(3), (b)(6) to employ fires were based on poorly-developed or non-existent SA.

4. The Targeting Process. When the grid for the NDS facility was first passed to (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) all should have instantly realized that the errors inherent to the AC-130 (b)(1)1.4a, (b)(3), (b)(6)

ACDC-O


SUBJECT: Analysis of the Airstrike on the MSF Trauma Center

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

Despite the (b)(3), (b)(6) having "great confidence" in the grid passed to (b)(1)1.4a, (b)(3), (b)(6) the crew essentially disregarded the information in favor of an ambiguous physical description from (b)(1)1.4a, (b)(3), (b)(6) that appeared to match the MSF Trauma Center.

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

4. Please forward any additional questions to (b)(3), (b)(6) RS Investigation Team, HQ RS, Kabul by SIPR e-mail at (b)(3), (b)(6)

  
WILLIAM B. HICKMAN  
Major General, U.S. Army  
Investigating Officer



~~SECRET//NOFORN~~

HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A RSIT

29 Oct 15

MEMORANDUM FOR RECORD

SUBJECT: (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) Computer Search

1. On 28 October 2015 at the (b)(1)1.4a Afghanistan (b)(1)1.4a headquarters building main conference room, I conducted a thorough search and scan

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

4. Please forward any questions to (b)(3), (b)(6), RS Investigation Team, HQ RS, Kabul by SIPR e-mail at (b)(3), (b)(6)

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

~~SECRET//NOFORN~~



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UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

29 Oct 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(1)1.4a, (b)(3), (b)(6)

1. On 26 1100 (Local) October 2015, MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(1)1.4a, (b)(3), (b)(6). [redacted] (b)(1)1.4a, (b)(3), (b)(6) The following memorandum outlines what was discussed during the interview.
2. [redacted] (b)(3), (b)(6) was asked to describe the sequence of events from o/a 27 September through 3 October 2015 explaining [redacted] (b)(3), (b)(6) actions and involvement in the operations that they conducted during this period.
3. [redacted] (b)(3), (b)(6) stated that he and some of his teammates were up most of the period of darkness (POD) 27/28 September conducting contingency planning for an insurgent attack on Kunduz for which they had [redacted] (b)(1)1.4c. He stated that there was a mass exfiltration of Afghan police, military and civilians south out of the city to the Kunduz Airport and to Camp Pamir that began that evening.
4. By 1700 on the 28<sup>th</sup> the city of Kunduz was under insurgent control; most police and government officials had fled or were in hiding.
5. [redacted] (b)(3), (b)(6) and his team began mission planning with the Afghan National Army (ANA) [redacted] (b)(1)1.4d Corps to gain a foothold in the Southern part of Kunduz City, specifically the prison and hospital both of which were reported to be under insurgent control and were the two locations the [redacted] (b)(1)1.4d Corps wanted to move to first.
6. Early morning on 29 September [redacted] (b)(1)1.4a arrive at Camp Pamir and begin preparing for operations.
7. A level 2C CONOP was submitted and approved on 29 September to gain a foothold in Kunduz City with a planned departure time of 2100 on the 29<sup>th</sup>.
8. [redacted] (b)(3), (b)(6) arrives at Camp Pamir to assume tactical command of the [redacted] (b)(1)1.4a preparing to clear Kunduz City and provide TAA to the accompanying ANDSF.
9. During the evening of 29 September the Kunduz Airport came under attack by the insurgents and [redacted] (b)(3), (b)(6) with [redacted] (b)(1)1.4a and select ANA counterparts moved to the Airport in its defense where they remained until the morning of 30 September.

10. (b)(3), (b)(6) conducts mission planning with the ANA (b)(1)1.4d

11. (b)(3), (b)(6) stated that a second CONOP was submitted and approved on the 30<sup>th</sup> to clear north on the East side of the city securing, in order, the PSU compound, the prison, and the PGOV compound. They expected to depart at 2200 that evening.

12. (b)(3), (b)(6) stated that upon departure the streets were remarkably quiet and in spite of steady enemy contact (neutralized mostly with close air support) along the way all objectives were secured in a timely manner and as dawn approached the ground force established the Provincial Chief of Police (PCOP) compound (part of the greater Provincial Governors (PGOV) compound) as a strong point.

13. On the morning of 1 October the PCOP and Deputy PGOV arrived at the strong point to discuss operations with the ground force; their visit was associated with a noticeable lull in the enemy fire. The PCOP and Deputy PGOV departed after about an hour.

14. (b)(3), (b)(6) stated that shortly after the PCOP and DPGOV the ground force received concentrated fire from the West for about an hour. Throughout their time at the strong point, they received most of their enemy contact from the West.

15. After nearly 60 continuous hours of operations, the ground force was low on ammunition, food and water as well as being fairly exhausted physically and mentally. (b)(3), (b)(6) directed that the ground force institute a rest plan allowing the force some time to re-fit and recover. The ground force was expecting to be able to depart the strong point the next POD (2/3 OCT), turning security over to the ANDSF.

16. (b)(3), (b)(6) stated that on the morning of 2 October additional ANDSF forces arrived at the PCOP strong point but explained that they were not comfortable remaining in place without the presence of the U.S. (b)(1)1.4a

17. (b)(3), (b)(6) stated that the ground force received their most significant contact since departing Camp Pamir the evening of 2 October where they were the target of a well-coordinated attack that simultaneously hit both the Northeast and Southwest corners of their strong point. In addition to returning fire with organic weapon systems, the ground force required multiple CAS strikes to repel the attack. The remainder of that evening they continued to receive sporadic but persistent enemy fire.

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

19. As part of the rest plan that (b)(3), (b)(6) implemented, (b)(3), (b)(6) was on shift from 2000-2200, (b)(3), (b)(6) from 2200-0000, and (b)(3), (b)(6) came on duty at midnight.

20. (b)(3), (b)(6) stated that somewhere between 2100-2200 2 October and (b)(1)1.4d, (b)(6) approached him with grid coordinates for two locations (an NDS facility and a command and control node) the (b)(1)1.4d were planning on securing later that night.



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

9 NOV 15

MEMORANDUM FOR RECORD

SUBJECT: Time Change Conversion

The time change conversion used for the Kunduz investigation was Zulu time + 4hrs 30 mins for local time.

A handwritten signature in black ink, appearing to read "R. G. Armfield".

Robert G. Armfield  
Brig Gen, USAF  
Assistant Investigating Officer



15-6 members present during the interview:

MG William B. Hickman

BG Sean M. Jenkins

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

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

Approved for Release



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

8 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of (b)(1)1.4d, (b)(6)

1. On 08 1400 (L) November 2015, BG Sean Jenkins and (b)(3), (b)(6) AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed (b)(6) via telephone (with an interpreter) in the 9 AETF-A HQ building at Camp RS. (b)(6) (b)(1)1.4d, (b)(6). The following memorandum outlines what was discussed during the interview.

2. (b)(6) stated that he arrived at Camp Pamir on 30 Oct and participated in the operation to retake Kunduz from Taliban fighters. It was his first in Kunduz.

3. (b)(6) stated that throughout his time at the Provincial Chief of Police (PCOP) compound, he saw several USSF members, including (b)(1)1.4a, (b)(3), (b)(6), but had very little substantive interaction with them.

4. (b)(6) was at the PCOP compound on the night of 2 Oct. He was aware that other members of his company (under the direction of (b)(6)) were conducting a mission that night to secure the NDS facility in Kunduz. He stated that he did not have any communication with the convoy other than a single phone call from (b)(6), who called before the convoy SP to tell him about the mission. (b)(6) confirmed that (b)(6) (b)(6) was also at the PCOP compound.

5. (b)(6) did not know who the (b)(1)1.4d, (b)(6) to the USSF at the PCOP was or who provided the USSF the target description for the (b)(1)1.4d objective on the night of 2 Oct.

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

15-6 members present during the interview:

BG Sean M. Jenkins 

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

## CONOP APPROVAL PROCESS

### Situation

As the situation in Kunduz city began to deteriorate, (b)(1)1.4a started planning with the (b)(1)1.4d to establish a foothold in the city. On September 29, 2015, (b)(1)1.4a developed a 2C-CONOP; Kunduz City Foothold Establishment: (b)(1)1.4a, (b)(1)1.4d; Execution DTG: 291530SEPT15-TBD15. On 29 SEP 15, this CONOP was approved by the (b)(3), (b)(6) (b)(3), (b)(6) (under Operational Freedom Sentinel Rules of Engagement (ROE))<sup>1</sup> and sent to RS HQ for situational awareness.

On the evening of 29 September 2015, the (b)(1)1.4a, (b)(3), (b)(6) and (b)(1)1.4a arrived at Camp Pamir to assist the ANDSF in mission planning for future operations in Kunduz. At approximately 2000L the situation worsened as INS forces threatened to seize Kunduz airfield. (b)(1)1.4a, (b)(1)1.4d and (b)(1)1.4a left Camp Pamir to secure the airfield, fighting thru the night and rallying ANSDF and reestablished their defensive positions. The (b)(1)1.4a returned to Camp Pamir at approximately 0700 on the morning of the 30<sup>th</sup>. As a result of this mission, the 2C-CONOP was not executed. During the POD 29/30 September 2015, the (b)(3), (b)(6) worked with the (b)(1)1.4d to develop a CONOP (FRAGO to the previous 2C CONOP) titled Kunduz Clearing Patrol. Departure from Camp Pamir was set for 302200SEP15. This CONOP was submitted as a FRAGO (to CONOP (b)(1)1.4a-09-001), though given its own CONOP number of (b)(1)1.4a-09-002.<sup>2</sup> The Concept of Operations and manifest were used to update the original CONOP (b)(1)1.4a-09-001). In short, the concept for FRAGO (b)(1)1.4a-09-002 was to conduct operations on the East side of Kunduz City, clearing key infrastructure, Kunduz Prison / NDS HQ, PSU HQ and PGOV center), and establishing a foothold within the city. This CONOP was submitted at approximately 301500 hours to SOTF-A and a VOCO approval send back to the AOB between 1800 -1900 hours.<sup>3</sup> SOTF-A and SOJTF conducted coordination verbally at multiple levels (CDR to CDR, J3 to J3, staff to staff).<sup>4</sup> All commanders comprehended (b)(3), (b)(6) plans for the POD of 30 Sep – 01 Oct.<sup>5</sup>

<sup>1</sup> CONOP (b)(1)1.4a-09-001; Kunduz City Foothold Establishment

<sup>2</sup> (b)(3), (b)(6) statement (3) questions, 03 Nov 15

<sup>3</sup> (b)(3), (b)(6) statement (3) questions, 03 Nov 15

<sup>4</sup> (b)(3), (b)(6) sworn statements (2)

<sup>5</sup> (b)(3), (b)(6) statement (3) questions, 03 Nov 15

## CONOP APPROVAL PROCESS

### Recommendations

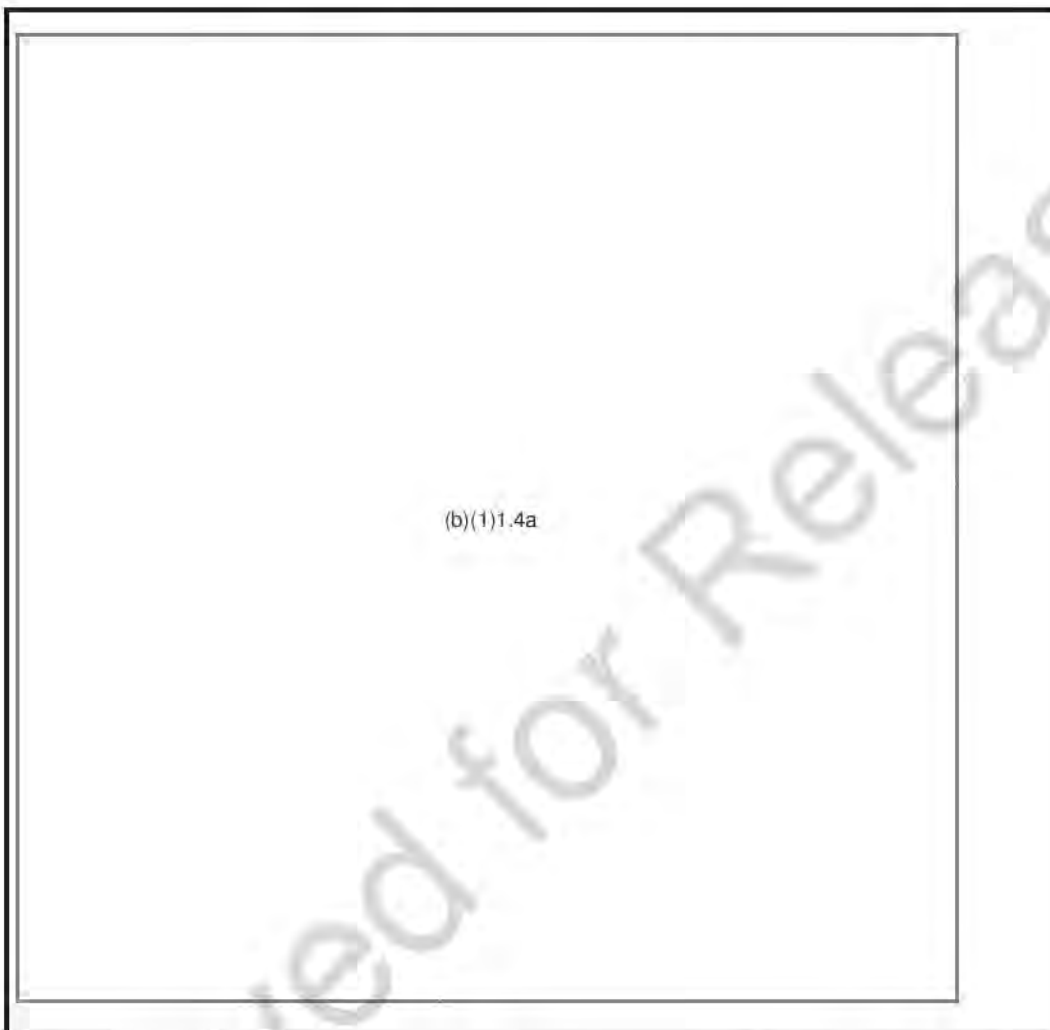
The CONOP approval process is explained in various SOPs at each level of command. Resolute Support (RS) Standard Operating Procedure (b)(1)1.4a (15), Coordination, De-confliction and Authorization of Deliberate Operations within the RS Area of Operations; COMRS Tactical Guidance and Delegation of Approval Authorities for RESOLUTE SUPPORT (dtd 09 Sep 15); Draft SOJTF-A CONOP SOP (dtd 28 Oct 15); SOTF CONOP Staffing Process (dtd 25 Aug 15).

A quick read through each of these documents reveals that from RS to the SOTF level, the commands are primarily in synch throughout the CONOPS approval process.

Areas that deserve attention and potentially impacted operations from the 30 Sep to 3 Oct include:

- a. No SOP listed the requirement to review and provide a No Strike List (NSL) overlay as part of the CONOP.
- b. Micro and Macro "Grid Reference Graphics" are optional when submitting the CONOP for approval. Even with technical difficulties at Camp Pamir, other stations / commands would have gained SA on the Kunduz City area to include known NFAs, protected sites.
- c. Not one of the documents details procedures for a TST type mission and the path the CONOP / FRAGO would take to 'get out the door'. Having a detailed process for TSTs could have expedited approval and situational awareness at the appropriate levels as well as the potential for updating subordinate commands on current and new information (MSF memo for example).
- d. RS vs OFS. Confusion exists on the battlefield as to what ROE the force was operating under. CONOP (b)(1)1.4a-09-001 was submitted as RS and came back to the AOB as OFS. The (b)(3), (b)(6) on the POD 2 / 3 Oct believed he was operating under RS authorities when the operation was actually under FS and incorrectly stated (b)(1)1.4a. RS HQs needs to clarify in the process the ROE as per the approval process, as well into mission check-ins / AC departure checks.
- e. Bring Deputy J3 / S3's or CONOP Chiefs together via SVTC or in person to ensure all levels are nested and understand updates to existing SOPs.

## CONOP APPROVAL PROCESS



### Kunduz City Foothold

- CONOP was approved as a partnered OP to clear from Camp Pamir to vic Kunduz hospital.
- Task ORG: (b)(1)1.4a, (b)(1)1.4d<sup>th</sup>  
(b)(1)1.4d<sup>th</sup>
- SOTF-A and SOJTF-A conducted staffing and legal review.
- The No Strike List (NSL) was not referenced during the approval process.
- The CONOP covered the events for 29 Sep - TBD.
- On 29 Sep, (b)(1)1.4a defended the airfield therefore CONOP (b)(1)1.4a-009-002 was not executed.
- There were no pre-planned fires, only pre-planned assets.

Doctors Without Borders Kunduz, 3 Oct 15

### Kunduz Clearing Patrol

- CONOP (FRAGO) was approved as a partnered OP to clear and secure: PSU HQ, Kunduz prison, NDS HQ and PGOV.
- Task ORG: (b)(1)1.4a, (b)(3), (b)(6)  
(b)(1)1.4a, (b)(1)1.4d as follow on.
- SOTF-A leadership passed FRAGO (b)(1)1.4a-009-002 to SOJTF-A via voice and email (CDR to CDR and DCG-O, J3 to S3, AJ3 to AS3). Received Vocal Approval (VOCO) from SOJTF-A.
- The CONOP covered the events for 302130SEP15 to 311600SEP15.
- There were NO pre-planned fires, only pre-planned assets. The team requested air assets on a daily basis.
- The operation on the night of 2/3 OCT was not a specific task of the CONOP.

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~~SECRET//REL USA, FVEY~~  
HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

8 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Initial Statement of [redacted (b)(3), (b)(6)] Advanced Operations Base-North (AOB-N), Special Operations Task Force-Afghanistan (SOTF-A)

1. (U//~~FOUO~~) On 22 Oct 2015, [redacted (b)(3), (b)(6)] was interviewed by the Investigating Officer, BG Jenkins, Assistant Investigating Officer, and Brig Gen Armfield, Assistant Investigating Officer. The Investigation Legal Advisor was also present for the interview. The interview began at 1100 hours (local).
2. (U//~~FOUO~~) The IO informed [redacted (b)(3), (b)(6)] of the purpose of the investigation, and began interviewing [redacted (b)(3), (b)(6)] about the events leading up to and during the events on 3 October 2015.
3. (U//~~FOUO~~) [redacted (b)(3), (b)(6)] described the events that led up to the 3 October strike. He explained that he believed the [redacted (b)(1)1.4d] unit that conducted the operation on 3 October left his location at the PCOP Compound earlier that day [2 Oct], but the unit left an officer who he described as a [redacted (b)(1)1.4d, (b)(6)]. He told the [redacted (b)(1)1.4d, (b)(6)] before the operation started that he would, "Take care of them." During the afternoon of 2 October, he described the fighting around the PCOP Compound, and described coordinating a few danger close airstrikes.
4. (S//~~REL~~) He stated there were a lot of factors that went into the events of the strike on 3 Oct. The [redacted (b)(1)1.4c] elements were going back and forth from the PCOP Complex, conducting re-supply and CASEVAC. He was passed the grids to the [redacted (b)(1)1.4b] objective and considered it to be within his integrated defense. He described his integrated defense area as being [redacted (b)(1)1.4a, (b)(1)1.4b] from his position because of the heavy weapons threat in the city.
5. (S//~~REL~~) He believed the [redacted (b)(1)1.4d] described the T shaped building first. He confirmed the information passed from the aircraft describing the compound with the [redacted (b)(1)1.4d] and confirmed with the [redacted (b)(1)1.4d] that the individuals the aircraft described were hostile. He knew he needed multiple [redacted (b)(1)1.4c] and could not rely solely on [redacted (b)(1)1.4c, (b)(1)1.4b] but he believed the [redacted (b)(1)1.4a, (b)(3), (b)(6)] also confirming Hostiles too. He described being taken to someone at the PCOP Compound, who he does not remember, but recalls that it was around 0205 immediately prior to the strike. He was told by the [redacted (b)(1)1.4d], "strike now." He heard gunfire from the west, and had pattern of life. He couldn't put eyes on the [redacted (b)(1)1.4b] objective, but he knew the [redacted (b)(1)1.4a, (b)(3), (b)(6)] could see it.
6. (S//~~REL~~) The criteria he used for the strike was the behavior described by the AC-130 and the gunfire from the west. The direction of the gunfire made sense. [redacted (b)(1)1.4c, (b)(1)1.4d]

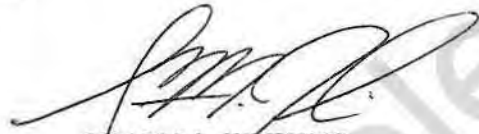
~~SECRET//REL USA, FVEY~~

(b)(1)1.4c He was unaware of the location of the MSF hospital. He did not take any graphics with him from Bagram Airfield to Cam Pamir. He took for granted that the (b)(1)1.4a would have graphics when he got to Pamir.

7. (U//~~FOUO~~) The words that his JTAC used were his. The JTAC asked him questions and he told the JTAC what to tell the aircraft. He did tell the JTAC to (b)(1)1.4a, (b)(3) (b)(6) often the target.

8. (U//~~FOUO~~) At this point in the interview, the Investigating Officer had the interviewee step outside and the Investigation Team members had a short discussion with the Legal Advisor. The interview ended at 1130 Local. The POC for this is the Legal Advisor,

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

  
SEAN M. JENKINS  
BG, USA  
Assistant Investigating Officer



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

29 Oct 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 28 1330 (L) October 2015, MG Hickman, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3) conference room at Camp Vance, Bagram Airfield (BAF). [redacted] (b)(3), (b)(6) The following memorandum outlines what was discussed during the interview.
2. [redacted] (b)(3), (b)(6) was asked about a Video Teleconference (VTC) between GEN Campbell (COMRS) and [redacted] (b)(1)1.4d, (b)(6), on the evening of 30 Sep 15. He stated that he was on speaker phone with [redacted] (b)(3), (b)(6) who was attending the VTC. During the VTC, COMRS was very pointed toward [redacted] (b)(1)1.4c, (b)(1)1.4d, (b)(6) Kunduz. [redacted] (b)(3), (b)(6) was present with [redacted] (b)(1)1.4d, (b)(6) in Kunduz and no specific guidance was given to him. After the VTC, [redacted] (b)(3), (b)(6) continued to talk about the plans for AOB-N (-) to assist the ANDSF.
3. [redacted] (b)(3), (b)(6) was asked to clarify which CONOP was executed and who approved it. He stated that Resolute Support HQ "pulled" for a CONOP to assist the ANDSF to retake Kunduz city. As a result ODA [redacted] (b)(1)1.4a produced a level 2C- CONOP; Kunduz City Foothold Establishment, execution date 291530D\*SEPT15, approved by the [redacted] (b)(3), (b)(6). ODA [redacted] (b)(1)1.4a was defending the Kunduz airfield and was unable to execute this CONOP. On the evening of 29 Sep 15, [redacted] (b)(3), (b)(6) arrived at Camp Pamir, and began working with [redacted] (b)(6) [redacted] (b)(1)1.4d, (b)(6) plans to retake key sites inside Kunduz city. On 30 Sep 15, [redacted] (b)(3), (b)(6) and ODA [redacted] (b)(1)1.4a developed a 1C CONOP; Kunduz Clearing Patrol, execution date 302200D\*SEP15. This CONOP included ODA [redacted] (b)(1)1.4a who returned from Kunduz airfield), [redacted] (b)(1)1.4a with [redacted] (b)(6) [redacted] (b)(3), (b)(6) received a verbal approval (VOCO) for the CONOP around 2100L on 30 Sep 15.
4. [redacted] (b)(3), (b)(6) was asked if any other level of command published any other Fragmentary Orders (FRAGOs) during the time period of 30 Sep- 03 Oct. He stated that there were no FRAGOs or additional guidance given to the ground forces. He was also asked if anyone pushed any additional intelligence products, graphics or any other mission related products to the ground forces. He stated that they were no additional products given to the ground forces.
5. [redacted] (b)(3), (b)(6) was asked about his knowledge of the operation planned for the POD 2/3 Oct 15. He stated that he received a brief from [redacted] (b)(3), (b)(6) on the evening of 30 Sep 15. During this discussion he was informed that the [redacted] (b)(1)1.4a planned to take their wounded back to Camp Pamir and on the way back with resupplies, they would clear the NDS Prison Compound. The GFC was



unable to provide him with any products for this mission. GFC recommended a resupply of batteries and maps.

6. (b)(3), (b)(6) was asked if the grids to the MSF facilities were passed to the ground forces. He stated that (b)(3), (b)(6) called the (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) to relay the grids to the four MSF facilities on 01 Oct 15. He stated that the grids were also sent to the ground forces via (b)(1)1.4a, (b)(1)1.4g

7. (b)(3), (b)(6) in the OPCEN on the POD 2 / 3 Oct '15.



SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

MG William B. Hickman  
BG Sean M. Jenkins

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



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 23 October 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3), (b)(6) office at Camp Vance, Bagram, AF, Afghanistan. [redacted] (b)(3), (b)(6) The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) stated that they requested CAS assets for the day, to include ISR, (pre-planned assets) but did not plan pre-planned fires. NSOCC-A approves the asset each night. The [redacted] (b)(3), (b)(6) [redacted] (b)(3), (b)(6) had the ball' and it was the [redacted] (b)(3), (b)(6) call as this was a defensive strike. As far as the AC-130 was concerned, [redacted] (b)(3), (b)(6) was not sure why the aircraft was alerted.

3. The CONOP for the POD of the 30<sup>th</sup> was a continuation of the 29 Sep CONOP (-001). There was no No Strike List (NSL) included in either CONOP. He mentioned that after serving in Afghanistan for many deployments [redacted] (b)(6) - parts of all these years [redacted] (b)(3), (b)(6) has never once seen a NSL. SOTF-A had not received a NSL from higher HQs.

4. [redacted] (b)(3), (b)(6) stated that he was sure that SOTF-A knew exactly where the MSF facility was 'we knew before the event'. We had talked with Doctors without Borders about a potential 'rescue' and we monitored for rescue and evacuation of foreign personnel. A [redacted] (b)(1)1.4a, (b)(1)1.4g was provided to the CJSOAC with MSF locations annotated. This information (grids) was also passed b [redacted] (b)(3), (b)(6) to the AOB at the PGOV compound via [redacted] (b)(1)1.4a, (b)(1)1.4g

5. SOTF-A was only tracking one NDS Compound that was next to the prison (south of the MSF facility). We only got the grid of the NDS OBJ after the fact. The OBJ for the night of the 2<sup>nd</sup> was an independent Afghan operation. This was planned at Camp Pamir. [redacted] (b)(3), (b)(6) briefed the plan to the SOTF - to enable the [redacted] (b)(1)1.4d to go to an objective - but there was no discussion of the grid or the objective plan. There was no request to drop a building, which would take COMRS approval. [redacted] (b)(3), (b)(6) stated that after 3 Oct - partnered operations - [redacted] (b)(1)1.4a, (b)(1)1.4d at Pamir.

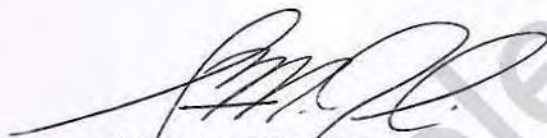
6. [redacted] (b)(1)1.4a, (b)(1)1.4g into the SOTF-A OPCEN is not an abort criteria. This is not unusual that the AOB could not [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) . Unfortunately, [redacted] (b)(1)1.4a, (b)(1)1.4g was on the wrong NDS compound; the grid was never passed by [redacted] (b)(3), (b)(6) to the SOTF OPCEN.

7. The AOB-N mission at the PGOV was a strategic mission. [redacted] (b)(3), (b)(6) believed if the PGOV center was lost it would be a strategic loss. He had spoken with [redacted] (b)(3), (b)(6) reference the 620

same sentiment. He further stated that this was an Alamo defense of all US personnel at the PGOV center (he would mention this, "Alamo defense" a number of times during the interview).

8. (b)(3), (b)(6) spoke highly of (b)(3), (b)(6). He stated that (b)(3), (b)(6) is extremely competent; knows the ROE and TAC (Targeting) Guidance as well or better than most. He has a lot of experience and is someone you absolutely trust.

9. (b)(3), (b)(6) provided a sworn statement after the interview which is included in the investigation report.



SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

MG William B. Hickman  
BG Sean M. Jenkins  
BG Robert G. Armfield

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

(b)(3), (b)(6) 23 Oct

### Staff Update Notes

1. (b)(1)1.4a – prior SOTF-A – low OPTEMPO – a lot of advising ops
2. Arrived – helmand a flame – Musa Quala taken over
3. (b)(1)1.4d
4. US Marine CORPS GO went there to help
5. (b)(3), (b)(6) – sent (b)(3), (b)(6) there to overseas the SOF
6. (b)(1)1.4c, (b)(1)1.4d
7. (b)(1)1.4d
8. Focus on network targets and respond to emergencies – to help the Afghans respond to District threats
9. Kunduz pops up every six months - non of the previous events came close to the Sep event
10. (b)(1)1.4d –
11. (b)(1)1.4a at Camp Pamir – (b)(1)1.4a – they stayed there to be close to the partners (b)(1)1.4a, (b)(1)1.4g (b)(1)1.4a, (b)(1)1.4g
12. For (b)(1)1.4a mission – no specific intel – no T/P given to the unit. No order from RS HQ or NSOCC-A – told to go
13. POD 28-29 Sept (b)(1)1.4a went to Pamir from Baghram
14. (b)(1)1.4a cell of Advisors – (b)(1)1.4a
15. 29 sept 1930 (b)(3), (b)(6) arrived at Kunduz
16. (b)(3), (b)(6) – did not plan on initially going into the city –expected to initially do expeditionary TAA not combat advising
17. VTC 30 Sept – (b)(1)1.4d, (b)(6) – speaks some English – didn't really understand – till about half way through got an interpreter. (b)(1)1.4d, (b)(6)
18. GEN Campbell – told (b)(1)1.4d, (b)(6) need to get into the city – will only get worse
19. Told (b)(1)1.4d, (b)(6) will see the President in a few days.
20. (b)(6) said the plan was to take govt infrastructure
21. Original plan to take the Kunduz hospital –on 29 Sept. not executed
22. Then next plan to look at East Side of Kunduz – PSU HQ, NDS prison compound, PGOV HQ
23. Initial assessment (b)(1)1.4d insurgents
24. When moved on 30 Sept – engaged soon by insurgents
25. CONOP more risks – like the type of vehicles used
26. (b)(1)1.4a – PSU – NDS prison and then PGOV
27. (b)(1)1.4d, (b)(6) a bit of waves of insurgents coming their way
28. A lot of resupply to Pamir
29. (b)(1)1.4a was done at Pamir
30. (b)(3), (b)(6) POD 30 Sep – 1 Oct arrived at Pamir
31. (b)(1)1.4d, (b)(6) – Sr Afghan on ground
32. (b)(3), (b)(6) – were there – Pamir
33. 30 Sep – 1 Oct – no issue with (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

34. Afghan plan to take the NDS (2-3 Oct)

35. (b)(3), (b)(6) did not give the grid to the NDS obj to SOTF

36. SOTF (b)(1)1.4a looking at the NDS prison with (b)(1)1.4a, (b)(1)1.4b wrong place

37. 0210 – Dr w/out borders called their Trauma Center engaged – don't think there are casualties

38. (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)

39. SOTF called (b)(3), (b)(6) on (b)(1)1.4a, (b)(1)1.4b to tell him cease fire

40. SOTF was not tracking the strike

(b)(3), (b)(6) – interview

1. We requested the AC130, AOB-N had the ball, kinetic strike by SOTF or higher, (b)(3), (b)(6) call defense strike
2. (b)(1)1.4a approves the asset – AC130 each night
3. (b)(1)1.4a crew on station – alert launch (b)(3), (b)(6) not sure why it was alerted – did not ask to alert the aircraft.
4. Afghan plan – no conop for (b)(1)1.4a to go to the NDS facility
5. AOB-N at PGOV – Alamo defense all US personal at PGOV HQ
6. No partner planning at Pamir
7. If PGOV center is lost – strategic loss – talked to (b)(3), (b)(6)
8. After 3 Oct – partner conops – (b)(1)1.4a, (b)(1)1.4d
9. (b)(1)1.4d at Pamir prior to 3 Oct
10. SOTF only tracking on NDS Compound next to prison
11. Got coordinate after the fact of the NDS obj
12. (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) went into the SOTF JOC
13. Never once saw the no strike list – he has served in Afghan in (b)(6) and (b)(6) – parts of all these years
14. Every single time went on a mission knew there are areas you cannot strike
15. Did not have a no strike list from higher
16. Passed from higher to get positions to strike
17. SOTF A knew exactly where the MFS facility was – knew before the event
18. They talked to Dr w/out borders – talked about a rescue – monitored for rescue and evacuation of foreign personal
19. Passed the info to (b)(3), (b)(6) – to the (b)(3), (b)(6) at night on the (b)(1)1.4a, (b)(1)1.4b at PGOV passed to them
20. (b)(1)1.4a
21. Sent (b)(1)1.4a, (b)(1)1.4g to CIAOSC on MSF locations
22. (b)(3), (b)(6) in the SOTF JOC
23. Initial CONOP – the continuation of the same mission
24. Felt for years ODAs out by themselves fighting on the edge
25. (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) not seeing it – not an abort criteria, not unusual they could not see this
26. (b)(1)1.4d to the NDS facility
27. (b)(1)1.4a, (b)(1)1.4g looking at obj – the wrong NDS compound

28. (b)(3), (b)(6) did not know the objective, did not know the route the (b)(1)1.4 were taking
29. Timeline – (b)(1)1.4d departs – relay with (b)(1)1.4d, (b)(3), (b)(6)
- (b)(3), (b)(6) watching the NDS HQ/prison not the real NDS OBJ
30. (b)(1)1.4a – no known contact in the city at this time
31. (b)(1)1.4a – no known contact in the city at this time
32. Defense fires – go from seconds to minutes – execute quickly
33. To drop a building – need (b)(1)1.4a approval
34. (b)(3), (b)(6) briefed the plan to SOTF – to enable the (b)(1)1.4 to go to an objective – but no discussion of the grid or the obj plan. No request to drop a building
35. (b)(3), (b)(6) – extremely competent – knows ROE and TAC Guidance as well or better than most – a lot of experience – someone absolutely trust.



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

8 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(1)1.4a, (b)(3), (b)(6)

1. On 28 October 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 2 / 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(1)1.4a, (b)(3), (b)(6) office at Camp Alpha, Bagram, Afghanistan. [redacted] (b)(1)1.4a, (b)(3), (b)(6) He is permanently assigned as the [redacted] (b)(3), (b)(6)

2. The interview focused on whether [redacted] (b)(1)1.4a operations had any, or could have had any impact on the operations of 2 / 3 Oct '15. There was no indication of any operations that TF had conducted in or around the MSF facility.

3. [redacted] (b)(3), (b)(6) provided an external hard drive of [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) for the investigative team to review. No evidence of MSF footage on the [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) was found.

SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

BG Sean M. Jenkins

[redacted] (b)(3), (b)(6)



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BAGRAM, AFGHANISTAN  
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USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted (b)(3), (b)(6)]

1. On 3 November 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 2 / 3 October 2015, interviewed [redacted (b)(3), (b)(6)] in the [redacted (b)(3), (b)(6)] office at Camp Integrity, Kabul AF, Afghanistan. [redacted (b)(3), (b)(6)] The following memorandum outlines what was discussed during the interview.

2. [redacted (b)(3), (b)(6)] stated he is not in the CONOP process. He is included on email traffic but the CONOP responsibility sits with the [redacted (b)(3), (b)(6)]

3. He stated that he did not see the CONOP 09-002 until he saw it in the Battle Room (Concept of Operations slide only). He recalled sometime on the evening of the 30<sup>th</sup> of Sep '15.

4. [redacted (b)(3), (b)(6)] provided a quick synopsis of the actions of AOB-N as they moved North cleared and secured a number of locations with Afghan forces in the role of follow and support and to remain on the OBJs as AOB-N continued to move North and secure the PCOP compound. He stated that the [redacted (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4d]

5. He was aware that there was a Trauma Center in Kunduz.

SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

BG Sean M. Jenkins

[redacted (b)(3), (b)(6)]





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BAGRAM, AFGHANISTAN  
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USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 3 November 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(6) in the [redacted] (b)(3), (b)(6) office at Camp Integrity, Kabul AF, Afghanistan. [redacted] (b)(3), (b)(6) The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) provided information about the CONOP process for SOJTF-A and subordinate units. He specifically spoke of CONOP [redacted] (b)(1)1.4-09-001 and the submission of CONOP [redacted] (b)(1)1.4-09-002. He did not see CONOP 09-002 until after the forces, USSF and partnered forces were already in security positions in the PGOV compound. After the fact he would have treated it as a FRAGO CONOP to 09-001.

3. [redacted] (b)(3), (b)(6) stated he did not see CONOP 09-002 posted to the portal. The concept was posted to the Battle Room where it could be reviewed. I recall this was observed in Battle Room the morning of the 1<sup>st</sup> of October '15. CONOP can be turned within three hours.

4. The NSL is updated via email from the CENTCOM JTE and is disseminated via email.

5. [redacted] (b)(3), (b)(6) stated that currently no SOP exists at the SOJTF-A to support prosecuting forces when there is degradation in systems ([redacted] (b)(1)1.4a, (b)(1)1.4g etc).

SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

BG Sean M. Jenkins

[redacted] (b)(3), (b)(6)



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BAGRAM, AFGHANISTAN  
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USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 3 November 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3), (b)(6) office at Camp Vance, Bagram AF, Afghanistan. [redacted] (b)(3), (b)(6). The following memorandum outlines what was discussed during the interview.
2. [redacted] (b)(3), (b)(6) stated that the CONOP -09-002 did not stop at the SOTF-A level. Many at the SOTF-A level were on the phone with SOJTF-A seeking approval for the CONOP to be executed on the 30<sup>th</sup> of September '15.
3. [redacted] (b)(3), (b)(6) spoke of OPCEN operations and changes that were being made to ensure better situational awareness. We discussed the issues of the wrong grids, no one asking when they here something over one of the radio nets, and the [redacted] (b)(3), (b)(6) being down on the AC-130. He stated, "Had we have known."
4. [redacted] (b)(3), (b)(6) stated he knew of the MSF Trauma Center before the night of 2 / 3 Oct '15 (grids passed on the afternoon of the 2<sup>nd</sup> of Oct '15). The grids had been provided by [redacted] (b)(3), (b)(6) the [redacted] (b)(3), (b)(6). He learned of the MSF Trauma Center being struck also by [redacted] (b)(3), (b)(6) after he had received a phone call from an MSF representative. They began to work communications afterwards to get [redacted] (b)(3), (b)(6) on the net to discuss the report from MSF.
5. [redacted] (b)(3), (b)(6) submitted a sworn statement on 03 Nov which is contained in the investigation report.

SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:



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9 NOV 15

MEMORANDUM FOR RECORD

SUBJECT: Interview with [redacted] (b)(3), (b)(6)

On 28 Oct 15, I interviewed [redacted] (b)(3), (b)(6) at the CJSOAC-A HQ. [redacted] (b)(3), (b)(6) of (f) 1.4a, (b)(3), (b)(6) 2 / 3 OCT 15. The interview focused on conditions surrounding the alert launch and mission. [redacted] (b)(3), (b)(6) made a sworn statement on 28 Oct which is contained in the investigation report.

A handwritten signature in black ink, appearing to read "R. G. Armfield".

Robert G. Armfield  
Brig Gen, USAF  
Assistant Investigating Officer



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BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 03 0930 (L) November 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 2 / 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3), (b)(6) office at Camp Integrity, Kabul, Afghanistan. [redacted] (b)(3), (b)(6) The following memorandum outlines what was discussed during the interview.

2. [redacted] (b)(3), (b)(6) was asked which CONOP was executed on 30 Sep 15. He stated that the ground force was prepared to execute CONOP [redacted] (b)(1)1.4d-001, as approved by the [redacted] (b)(3), (b)(6) on 29 Sep. Due the conditions on the airfield, the ground force was unable to execute the CONOP. With conditions changing in Kunduz City, CONOP [redacted] (b)(1)1.4d-002 was developed on 30 Sep. During the staffing and approval process, the Concept of Operations and Task Organization were taken from CONOP -002 and used to update -001. Due to time constraints both [redacted] (b)(3), (b)(6) and primary staff coordinated through emails and phone calls. SOTF-A received a vocal approval (VOCO) from the [redacted] (b)(3), (b)(6) prior to execution. He did not see the CONOP [redacted] (b)(1)1.4d-002 until early morning of 3 Nov 15. The concept of operations slide showed in Battle Room ([redacted] (b)(1)1.4a) on the morning of the 3<sup>rd</sup>. He did not recall when it was posted there. We further discussed the CONOP process for SOJTF-A.

3. [redacted] (b)(3), (b)(6) was asked if there were any special instructions approved during the staffing and approval process. He stated that SOJTF-A did not approve any special instructions. Planned CAS allocations were provided ISO of ground forces.

4. [redacted] (b)(3), (b)(6) discussed the SOPs for identifying friendly forces. There are no SOPs per se to facilitate the ID of friendly forces. [redacted] (b)(1)1.4d and [redacted] (b)(1)1.4a, (b)(1)1.4d For noncombatants, SOTF-A HQ and NSOCC-A HQ use the five pillars for any engagement.

5. [redacted] (b)(3), (b)(6) was absolutely aware of the Trauma Center location before the night of 2 / 3 Oct '15. [redacted] (b)(3), (b)(6) had to track down the original MSF message. When he found it, the staff had appropriately handled the information. He confirmed that the grid location for the MSF was in fact identified on [redacted] (b)(1)1.4a, (b)(1)1.4g

6. Senior officer on the floor of the SOJTF-A JOC was [redacted] (b)(3), (b)(6) – a [redacted] (b)(6) [redacted] (b)(3), (b)(6) has immediate means to contact the J3 or CDR as needed.

7. [redacted] (b)(3), (b)(6) stated that the JOCs at SOTF-A SOJTF-A become more involved (intrusive) when situational awareness (SA) systems go down. Telephone calls, SVTCs and increased contact over

other C2 systems increase. We will do everything to possible replicate the SA systems if all were functional.

8. (b)(3), (b)(6) submitted a sworn statement on 03 Nov '15 which is contained in the investigation report.



SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

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

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USFOR-A-RIST

9 NOV 15

MEMORANDUM FOR RECORD

SUBJECT: Transition of Authority Dates for SOTF-A and (b)(3)

Per SOJTF-A DCG, Brig Gen Bauernfeind, the SOTF-A HQ and (b)(3) Transition of Authority (TOA) date was (b)(1)1.4a for both units.

A handwritten signature in black ink, appearing to read "R. G. Armfield".

Robert G. Armfield  
Brig Gen, USAF  
Assistant Investigating Officer

From: [redacted] (b)(3), (b)(6)  
To: [redacted] (b)(3), (b)(6)  
Subject: FW: ~~(S)~~ [redacted] (b)(3), (b)(6) MFR  
Date: Wednesday, November 04, 2015 9:19:57 AM

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CLASSIFICATION: ~~SECRET~~

CLASSIFICATION: ~~SECRET~~

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From: [redacted] (b)(3), (b)(6)  
Sent: Wednesday, November 04, 2015 4:01 AM  
To: [redacted] (b)(3), (b)(6)  
Subject: RE: ~~(S)~~ [redacted] (b)(3), (b)(6) MFR

**Classification: ~~SECRET//NOFORN~~**

Message Body Classification: ~~SECRET//NOFORN~~

[redacted] (b)(3), (b)(6)

Here's the list of actual training accomplished, outside of the fires shop(SOTACC, MQT, Evals). This stays pretty standardized, year-in, year-out b/c of ops tempo(deploying roughly [redacted] (b)(1)1.4a downrange/ [redacted] (b)(1)1.4a at home-station). The CAS FMPs/Advanced med/Shooting school is the backbone of the training with the [redacted] (b)(1)1.4a, (b)(3) [redacted] (b)(1)1.4a, (b)(1)1.4g [redacted] (b)(1)1.4a, (b)(1)1.4g trips to focus on what's applicable here in Afghanistan.

**Training Event-(Training Focus)**

---

[redacted] (b)(1)1.4a, (b)(1)1.4g

I hope this is along the lines of what you're looking for. If you need any further on assist, or have a question, just let me know.

v/r,

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

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~~SECRET//REL US, FVEY~~  
HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

8 November 2015

MEMORANDUM FOR RECORD

SUBJECT: Notes of Interview: [redacted] (b)(3), (b)(6) (S//REL)

1. (U//~~FOUO~~) On Tuesday, 22 October 2015, the investigating officer and the following members of the AR 15-6 Investigation Team: BG Jenkins, Asst. IO, Brig Gen Armfield, Asst. IO, and Legal Advisor, interviewed [redacted] (b)(3), (b)(6) for the AC-130U, callsign [redacted] (b)(1)1.4a, (b)(3), (b)(6) during the strike on the Kunduz Trauma Center on 3 October 2015. The interview was conducted at the [redacted] (b)(1)1.4a Headquarters building, Bagram Airfield Afghanistan.

2. (U//~~FOUO~~) The Asst. IO informed the interviewees of the purpose of the investigation. [redacted] (b)(6) [redacted] (b)(3), (b)(6) confirmed they did not know the target the aircraft struck on 3 October was a hospital. They confirmed that no one told them they had struck a hospital until the investigation informed them on 22 Oct. Both Airmen confirmed that they saw no friendly contact when the decision was made to engage the building. [redacted] (b)(3), (b)(6) indicated that the [redacted] (b)(1)1.4a was firing during the engagement, but that he could not see muzzle flashes from incoming fire.

3. (U//~~FOUO~~) [redacted] (b)(3), (b)(6) had flown over Kunduz two days prior to the engagement on 3 October, and on 3 October, the aircraft had situational awareness of the Ground Force. The aircrew could see the Ground Force's blocking positions on the street corners around the PCOP Compound. They each indicated they could positively identify friendly forces off of their sensors and see friendly HMMVs and [redacted] (b)(1)1.4d. They could see .50 caliber fire from the northwest against the friendly forces at the compound.

4. (S//REL) They periodically checked the convoy. The last time they checked on the convoy was around 2125 Z (0105L.) They could see the convoy turn west and see the [redacted] (b)(1)1.4d on their sensors as it was moving to the objective. [redacted] (b)(1)1.4d [redacted] (b)(1)1.4d was turning west. The [redacted] (b)(1)1.4d round fired after cease fire was called was the only round the aircrew fired after 2203Z (0233L).

5. (S//REL) The [redacted] (b)(1)1.4a make targeting recommendations. When the grids were first inputted, the Sensor went to the open field. They both indicated they are aware of the [redacted] (b)(1)1.4g on the sensors, and are trained to target primarily on confirmation of the target, [redacted] (b)(1)1.4g to the [redacted] (b)(1)1.4g. They saw both compounds initially but ended up calling the MSF that target. They misconstrued the description. When [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) provided by the ground force when the aircraft was in a different orbit, and [redacted] (b)(1)1.4a, (b)(1)1.4g went right onto the other compound, the grids made the "triangle." He was shown the graphic that has the three possibly identified locations, the field, the NDS Compound, and the MSF Trauma Center and confirmed the

~~SECRET//REL US, FVEY~~

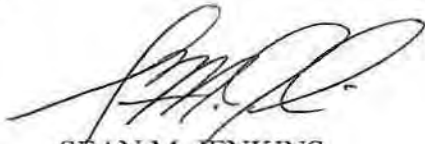
graphic was accurate. (b)(3), (b)(6) switched his (b)(1)1.4a, (b)(1) to the NDS compound and they did a side-by-side comparison of the two compounds ; (b)(1)1.4a They did not stop comparing and go to the building struck until they received target confirmation. Got clarifying information and were confident we were on target.

6. (U//~~FOUO~~) They don't call back to JOC. "Not our call." (b)(3), (b)(6) indicated he never directly correlated a 10 digit grid before. They don't even get 8 digit grids very often. They described targeting as a combination of grid location and target coordination. When the aircraft was offset to the northwest, (b)(1)1.4g They learned this through their training, but not a lot of their training is written down. Their main doctrinal source is AFTP 3-3 (Tactics). (b)(3), (b)(6) They received two months of training. Target identification is part of their POI. They are single qualified on (b)(1)1.4a, (b)(1) but they understand how (b)(1)1.4a, (b)(1)1.4g work. (b)(1)1.4a A TTP is to check each other's (b)(1)1.4a, (b)(1)1.4g which should make it fool proof. (b)(3), (b)(6) has deployed 4 times, and (b)(6) (b)(3), (b)(6) deployed twice before, one of those being to Afghanistan.

7. (U//~~FOUO~~) They were both very confident it was the target. They did question the target to aircrew, until the issue of the gate was raised. They did not assume the JTAC saw target. They based their confidence level on the proximity of the coordinates to the building and the target description. The description was, "walled, with multiple buildings." Both described their confidence level as 5 for 5, with 5 being most confident. The saw guards at the target, but (b)(1)1.4c, (b)(1)1.4g

(b)(1)1.4c, (b)(1)1.4g  
(b)(1)1.4c, (b)(1)1.4g They could not see markings on the targeted building. (b)(1)1.4g They had an eight digit grid on convoy and could see when and where the convoy was observed.

8. (U//~~FOUO~~) The POC for this is the Legal Advisor,  
(b)(3), (b)(6)

  
SEAN M. JENKINS  
BG, USA  
Assistant Investigating Officer



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08 Nov 15

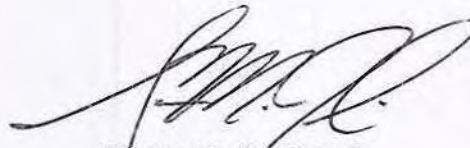
MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

1. On 22 October 2015, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(3), (b)(6) office at Camp Integrity, Kabul, AF, Afghanistan. [redacted] (b)(3), (b)(6). The following memorandum outlines what was discussed during the interview.
2. [redacted] (b)(3), (b)(6) began with a brief description of the situation in Kunduz in the weeks and days leading up to the events of the 28<sup>th</sup> of Sep when the INS took control of the city. He did not perceive the events of the 28<sup>th</sup> given the I & W provided in the days prior. He further described the situation after the engagement of the MSF trauma Center (See sworn statement).
3. [redacted] (b)(3), (b)(6) stated that SOTF-A did submit a CONOP for the 29<sup>th</sup>. It went up through the [redacted] (b)(3), (b)(6) and COMRS for SA. The CONOP was approved at the [redacted] (b)(3), (b)(6). [redacted] (b)(3), (b)(6) did not see the 30 Sep CONOP (-002) until the morning after the mission to secure multiple en-route OBJs (with ANSDF / ASSF) and the PGOV.
4. [redacted] (b)(3), (b)(6) stated that SOJTF-A does not maintain a separate NSL. The SOJTF-A staff does have access to the NSL via the CJ2 on the SIPR portal. NSLs were not a CONOP requirement prior to the MSF engagement, but have since been added to the SOJTF-A draft CONOP SOP as a requirement prior to approval of any CONOP.
5. SOJTF-A utilizes [redacted] (b)(1).4a, (b)(1).4b to maintain their common operating picture (COP). [redacted] (b)(3), (b)(6) could not speak of what AOB-N was using. For maintaining SA of units on the battlefield, US forces employ [redacted] (b)(1).4a, (b)(1).4b while Afghan partners are currently using the [redacted] (b)(1).4d [redacted] (b)(1).4d). We discussed the latency that both of those systems can experience while in use.
6. SOJTF-A was tracking the MSF memo that listed the four grid coordinates prior the engagement on the POD of 2 / 3 Oct. The grids were entered in to the [redacted] (b)(1).4a, (b)(1).4b and were identified on the JOC's COP [redacted] (b)(1).4a, (b)(1).4g.
7. [redacted] (b)(3), (b)(6) deferred on answering whether the [redacted] (b)(3), (b)(6) engaged solely on Afghan PID / POL. However he did not believe that the [redacted] (b)(1).4a, (b)(1).4g to engage with ADMs.
8. Training is required by RS HQ on some ROE and tactical directives (guidance) (recalls training being conducted on several occasions). No inspections of subordinate units have been

conducted by RS HQ to ensure compliance (the quick turn of units (TF, SOTF-A) RIP'ing in and out of country may add to this result, ie inspections don't keep up with turn-over of units).

8. (b)(3), (b)(6) provided a sworn statement after the interview which is included in the investigation report.



SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

MG William B. Hickman  
BG Sean M. Jenkins

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

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USFOR-A-RIST

08 Nov 15

MEMORANDUM FOR RECORD

SUBJECT: Interview of [redacted] (b)(3), (b)(6)

On 23 Oct '15, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, on or about the overnight hours of 3 October 2015, interviewed [redacted] (b)(3), (b)(6) in the [redacted] (b)(6) office at Camp Alpha, Bagram, Afghanistan. [redacted] (b)(3), (b)(6)

[redacted] (b)(6) We discussed the events of the MSF engagement on the POD of 2 /3 Oct '15. Both officers had minimal involvement in the events preceding and during the incident. Sworn statements from both officers are included as part of the investigation products.

SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

[redacted] (b)(3), (b)(6)



HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354

USFOR-A-RIST

08 Nov 15

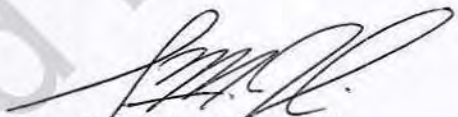
MEMORANDUM FOR RECORD

SUBJECT: Interview of (b)(3), (b)(6)

On 23 Oct '15, BG Jenkins, AR 15-6 Investigating Officer appointed to investigate the incident of an attack on the MSF hospital in Kunduz, Afghanistan, during the period of darkness of 2 - 3 October 2015, interviewed (b)(3), (b)(6) in a (b)(6) conference room at Camp Vance, Bagram, Afghanistan. (b)(3), (b)(6) During the interview we discussed the events leading up to the MSF incident. Particular discussion focused on the passing of the MSF memo and who knew of the MSF location prior to the engagement. The ability to conduct (b)(6)

(b)(6)

staff at higher HQs) was also discussed. Sworn statements with accompanying information detail the flow of information flow regarding the MSF (email, phone calls, and SMS messages) are included as part of the investigation products.

  
SEAN M. JENKINS  
BG, USA  
Investigating Officer

15-6 members present during the interview:

Brig. Gen. Robert G. Armfield



**HEADQUARTERS  
UNITED STATES FORCES-AFGHANISTAN  
BAGRAM, AFGHANISTAN  
APO AE 09354**

10 November 2015

**MEMORANDUM FOR RECORD**

**SUBJECT: Resolute Support (RS) Combined Joint Operations Center (CJOC) Battle Tracking systems.**

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

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

**Jenkins, Sean M. BG Deputy Director**

**From:** (b)(3), (b)(6)  
**Sent:** Tuesday, November 10, 2015 5:20 PM  
**To:** Jenkins, Sean M. BG Deputy Director  
**Subject:** (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)  
**Attachments:** (b)(1)1.4a, (b)(3), (b)(6)

**Classification: SECRET//NOFORN**

**Message Body Classification: SECRET//NOFORN**

Sir,

(b)(1)1.4a, (b)(3), (b)(6) observe OBJ (b)(1)1.4a on 01OCT15 or wittingly at any other point during operations in Kunduz City between 30SEP15-04OCT15. The specific image in question is from (b)(1)1.4a, (b)(3), (b)(6) 01OCT15 being tasked by (b)(1)1.4a. Observed activity of OBJ (b)(1)1.4a at the MSF Facility conducted by (b)(1)1.4a on 01OCT15 was via (b)(1)1.4a, (b)(3), (b)(6) (b)(1)1.4a, (b)(3), (b)(6) on 03OCT15 via (b)(1)1.4a, (b)(3), (b)(6) likely had additional (b)(1)1.4a, (b)(1)1.4g assets also observing / working (b)(1)1.4a, (b)(1)1.4g the times that we were not tracked in the (b)(3), (b)(6) due to these assets not being able to (b)(1)1.4a, (b)(1)1.4g [note: The 01OCT15 (b)(1)1.4a, (b)(3), (b)(6) products are mislabeled as OBJ (b)(1)1.4a They were following the same (b)(1)1.4a, (b)(1)1.4g was previously JP/KIA 30OCT15 by a SOTF-A (b)(1)1.4a at the time (b)(1)1.4a, (b)(3), (b)(6)

The OBJ (b)(1)1.4a activity ASW the (b)(1)1.4a collected was observed in the (b)(3), (b)(6) but purely in a situational awareness and monitoring capacity. After the kinetic strike we conducted on OBJ (b)(1)1.4a on 30OCT15 SOTF gave (b)(1)1.4a allowing them to target OBJ (b)(1)1.4a Due to OBJ (b)(1)1.4a being inside Kunduz City, the SOTF-A (b)(1)1.4a and in battlespace owned by our SOTF-A ODA's on the ground the SOTF-A ITC's monitored all (b)(1)1.4a, (b)(1)1.4g The SOTF did this in order to maintain situational awareness of activity they were observing ASW OBJ (b)(1)1.4a and more importantly so we could quickly work deconfliction with our ODAs and air assets anytime we saw them call correlation or move to strike posture. We had most of (b)(1)1.4a, (b)(1)1.4g some of the (b)(1)1.4a flew in Kunduz targeting OBJ (b)(1)1.4a, (b)(1)1.4g in the front of the JOC between 01OCT15-04OCT15. We would call out significant events posted by (b)(1)1.4a, (b)(1)1.4g such as correlation, assets setting strike posture, aborts, etc..

The attachments contain the time (b)(1)1.4a, (b)(3), (b)(6) post op products from (b)(1)1.4a. You will see on slide 8 of 28 in the (b)(1)1.4a, (b)(3), (b)(6) presentation (b)(1)1.4a into a vehicle and an ambulance, using them to move around. Again, they were collecting on (b)(1)1.4a in the days following the 3rd (I think it was on the 4th or 5th).

v/r

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



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

**From:** Jenkins, Sean M. BG Deputy Director [mailto:(b)(3), (b)(6)@afghan.swa.army.smil.mil]

**Sent:** Tuesday, November 10, 2015 4:34 PM

**To:** (b)(3), (b)(6)

**Subject:** RE: (S) (b)(1)1.4g, (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

No issue,

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

vr

sean

CLASSIFICATION: ~~SECRET//NOFORN~~

**From:** (b)(3), (b)(6)

**Sent:** Tuesday, November 10, 2015 4:18 PM

**To:** Jenkins, Sean M. BG Deputy Director

**Subject:** RE: (S) (b)(1)1.4g, (b)(3), (b)(6)

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

I am about to hit send. Based on your email, what I am sending may be too detailed, but I will send ahead anyway in an effort to ensure we are on the same page and you have all available information.

Give me a few minutes, Sir and it will be in your inbox.

v/r

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

SOTF-Afghanistan

Doctors Without Borders Kunduz, 3 Oct 15

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

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

**From:** Jenkins, Sean M. BG Deputy Director [mailto:(b)(3), (b)(6)@afghan.swa.army.smil.mil]

**Sent:** Tuesday, November 10, 2015 4:16 PM

**To:** (b)(3), (b)(6)

**Subject:** RE: (S) a, (b)(1)1.4g, (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

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

Anything? Does not have to be super detailed.

CLASSIFICATION: ~~SECRET//NOFORN~~

**From:** (b)(3), (b)(6)

**Sent:** Monday, November 09, 2015 9:39 PM

**To:** Jenkins, Sean M. BG Deputy Director; (b)(3), (b)(6)

**Subject:** RE: (S) a, (b)(1)1.4g, (b)(3), (b)(6)

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

I will go through all of our records tonight and provide a statement tomorrow. I know we could (b)(1)1.4g, (b)(1)1.4g, (b)(3), (b)(6) that time, but will do the research to accurately provide times. A summary of what was observed will also be provided.

v/r

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

SOTF-Afghanistan

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

**From:** Jenkins, Sean M. BG Deputy Director [mailto:(b)(3), (b)(6)]@afghan.swa.army.smil.mil]  
**t:** Monday, November 09, 2015 9:29 PM  
**To:** (b)(3), (b)(6)  
**Subject:** RE: (S) (b)(1)1.4g, (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

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

Yes please. On in JOC and hours, brief description of what (b)(1)1.4a, (b)(1)1.4g  
Also still need (b)(3), (b)(6) statement.

vr  
sean

CLASSIFICATION: ~~SECRET//NOFORN~~

**From:** (b)(3), (b)(6)  
**Sent:** Monday, November 09, 2015 9:06 PM  
**To:** Jenkins, Sean M. BG Deputy Director; (b)(3), (b)(6)  
**Subject:** RE: (S) (b)(1)1.4g, (b)(3), (b)(6)

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

I can attest to the fact that it was (b)(1)1.4a, (b)(1)1.4g (b)(3), (b)(6) is going to tell you the same thing for the SOTF-A JOC.

Do you just need us to put that in a statement?

V/r

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

(b)(6)

**From:** Jenkins, Sean M. BG Deputy Director [mailto:(b)(3), (b)(6)@afghan.swa.army.smil.mil]

**Sent:** Monday, November 09, 2015 7:51 PM

**To:** (b)(3), (b)(6)

**Subject:** RE: (S) (b)(1)1.4g, (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

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

Thanks. Question is who (b)(1)1.4a, (b)(1)1.4g in the end was SOJTF-A and SOTF-A (b)(1)1.4a, (b)(1)1.4g in the JOC / OPCEN?

vr  
sean

CLASSIFICATION: ~~SECRET//NOFORN~~

**From:** (b)(3), (b)(6)

**Sent:** Monday, November 09, 2015 7:41 PM

Jenkins, Sean M. BG Deputy Director; (b)(3), (b)(6)

**Subject:** RE: (S) (b)(1)1.4g, (b)(3), (b)(6)

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Sir,

I saw an (b)(1)1.4a, (b)(1)1.4g – unloading casualties and generally in the AO. I can't say for sure that it was (b)(1)1.4a, (b)(3), (b)(6) but I do remember seeing those events (b)(1)1.4a, (b)(1)1.4g

Do you need someone in addition to me, or are you just looking for someone who can say they (b)(1)1.4a, (b)(1)1.4g?

Are there specific questions you need answered?

V/r

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

Doctors Without Borders Kunduz, 3 Oct 15

646

Camp Integrity, Kabul AF

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

**From:** Jenkins, Sean M. BG Deputy Director [mailto:(b)(3), (b)(6)@afghan.swa.army.smil.mil]

**Sent:** Monday, November 09, 2015 5:59 PM

**To:** (b)(3), (b)(6)

**Subject:** (S) a, (b)(1)1.4g, (b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

All,

Finishing up here. Another statement we require. Who saw the (b)(1)1.4g, (b)(3)2b, (b)(6)1 Oct time period day or night that were (b)(1)1.4a This is the time period where (b)(1)1.4a

vr

(b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

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Message Body Classification: ~~SECRET//NOFORN~~

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Message Body Classification: ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

Attachment Classification: ~~SECRET//NOFORN~~

Message Body Classification: ~~SECRET//NOFORN~~

Classification: ~~SECRET//NOFORN~~

Effective Date: 31 Oct 2013

SUBJECT: No Strike Target List

1. (~~S//REL USA, ISAF, NATO~~) OVERVIEW: The purpose of this JCIF is to reinforce the importance of identifying objects that may be on ISAF's No Strike List (NSL) when advising the ground commander on the targeting process. A recent kinetic strike in the AOR highlighted the need for this JCIF, as the strike was conducted

(b)(1)1.4a

This guidance does not inhibit the inherent right and obligation to exercise unit self-defense.

2. (~~S//REL USA, ISAF, NATO~~) DISCUSSION: JTACs must have situational awareness on objects that are on the NSL and have an obligation to advise the ground commander and his staff when employing the targeting process. The NSL process and procedures are outlined in IJC SOP 2020, IJC Joint Targeting Nomination, Vetting, and Management Procedures. The NSL is comprised of prohibited objects, which must not be engaged due to protection under international law and the domestic obligations of participating nations, or for policy reasons. As such, they must not be engaged until they lose that protection and, consequently, become subject to lawful engagement. The NSL comprises two categories of objects, or entities, based on their sensitivity. Paragraphs A and B below are direct from IJC SOP 2020.

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

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

3. (~~S//REL USA, ISAF, NATO~~) The IJC Joint Fires Target Operations Cell (IJC JFTOC) can assist in target deconfliction and provide collaborative effort with RC Fires to ensure an objective, or any concern in the area, is not on the NSL.

(A) All indirect fires under ROE [ (b)(1)1.4a ] must be subject to formal or field CDE and coordinated through IJC JFTOC.

(B) [ (b)(1)1.4a ]

(C) Contact IJC JFTOC Shift Director (SVOIP [ (b)(6) ]) with questions about CDE methodology, No Strike Entities or the No Strike List.

4. (~~S//REL USA, ISAF, NATO~~) REFERENCES:

(A) IJC SOP 2020, IJC Joint Targeting Nomination, Vetting, and Management Procedures, 5 Apr 13

(B) The NSL can be found at the following locations

(1) ISAF JTAC Webpage

(2) On SIPRNET: <https://nonrel.centcom.smil.mil/sites> [ (b)(1)1.4a ]

5. (~~U//FOUO~~) COMPLIANCE: Compliance with this guidance is mandatory for all JTACs conducting operations in Afghanistan.

(A) Commanders will ensure all JTACs review and comply with this guidance.

(B) RAOCC JTAC PMs will report completion of this review and alibis to [ (b)(3), (b)(6) ], NLT COB 3 Nov 2013.

6. (~~U//FOUO~~) EFFECTIVE DATE: This JCIF is effective immediately until rescinded.

7. (~~U//FOUO~~) Direct questions concerning this JCIF to IJC JTAC PM, DSN [ (b)(6) ]

[ (b)(3), (b)(6) ]

ATTACHMENT:

[ (b)(1)1.4a, (b)(1)1.4g ]



Digital Sender Cover Sheet Agreement/User Agreement

I accept the responsibility to safeguard the information contained in this document to a level commensurate with the classification of the information from unauthorized or inadvertent disclosure or use.

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I will not scan information onto a network if the information has a higher classification than the network. I will not enter information that is proprietary, contractor-excluded, or otherwise needs special protection or handling, unless approved in writing by Information Assurance (IA).

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The undersigned consents to interception/capture and seizure of ALL communications and data for any authorized purpose (including personal misconduct, law enforcement, or counterintelligence investigation). The undersigned understands that violations are punishable by UCMJ action, punitive actions and/or other adverse administrative actions.

Classification of information being scanned: UNCLAS / ~~FOUO~~

Subject: REDUCED MAP OF MSF

YYYY/MMM/DD and time: 2015 OCT 27

Print: (b)(3), (b)(6) (b)(3), (b)(6)  
Sign: \_\_\_\_\_

Number of Pages 2 + this TPI page

TPI Rank must be E-5+ E-9 CW2+ CW5 GS-12 & above, or O-4 and above only (No Contractors)!

Rank/Title: \_\_\_\_\_  
Sign: (b)(3), (b)(6)



**SECRET**

(b)(3), (b)(6)	28-Aug-15	29-Aug-15
	28-Aug-15	29-Aug-15
	28-Aug-15	29-Aug-15
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31-Aug-15	31-Aug-15	
31-Aug-15	31-Aug-15	
10-Sep-15	10-Sep-15	
10-Sep-15	10-Sep-15	
25-Sep-15	26-Sep-15	
25-Sep-15	26-Sep-15	
25-Sep-15	26-Sep-15	

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

**SECRET**

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

**From:**

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

**Sent:**

Tuesday, September 29, 2015 5:43 AM

**To:**

**Cc:**

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

**Subject:**

FW: ~~(S//REL)~~ (b)(1)1.4 CONOP

**Attachments:**

(b)(1)1.4 09-001 KONDUZ FOOTHOLD (29 0500D SEPT 15) (NXPowerLite).pptx

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

Sir,

Here is (b)(1)1.4 CONOP for review.

v/r

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

Camp Vance

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

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

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

**From:**

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

**Sent:**

Thursday, October 01, 2015 8:19 AM

**To:**

**Cc:**

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

**Subject:**

~~(S//REL)~~ Updated CONOP

**Attachments:**

(b)(1)1.409-01KUNDUZ CLEARING PATROL 30SEP.pdf

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

Gentlemen,

It was my understanding that this information was passed to SOJTF last night, so I apologize for the confusion this morning regarding the SoM from last night.

If this does not clear up the confusion, let me know.

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

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

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

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

**From:** (b)(3), (b)(6)  
**Sent:** Thursday, October 01, 2015 8:39 AM  
**To:**  
**Cc:**

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

**Subject:** RE: ~~(S//REL)~~ Updated CONOP

Thanks (b)(3), (b)(6) please emphasize, the guys did PRECISELY what was planned, and then some. The concept showed exactly what they did, and they did exactly what they said, PLUS clearing the hotel which was across the street from the PGOV complex. All USSF are held at the PGOV complex awaiting further reinforcement from the regular ANA from

(b)(1)1.4d

They did a fantastic job.

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

-----Original Message-----

**From:** (b)(3), (b)(6)  
**Sent:** Thursday, October 01, 2015 8:33 AM

**To:**  
**Cc:** (b)(3), (b)(6)

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

**Subject:** RE: ~~(S//REL)~~ Updated CONOP

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

(b)(3), (b)(6) we were all tracking the same scheme of maneuver. I know this product was hanging in the battle room since early yesterday evening. I believe some of the confusion centers on the uses of the terms "cleared" and "secured." Also, we are tracking that there is a prison and a separate "holding area." Finally, I believe in some versions of the story there was talk of the hospital and/or the trauma center. I'm not sure why these two medical facilities came up, since the SoM never included action at these two facilities.

We'll talk it through one more time over (b)(1)1.4a, (b)(1)1.4d at 0900.

Regards,

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

-----Original Message-----

From: (b)(3), (b)(6)

Sent: Thursday, October 01, 2015 8:19 AM

To: (b)(3), (b)(6)

Cc: (b)(3), (b)(6)

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

Subject: ~~(S//REL)~~ Updated CONOP

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

Gentlemen,

It was my understanding that this information was passed to SOJTF last night, so I apologize for the confusion this morning regarding the SoM from last night.

If this does not clear up the confusion, let me know.

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

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

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

**SOTF-A**

**AR15-6**

**Kunduz Overview**



## Kunduz Strike

### Narrative:

Leading up to and during the initial accompanied operation in Kunduz, SOTF-A observed hundreds (estimated over 500) of INS spread throughout Kunduz and executed several RS/SOJTF-A approved strikes in defense of USSF (ROE (b)(1)1.4a, (b)(3)1.4b) and our Partner forces even though the proximity of the threat to USSF was far less than any engagement conducted by (b)(1)1.4a, (b)(3)1.4b) the operation starting on 30 Sep 15. Further, observation through (b)(1)1.4a, (b)(1)1.4g communications with (b)(1)1.4a, (b)(3)1.4b) provided a strong comprehension of the ROE and the concept of self-defense. Several air-to-ground engagements were conducted during the operation and prior to the strike on the MSF Hospital. Nearly all engagements were observed by SOTF-A and were expertly conducted by an extremely experienced and capable Commander showing a strong understanding of the ROE, tactical guidance, and LOAC principles.

Prior to the strike the early morning of 3 Oct 15, USSF and partner forces had been under consistent heavy fire from SAF, RPGs, mortars, and machine guns since SP, the evening of 30 Sep 15. By early morning 1 Oct 15, USSF and Partner forces had taken back their three intended objectives, the PSU HQ, Prison, and the Provincial Compound; however the threat remained very real, proximate, and it appeared the city was collapsing around their position, isolated from additional support and resupply. The Provincial Compound became the strongpoint from which they could defend themselves and their Partner forces, and conduct TAA to enable the Partner forces to expand the secured area around the compound in defense of their position and to clear the city.

For the following three days USSF and Partner forces were in a continuous firefight defending their position and preventing the fall of Kunduz City. They repelled numerous assaults and received machine gun, SAF, mortar, and RPG fire from all directions. On the night of 2 Oct 15, the (b)(1)1.4a were tasked by MOD to take back one of the NDS locations in the NW of the city. A grid was passed to (b)(1)1.4a, (b)(3)1.4b) the compound (b)(1)1.4a described as the objective of their operation and (b)(1)1.4a, (b)(3)1.4b) Clearance of the NDS compound would expand the secured area to allow freedom of maneuver of USSF and Partner forces and provide additional defense for the Provincial Compound. The grid plots only 450m to the southwest of the Provincial Compound where USSF and Partner forces were located. Fire and assaults on their compound had been coming frequently from the direction of the plotted grid. (b)(1)1.4a, (b)(3)1.4b) passed and relayed to (b)(1)1.4a, (b)(3)1.4b) there was no activity at the location (b)(1)1.4a, (b)(3)1.4b) described a compound which they stated was about 300m SW of the passed grid that appeared to match the description of the objective and passed a (b)(1)1.4a, (b)(3)1.4b) No markings were visible from the air that would identify the building was a hospital (b)(1)1.4a, (b)(3)1.4b) maintained eyes on the new compound as both (b)(1)1.4a, (b)(3)1.4b) understood it to be the objective the (b)(1)1.4a were moving towards.

Around (b)(1)1.4a, (b)(1)1.4b) reported they were receiving fire from what (b)(1)1.4a, (b)(3)1.4b) understood to be the objective compound. (b)(1)1.4a, (b)(3)1.4b) relayed such information through the (b)(1)1.4a, (b)(3)1.4b) and directed (b)(1)1.4a, (b)(3)1.4b) to engage the ADMs located in the compound identified by (b)(1)1.4a, (b)(3)1.4b) which matched the description, including description of the number of hostile forces, passed to (b)(1)1.4a, (b)(1)1.4d, (b)(3)1.4b) to commencement of their operation (b)(1)1.4a, (b)(3)1.4b) began to engage the target at 0208D\*. Shortly before 0230, 3 Oct 15, (b)(3)1.4b) entered the JOC and said he had just received a call that the Doctors without Borders Hospital was under fire. Because the (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) was not being passed, (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) and (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) communications. Further, (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) (b)(1)1.4a, (b)(3)1.4b) lack of charged batteries and technical issues. Additionally, (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) (b)(1)1.4a, (b)(1)1.4b) which would have allowed SOTF-A to maintain SA of the events. Upon receipt of the report from (b)(3)1.4b) SOTF-A requested (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) SOTF-A requested (b)(1)1.4a, (b)(1)1.4g, (b)(3)1.4b) immediately, which he (b)(1)1.4a, (b)(3)1.4b) was immediately informed to check fire and that it appeared (b)(1)1.4a, (b)(1)1.4b) had struck the MSF Trauma Center (b)(1)1.4a, (b)(3)1.4b) immediately issued the order to (b)(1)1.4a, (b)(3)1.4b) check fire (b)(1)1.4a, (b)(3)1.4b) went cold at 0238D\*.

POL leading up to the morning of 3 Oct 15 (b)(1)1.4c and open source reporting that INS had gained control of areas IVO the NDS compound (grids passed to (b)(1)1.4a, (b)(3)1.4b) the night of the strike) and the compound later determined to be the MSF Trauma Center (only 300m SW the NDS compound). Multiple

(b)(1)1.4c

## **INDEX**

**A. Operational Overview**

**B. (b)(1)1.4a Documents**

**C. Intelligence Report**

Approved for Release

From: [Redacted]  
To: [Redacted]  
Cc: (b)(3), (b)(6)  
Subject: RE: ~~(S)~~ Afghanistan NSL  
Date: Thursday, October 22, 2015 8:37:02 PM

---

Classification: ~~SECRET~~

[Redacted] (b)(3), (b)(6)

I am the USCENTCOM No Strike List (NSL) Manager and per your request I'm responding to your query about whether or not the Kunduz Hospital [Redacted] (b)(1)1.4a was in fact on the Afghanistan NSL prior to 02 Oct 2015. **Yes it was. in fact it has been on the Afghanistan NSL since Oct 28, 2014.**

Unfortunately because of our mission, we only provide the most up to date NSLs for units operating in their respective AORs. Therefore we do not archive or save old versions of any NSL. Each USCENTCOM country that is actively engaged in weapons employment, have NSLs that update at least every 24hrs.

You can obtain this same information through [Redacted] (b)(1)1.4a, (b)(1)1.4c there is a "HISTORY" tab in both databases that will show when a BE# was added or removed from an NSL.

If I can be of further assistance please don't hesitate to contact me or any of the other personnel in the "Cc:" line.

[Redacted] (b)(3), (b)(6)

Classification: ~~SECRET~~

*Derived From: IAW CENTCOM Classification Guide, CCR 380-14  
Declassify On: 10/22/2025*

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From: [Redacted] (b)(3), (b)(6)  
Sent: Thursday, October 22, 2015 11:09 AM  
To: [Redacted] (b)(3), (b)(6)  
Subject: ~~(S)~~ Afghanistan NSL  
Importance: High

CLASSIFICATION: ~~SECRET//NOFORN~~

Sir, My name is (b)(3), (b)(6) for HQ Resolute Support. I am currently part of a 15-6 investigation and I am looking for the Afghanistan NSL on 02 Oct 15. I went to the CENTCOM website and the current NSL says it was posted on 20151021. Thank you for your assistance.

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

VR

(b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//NOFORN~~

Approved for Release

~~SECRET//REL TO USA, NATO, RSMA~~

(b)(3), (b)(6)

**From:** (b)(3), (b)(6)  
**Sent:** Friday, October 02, 2015 8:20 PM  
**To:**  
**Cc:** (b)(3), (b)(6)  
**Subject:** ~~(S//REL)~~ PDSS for ASSF ISO Kunduz  
**Attachments:** PDSS Grant - Kunduz ASSF Units.docx

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

(b)(3), (b)(6)

Please see attached. Currently, elements of (b)(1)1.4d accompanied by ODA (b)(1)1.4a are decisively engaged in the city at the PGOV compound. At some point, ODA (b)(1)1.4a wants to move back to (b)(1)1.4a to refit for follow on missions. The intent of this PDSS is to provide enabler support to unaccompanied ASSF units remaining and moving into the city within the confines of the Tactical Guidance. Providing support to these units will also create a force protection buffer between the city and the (b)(1)1.4a where U.S./NATO forces are located.

Please let me know if you have questions/concerns.

V/r,

(b)(3), (b)(6)

NSOCC-A / SOJTF-A

(b)(3), (b)(6)

CLASSIFICATION: ~~SECRET//REL TO USA, NATO, RSMA~~

~~SECRET//REL TO USA, NATO, RSMA~~

From: [Armfield, Robert G. BG US MIL VICE DIRECTOR](#)  
To: [redacted] (b)(3), (b)(6)  
Subject: FW: (U//~~FOUO~~) Communication record between [redacted] MSF from 02-03 OCT  
Date: Tuesday, October 27, 2015 3:42:54 PM  
Attachments: (b)(3), (b)(6) documents.pdf

---

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

[redacted] (b)(3), (b)(6)

Please file the below info documenting exchange between UN / RS/ SOTF and MSF

Thanks, r/ RA

Gwyn Armfield  
Brig Gen USAF

[redacted] (b)(3), (b)(6)

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

---

From: Armfield, Robert G. BG US MIL VICE DIRECTOR  
Sent: Tuesday, October 27, 2015 3:42 PM  
To: [redacted] (b)(3), (b)(6)  
Cc: Jenkins, Sean M. BG Deputy Director; [redacted] (b)(3), (b)(6)  
Team; Hickman, William B. MG US MIL DEPUTY COMMANDER  
Subject: FW: (U//~~FOUO~~) Communication record between [redacted] MSF from 02-03 OCT

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[redacted] (b)(6)

I believe you are working the MSF Info LOO.

Attached is some great info but it will require some patient work to piece together for our timeline

I read through all of this and recommend that you to start first w/ email below from [redacted] (b)(3), (b)(6) then .pdf cover sheet followed by the actual .pdf documents to get the proper feel for the timing.

The info contained is consequential because it highlights the extensive dialogue and relationship between SOTF / RS and MSF to deconflict ops O/A 2 OCT.

r/ RA

Gwyn Armfield  
Brig Gen USAF

(b)(3), (b)(6)

CLASSIFICATION: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

From: (b)(3), (b)(6)  
Sent: Tuesday, October 27, 2015 1:10 AM  
To: Jenkins, Sean M BG MIL USA USCENCOM CCJ3-A; Armfield, Robert G. BG US MIL VICE DIRECTOR  
Cc: (b)(3), (b)(6)  
Subject: (U) Communication record between (b)(3), (b)(6) MSF from 02-03 OCT

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Message Body Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Gentlemen,

My timeline, to the best of my recollection is as follows due to errors in time stamps on the mobile telephone:

02 OCT approx. 1320 (b)(3), (b)(6) receives email request from (b)(3), (b)(6) to facilitate direct communication between MSF and (b)(3), (b)(6) regarding the need for a possible extraction plan

- Phone conversation regarding this occurs between MSF Representative (b)(3), (b)(6) and (b)(3), (b)(6) discussing the need for a plan for extraction in case the situation deteriorates further. MSF emphasizes that the plan is not needed at that time, but may be in the future. Also discussed was the Taliban treatment of hospital workers and patients. Taliban are described as 'protecting' the hospital.
- Around this time, the coordination of a convoy to resupply the hospital is discussed. Information describing the vehicles is transmitted from MSF (b)(3), (b)(6) in the form of a Pashto language letter designed for identification at GIRoA or Taliban CPs with pertinent information. Information is provided to the JOC. Updates to the convoy disposition and are provided by email and text message (b)(3), (b)(6) advises marking the top of vehicles with MSF logo to be visible to aircraft.

02 OCT approx. 1700 (b)(3), (b)(6) messages MSF to determine status of convoy. MSF advises of safe delivery of supplies.

03 OCT, between 0200-0220: Phone call received by (b)(3), (b)(6) from MSF stating that the Trauma Center was receiving an airstrike (b)(3), (b)(6) states that he will find out if airstrikes are occurring, asks about casualties, end the call and informs the JOC.

- Text messages are exchanged regarding casualty figures and disposition of the hospital. (as annotated in page four (b)(3), (b)(6) documents' PDF)

Unfortunately, I cannot recall the exact time that I received the phone call; however, I do know that as soon as I hung up the phone, I proceeded to the JOC to inform the relevant parties. The times presented for the 2<sup>nd</sup> of October are based on the email time stamps, and there is no email traffic related to the strike to assist with timeline identification.

If needed, and as previously discussed, I am willing to submit my phone as evidence.

Respectfully,

(b)(3), (b)(6)

Attachment Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

Message Body Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~

**Classification: UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~**



## Reference for [redacted] Written Correspondence with MSF and UNOCHA

**Note:** The times stamped on each email make the timeline difficult to discern. This is due to the different time zones used by different email clients (un.org, soc.mil, swa.army.mil, etc.)

Page numbers correspond to the PDF version

1. Text messages between [redacted] and UNOCHA (Page 3)
2. Text messages between [redacted] and MSF compiled in an email to the [redacted] (Page 4)
3. Grid Coordinates of MSF facilities originally sent to RS HQ (Page 5)
4. Email Subject: FW: (U//~~FOUO~~) MSF Coordinates of Medical facilities in Kunduz chain from [redacted] [redacted] from United Nations Office for the Coordination of Humanitarian Affairs (UNOCHA) to RS HQ. (Page 6-8)
  - a. Amplification: The grids were passed from RS HQ to the listed emails, but the message somehow got to SOTF-A through the medical channels as a possible medical provider in an emergency situation. [redacted] was attempting to find the location of MSF facilities in Kunduz, and through a chance observation, recognized the MSF locations document on the screen of the [redacted] then requested the document be forwarded to his workstation for action.
5. [redacted] contacted [redacted] via cell phone from his contact information that was listed on the original email. After the conversation, [redacted] identified himself as a member of the US Military who wanted to make sure that military activities and MSF were de-conflicted. [redacted] emailed Mr. [redacted] to maintain communications and to receive any other needed documents.
6. Email Subject: Re: Contact Information (US Military Kunduz) (Page 9-10)
  - a. This email chain is in response (to the best of my recollection) to the conversation that the [redacted] had regarding MSF's intended resupply convoy to the Trauma Center from Pul-e-Khumri
7. Email Subject: Fwd: Identification of MSF trucks en route to Kunduz and (Page 11)
  - a. A forwarded message to [redacted] regarding the composition and route of the MSF resupply convoy referencing the text message that contained the file (could not be read by [redacted]kia)
  - b. Response thread to the convoy information (Page 12)
8. Initial document given to SOTF-A in Pashtu, translated by [redacted], with a note from [redacted] stating that MSF was recommended against travel on 02OCT15. On the back of that document are notes taken during phone conversations with [redacted] (Note: The trucks referenced in this document were later cancelled and supplies were moved to other vehicles, detailed in the next email) (Page 13-14)
9. Email Subject: Re: MSF Kunduz (Page 15)
  - a. Response thread to [redacted] regarding the new plan to utilize smaller vehicles to transport supplies into Kunduz
10. Email Subject: Fwd: URGENT: Movement of 3 MSF hired private taxi from Puli- Khumri to Kunduz MSF Hospital / Departing 1.30pm (Page 16-17)

- a. Email from (b)(6) originally from (b)(6) Representative for MSF with detailed information about the resupply convoy.
11. Vehicle itinerary printed from #8, given to JOC with (b)(6) cell phone in case of questions (Page 18)
12. Email Subject: RE: A question... in case things go bad (Page 19-20)
- a) (b)(6) was CC'ed on the response from (b)(6) regarding the phone calls between (b)(3), (b)(6) facilitated by (b)(6) IOT discuss possibly evacuating his staff in case of an unspecified emergency.

Approved for Release

**Text Messages between (b)(3), (b)(6) and UNOCHA (misspellings included)**

**Note:** Times and dates are not provided because the internal clock on the (b)(3), (b)(6) Nokia phone was not/is not set and the information displayed by the phone is inaccurate.

UNOCHA (b)(3), (b)(6) finally got MSF they have no air ops planned. They do have a road covoy in Phl Ui Chumri waiting for a green light to proceed so any advice is welcome. Cheers. (b)(6)

UNOCHA (b)(3), (b)(6) spoke with Country Diirector MSF just after our conversation and he is now mailing me details of his convoy

(b)(3), (b)(6) x

UNOCHA (b)(3), (b)(6) received Letters and symbols received due to an attempt at sending a file from his iPhone to (b)(3), (b)(6) Nokia. Attempt was unsuccessful and the document was later emailed.

UNOCHA: Morning (b)(6) Resolute Support are advising that the trucks do not move into Kunduz today. However if MSF wish to push ahead they are requesting the following. Exact current location. Time of departure. Intended route. Number and description of vehicles. Estimated time of teaching Kunduz. MSF location in Kumduz they will go to first. Registration numbers. If possible a photograph of the vehicles. Best (b)(6)

UNOCHA: Check your mail please (b)(3), (b)(6) MSF about to move

(b)(3), (b)(6)

**From:** (b)(3), (b)(6)  
**Sent:** Saturday, October 03, 2015 10:01 AM  
**To:** (b)(3), (b)(6)  
**Subject:** (U//~~FOUO~~) Text messages exchanged by MSF Country Director and (b)(3), (b)(6) on 02-03OCT

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From several hours before the incident and then immediately following it: (MSF refers to communication with Guilhem, country director for MSF)

Texts:

(b)(3), (b)(6) Any update on the 3 cars?

MSF: Arrived, sound and safe!! Thx for your support.

Phone call was made from (b)(3), (b)(6) MSF IOT determine if vehicles and personnel from the MSF resupply were still IVO the Trauma Center, MSF stated to (b)(3), (b)(6) that the vehicles had dropped off supplies and departed the district

Phone call was received by (b)(3), (b)(6) from MSF stating that the Trauma Center was receiving an airstrike. (b)(3), (b)(6) responded that he would find out about an airstrike, asked if there were any casualties, call was ended.

Texts:

MSF: 1 afghan MSF staff severely injured. Not all accounted for yet.

(b)(3), (b)(6) I am sorry to hear that i still do not know what happened

MSF: Ok. Please make sure airstrikes stop. We sustained heavy casualties

(b)(3), (b)(6) I will do my best i am praying for you all

MSF: Thanks. East side of the hospital is on fire. We still have staffs unaccounted for and many injuires.

End of Text messaging

0700 03 OCT: MSF calls (b)(3), (b)(6) inform of 1x vehicle with MSF markings taking personnel to the Kunduz Airport. (b)(3), (b)(6) asks if they plan on landing a plane there. MSF replies that they are seeking MOD clearance ATT. Call ends. (b)(3), (b)(6) informs JOC.

Respectfully,

(b)(3), (b)(6)

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DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as a (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN

(b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.

2. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)

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DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6), qualified as a (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

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(b)(3), (b)(6)

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DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

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FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as an (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

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SUBJECT: (b)(3), (b)(6) Ground and Flight Training

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(b)(3), (b)(6)

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DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as a (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: 4 SOS/CC

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.

2. Questions regarding (b)(3), (b)(6) currencies should be directed to (b)(3), (b)(6)  
DSN (b)(3), (b)(6)

(b)(3), (b)(6)

"For Official Use Only (FOUO) information, which must be protected under the Privacy Act and Air Force Instruction 33-332."



DEPARTMENT OF THE AIR FORCE  
25TH INTELLIGENCE SQUADRON (ACC)  
HURLBURT FIELD, FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as a (b)(3), (b)(6) on the AC-130U.

(b)(3), (b)(6)

5. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
25TH INTELLIGENCE SQUADRON (ACC)  
HURLBURT FIELD, FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: 25 IS/CC

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in ground and flight training currencies prior to and since deploying to the Area of Responsibility.

2. My POC for this information is (b)(3), (b)(6) He can be reached at DSN  
(b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

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SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

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(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: 4 SOS/CC

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

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2. My POC for this information is (b)(3), (b)(6) He can be reached at DSN

(b)(3), (b)(6)

(b)(3), (b)(6)

"For Official Use Only (FOUO) information, which must be protected under the Privacy Act and Air Force Instruction 33-332."





DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for Capt Lipoff, qualified as a (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.

2. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)

"For Official Use Only (FOUO) information, which must be protected under the Privacy Act and Air Force Instruction 33-332."



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as a (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.

2. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)

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DEPARTMENT OF THE AIR FORCE  
720TH SPECIAL TACTICS GROUP (AFSOC)  
HURLBURT FIELD, FLORIDA

21 October 2015

MEMORANDUM FOR RECORD

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Records Review

1. This MFR is in response to a Request for Information (RFI) from the Commander of the 720<sup>th</sup> Special Tactics Group. (b)(3), (b)(6) Chief Standardizations/Evaluations Examiner (SEE) has conducted a thorough review of all training and evaluation records for the above mentioned individual. Below are the statements of findings.

(b)(3), (b)(6)

3. Any further questions can be directed to, (b)(3), (b)(6)

(b)(3), (b)(6)

*First There... That Others May Live*



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) qualified as an (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

1. (b)(3), (b)(6) had zero discrepancies in required deployment ground and flight training currencies prior to or since deploying to the AOR.

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(b)(3), (b)(6)

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DEPARTMENT OF THE AIR FORCE  
19TH SPECIAL OPERATIONS SQUADRON (AFSOAWC)  
HURLBURT FIELD, FL



21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6) (b)(3), (b)(6) qualified as a (b)(3), (b)(6) in the AC-130U.

(b)(3), (b)(6)

5. My POC for this information is (b)(3), (b)(6) He can be reached at DSN

(b)(3), (b)(6)

(b)(3), (b)(6)

*"Deeds not Words"*





**DEPARTMENT OF THE AIR FORCE**  
**19TH SPECIAL OPERATIONS SQUADRON (AFSOAWC)**  
**HURLBURT FIELD, FL**



21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: [ (b)(3), (b)(6) ]

SUBJECT: [ (b)(3), (b)(6) ] Ground and Flight Training

1. [ (b)(3), (b)(6) ] had zero discrepancies in required deployment ground and flight training currencies prior to and since deploying to the AOR.

2. My POC for this information is [ (b)(3), (b)(6) ] He can be reached at DSN [ (b)(3), (b)(6) ]

[ (b)(3), (b)(6) ]

Approved for Release

*"Deeds not Words"*



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6),  
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(b)(3), (b)(6)

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(b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

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DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 Oct 15

MEMORANDUM FOR AFSOC/A3

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SUBJECT: Flying Qualification and Training Summary for (b)(3), (b)(6)

1. The following information summarizes the qualification and training for (b)(3), (b)(6),  
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(b)(3), (b)(6)

4. My POC for this information is (b)(3), (b)(6) He can be reached at DSN  
(b)(3), (b)(6)

(b)(3), (b)(6)



DEPARTMENT OF THE AIR FORCE  
1ST SPECIAL OPERATIONS WING (AFSOC)  
HURLBURT FIELD FLORIDA

21 October 15

MEMORANDUM FOR: AFSOC/A3

FROM: (b)(3), (b)(6)

SUBJECT: (b)(3), (b)(6) Ground and Flight Training

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2. My POC for this information is (b)(3), (b)(6). He can be reached at DSN (b)(3), (b)(6)

(b)(3), (b)(6)

Approved for Release

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## AFSOC ORM WORKSHEET INSTRUCTIONS

A preliminary risk assessment will first be accomplished by the squadron planner or flight authorization authenticating official by accomplishing this ORM worksheet. The preliminary assessment will be compared to the flight crew assessment prior to flight and any discrepancies will be discussed with squadron supervision. The flight crew should accomplish their ORM worksheet without reference to the preliminary risk assessment so that the crew risk assessment is not influenced in any way.

### STEP 1: IDENTIFY THE HAZARDS

The worksheet breaks each main METT-T area into several sub-categories which will be identified as Low, Medium, High, or Extreme risk events. All identified risks will be circled/highlighted and then discussed amongst the crew(s). Identifying the hazards is a crew process. Each crewmember will be given the opportunity to provide input.

### STEP 2: ASSESS THE RISKS

All identified risk factors will be considered, and the overall sub-category rating will be assigned a risk rating accordingly. The sub-categories will be compiled in an overall category assessment, which will be noted at the bottom of each main area. Finally, all of the scales will be integrated into the Overall Crew assessment rating.

### STEP 3: ANALYZE RISK CONTROL MEASURES

This step involves evaluation of specific strategies and controls that reduce or eliminate risk.

### STEP 4: MAKE A RISK DECISION

At this point, the Aircraft Commander (AC)/Flight Lead (FL) needs to decide if any unnecessary risk(s) exist, and if so make a risk decision to mitigate those risks. The maxim to remember is to accept risk when the benefit outweighs the costs.

### STEP 5: IMPLEMENT RISK CONTROL MEASURES

The "Top Risks" block will be utilized when considering the greatest hazards to control. The control measures to mitigate those risks will also be noted on the form. The AC/FL should apply risk decisions and control measures to all portions of their flight profile, not just the "Top Risk" areas.

### STEP 6: SUPERVISE & REVIEW

NOTE: the backside of the risk assessment sheet is specifically reserved as a commander's tool. It may be tailored and organized specific to mission needs.

The level of risk acceptance/approval is dependent upon many factors (deployed operations, small unit deployments, command direction etc.) The AC/FL will brief the appropriate level of supervision; Operations Supervisor (OS), Director of Operations (DO), Commander (CC), Group Commander (OG); so they (1) understand the level of risk they are assuming and (2) ensure the aircrews are not accepting unnecessary risks. The AC/FL will brief squadron supervision (CC/DO/ADO/OS) on all of the various risk factors and the mitigation plan for each mission. Commanders will determine the level of risk acceptance required (OS/DO/CC/OG) for their particular mission(s) for operations below "Extreme."

Extreme risk rating will be briefed to the Group Commander/equivalent only after in-unit supervision (DO/CC) has been appraised of the risks. The DO/CC will forward the extreme risk rating to the Group Commander for assessment if additional control measures cannot be implemented.

The OS will monitor the flight and supervise any additional developing risk factors (i.e. weather, mx requirements/ conflicts, real world SAR missions, flight profiles changes, and additional taskings).

The aircrew needs to be updated on any changes to their previously discussed ORM decisions. During the aircrew brief, the AC/FL will provide a review of the flight risks to include any additional inputs from the supervision. Crewmembers will also make any final suggestions/inputs, and the Overall Assessment will be confirmed or modified as necessary.

DATE: 2-Oct-15		(b) 1)1.4a, (b)(3), (b)(6) Day <del>Night</del>		ACFT/CC: (b)(3), (b)(6)		OP/OBJ:	
Baseline Risk		LEVEL		RISK DRIVERS		NOTIFICATION REQUIRED	
Low	0			Normal timeline with complete products			
Medium	1			Unable to meet climb gradient		(b)(1)1.4a, (b)(3)	
High	2			Afghan Unilateral			
AC-130		PLANNER		ACFT CC		SPECIFIC CONSIDERATIONS (circle applicable items)	
MISSION		L	M	H	E	L	M
Type	X						<del>Climb</del> Near-Border/Cross-Border/Planned Post BMNT/Daylight
Complexity	X						Pre-planned <del>GSO</del> Airborne Tasking; Overlapping ROZs
Priority	X						<del>TST</del> HHQ Directed <del>CAS</del> TIC / Enemy Senior Leaders
Deconfliction	X						<del>ROZ</del> No ROZ/Formation/Large Air Component / Dissimilar Formation
Familiarity	X						COF, GRG, Imagery Day Plan/ Complete Prods Day Of / Incomplete Prods /None
Supporting/Supported Forces	X						<del>Familiar SOF Users</del> Unfamiliar SOF / Conventional / No JTAC
Overall MISSION is rated:	X						
ENEMY							
Intelligence	X						<del>Known Threat &amp; Loc's</del> Known threat & no loc's / Unknown / Penetrate
Probability of Detection	X						<del>Unlikely</del> / Possible / Probable / Certain (Daylight)
Probability of Engagement	X						Unlikely <del>Possible</del> / Probable / Certain
Probability of Defeating the Threat	X						<del>Highly Likely</del> / Probable / Possible / Unlikely
Overall ENEMY is rated:	X						
TERRAIN (ENVIRONMENT)							
Degraded Aircraft	X						Missing Non-MESL / Missing MESL Equip
Start/Taxi/Takeoff	X						Delayed takeoff / Extended ETIC
Enroute	X						Significant Charted hazards / Uncharted Flight Area
Objective	X						<del>Desert</del> Over Water / Low Contrast / <del>Mountains</del> High DA
Recovery/Divert	X						<del>Known enemy area</del> / Defended Position / Active Air Defense
Performance	X						<del>Complex Approach Proc's</del> / No proc's published
Waivers	X						<del>Less than optimal / Heavy Weight</del> Heavy & Hot / Degraded
Weather	X						Group CC and below required / Above Group CC required
Illumination	X						Ceiling or Vis Marginal / Ceiling or Vis Below Mins / IMC Target Area
BASH	X						Precip, Ice, Turb, Isld TSW / Severe Precip, Ice, Turb, Area TSW
Overall TERRAIN is rated:	X						<del>Low Illum &amp; Silhouette</del> Low Contrast / Silhouetting / Daylight
TROOPS							Adverse Cultural Lighting / Limited Sensor effectiveness
Preflight Fatigue	X						<del>BWC Low</del> / BWC Moderate / BWC Severe / Mult Recent Birdstrikes
In-flight Fatigue	X						
Human Factors	X						Marginal Crew Rest / Chronic Fatigue / Crew Rest Waivers
Qualification/Currency/Proficiency/Mix	X						>10 Hrs Day / >6 Hrs NVG; >12 Hrs Day / >8 Hrs NVG
Waivers	X						Use checklist discipline
Overall TROOPS is rated:	X						Prolonged Hot/Cold Exposure // Extreme Hot/Cold
TIME							(Above 10K for 8hrs) / (Above 10k for 12hrs) / Consecutive
Planning	X						<del>Minor Personal Distractions</del> / Major Life Events
Preparation	X						Use Good CRM
Execution	X						Minor Limiting Factors / Major Limiting Factors
Overall TIME is rated:	X						Group CC and below required / Above Group CC required
Baseline Assessment:		LOW					
Planner's Assessment:		LOW					
ACFT CC'S Assessment:		LOW					



**Planner Comments**

**RAISES ORM TO HIGH IF UNILATERAL AFGHAN OPERATION AND REQUIRES CJSOAC/CC APPROVAL**

**Signatures**

Planner Signature \_\_\_\_\_

AO Signature \_\_\_\_\_ (b)(3), (b)(6)

Acft/CC Signature \_\_\_\_\_

**Authorizing Official Comments**

Squadron CC approval required for low risk

First O-5 approval required for medium risk

**Approval Authority Comments**

**Aircraft Commanders Comments**

Daytime Ops thoroughly briefed with crew

Sleep cycle change- mitigated with day rest

Approvals or waivers required/approved	Required	
	Approval Authority Initials	No
Alert duty period - AFSOC DO		X
Alert waivers (non-duty period) - Group CC/COMAFSOF		X
BWC moderate or severe - Group CC		X
Civilian law enforcement/medical personnel - Group CC		X
Commander-directed requalification syllabus - Sqdn CC		X
Crew complement - Group CC/COMAFSOF		X
Crew duty day - Group CC		X
Crew rest - Group CC		X
Cross crew position instruction - Sqdn CC/Sqdn DO/Msn CC		X
Flight >155K lbs - AFSOC DO		X
Flight after MX precautionary landing w/out qualified MX - Sqdn CC		X
Fuel required to divert < fuel available (op/contingency only) - AFSOC DO		X
Interfly - Group CC/COMAFSOF		X
Msn Qual training on operational mission - Group CC		X
No antiexposure suit btwn 51-60 F water temp Sqdn CC/Msn CC		X
Orientation/familiarization flight - Group CC		X
Unable to climb to/maintain ESA/MSA - Group CC/COMAFSOF		X

**Planners Comments:** Planned mission details or XSOF/GSOF as required

**Authorizing Officials Comments:** Any concerns, unmitigated risks, factors which need to be considered. (ie: 1st flight in AOR, 5 flights in 5 days, poor crew rest night prior, etc.)

**Approval Authority Comments:** Concerns, LIMFACS, restrictions imposed by AO

**Mission Benefit Levels:**

Low: Training, FCF, Tweak, Sensor Align, Confidence Flight, etc.

Medium: Standard priority targets, missions, VSOs, pre-planned CJSOTF msns, etc.

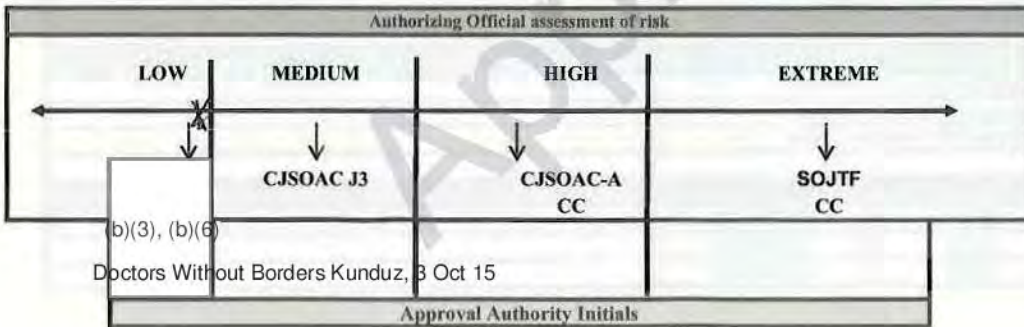
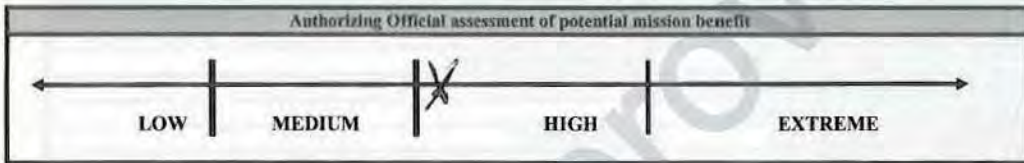
High: HVTs, standard TF msns, TSTs, Low-Intensity TICs, Active Air Base Defense

Extreme: High-Intensity TICs, Enemy/Insurgent Senior Leaders

**Assessment of Risk:**

If risk outweighs mission benefit (High risk & Medium benefit), Acft CC & Approval Authority must explain/justify in comments section

Assessment of risk based on factors and mitigation techniques on front





**UNCLASSIFIED//~~FOR OFFICIAL USE ONLY~~**  
**UNITED STATES SPECIAL OPERATIONS COMMAND**  
OFFICE OF THE CHIEF OF STAFF  
7701 TAMPA POINT BLVD.  
MACDILL AIR FORCE BASE, FLORIDA 33621-5323

JAN 20 2015

MEMORANDUM FOR

COMMANDER, U.S. ARMY SPECIAL OPERATIONS COMMAND, 2929 DESERT  
STORM DRIVE, FORT BRAGG, NC 28310-9110

COMMANDER, MARINE CORPS FORCES SPECIAL OPERATIONS COMMAND, PSC  
BOX 20116, CAMP LEJEUNE, NC 28542-0116

COMMANDER, NAVAL SPECIAL WARFARE COMMAND, 2000 TRIDENT WAY, SAN  
DIEGO, CA 92155-5599

COMMANDER, AIR FORCE SPECIAL OPERATIONS COMMAND, 100 BARTLEY  
STREET, COMMAND SUITE, HURLBURT FIELD, FL 32544-5273

SUBJECT: Integration of Special Operations Forces Ground Force Commander Close Air  
Support Training during Pre-Mission Training

1. REFERENCES.

a. U.S. Special Operations Command (USSOCOM) Chief of Staff Message, Subject:  
USSOCOM Special Operations Forces Fires Working Group, 241158RSEP12.

b. USSOCOM Manual 350-5, Joint Terminal Attack Controller Readiness and Training, 5  
April 2012.

c. USSOCOM Publication 3-33, Multi-Service Tactics, Techniques and Procedures  
(TTPs) for Conventional Forces and Special Operations Forces Integration, Interoperability,  
and Interdependence, March 2014.

d. Joint Close Air Support Action Plan Memorandum of Agreement 2004-01, Joint  
Terminal Attack Controller (Ground)", 1 January 2012.

e. Joint Pub 3-05, Special Operations, 16 July 2014.

f. Joint Pub 3-09, Joint Fire Support, 30 June 2010.

g. Joint Pub 3-09.3, Close Air Support, 8 July 2009.

h. J-Fire - Multi-Service TTPs for the Joint Application of Firepower, ATP 3-09.32 [FM 3-  
09.32]; MCRP 3-16.6A; NTP 3-09.2; AFTTP(I) 3-2.6, November 2012.

i. Air Force Tactics, Techniques and Procedures 3-3.Joint Terminal Attack Controller,  
Combat Fundamentals-Joint Terminal Attack Controller, 24 Oct 2012.

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SOCS

SUBJECT: Integration of Special Operations Forces Ground Force Commander Close Air Support Training during Pre-Mission Training

2. Purpose. Provide specific training guidance for the mandatory integration of Special Operations Forces (SOF) Tactical Maneuver Force / Element Ground Force Commanders (GFC) regarding Close Air Support (CAS) Training during Pre-Mission Training (PMT).

3. Applicability. The mandatory training requirements contained herein apply to all SOF Tactical Maneuver Force / Element Ground Force Commanders. This includes, but is not limited to, the following personnel:

- a. Marine Special Operations Team Commanders.
- b. Special Forces Operational Detachment -Alpha (SFOD-A) Team Leaders.
- c. Ranger Rifle Company Commanders.
- d. SEAL (Troop) Team Leaders.
- e. Special Tactics Team Leaders.
- f. Other personnel that require CAS integration training (e.g. on-scene commanders). These additional personnel may be determined by individual Component Commanders.

4. Background. A recent CAS mishap involving SOF has highlighted the need for an increased emphasis on CAS integration within our SOF teams. Today's complex CAS scenarios require additional preparation and proficiency to hone the skill sets necessary to accomplish required tasks. A clear understanding of tactics, techniques and procedures (TTPs) to locate and maintain situational awareness of friendly/target locations and an emphasis on clearance authority and attack restrictions is paramount.

5. Policy and Procedure. Component Commanders shall incorporate the following Program of Instruction (POI) requirements into existing and/or new Component PMT for mandatory accomplishment prior to the combat deployment of SOF Tactical Maneuver Force/Element Ground Force Commanders:

- a. All personnel in paragraph 3 shall participate in at least one (1) evaluated, SOF JTAC-enabled, Full Mission Profile (FMP) combat-focused training event (integrating both individual and collective skills) that includes fixed-wing CAS support during their unit PMT.
- b. The PMT event may be accomplished using a combination of live CAS and/or an accredited/approved simulation system.
- c. All PMT tasks shall be accomplished to a standard that ensures the trainee has sufficient knowledge and understanding of the items contained therein in order to enable/ensure successful CAS mission integration during SOF missions.

SOCS

SUBJECT: Integration of Special Operations Forces Ground Force Commander Close Air Support Training during Pre-Mission Training

d. The PMT event shall include Tasks 1 through 13 below. This requirement does not preclude Components from adding additional tasks as deemed necessary.

**Task 1. SOF JTAC Role and Capabilities.**

SOF GFC/team shall receive a detailed briefing on the SOF JTAC's capabilities/limitations, duties and responsibilities. This brief shall be given from a qualified (certified) SOF JTAC, preferably the JTAC assigned/attached to the team for deployment.

**Task 2. Airspace Coordinating Measures.**

SOF GFC/team/JTAC shall discuss airspace command and control (Joint and Component) procedures and their impact on CAS mission planning. Supporting documents for discussion include Airspace Control Order (ACO), Airspace Control Measures (ACM), Air Tasking Order (ATO), Special Instructions (SPINS) and applicable Tactical Directives.

**Task 3. Fire Support Coordination Measures.**

SOF GFC/team/JTAC shall discuss the impact of fire support coordination measures (FSCM) on CAS mission planning.

**Task 4. CAS Assets (Air / Ground / Weapons).**

SOF GFC/team/JTAC shall discuss CAS assets in support of the ground scheme of maneuver to include:

- a. Fixed-Wing / Rotary-Wing platform capabilities / limitations / employment.
- b. SOF-unique platform (e.g. AC-130, AH-64, (b)(1)1.4 capabilities / limitations / employment.
- c. Unmanned Aerial System (UAS) capabilities / limitations / employment (e.g. Group 1 /2/ 3 UAS; including SOF-unique TTP for e.g. (b)(1)1.4a, (b)(1)1.4c, (b)(1)1.4g
- d. Weapon Effects. Specific weapons effects for all available Aviation / Ground (e.g. High Mobility Artillery Rocket System) munitions.

**Task 5. Command and Control/ Mission Command (clearance of Fires, roles, and responsibilities).**

SOF GFC/team/JTAC shall discuss:

- a. GFC's Intent for CAS.
- b. GFC's desired effect from Fire Support.
- c. Clear guidelines for the use of CAS / Rules of Engagement (ROE) / Tactical Directives.

SOCS

SUBJECT: Integration of Special Operations Forces Ground Force Commander Close Air Support Training during Pre-Mission Training

- d. GFC's trigger for employment of CAS.
- e. Target approval authority (Time-sensitive, / Limited Targeting Authority (LTA), deliberate targeting, etc.).
- f. Authorized ordnance (with or without specific clearance).
- g. Approval authorities / delegation of target approval authority.
- h. Priority of targets/unit with priority of fire (POF).
- i. Final clearance / restrictions.

**Task 6. Requesting CAS.**

SOF GFC/team/JTAC shall discuss preplanned and immediate Air Support Requests (ASR) and the timely submission of Joint Tactical Air Strike Requests (JTAR).

**Task 7. Terminal Attack Control / Method of Attack.**

SOF GFC/team/JTAC shall discuss components of a game plan / CAS Control /types of Terminal Attack Control / Method of Attack).

**Task 8. Emergency CAS (ECAS) Procedures.**

SOF GFC/team/JTAC shall discuss ECAS procedures (CAS Execution with non-JTAC) in detail and the potential impacts associated with this procedure.

**Task 9. Battle Tracking / Collateral Damage.**

SOF GFC/team/JTAC shall discuss:

- a. Call for fire (CFF).
- b. Civilian Casualties.
- c. Collateral Damage / Collateral Damage Estimate (CDE) / Prevention.
- d. Combat ID (CID).
- e. Commander's Risk Assessment.
- f. Danger Close.
- g. Effective Communication.
- h. Friendly Fire Mitigation / Prevention.

SOCS

SUBJECT: Integration of Special Operations Forces Ground Force Commander Close Air Support Training during Pre-Mission Training

- i. Friendly Markings / Marking Devices (IFF) / Personal ID (PID).
- j. Friendly Marking Procedures.
- k. Location of friendlies / non-combatants.
- l. Nearest collateral concerns.
- m. Risk Estimate Distances Thresholds.
- n. Sensor Capabilities and Management (Includes (b)(1)1.4a and cursory searches for collateral concerns).
- o. Situational Awareness (i.e. "tools").
- p. Target Markings / Marking Devices / "No-mark".
- q. Troops in Contact (TIC) and potential control/approval authorities.

**Task 10. Factors influencing CAS capabilities.**

SOF GFC/team/JTAC shall discuss the effects of weather / terrain / threats / Electronic Warfare on CAS capabilities.

**Task 11. Forward Air Controller (Airborne) (FAC-A) Integration.**

SOF GFC/team/JTAC shall discuss FAC-A capabilities / limitations / employment.

**Task 12. Indirect Fires.**

SOF GFC/team/JTAC shall discuss the integration of CAS with indirect fires.

**Task 13. Friendly Fire Vignette (Case Studies).**

SOF GFC/team/JTAC shall discuss a previous Friendly Fire incident(s) to include a detailed explanation of the situation and resulting Friendly Fire with causal factors.

**6. Responsibilities. USSOCOM Component Commanders shall:**

- a. Within sixty (60) days from the date of this memorandum, respond back (via official memorandum) to the USSOCOM Director of Force Management and Development, their implementation plan to comply with the requirements of this memorandum.
- b. Fully comply with the requirements of this memorandum (implementation of stated requirements) within six (6) months from the date of this memorandum.
- c. Ensure the PMT event for the GFC is appropriately documented and tracked.

SOCS

SUBJECT: Integration of Special Operations Forces Ground Force Commander Close Air Support Training during Pre-Mission Training

7. Terms of Reference.

a. Full Mission Profile (FMP): An all-inclusive training event that is conducted in a dynamic, operationally-realistic environment. The event is area of responsibility-centric and relevant to the PMT mission tasking.

b. JTAC-enabled: An event accomplished with a qualified (certified) SOF JTAC, preferably the JTAC assigned/attached to the team for deployment.

8. Waiver Authority. The waiver authority for the training requirements in this memorandum is the USSOCOM Chief of Staff unless otherwise delegated.

9. Proponent. The proponent for this policy is the USSOCOM (b)(6). The requirements listed in this memorandum do not expire and shall be reviewed for inclusion into a current or future USSOCOM publication.

10. Point of contact is (b)(3), (b)(6). SIPR e-mail: (b)(3), (b)(6)



W. LEE MILLER, JR.  
Major General, U.S. Marine Corps  
Chief of Staff

DISTRIBUTION:  
C, D



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## *US Army Special Operations Command*

# USASOC Lessons Learned Brief Close Air Support / Friendly Fire

USASOC Lessons Learned Fusion Cell

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USASOC Lessons Learned / History Program

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# AGENDA

Terminal Learning Objectives

Summary of (b)(1)1.4a

Contributing Factors

Lessons Learned

Historical Vignettes

Mitigating Recommendations

Conclusion

Comments/Questions

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# TERMINAL LEARNING OBJECTIVES

TLO 1 - Attendees are familiar with SOF CAS fratricide incidents.

TLO 2 - Attendees understand the contributing factors and their role in mitigating them.

TLO 3 - Attendees consider the lessons learned presented in future training and operations.

TLO 4 - Attendees have take-away information for planning consideration.

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# HISTORICAL VIGNETTES

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# COMMENTS/QUESTIONS

# Report of (b)(1)1.4a, (b)(3), (b)(6) Munitions Out of Compound

- Summary: Of the 211 rounds fired by (b)(1)1.4a, (b)(3), (b)(6) on 3 Oct 15, there were eight impact locations outside the MSF Trauma Center compound totaling approximately 31 total rounds in three sectors.

Approved for Release  
(b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(6)

## ROE/TACTICAL GUIDANCE

- [redacted] Original target grid passed [redacted]
- [redacted] (b)(1)1.4a "pax are HOSTILE" [redacted]
- [redacted] "Lighten the load for partner forces [pre-assault forces]" [redacted]
- [redacted] [redacted] description through [redacted]
- [redacted] [redacted] description through [redacted]
- [redacted] Follow-on obj same intent to "soften target" [pre-assault forces]" [redacted]
- [redacted] (b)(3), (b)(6) intent to "destroy targets of all opportunity that may impede forces"
- [redacted] "Why don't we just take out that enemy C2?" [redacted]
- [redacted] (b)(3), (b)(6) "Anybody carrying anything?" [redacted] "Not that I can tell."
- [redacted] Targets of opportunity versus discussion [redacted]
- [redacted] (b)(3), (b)(6) "So we can say 'killshot.'"
- [redacted] (b)(1)1.4a PID chain of custody; "Eyes on building with 9 pax" [redacted]
- [redacted] (b)(1)1.4a resting, sitting in chairs – pax disposition at MSF
- [redacted] "enemy pax at obj building" [redacted] requests we prosecute those targets"
- [redacted] (b)(3), (b)(6) "Confirm ROE" – [redacted]
- [redacted] (b)(3), (b)(6) wants you to prosecute building first followed by [redacted]
- [redacted] (b)(3), (b)(6) "Confirm cleared on all [redacted] and not just [redacted]"
- [redacted] Friendly position "well outside a click [1 km]" [redacted]
- [redacted] (b)(1)1.4a, (b)(3), (b)(6) "engage" [redacted] "engaging unarmed pax running about"
- [redacted] "[inaudible], engage [redacted]"
- [redacted] [SITUPDATE 2] "Good effects, not seeing [redacted], still hot, continuing [redacted]"
- [redacted] "Go cold when friendlies are 300m from the target" [redacted]
- [redacted] "Currently have convoy trucking into their location" [redacted]

## SITUATIONAL AWARENESS

- [redacted] "That's most likely what it is" [redacted] MSF compound initially [redacted]
- [redacted] "Affirm, that's the compound" [redacted] "I think it's 30m off initially, not 300m]"
- [redacted] (b)(1)1.4a identified and passed at [redacted]
- [redacted] "We need additional so we can be 100% sure" [redacted]
- [redacted] "This looks more like a prison compound [with [redacted] the NDS HQ]" [redacted]
- [redacted] (b)(3), (b)(6) says [passes additional target description]" [redacted]
- [redacted] (b)(1)1.4a "We have great confidence in that grid, so if it's only 30m off" [redacted]
- [redacted] "Grids sent us to open field – nearest large compound is 300m south" [redacted]
- [redacted] [SOTF coordinating helo re-supply]
- [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) "Going hot" [redacted]
- [redacted] "Confirm it's the T-shaped building" [redacted]
- [redacted] [redacted] [no acknowledge]
- [redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) "All players, all players, rounds away, rounds away"

- [Redacted] “How far away are friendlies from the city?” (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] “Friendly posit well outside of 1 km” (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] [Redacted] (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] First SITUPD Affirm (b)(1)1.4a, (b)(3), (b)(6) “multiple (b)(1)1.4a running into basement on E side”
- [Redacted] (b)(1)1.4a “Can’t punch through to the basement with (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) “Can you pass the grid for the engagement?”
- [Redacted] (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6) “Any effects on major compound to the south?”
- [Redacted] First mention of Kunduz Trauma Center (b)(1)1.4a, (b)(1)1.4g, (b)(3), (b)(6)
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) Negative, all effects are on the T-shaped building”
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) “Copy, large secondaries on the building”
- [Redacted] (b)(1)1.4a, (b)(1)1.4g Looking for info on the lead-up to the attack

**AC-130 TARGETING PROCESS**

- [Redacted] Inherent system error [did anyone plot the original grid in (b)(1)1.4a, (b)(1)1.4g]
- [Redacted] “Normal POL for this compound – not normally moving around the city” (b)(3), (b)(6)
- [Redacted] “Are they carrying anything?” (b)(3), (b)(6) Negative, not that I can tell (b)(3), (b)(6)
- [Redacted] First mention of “T-shape building” internal to aircraft (b)(3), (b)(6)
- [Redacted] (b)(3), (b)(6) the correct grid – No update to fire control system
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) the grids were in an open field (b)(3), (b)(6) WAS ON the correct grid (b)(3), (b)(6)
- [Redacted] (b)(3), (b)(6) able to see a gate to the north on MSF, but no arch shape (overhang sign)
- [Redacted] (b)(1)1.4a weaponering recommendation (b)(3), (b)(6)
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) “the compound you currently have your (b)(1)1.4a, (b)(3), (b)(6) label NDS, then OBJ”
- [Redacted] [clearance to fire passed] (b)(6) needs clarification on what specifically to engage
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) confirm it’s the T-shaped building [to strike]” (1st mention)
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) confirm it’s the T-shaped building [to strike]” (2nd mention)
- [Redacted] “Affirm (b)(1)1.4a, (b)(3), (b)(6) [response to T-shaped building]
- [Redacted] (b)(3), (b)(6) do you need delay? (b)(3), (b)(6) for engaging the building)
- [Redacted] (b)(1)1.4a, (b)(3), (b)(6) can move off to search for the convoy

**DECISION MAKING**

- [Redacted] “Copy – updated as new NA (b)(3), (b)(6)
- [Redacted] “Those pax are HOS (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] [Redacted] (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] (b)(3), (b)(6) wants you to prosecute objective bldg first followed by (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] “Cleared to engage” [Redacted]
- [Redacted] “Cleared to engage” (b)(1)1.4a, (b)(3), (b)(6)
- [Redacted] “You’ve got consent” [Redacted]

- (b)(1)1.4a “We started a fire, good effects, not seeing (b)(1)1.4a, still hot continuing (b)(3), (b)(6)
- (b)(6) safes all guns

**LEADING COMMS**

- (b)(1)1.4a “Looking for building description to confirm we’re looking at the right location”
- (b)(1)1.4a AC-130 internal (b)(3), (b)(6) “here’s this big enemy C2 complex that you know of”
- (b)(1)1.4a “So we can say ‘kill shot’ (b)(3), (b)(6) internal)
- (b)(1)1.4a “The compound you currently have your sensor on (b)(1)1.4a, (b)(3), (b)(6)
- (b)(1)1.4a “Confirm intentions on striking the compound and (b)(1)1.4a leaving the area”
- (b)(1)1.4a “Looking for intentions on striking compound and (b)(1)1.4a, (b)(3), (b)(6)
- (b)(1)1.4a “Confirm it’s the T-shaped building (b)(1)1.4a, (b)(3), (b)(6) (first mention on fires)
- (b)(1)1.4a “Looking to strike T-shaped building, ensuring we’re clear (b)(1)1.4a on the building”
- (b)(1)1.4a “Confirm we are cleared all (b)(1)1.4a in the compound not just (b)(1)1.4a from the t-shaped building” [(b)(1)1.4a, (b)(3), (b)(6) affirm.”]



**From:**

(b)(3), (b)(6)

**Sent:**

Monday, November 02, 2015 11:26 AM

**To:**

(b)(3), (b)(6)

**Subject:**

Present in JOC on 3OCT

Below is the list of people present in the JOC on the morning of 3 OCT 15:

(b)(3), (b)(6)

(b)(3), (b)(6)

Approved for Release



DEPARTMENT OF THE AIR FORCE  
720TH SPECIAL TACTICS GROUP (AFSOC)  
HURLBURT FIELD, FLORIDA

21 October 2015

MEMORANDUM FOR RECORD

FROM: 720 OSS/OSKF

SUBJECT:  Records Review

1. This MFR is in response to a Request for Information (RFI) from the Commander of the 720<sup>th</sup> Special Tactics Group.  Chief Standardizations/Evaluations Examiner (SEE) has conducted a thorough review of all training and evaluation records for the above mentioned individual. Below are the statements of findings.

(b)(3), (b)(6)

3. Any further questions can be directed to,

(b)(3), (b)(6)

*First There... That Others May Live*



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(b)(3), (b)(6)

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(b)(3), (b)(6)

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The 2011 Operational Law Handbook is available on:

[https://www.loc.gov/rr/frd/Military\\_Law/pdf/operational-law-handbook\\_2011.pdf](https://www.loc.gov/rr/frd/Military_Law/pdf/operational-law-handbook_2011.pdf)

Approved for Release

The DoD OGC Law of War Manual from June 2015 is available at:

<http://www.defense.gov/Portals/1/Documents/pubs/Law-of-War-Manual-June-2015.pdf>

Approved for Release