

Materials in tabs W-B G
are not included because they
are a UK provided product.

TAB BH

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 301; Title 5 U.S.C. 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.
SPECIFIC 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 Ali Al Salem, Kuwait	2. DATE (YYYYMMDD) 2003/03/28	3. TIME 0900	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E4 / SPC	
8. ORGANIZATION OR ADDRESS BTRY, 5-52 ADA			

I, SPC [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

[SEE ATTACHED 12 PAGE TRANSCRIPT]

EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF _____ PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF _____ TAKEN AT _____ DATED _____"
BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

investigate the accident involving Tornado ZG710 that crashed on 27 Mar 03. We are the members of that BOI. We have been issued Terms of Reference. The main requirements are for me:

- to investigate the circumstances;
- determine the cause or causes of the accident, and;
- investigate any other relevant issues.

The following comments are designed to help you in case you are unsure of your exact legal position.

1. The BOI have a duty to ask questions to find out exactly what happened at the time of the accident being investigated and during the sequence of events leading up to it. It is not the purpose of the BOI to find negligence or apportion blame. You are not bound by the Air Force Act 1955 (UK) and Queens Regulations. Therefore, you may be reassured that your evidence to the BOI is not admissible against you in disciplinary proceedings brought under the Air Force Act 1955 (UK). You may, if you wish, elect to be represented, at your own expense, whilst giving evidence before the Board. You do not have to answer the Board's questions if you prefer not to do so.

2. You should be aware that the evidence received by the Board, including your statement, could become available at a future date to the Next of Kin (NOK) of those killed in the accident. It sometimes happens that an accident investigated by a BOI subsequently becomes subject to proceedings in the Coroner's Court and/or civil proceedings for compensation in either the High Court or the County Court in England and Wales (or the appropriate Court elsewhere). You should be aware that your evidence before the BOI could, in certain cases, become available to the parties to those civil proceedings and if you are called to give evidence by either party you may be questioned on the contents of the statement you made to the BOI. Any evidence you give before the BOI should be as full and frank and accurate as possible.

3. If you are affected by the findings of the BOI in any way, you should be aware that the NOK may have sight of the BOI and may decide to pursue separate civil action.

Everything that is discussed at this BOI is in confidence and is treated accordingly. Consequently, when you leave us I have to remind you that anything that you have heard or discussed with us should not be discussed outside this Inquiry.

I have to take formal evidence from you for use by this BOI. All evidence given to this BOI will be given on oath.

[BG Lennox made the following open statement to SPC 

The general nature of the proceedings is that this is a combined investigation of the United States it is in AR 15-6, Board of Officers, conducting an investigation. This is directed by the Commander of CENTCOM, and the Commander of the Combined Forces Air Component Command, General Mosley, and it is appointed by MG Bromberg, the Commanding General of the 32d AAMDC. The United Kingdom Board of Inquiry, Air Force pursuant to the rules of 1956, directed by the Air Officer Commanding in the First Group of the RAF, conducted simultaneously following the rules of each countries services. A separate Accident Investigation Safety Board, under the provisions of 385-40, will be conducted by the Safety Office of the Combined Forces Land Component Commander, at the direction of the Commander CFLCC, will also take place. You will be asked questions again by another board, but that's a Safety Board for separate purposes. A different focus, or terms of reference will be for each board, but there's a common goal of determining the facts and circumstances surrounding the incident. There are some different procedures that I will explain. For the United States there is no Initial Rights Advisement. For the United Kingdom an Initial Advisement of Rights will be given. To rationalize procedures the United States representatives will each administer an oath to each of you at the start of testimony on behalf of both boards. So, there will be a statement given at the start that will cover both boards. The United Kingdom representative will provide you with an advisement detailing your rights as to their board. They have separate rights, and Wing Commander Cockram will explain that to you when I'm done. You will receive a Rights Advisement from a United States Board Representative if you're suspected of a violation. I do not suspect you of an offense



under the UCMJ, and I do not intend to advise you of your rights under the provisions of Article 31, of the UCMJ, at this time. Your unit's advised you of your rights in the past, or in the conduct of their initial inquiry. While you made a statement during that initial inquiry, you're not compelled to make a further statement, but the board would be then compelled to rely on your past statement alone if you chose to do that.

Do you have any questions? It's pretty complicated.

Are you sure?

A: No, sir. [Answer from SPC ██████████]

Okay, I'm going to turn it over now to Wing Commander ██████████

[Wing Commander ██████████ read the following statement, "Information For U.S. Witnesses", which will be inserted at this point in the record.]

[END OF PAGE]

[SPC ██████ did not have any questions about the statement read by Wing
Commander ██████

[SPC ██████ was sworn and his testimony before the board follows]

Q: Questions by BG Lennox.

A: Answers by SPC ██████

Q: SPC ██████ you were the third person on the crew that night, and what I'd like you to do is to explain to the board what your responsibilities are as the third person in the crew.

A: My responsibilities are to monitor radios for any calls that come in, any FRAGOS, if we do have a scud alert, scud attack, actually scud attack, I am supposed to go out to the EPP, the power generator, battle short it, that way nothing goes down, in case a missile is coming right at us, help out in any way I can.

Q: Ok. That job is normally a 31 series MOS.

A: Yes, sir.

Q: What's your MOS?

A: My MOS is 14 E, sir.

Q: So you've had to be on the job trained for that?

A: Yes, sir.

Q: How long have you been a third person in a crew.

A: To this date, I would say 2 months, 2 ½ months.

Q: So you've just been trained?

A: Yes, sir.

Q: Can you tell everyone what a 14E is, what you're trained----

A: A 14E is a TCA in the v [redacted] in the ECS.

Q: So were you a trained TCA before that?

A: Yes, sir.

[redacted]
Q: How long have you been a TCA?

A: Prior to becoming a Romeo, I'd say it was last October that I got certified. I believe it was last October, after my knee surgery I came back and certified. I was a TCA on a crew prior to this crew, but my crew's TCO left the battery so I haven't been a TCA for a while.

Q: Ok, and that was for the first time? In October you were certified?

A: As far as dates, I am not too sure.

Q: No, no, I don't need the exact dates, but you had never been part of a crew before that in October?

A: Before I became a 31, I was a member of a crew, I was a TCA on a crew.

Q: And then come November you joined 1LT [redacted] crew?

A: Yes, sir and became a 31 Romeo on that crew.

Q: Can you tell a little bit about the certification where you were certified Table 8 in February, I think it was.

A: Ok, as a Romeo, you said?

Q: As part of the team.

A: As part of the team.

Q: What did you all have to do in order to be certified as a team?

A: We had to practice air battles, scud attacks, scud alerts, all the procedures we go through if we do get scud alerts, and attack, all procedures on non attacks, how to work the radios, FMs, what to look for on the screen, on the scope, what procedures to take if we do in fact get attacked, what procedures we need to take after that.

Q: Was it a hard evaluation, an easy evaluation?

A: I believe it was somewhat hard. We trained for a week nonstop, every day.

Q: And did you feel confident with your training when you were done?

A: I did, sir, yes I did.

Q: Let's get to the night of the incident. I'd like you to tell us all, in your words, exactly what happened that night.

A: That night we had gotten in the van. We were, you know, I was monitoring the radio as well as the TCA's the TCO's, it's part of the job. We didn't have any head sets like normal ECSs' do, so everyone was just monitoring radios, just listening for any calls coming in, watching the screens, you know, writing down FRAGOS, any messages that needed to get sent. We had gotten a message, I believe it was camp Pennsylvania, coming under small arms and grenades attack. So at that time I tried calling the CP. Let them know that security needed beefed up, you know, heightened security, in case we do come under attack. Radios at that time weren't coming in clear, so we had to ask B 2/1, the call sign was Baton Rouge, we had to talk to them quite a few times. If it was small arms attack, or if was just a warning, or what exactly was going on. So once we did clarify it, we told the CP. I ran over there just to make sure it was done as quick as possible, because even the hand held we had to talk to the CP wasn't working that well. So I ran over there, ran back, and got in the van, started monitoring the radios, questioning if there was anything else we needed to worry about. I don't know exactly how much time after that we were still looking on scope, and an ARM popped up. We didn't see any carrier. There was quite a few aircrafts in the area, but usually when we do have an ARM attack, we are supposed to try to identify the ARM carrier.

Q: Can you tell me what you were doing personally at that time?

A: Personally, at that time?

Q: What everybody was doing, and what they were focused on right before the ARM popped down?

A: Ok, 1LT [REDACTED] was sitting in her TCO seat, SPC [REDACTED] was in his, I was in mine. I had one, not headset, but radio----

Q: Handset?

A: Handset in one hand and then, they were calling back and forth, they were talking to the ECS on their handheld. I was just monitoring the radios with B 2/1 and the hot crew, and advised and told them that there might be a possible ground attack, to be watching out for everything that might be happening. The also were listening to everything going on. I mean I also look at the screen, because, just in case, just extra eyes. Now when the ARM did come out, we didn't see any carrier.

Q: Were you watching the screen at that time?

A: Yes sir, I was. We all watch the screen together, just to, you know----

Q: 1LT [REDACTED] and SPC [REDACTED] were watching the screen?

A: Yes, sir. So when that ARM attack did come out, it came out real close, as far as the scope shows, it's, we know definitely where we're at, and distances and ranges, and stuff like that. So, I mean it happened so quick, that we didn't see who, or which track had fired the ARM. All we know is we had an ARM coming at us, and like I said, it just happened so quick that SPC [REDACTED] tried the IFF, and you know of course, you can't really get off an ARM, nothing comes back. So, they decided to, they waited a while longer to

see, you know, I tried callin' like I said B 2/1. Coms weren't the be coms, like I said--

Q: Did you get through to them?

A: Negative. The radios were coming in broken and distorted, you know, called like I said, before as a ground attack, when they reported the ground attack, we had to call back a few times just to clarify the message because we really couldn't understand it.

Q: So you don't think B 2/1 heard you at all?

A: Negative, sir. No um, I tried to call at the time, and like I said, the ARM came, it popped up real close to us that it, it's I don't know, it's just----

Q: What was the mood inside the van at that time?

A: The mood, at that time (pause), I can't explain to you, it was just, it's, we saw the ARM coming toward us, it popped out so quick, you know, it was, no time to react, it just shoot it down. That is what we're trained to do. We're trained to ID it, and you know check it out before we engage with it. Like I said, it just happened so quick, it was so close, honest it really wasn't much time.

Q: Something I should have asked you earlier, SPC [REDACTED], is, you made a statement for MAJ [REDACTED] the next day. I'll ask you to look at it and tell us if there is anything you want to add or change to that statement, if you don't mind.

[BG Lennox handed the statement to SPC [REDACTED] for review.]

A: nothing I can see.

Q: Did you read it including the back, too? It continues on the back.

A: As far as understanding my rights, and --

Q: Ok, is there anything that you want to add to that? Or is it pretty accurate?

A: Pretty accurate as far as everything that happened.

Q: Nothing you want to change?

A: No, sir. I'm going to tell you basically the same things.

Q: Ok. Do you know if the receiver was working on your radio that night?

A: No. From the SINCGARS?

Q: Yes to hear from other people? It was working, but sporadically?

A: Yes, sir. Like I said, we had a speaker hooked up to the radios, and as well as a handset.

Q: [REDACTED]

A: It wouldn't surprise me, because I mean, it just seemed like right after everything happened, it just, started calling in and letting us know that it was the Air Force, and everyone was taking accountability of airplanes, you know, aircrafts. Like I said, I remember them calling back, and that was the worst time in my life when they called back about that.

Q: I understand. I am going to ask Chief [REDACTED], if you don't mind him asking you a few questions.

Q: Questions from Chief [REDACTED]

A: Answers from SPC [REDACTED]

Q: Good afternoon. I just want to get a sense, SPC [REDACTED] about uh, you're a 14E, you've been on crews before, and now you've qualified as a 31, so you're a pretty seasoned guy as far as being in the van and seeing, certifying quite a bit. It has been my experience that, uh--, different crews use their 31s' for different responsibilities. Sometimes the TCO might ask the 31 to manage the hot crew. And any time the hot crews are moving from launcher to launcher, that would be a 31s' responsibility to manage that crew, for example. Maybe filling out the missile depletion, or missile engagement summary report would be a 31. Could you tell me what your responsibilities on the crew were, specifically? Some of the things that you did, specifically, that was your task?

A: Since we didn't have head sets, the TCA and the TCO, if they needed a launcher cleared down range, because of a reload or like, scuds were coming in, or anything, it was my job to let hot crew know to clear the launchers. If we had problems with launchers, I would call them down, you know, call hot crew and let them know we had a problem with which ever launching station and they'd go fix it, or they'd call me back and say, 'we need this whatever number put into local', so I would tell the TCA / TCO, you know we need to put in a local.

Q: Who would communicate with the CP? Like you were receiving a STO from the CP or from B 2/1, who would receive the STO?

A: I would. I would write it down.

Q: You're also the one that would pass the SAM STAT back?

A: Right.

Q: So you were the RTO, you were the guy on the radio.

A: Right, Chief.

Q: So, that night, [REDACTED] you tried to contact B 2/1, is that correct?

A: Yes, Chief.

Q: What were you going to tell B? What was the information that you were going to pass?

A: I was gonna' let them know that [REDACTED] and from there, if they would receive that, and call back, they would have told us, don't engage, or engage, or bring up launchers, because it is the same as a scud attack.

Q: You would have just wanted to let B know----

A: Just let them know what was going on so that they could give us information, whether to engage or not, or if it was a false track, or just, you know---

Q: Did the TCO ever talk to B 2/1 directly herself, or did she relay all the information----

A: She talked to them herself.

Q: What did the TCO tell B 2/1?

A: That night, I don't even remember.

Q: What generally, [REDACTED] Did she try to ask for a direction, like 'this is what I am seeing, what would you want me to do?', something along those lines?

A: That night, [REDACTED] I don't even remember when she called, I don't think she did. Like I said, I tried calling. Nothing came back. We were just looking at the track on scope, just---

Q: I'm just trying to get in my mind what occurred, you know? But would this be a fair statement that you or the TCO, did you try to pass information [REDACTED]

[REDACTED] I'm gonna' take action, I'm gonna' engage? How would you describe that?

A: As far as information being sent to B, there wasn't any information being sent because I tried getting a hold of them, you know. [REDACTED]

[REDACTED] I attempted to contact them, and didn't hear back from them, so, it's like, we didn't tell them altitude or speed, figured they weren't hearing us.

Q: Were you able to raise P after the fact, after----

A: After it all happened. It just-----

Q: What was that conversation like? This is what we did, type thing.

A: They asked what did we engage. [REDACTED] They started asking questions, and, at that, like I said, after -- I don't know it just happened so quickly that I run out to the EPP to battle short it, and I guess 1LT [REDACTED] was on there and talking to them right after that, and, for a while I don't even know the whole conversation she had with them until, I could hear on the speaker, and like I said, they were trying to take accountability of all aircrafts.

Q: Questions from BG Lennox.

A: Answers from SPC [REDACTED]

Q: When you tried to help out, which screen did you end up watching?

A: SPC [REDACTED]

Q: So the TCA's screen, you were looking over his shoulder?

A: Yes, sir.

Q: So let me ask LTC [REDACTED] if he has any questions.

Q: Questions from LTC [REDACTED]

A: Answers from SPC [REDACTED]

Q: You assumed duty at what time?

A: Excuse me, sir?

Q: You assumed duty at what time?

A: That night, uh, we had been doing shifts from 2300 to 0300 in the morning. 4 hour shifts, and the same in the morning, but that night it was at 2300 at night.

Q: You came on duty at 2300 hours?

A: Yes, sir.

Q: You're sure?

A: That's the—

Q: To the best of your knowledge.

A: They changed our schedule twice. So I mean, right now the last thing I'm thinking of was that it was 2300, I just—

Q: Whose responsibility is it to keep the log?

A: The log is, uh--, the Romeo I guess. Everybody writes down anything, if I was—

Q: Just who----

A: Just whoever is getting information, or whatever is going down. Like I said, I could be putting oil in the EPP, or battle shorting, and someone like catches a message on the radio and they'd write it down.

Q: Well according to the log, you were on duty at, it's hard to tell, but it----

A: The numbers on there, sir are Zulu time, they are not local time, they're Zulu time.

Q: Ok, well but you were on duty then, at uh, it would have been, that's 1900, at around 1600 local time?

A: 1600?

Q: Yeah, right here it is hard to tell.

A: At the time I don't know if it was uh--, it was a set time, you know 4 hours in the day time, and 4 hours at night time, but it was, it would be 1100-1500 in the day and 2300-0300 at night. Like the same hours, but in the pm.

Q: Ok, got it. I guess I am a little confused, because there is a log entry here at 1900, well the time is hard to read, but the two that its in between is 1957 and 2120, ok, are you with me. Well here, just look at that—. Those are your initials to log in, correct?

A: It's uh—it goes from 1957 to 2120, you're right.

Q: Does that, I mean, does that kind of jog your memory about where you were, or what was going on at that time, or where you were at then? Because that would be about--.
Because if that was in Zulu----

A: Right, and then, see, what it looks like it might have, they might have, it looks like Zulu time right here, and then right here they were putting local time.

Q: Ok

Q: Questions from BG Lennox.

A: Answers from SPC 

Q: Are those your entries?

A: These down here are someone else's. 

Q: And up top, are those yours?

A: These right here, yes, sir. Right here with my initials.

Q: Questions from LTC [REDACTED]

A: Answers from SPC [REDACTED]

Q: Well, this one says, you wrote, mode 1 codes were received from B 2/1. Do you recall that?

A: No sir, I don't remember anything right now.

Q: Ok, well let's just say for the sake of argument that mode 1 codes were received just like you wrote it here. What would you do with them?

A: I would have given them to 1LT [REDACTED]

Q: Questions from BG Lennox.

A: Answers from SPC [REDACTED]

Q: I am going to give this back to you and just ask you to read that line and tell me whether or not you entered it. I don't know if you recall the event or not, but if you just read the second line here in red, and tell me whether or not that's you that entered it, and what it says.

A: The second one right here?

Q: Yeah.

A: It says mode 1 codes were received from B 2/1. Logged, and then my initials. Mode 1 codes received were from the 24th to 31st.

Q: (Question from LTC [REDACTED] And that is your handwriting?)

A: Yes sir, it is my handwriting.

Q: Let me ask if anyone else has a question.

Q: Questions from Wing Commander [REDACTED]

A: Answers from SPC [REDACTED]

Q: You said that you were watching the TCA's screen.

A: Yes, sir.

Q: I got a bit confused as to what you then did. Did you then go out to man the equipment outside, is that correct?

A: No sir, not when I saw that.

Q: So you were in the van for the duration of the engagement [REDACTED]

A: Yes, sir.

Q: Can you tell me what was displayed on the TCA's screen? For example, does it display both, any TBM threats, and any ABT threats?

A: [REDACTED]

Q: Were there other friendly aircraft displayed?

A: There were other aircraft displayed.

Q: Questions from BG Lennox.

A: Answers from SPC [REDACTED]

Q: There were other unknown aircraft, or there were other—

A: It looked like a couple unknowns, and a couple friendly.

[The witness was warned and released from the room pending recall.]

[Redacted content]

AFFIDAVIT

I, SPC [Redacted], HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE [Redacted]. 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.

[Redacted signature]

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 5th day of April, 2003 at Camp Doha, Kuwait

MSG [Redacted]
CFLLC-SJA
CAMP DOHA, KUWAIT APO AE 09304
ORGANIZATION OR ADDRESS

[Redacted signature]
(Signature of Person Administering Oath)

[Redacted name]
(Typed Name of Person Administering Oath)

Assistant Staff Judge Advocate 320AANDC
(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

TOTALS [Redacted] STATEMENT

PAGE OF PAGES

TAB BI

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 2632; 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
FINE 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 New Jersey	2. DATE (YYYYMMDD) 2003 MAR 23	3. TIME 0824	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-4	

8. ORGANIZATION OR ADDRESS
C STRY 5-52 ADA

9. I, SPC [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

LAST NIGHT MY CREW 1 LT [REDACTED], SPC [REDACTED] AND MYSELF WERE ON shift. My CREW IS TABLE III CERTIFIED AND HAVE HAD PROPER TRAINING PRIOR TO DEPLOYMENT. LAST NIGHT WE HAD AN ARM [REDACTED]. COMMUS HAVE BEEN BAD SINCE WE'VE BEEN ON SITE. COMMUS WITH BATON ROUGE HAVE BEEN BROKEN & DISTORTED MANY TIMES. WE HAVE NEVER HAD COMMUS WITH DETROIT ELEMENT. THE ARM QUICKLY APPEARED AND COMMUS WERE ATTEMPTED WITH BATON ROUGE ELEMENT. NO COMMUS WERE GOOD AND THE DECISION TO BRING UP LAUNCHERS AND ENGAGE WAS CALLED BY 1LT [REDACTED] AND SPC [REDACTED] IN SELF DEFENSE [REDACTED] QUICKLY DROPPED AND CLOSED IN ON US. THE MISSILE INTERCEPTED [REDACTED] ON SCREEN AND THEN I QUICKLY BATTLE SHORTED EDR. I CAME BACK INTO THE ECS. WE CALLED IN [REDACTED] TO OUR CP AND BATON ROUGE ELEMENT AS SOON AS WE WERE ABLE TO GET IN TOUCH WITH EACH. WE THEN REPORTED EVERYTHING FROM THE AIRCOPY. NO EDR TAPE WAS AVAILABLE AS THE EDR WAS NOT WORKING.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 27 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
E. BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

I HAVE BEEN READ MY RIGHTS. I DO NOT HAVE UHF COMMUNICATIONS ON THIS SITE. ALL THE ONLY COMMS WE HAVE WITH HIGHER IN THE ECS ARE A HAND HELD RADIO WITH OUR CP AND SINGCARS WITH HIGHER. THE BATON ROUGE ELEMENT IS B2-1. THE DETROIT ELEMENT WAS DIBTRY. MY MOS IS 14E. I WAS THE 3IR IN THE ECS.

AFFIDAVIT

I, SPC [REDACTED], 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 INFLUENCE.

[REDACTED SIGNATURE]

(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

TAB BJ

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 3024, 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
PRINCIPAL USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
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1. LOCATION CAMP NEW JERSEY, KUWAIT	2. DATE (YYYYMMDD) 20030323	3. TIME 0824 hrs.	4. FILE NUMBER
5. LAST NAME FIRST NAME MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-1	
8. ORGANIZATION OR ADDRESS C/552			

9. I, [REDACTED] 2LT ADIA, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I do not remember exact times as the lights in the tent were out and the Chem lights did not provide enough light to see the clock in the CP. We had been pulled out of the tents and into the bunkers due to a possible ~~immit~~ threat to the camp. I was at my assigned location, the CP with SGT [REDACTED] and PVT [REDACTED] and the BTRY commander CPT. [REDACTED]. There was much confusion to the whole situation as commo with any higher was poor. Both cell phones were having difficulty getting a signal, the phone was very static ridden. The only commo between the CP and the ECS was a hand held walkie-talkie which was very difficult to understand at times. I then remember hearing three blasts from the ECS; external alarm and immediately a shot went out from the launcher. As this happened everyone in the CP jumped onto the ground and masked. The BC (CPT [REDACTED]) left for the ECS. Immediately DEUMAIAN (2-44) called over the DONT stating they had ~~not~~ no track and wanted an update. At the same time MAS [REDACTED] called over the cell phone wanting to know why our launchers were operate and wanted to talk to the BTRY commander. The walkie Talkie

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

STATEMENT (Continued)

was too hard to understand and so we sent a runner to get CPT. [REDACTED] It was a good ten min before the BTRY Commander returned. At this time DIU main (2-44) called again for an update, repeating they had no track. At the same time PROVES stated that no such launch had been mentioned/prepared over the squawk box. CPT. [REDACTED] at this point told me that it was an ARM attack. She talked thru the MAJ. over the phone but I do not know what was said. At this point events from my end moved away from commo w/ the ECS and to the H&H crew. But throughout the rest of the early morning the Maj called several times and the BC (CPT. [REDACTED]) let SGT. [REDACTED] answer the call on several times. She reiterated several times that it was an ARM attack. Soon afterward SGT. [REDACTED] and LT. [REDACTED] were in the CP to write statements of what had happened. - My rights have been read to me and I fully understand them.

INITIALS OF PERSON MAKING STATEMENT [REDACTED]

PAGE 2 OF 3 PAGES

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section , 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
PRINCIPAL 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 NEW JERSEY, KUWAIT	2. DATE (YYYYMMDD) 20030323	3. TIME 0824 hrs.	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-1	
8. ORGANIZATION OR ADDRESS C/552			

9. I, [REDACTED] 2LT ADA, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I do not remember exact times as the lights in the tent were out and the Chem lights did not provide enough light to see the clock in the CP. We had been pulled out of the tents and into the bunkers due to a possible threat to the camp. I was at my assigned location, the CP with SGT [REDACTED] and PVT [REDACTED] and the BTRY commander CPT. [REDACTED]. There was much confusion to the whole situation as commo with any higher was poor. Both cell phones were having difficulty getting a signal, the phone was very static ridden. The only commo between the CP and the ECS was a hand held walkie-talkie which was very difficult to understand at times. I then remember hearing three blasts from the ECS; external alarm and immediately a shot went out from the launcher. As this happened everyone in the CP jumped onto the ground and masked. The BC (CPT [REDACTED]) left for the ECS. Immediately DEUMAIOS (2-44) called over the DWT stating they had ~~not~~ no track and wanted an update. At the same time MAS. [REDACTED] called over the cell phone wanting to know why our launchers were @ operate and wanted to talk to the BTRY commander. The walkie Talkie

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

STATEMENT (Continued)

was too hard to understand and so we sent a runner to get CPT. [REDACTED] It was a good ten min before the BTRY Commander returned. At this time DIV main (2-44) called again for an update, repeatedly they had no track. At the same time PROVES stated that no seed launch had been mentioned/prepared over the squad box. CPT. [REDACTED] at this point told me that it was an ARM attack. She talked thru the MAJ. over the phone but I do not know what was said. At this point events from my end moved away from commo w/ the ECS and to the HST crew. But throughout the rest of the early morning the Maj called several times and the BC (Cpt. [REDACTED]) let SGT. [REDACTED] answer the call on several times. She reiterated several times that it was an ARM attack. Soon afterward SGT. [REDACTED] and 1LT [REDACTED] were in the CP to write statements of what had happened.

- My rights have been read to me and I fully understand them.

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]
(Signature of Person Making Statement)

WITNESSES:

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

NAME OF PERSON MAKING STATEMENT
[REDACTED]

TAB BK

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 2635, 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 and reliably identified.
OTHER 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 <i>C-5/52</i>	2. DATE (YYYYMMDD) <i>20030322</i>	3. TIME <i>0830</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>ES / WOIC CP</i>	
8. ORGANIZATION OR ADDRESS [REDACTED]			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 Myself and 1sg [REDACTED] was out side the tent talking about putting someone in a bunker by the chow tent. We broke apart to get this done. I was walking back to the CP when the patriot missile launched, I masked and ran in the CP to ask if there was a scud launch, my RTO Puz [REDACTED] said nothing came over the Radio Sgt [REDACTED] was on the hand held trying to get intel on what happened. I then ran to the scud bunkers to get a head count. When I returned there was still no info on why we launched. No one seemed to know if we were to stay in MOPV or not. So I called the ECS on the hand held, I could not get through to them. There was 3 Blast of the Horn on the ECS, which to us (The Battery) is scud launch. We get our scud launch from the Satcom Radio, the ECS and the Base camp siren. No scud launch ever came over the Satcom. WOIC of the command Post.

I have Been read my rights. [REDACTED]

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</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.



AFFIDAVIT

_____, 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 INFLUENCE.

(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)

INITIALS OF PERSON MAKING STATEMENT

(Authority To Administer Oaths)

PAGE OF PAGES

TAB BL

TAB BM

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

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

1. LOCATION <i>C Btry 5-52 ADA</i>	2. DATE (YYYYMMDD) <i>20030323</i>	3. TIME <i>0910</i>	4. FILE NUMBER
5. LAST NAME - FIRST NAME - MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>E5 Active Army</i>	
8. ORGANIZATION OR ADDRESS <i>C Btry 5-52 ADA</i>			

9. I, SGT [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 on 23 March 2003 at approximately 0130 to 0200 hrs C Btry 5-52 ADA
 Fired a missile [REDACTED]
 [REDACTED] by the on shift ECS crew 1LT [REDACTED], SPC [REDACTED], and SPC [REDACTED].
 I came on shift at about 0001 hrs at approximately 0630 we received
 a scud launch from the ECS, after about 20-25 minutes we received the
 "All Clear" from the Commander. Around 0130 or so SPC [REDACTED] came to the
 tent to inform us of a ground attack at Camps Pennsylvania and Virginia
 involving small arms and grenades. After receiving this intel I call the
 New Jersey Mayor Cell to inform them of the situation. About 15 min or so
 sent by before the sea-missile was launched, upon the launch we all
 got down on the floor, none of us knew what it was or what had happened.
 I grabbed the hand held and asked "ECS this is CP, what the F..K was
 that?" I was told that [REDACTED] had just been taking [REDACTED] taken out.
 After going back to MOPPY I quickly informed the commander that the
 ECS had taken down [REDACTED], she asked if there had been
 warnings I told her no. NO information had come from the ECS prior to the
 launch and no info information had been heard being relayed over the
 SATCOM early warning radio. The rest of night was spent focusing on
 force protection. I SGT [REDACTED] have been read my rights.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT [REDACTED] TAKEN AT [REDACTED] DATED [REDACTED]"

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section Title 5 USC Section 2951; E.O. 9397 dated No. per 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
LINE 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 <i>KUMHAT C 5-52</i>	2. DATE (YYYYMMDD) <i>20030323</i>	3. TIME <i>0900</i>	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS <i>E-2/A2</i>	
8. ORGANIZATION OR ADDRESS			

9. I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I WAS STANDING IN THE CP TENT WHILE JUST COMING OUT OF MOPP4. AT THAT TIME I HEARD A PATRIOT MISSILE LAUNCH. THE TIME WAS AROUND 0130-0230. I CAME ON SHIFT AT 0000 OR MIDNIGHT. I THEN WENT BACK INTO MOPP4. THE FIRST THING THAT HAPPENED WAS A SOUND LAUNCH SIREN. I STAYED IN THE CP TENT TO GET A GRID. THEN IT WAS SAID TO BE A SPURIOUS LAUNCH. I GOT NO GRID, BUT IT IS UNKNOWN TO ME WHO SAID IT WAS A SPURIOUS LAUNCH. I HAVE BEEN READ MY RIGHTS.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>1</u> PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"

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

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

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)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT

PAGE () OF () PAGES

TAB BN

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section . Title 5 USC Section 2951; E.O. 9397 dated Nov .ber 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
PRINCIPAL 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 C Btry 5-52	2. DATE (YYYYMMDD) 2003 03 23	3. TIME 0841	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-2	
8. ORGANIZATION OR ADDRESS C Btry 5-52			

9. I, PV2 [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

AT 0300 this morning I was manning the RTO IN the CP Tent. we had just gotten word that Camp Virginia was being fired on. so All the CP Personnel was on shift in the CP tent, when we got the ~~Sound~~ ^{Alert} signal not even a minute later there was a loud Boom ~~at~~ ^{was} Every body in the tent hit the floor there was no warning at all about the missile coming. The ECS said [REDACTED] There was never any warning about any of it over the Satcom. before that we thought we had been impacted by a sound. Lt [REDACTED] and Sg [REDACTED] Explained to me what [REDACTED] and Alert given By ECS I came on duty at 0245

I have been Read my rights

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 AT THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE BE INDICATED.

TAB BO

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 Al Salem	2. DATE (YYYYMMDD) 2003/03/28	3. TIME 1200	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O2/1LT	
8. ORGANIZATION OR ADDRESS BTRY, 5-52 ADA			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

[SEE ATTACHED 37 PAGE TRANSCRIPT]

9. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF <u>38</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.

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED]
(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)

NAME OF PERSON MAKING STATEMENT

PAGE OF PAGES

[BG Lennox made the following open statement to 1LT [REDACTED]]

The general nature of the proceedings is that this is a combined investigation of the United States it is in AR 15-6, Board of Officers, conducting an investigation. This is directed by the Commander of CENTCOM, and the Commander of the Combined Forces Air Component Command, General Mosley, and it is appointed by MG Bromberg, the Commanding General of the 32d AAMDC. The United Kingdom Board of Inquiry, Air Force pursuant to the rules of 1956, directed by the Air Officer Commanding in the First Group of the RAF, conducted simultaneously following the rules of each countries services. A separate Accident Investigation Safety Board, under the provisions of 385-40, will be conducted by the Safety Office of the Combined Forces Land Component Commander, at the direction of the Commander CFLCC, will also take place. You will be asked questions again by another board, but that's a Safety Board for separate purposes. A different focus, or terms of reference will be for each board, but there's a common goal of determining the facts and circumstances surrounding the incident. There are some different procedures that I will explain. For the United States there is no Initial Rights Advisement. For the United Kingdom an Initial Advisement of Rights will be given. To rationalize procedures the United States representatives will each administer an oath to each of you at the start of testimony on behalf of both boards. So, there will be a statement given at the start that will cover both boards. The United Kingdom representative will provide you with an advisement detailing your rights as to their board. They have separate rights, and Wing Commander Cockram will explain that to you when I'm done. You will receive a Rights Advisement from a United States Board Representative if you're suspected of a violation. I do not suspect you of an offense

under the UCMJ, and I do r intend to advise you of your rights unc he provisions of Article 31, of the UCMJ, at this time. Your unit's advised you of your rights in the past, or in the conduct of their initial inquiry. While you made a statement during that initial inquiry, you're not compelled to make a further statement, but the board would be then compelled to rely on your past statement alone if you chose to do that.

Do you have any questions? It's pretty complicated.

Are you sure?

A: No, sir. [Answer from 1LT [REDACTED]]

Okay ay, I'm going to turn it over now to Wing Commander [REDACTED]

[Wing Commander [REDACTED] read the following statement, "Information For U.S.

Witnesses", which will be inserted at this point in the record.]

[END OF PAGE]

[1LT ██████ did not have a questions about the statement read . Wing
Commander ██████

[1LT ██████ was sworn and his testimony before the board follows]

[Questions by BG Lennox.]

[Answers by 1LT ██████

Q: You job in the unit is the Fire Control Platoon Leader?

A: Yes sir, I am the Battery Trainer.

Q: Can you tell everybody what, a little bit about what a Fire Control Platoon Leader, what the Battery Trainer's responsibilities are?

A: The Fire Control Platoon Leader is mainly responsible for the entire site. I am the site OIC. The Fire Control Platoon Leader always is supposed to have the most technical knowledge about the patriot weapon system, about laying it, placing, and moving, anything that has to do with Patriot. The Fire Control Platoon Leader is supposed to be the expert at the Battery level. As Battery Trainer, I am also responsible for training all the engagement control station crews, and ensuring that all our launcher station crews, and basically all of the crews in the entire battery become trained and are proficient at their job.

Q: Lets talk a little about the training mission first, if you don't mind. So it is your responsibility to train the crews, and in this case, 1LT ██████ and her crew in particular. Can you tell us a little bit about the training that she went under since she joined the Battery in November?

A: 1LT ██████ crew, in that particular case, when she came to our Battery, it was around November. She became the XO right away. As XO, especially with the ongoing deployment and tension rising, and trying to get ready to roll out of Fort Bliss, um-- she didn't have a lot of time to train. So, um-- and also we had several Battery level requirements at that time, i.e. ranges and other distracters, so she really didn't have a lot of training opportunity. So before we left, I trained her, she had about a week to a week and a half of training, which is not a whole lot of time, but that is what she had. And uh-- and she Table 8'd at the Battalion level with her crew before we left. As you know, sir, Table 8 is considered good enough to fight in combat.

Q: Can I stop you for a second on that? Can you tell me how she did the Table 8? Was it done any different than normally because of the time compressed situation environment that you had?

A: Yes, sir. Um-- C Battery 552, we've been constrained on our training time for several different reasons. Every other Battery in 552 did a mission readiness exercise (MRX) before they left to validate that they could actually do their job over here in combat. We did not have that opportunity because of various constraints that were put on us. Also, um-- in 11T [REDACTED] crew, every crew in the other Batteries had an opportunity to do an ORE--

Q: Operational Readiness Exercise?

A: Right, sir. Mainly for TBM's.

Q: Where you have people come in and watch you and evaluate your performance?

A: Right. We did not have a chance to do that. For 1LT [REDACTED]'s specific Table 8 evaluation, she did a March Order and Emplacement crew drill, and then she also did an Air Battle. In that Air Battle, it covers basically everything, it also covers the ORE and it covers every type of tactic that you will be using out here.

Q: To include ARM'S on that?

A: Yes, sir.

Q: So my original question was, was it a requirement for a Table 8 is March Order, and placement, and Air Battle. So was hers conducted to standard?

A: Hers sir, it was conducted to standard, however, it was conducted differently than the others. Typically it was 552 ADA's policy to, if you fail, say the Air Battle that day, you have to wait 72 hours to make sure you go back, get some retraining, and then take another Air Battle. But that day they ran, she ran her first Air Battle, she failed, an hour later they gave her another Air Battle because of time constraints at that time. Also, she did not do the ORE, which is not directly related to this incident, but, you know, it--

Q: It would have been more training.

A: Right, sir.

Q: I thought she told us yesterday that she was a first time go in her Table 8.

A: She was a first time go, sir, in the sense that she passed on the first day, but she did fail her first Air Battle. Now whether 552 ADA, whether their EMO has that documented or not, I couldn't tell you, sir. The only paperwork that I have seen is that she passed.

Q: Who tested her on Table 8?

A: 1LT [REDACTED]

Q: Your Battalion level—

A: Tactical Director.

Q: Okay, great. We have a copy of your earlier statement that you gave to MAJ [REDACTED] and I'd like to review it right now if you do not mind. Just take a minute and make sure... Is that, in fact your statement?

A: Yes, sir.

Q: Okay. In that statement, you were pretty hard hitting about training concerns. Can you tell me what training aspect that you think, in this particular incident, additional training that might have helped, or that was not done, or anything else that you'd like to add to that statement?

A: Well, sir, what I can say is, um-- an experienced uh-- ECS crew, I mean I cannot personally judge, I do not know what I would have done if I was in the chair. But I have a lot more experience than that crew does, but the more experience and the more time you have behind the scope, the less likely something like that is going to happen. Now she has been behind the scope for like a week and a half, and that is typical across our Battalion. That is why I wrote that in my statement. There has been a lot of training concerns, a lot of limited training time in our Battalion. I always thought that was a big concern. Um-- And that is why I am so adamant about that today.

Q: Okay. Did you get an opportunity to do any additional training once you arrived, that week, week and a half was before she was Table 8 certified—

A: Right, sir.

Q: Did you get a chance to do any additional training when you arrived in theater, or were you put right into the job—

A: Sir, when we arrived in theater, we were at Camp Virginia, I can say that here, right sir?

Q: Um hm.

A: We were there for, about, I think it was about 3 or 4 days, and then we assumed mission right after that. So there was no additional training time. The best that we could do would be for me, which I did, I would go in the ECS and go over things with them.

Other than that, unless you like Troop proficiency Trainer (TPT), there is not a whole lot you can do.

Q: Were there any opportunities to do a TAC seminar kind of things, or were there anybody grouped together at Brigade or Battalion to discuss tactics in theater?

A: We, sir, prior, we just had um-- our Battalion has been undergoing a lot of changes, and we used to have 2 tactical directors that were both Captains, and they were very experienced, and we used to have tactical seminars every week. And for myself, at the time, I was a Junior Fire Control Platoon Leader, I learned a whole lot. But after they left, that was in, I believe October, the new tactical directors were less experienced and we've never done a single TAC seminar since then.

Q: Okay. Can you tell me a little bit about, since you were the trainer and trained 1LT [REDACTED] can you tell me a little bit about what you trained her to do in the case of an ARM engagement, in particular. What are the normal procedures for someone of her experience and position who is certified? What is a normal thing for them to do?

A: [REDACTED]

Q: Trails mean?

A: [REDACTED]

Q: Later on?

A: Right sir. That is the procedure. [REDACTED]

Q: And what are the proper steps for you to do?

A: The proper steps, sir, is when you see and ARM on your scope, you would call battalion. You would call the ICC, you would notify them that you have an ARM on your scope, because usually they are going to pop out a little further so you are going to have a little bit of time. They would correlate that with you, and then discuss the situation.

[REDACTED]

[REDACTED] So your first step, if you were doing it by the book, would be to [REDACTED] What that does is it basically, when you have an ARM on your scope, the [REDACTED] When it meets those [REDACTED] you see the ARM on your scope, you hit [REDACTED] and the system [REDACTED] At that time, if you [REDACTED] If you don't then you can't make that positive identification.

Q: Okay. But you said, in this case, that we are not doing automatic mode. Why are we doing manual mode?

A: Because of the [REDACTED] sir, they have been popping up on the screen. Particularly in this instance. I had been on shift for the last few weeks, and I've seen one [REDACTED] And I know other crews have seen them, too. I believe that the reason we are not doing um--um-- [REDACTED] because of uh-- the [REDACTED] on the screen, and two, because there is not a significant ARM threat in our area, down here where we're at in Kuwait.

Q: Okay. So you've mentioned a couple of things here. I just want you to slow down a little bit and let me make sure I understand. When you say [REDACTED] are you talking about a ghost track, or are you talking about a mischaracterization of an ABT [REDACTED]

A: [REDACTED] sir, could be either a ghost track or it could be a real track that for some reason is passing inaccurate data back to your system.

Q: And when the one you saw, which one was that? Do you know?

A: That was a ghost track, sir.

Q: Okay, alright, now lets go back to the procedures you take when you, oh I'm sorry, so the decision was made to go to manual engagement.

A: Right, sir.

Q: Was that to provide additional safeguards, or—

A: Yes, sir. That decision was made because, [REDACTED]

[REDACTED]
[REDACTED] e. Even if you fire at nothing, you've wasted a missile. So those are the two main reasons why they [REDACTED]

Q: So it is an additional safeguard?

A: Yes, sir.

Q: What does SPINS say about engaging ARM's, do you know?

A: Sir, the SPINS right now says that all ARM engagements [REDACTED] but that also gets dictated down the current STO, like remarks on STOs as well. Because the SPINS can also be superseded. Like right now, it is superseded as well. So things change, have been changing on a daily basis out in theater. So we're reacting, well actually, at the time of that incident, I have to go back and look at the record, sir, but I would want to say that we did not have the SPINS, or if we had it, we had only had it for about a 24 hour period, but I have to look back and see when I signed for that. Because we were in country, we had already assumed mission and we still had no SPINS at all. We were going off of what the ICC was passing down.

Q: We have a copy of the SPIN, and if my memory is correct, it says... let me see if we can find it. [pause]. The special instructions or the SPINS, [REDACTED]

[REDACTED] What does that mean to you, [REDACTED]

A: Can I read it, sir, real quick...

Q: Sure, we just highlighted that area there for you.

[Pause while reading the SPINS.]

A: Sir, basically what that's telling me as an operator inside an engagement control station, is that's telling me that if you have an ARM on your scope, that it is a self defense threat. That is something that is a big deal, you need to take immediate action. That is not saying to... that is not telling me to engage it, it says once identified, ARM'S

will be immediately manually engaged. Um... so it just tells me that an ARM on scope, that's something that's a really big deal, and I need to look at it more closely.

Q: What makes it a self-defense threat to your asset?

A: Sir, what makes it a self defense threat is actually the Air Threat Category, the ATC. And what that is, is its affected by this value called a TMAT, which is a Threat Modifier Altitude Threshold. [REDACTED]

[REDACTED] But what happens is, when a track or, well see for ARM'S it is different because they are direct self-defense threats. So if they are predicted to actually hit your asset, it will give you an ATC warning. But if they are not, it will give you an [REDACTED] But for ABTs, if it is flying below the TMAT and it meets the certain hostile criteria, it'll give you an [REDACTED] depending on which asset it is protecting. So it is kind of, there is a lot of things that go into that, but...

Q: And when an ARM pops up, you do this normally. Someone is trained to go look at all these things draw this conclusion?

A: Yes, sir.

Q: And that is at the Table 8 level?

A: Yes, sir.

Q: So the expectation that 1LT [REDACTED] should have looked at the threat level, the ATC, and determine whether or not it's a threat to her asset is part of this process?

A: She, the crew, I wasn't in the ECS at the time, but the crew, they're trained to look at the speed, the altitude, the altitude should be dropping, it shouldn't be constant. If it is constant, it is telling you that something is wrong. It doesn't make sense. The speed, the altitude, the ATC and actually, well in that case, you know the code, you know mode from 01, the IFF, SIF response.

Q: Okay. If you had an [REDACTED] headed toward your asset, in a self-defense mode... I am trying to wrestle in my mind... I don't want to put words into your mouth, so I'm trying to CAREfully phrase this... In training, how fast could the [REDACTED] attack your asset, in the training tapes that you went over with 1LT [REDACTED] traditionally?

A: Over [REDACTED]

Q: So that is very, very fast.

A: Yes, sir.

Q: And how much time do [redacted] normally have to react when you see ARM symbology?

A: Well, sir, that would depend on how far it is out, I mean if it is launched from pretty far, you have longer, but I would say—

Q: For example if it showed up at [redacted] from your asset—

A: [redacted] sir, I would say you have somewhere around 15 seconds.

Q: Okay. Given that an ARM symbology showed up on your radar, and in training you think they go very quickly. Would you think that that you are under a lot of time pressure?

A: Yes, sir. Actually, I know what you are getting at, sir. These crews, and for myself, too, when I saw my first scud on scope, or ARM on scope, you think, because in training they fly across the scope very quickly, so you're taught to react very quickly. But in theater, they do not move that fast, its... so... you have a lot more time than you think you do, because when you train, you're taught to react so quickly because the Air Battles that we train on, in my opinion are unrealistic. They are too, there are too many things going on at one time, so all it trains you to do is just react. And that is fine, but out here it is more complicated than that.

Q: So I guess you are talking about really the difference between training and education.

A: Yes, sir.

Q: Training to a minimum standard, and then educating to go beyond that standard.

A: Right, sir.

Q: And we consider Table 8 the trained level, Okay. So would you think it reasonable for 1LT [redacted] to think if she saw this popped up, and we're trying to get reasonable, pop up at [redacted] you'd think that you have to engage earlier in Order to look and then reengage. A "Shoot, Look, Shoot" type of engagement, or is it unreasonable?

A: Well sir, if it's a self defense threat, within [redacted] then you would actually engage that ARM with the salvo method of fire, but, so if it was that close, it is reasonable to think, it depends on the TLO, you have to look at the TLO, sir, because—

Q: TLO is time to last launch?

A: Right, sir. And if you have 20, if its 20, you're watch it count down. So you know you have a little bit of time. But if its 5, you know you need to engage right away, and you have 5 seconds to get to that, so...

Q: Okay. I may want to come back and ask you question or two later today. That is enough for right now. I am going to turn you over to LTC Jassey.

[Witness requested a break. All parties present prior to the break were present. Witness was reminded that he was still under oath.]

[Questions from LTC [REDACTED]
[Answers from 1LT [REDACTED]

Q: You talked about going through and evaluating, teaching the new Lieutenants how to evaluate ARM's. Are there procedures written on how to evaluate ARM's?

A: Sir, there are certain procedures in TSOP.

Q: What are they?

A: Well they are not really procedures, sir, it gives you like a um... an ARM parameters chart. And what that chart is, is mainly it just says the altitude and speed of the different types of ARM'S that you would most likely encounter in combat.

Q: Okay. What are the speeds?

A: Well sir, it depends on the type of ARM, I mean there are several—

Q: Well what are the systems set up as?

A: [REDACTED]

Q: Okay. [REDACTED] (inaudible)--

A: Yes, sir

Q: And what about altitude criteria, are there altitude criteria that uh—

A: Well, sir, it depends on the ARM, now. Most ARM's have a, like once they get fired, they kind of come down on top of you. Its like a flack trajectory, but its descending on you. [REDACTED]

what I believe, the best of my knowledge, I would believe that there is similar logic, but I'm not sure exactly, um... where that logic, you know, what it does.

Q: Do you remember the tactics class that Chief Sprinkle and I gave in Battalion last November or so? Were you there, it was on a Saturday for about 4 ½ hours?

A: Yes, sir. I remember that—

Q: We talked about the threats you may see over here. We talked about some tactics and technique procedure because of problem. [REDACTED]

A: I don't, sir, [REDACTED] where I got that information is actually from a Raytheon representative, but I do not remember if you specifically addressed that [REDACTED]

Q: Do you recall that we talked about ARM's, and its not just [REDACTED] Do you recall that?

A: No, sir.

Q: Okay Because of that, you are correct to say that uh... how the system determines it's a threatening target is based on GIP box type methodology.

A: Right, sir.

Q: The ballistic, when the ARM is rising it certainly isn't threatening at all, and so to alleviate that weakness we had to do what with the ARM's? Do you recall what TTP was? What you should be training your Lieutenants to do?

A: For the PB5 plus, sir, with the new [REDACTED]

Q: The PB5 plus.

A: Right, right sir, um... with that, as far as I understand it—

Q: When you are saying [REDACTED] are you referring to the [REDACTED] that was issued about the middle of this month?

A: Ours was issued um... you know what, sir, I am not even sure, because we've had so many different—

Q: Okay, we'll get to that in just a second.

A: Okay, as far as I understand it, with the new software PB5 plus, the way to engage an ARM is when it comes on your scope, you [REDACTED]

Q: Why?

A: [REDACTED] This is the way I understand it, sir. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Q: And [REDACTED]

A: [REDACTED]
so what it does is [REDACTED] it doesn't, [REDACTED] is not, I think I misspoke earlier, because [REDACTED] doesn't make your engagement automatic, it helps the radar-- Because when an ARM, okay, let me back up, sir. When an ARM is fired, you have, it locks on your radar. So [REDACTED] authorizes it to like [REDACTED]. So the ARM cannot exactly like jam your radar so you can still engage the track. It is actually, if you tab 78 page 3, where you have the ASM, the Air Surface Missile, engaging with the auto, so I think I misspoke earlier. Because I remember saying that [REDACTED] what you bring up to automatically engage—

Q: Pressing [REDACTED] does that implement [REDACTED] is that what you are suggesting?

A: No, sir, it doesn't. I am suggesting that the [REDACTED]
[REDACTED]

Q: Okay, so do you recall some of your classification problems that we talked about during that class?

A: Negative, sir. Not off the top of my head.

Q: Do you recall any issues about short range SCUDS. The threats we talked about were the ABABIL, the Al SAMOUD, the Al HUSSEIM, and all that.

A: I recall um—

Q: What is the, what is the challenge with an ABABIL that has been fired and it hits them in range.

A: I couldn't tell you off the top of my head, sir.

Q: What is the challenge with having any ballistic missile that has been fired inside 70 Kilometers?

A: Any ballistic missile? I could not tell you off the top of my head, sir. I am not sure what you're--

Q: What search sectors are active, what is the difference between TBM search and ABT search?

A: TBM search searches a higher search sector, sir. When you go into TBM search you drop long range. So it searches like, higher and closer to you. [REDACTED]

Q: [REDACTED]

A: [REDACTED]

Q: [REDACTED]

A: [REDACTED]

Q: [REDACTED]

A: [REDACTED]

Q: [REDACTED]

A: I don't recall that from the class, sir.

Q:

A: No sir, I don't recall that.

Q: Okay, Lets talk a little bit about procedures. What are the crew change over procedures? I assume that you, are you the one that set up the crew change over procedures in your respective—

A: Yes, sir.

Q: Give me the-- what those procedures are every time.

A: Well, sir, every time we have a crew change over they are going to go over the log, any significant events that happened during that shift, any AKO or STOs that happened, we have a specific list inside our engagement control station, so that list was modified off of the ARCENT crew change over checklist because we found the ARCENT crew change over checklist, when you're changing crews out every 4 hours was too much, because by the time you got done with all the proper checks, there was not enough time behind the scope. That is what I felt. So we took that and modified it in Order to get all the pertinent information out, and to keep the equipment up and running.

Q: Okay, so can you give me a feel for what is on that checklist?

A: Yes, sir. What's on the checklist would be, for example, the TCA would check the generator, the oil on the EPP, they would check the generator fuel and oil levels while the TCO's would brief each other on any tactical updates, any AKO STO changes, any data base changes, anything significant. Any commo logs, anything significant that happened within that time frame, while the 31R would be briefing his counterpart, or her counterpart the commo portion of what happened on that shift.

Q: Okay. Do you validate tabs?

A: Yes sir.

Q: What do you validate all of the tabs?

A: Yes, sir.

Q: So every tab you are supposed to go through and make sure that—

A: Right, sir. And if there is a discrepancy in the tab, at that time you would work that out with your counterpart.

Q: Describe to me the process and who has responsibility for making sure that we have the air space control Order, the SPINS, the SAM STAT rep, the STO, those types of things.

A: It would depend on the time, sir, because with the 4 hour shifts it was hard to plan, because those times are constantly changing as well. So it would be the TCO on shift.

Q: What times are constantly changing?

A: Well, sir, like when we were under 552, they wanted, say the SAM STAT rep at certain times, and at other times they didn't want it. And when we were under, right now we have communication with 2-1 so they want different reports at different times. Sometimes they issued STO's, sometimes they didn't. Sometimes they issued AKO's, sometimes they didn't. So it would all depend on who is on shift at that time when that information would be passed up.

Q: Okay, so what is the procedure, who, how are they received, how do we ensure that we have those things, who has that responsibility?

A: It would be the TCO on shift, sir.

Q: So the TCO on shift is supposed to ensure that we have the daily air space control Order?

A: Well sir, they are responsible for at least asking for it, and if the ICC tells you they don't have it, there is not much you can do.

Q: Okay. What time does the air space control Order come out?

A: In country it is supposed to come out at 0300Z.

Q: So whoever is on shift—

A: Oh, I'm sorry, 0300 zulu, I'm sorry.

Q: So whoever is on shift, it is in your procedures, you have this written out?

A: Yes, sir.

Q: Where is that written at?

A: They're on both the crew change over checklist for ARCENT, and also the crew changeover checklist that we've been posting inside the ECS.

Q: So at 0300, the on duty TCO is supposed to be asking for the air space control, or if they have not had it pushed through.

A: Right, sir.

Q: Okay, how about the SPINS?

A: The SPINS, that hasn't, I can't really speak in specifics with the SPINS because we haven't got it, in fact I didn't even really know that we had a SPINS until about 4 days ago when we got issued the SPINS. So when we came into country, there was a lot of confusion on the tactics because, you know, partly I guess you could say it is the Battery level's fault, and partly you could say it isn't, it's higher. Because when we got here they told us, 'get on this equipment and just watch the scope.' And if you asked questions, um tag questions about why certain tabs had to be a certain way, a lot of times they either didn't address it, or they just, they addressed it, but they would not explain why. So it was kind of frustrating.

Q: As a Fire Control Platoon Leader, I mean, that stuff was pretty much your responsibility, like I said before. So had you read the Order that your unit has, that, when you came in theater, at least sometime after you came into theater?

A: Which Order, sir?

Q: The Order your unit was given about the mission.

A: Never, sir I have not seen an OPORDER the whole mission. Any kind of mission statement or anything.

Q: What procedures are in effect, right now? How would you, describe to me what procedures are in effect. Where you go find how to do lane duck procedures, how to do IFF procedures, how to do—

A: For that, sir, I would look ___

Q: Operations, etc.

EEJ



A: I would look in the SPINS for that, sir, if, now that we have them. Prior to that, I would go off of what I was taught back in Fort Bliss, in the TSOP, or what the ICC had called down to us, daily. Because in the SPINS there is lane duck procedures, there are every sort of criteria laid out for you in the SPINS, but now—

Q: Are there criteria for independent operations and autonomous operations?

A: I don't, I mean, probably not in the SPINS, sir. I haven't read about independent autonomous. All I know about independent autonomous is what we have been taught in the FORSCOM TSOP, and in the Southwest Asia TSOP.

Q: Okay. What about the area air defense plan. Have you ever seen that?

A: Yes, sir.

Q: What is in there?

A: It is just basically, from what I took from it in the time that I read it was the threat, most likely, the most dangerous courses of action, a lot of IPB, things like that. And I also look ed at what was specific to patriot in that it talked about just different engagement, I can't remember exactly what it said, sir, but it was, you know.

Q: Was it pretty much an OPORDER kind of thing, or was there Patriot TTP things in there, or?

A: I am sorry, sir, but I do not understand the acronyms that you are using.

Q: Tactics, Techniques, and Procedures.

A: Okay. Well there is different, well see, when I read that it said on the top, on the um... [REDACTED] SPINS, it says on the top of that, these will be implemented by the CFAC, but you cannot use them until implemented. Well, the time we got them we only had FM's with B2-1. They did not know if it was implements or not, and you know, 552 had not told us anything.

Q: Well I was asking about the area defense plan.

A: Right—

Q: Were there any procedures in the area defense plan in how you had to operate your system, and or teach the Lieutenants, make sure they know how to operate the system.

A: Not that I saw, sir.

Q: There was nothing in there about, for example low missile procedures?

A: Right, sir. Low missile procedures. I mean I don't have the whole thing memorized in my head. What I took from there, I have it posted in the van. All I took was low missile procedures, that jogged my memory sir, I'm sorry, but low missile procedures and it also talked about how when you're in low missile procedures its [REDACTED] in low missile procedures, and that is basically it, sir from what I took.

Q: Okay, so you have the SPINS, you have the area air defense plan, you have the TSOP. Aren't there low missile procedures in the TSOP?

A: Right sir, they're different. [REDACTED]

Q: Okay, so how did you go about, what did you do, and what did you put together in your unit to put all this--?

A: I wrote it down on a piece of paper, sir, and taped it up in the van, and briefed the crews, each crew on that information. I mean, we did not have a lot of resources at our disposal to do that sort of stuff.

Q: Did you create a site data book ?

A: I had one form Fort Bliss, and I've been updating it since we've been here, yes, sir.

Q: So your site data book right now reflects everything that is supposed to be in every tab?

A: We have a hard copy in the database that we just got straight. So, yes, from that database that we have now, it reflects everything that is supposed to be in every tab. Because there is also conflicting information coming from 552's ICC and 2-1. Because the problem with that, when we rolled on the site and assumed mission, 552 had different ways of operating than 2-1, and 2-1 had been in country for a long time. And it wasn't until 2-1 actually came to our site, and I spoke with their TD that she helped me shed light on this. Because, I think when 552 got in country, they really didn't have that much to offer the firing Batteries.

Q: Okay. So, during crew changeover procedures, you are supposed to validate tabs.

A: Yes, sir.

Q: That includes IFF modes and codes.

A: Yes, sir.

Q: You are supposed to go in and validate what those modes and codes were. As we have discovered, the mode 1 codes were not loaded in the system. When 1LT [REDACTED] took over, which means they weren't in the system with the previous 1LT. When were you on duty?

A: I was on duty from 0300 to 0700 in the morning.

Q: And you weren't on duty any time after that before 1LT [REDACTED] was on that next night?

A: No, sir.

Q: Were the codes loaded when you were there?

A: Well let me think, let me make an accurate statement here... The codes, alright, I was on duty from 0300 to 0700, so it would be 1500 to 1900 that night before 1LT [REDACTED] crew, I'm trying to think of the time they engaged that track.

Q: 2347Z

A: Okay. I was on, yes sir, so I was on shift from 1500 to 1900 that night, as well. And as I have it--

Q: 1500 to 1900

A: Yes, sir Local, local. So as a habit, I always, the reason I wrote that in my statement was because as soon as I assume duty on my shift, as soon as 1LT [REDACTED] everything was being all cleared up, and the engagement was over with, I was scheduled to come on duty at 0300, so I did. When my crew came on, I looked through the tabs, I checked tab 73, and I did not see any codes, and I found that as odd. So I annotated it down, and that is why I put that in my statement. Now I don't know if--

Q: So, what did you do about it?

A: At that time, I got the codes and put them in tab 73, sir.

Q: Okay. And--

Q: [Question by BG Lennox]

Q: These are the mode 1 codes?

A: Yes, sir.

Q: This was afterwards, though.

A: This was afterwards.

Q: I'm talking about your duty before hand.

A: Before sir, when I was on duty those codes were loaded. To the best of my knowledge, they were loaded, because I load them every morning.

Q: And you were on, prior to this incident, you were on at what time?

A: It would be 1500 to 1900, and 0300 to 0700.

Q: So at 1500 to 1900, you came on duty. So did you have, so there was one person between you and 1LT [REDACTED]

A: Yes, sir.

Q: So the codes weren't loaded during crew change, we have testimony to that effect. So they weren't in there with the previous crew. What would cause the codes not to be in there?

A: Um-- either the system went, the only thing I can think of sir, is they rebooted for some reason, maybe had an RS isolated fault or something like that, and they didn't update the database. That is pretty much it, sir, it would be just like rebooting and not updating the database. I mean, once you put them in, they are not going to go away unless you manually delete them, until you reboot.

Q: Okay, When you have that situation occur, is there some record of that?

A: Of updating the database, sir? Oh, yes sir. There would be. There would be on the log. On the log it would say RS isolated fault, rebooted. It would specifically say that they, or it rebooted for this particular reason, dropped for maintenance, and rebooted.

Q: Okay, how about, did you have any maintenance that day?

A: Sir, I know we had maintenance that day, but I couldn't tell you what time it was at.

Q: What are the normal procedures during maintenance period?

A: Well during maintenance period, sir, we're kind of limited in what we can do. All we do is clean filters, restore the radar antenna, and clean the filters underneath the antenna, clean the EPP filters, have a crew go down range and clean the LMRD filters, and that is pretty much it. And get the system right backup.

Q: So you take the system down, run baseline?

A: Negative sir, we only have 55 minutes.

Q: Do you take the system out of (inaudible because of low flying aircraft overhead)

A: It depends on the situation, sir. Like the other day, we did have an intermittent star ECM fault, so we needed to take a system out of K7 so my warrant could make a few quick adjustments, and get right back up, because we felt since the faults were so closely, since the time frame was so close together, we felt that if there was a TBM that would come on scope, and we had a missile guidance no go, we wouldn't be able to engage it, so in that circumstance, we did in fact, come into training maintenance. But other times we stay in K7, and we just take the radar to local, clean out the filters, clean the EPP filters, have a crew clean their filters one launcher at a time, and then come right back up, because of the frequent launches we had been having at that site.

Q: And when you go down to maintenance, which I have found, you did a maintenance period at 0800 that morning, you dropped for maintenance. So normally when you bring the system back up, it provides hard copies, is that correct?

A: Of which, sir? The actual—

Q: It just comes back up and—

A: Right sir, if you run it, if you run it, but we haven't run a baseline in a long time.

Q: So when is the last time you ran a baseline?

A: Probably the first day we assumed mission. They don't, when we went down, well actually the, I don't know the specific date, sir, but ever since we've had intel, ever since we went to ADW Yellow we have not run a baseline. I know that for a fact. Because we only have 55 minutes to drop. Baseline takes at least an hour.

Q: Okay, when you run a baseline, what do you do with the hard copy?

A: We usually, uh... we look through it, then we give it to our warrant, go over it with the warrant, and if there is anything on there that he saw that needed adjustments or further, or that needed further look ed at, how would do that at that time.

Q: Does he keep a record of the baselines?

A: I couldn't tell you, sir.

Q: You mentioned a minute ago, and I just want to make sure I'm clear. There seemed to be some confusion about patches. Do you recall around the middle of the month, a patch—

A: Of March sir, no. Of February, yes, but not of March. But that wouldn't even effect us while we're here, because we're not using... because when we, when we assumed mission, it was kind of, there was no real outbrief at all, because Alpha Battery had to leave like that day. So they were gone, it was like kind of, here you go, I only have 10 minutes to talk to you, sorry about it, but, you know, and that was kind of it. And from the Battalion, the support we got there was nonexistent. So, we were left with pretty much nothing, and that is why, part of it is my responsibility as well. I'm not gonna' pretend like its not, but with the situation and the mission that we had at that time, when we assumed that mission, there was really no time to any in depth investigation into that equipment. In fact, E Battery had been on that equipment for—

Q: Okay. I got that. All I'm trying to find out is to your knowledge, were you aware of a [REDACTED] and the misclassification of ARM'S, and the [REDACTED]

A: No, sir. Not to my knowledge.

Q: You mean, by your testimony, that something like that would be in your crew changeover procedures.

A: If they came down and actually [REDACTED] like while you were inside the ECS. But no one has ever, to my knowledge, come to the ECS and [REDACTED]

Q: Okay, so you would probably agree with me then, that if you had [REDACTED] you would be briefed on that during crew changeover procedures. Tell me, how do you know what [REDACTED] How do you know if, that you're on the right version?

A: I don't, sir. Just whatever. When EMO came down, and when the Raytheon rep came down, they said, [REDACTED] and that is it. So that is all they pretty much told us.

Q: I think that is all I have, sir.

[Questions from BG Lennox].

[Answers from 1LT [REDACTED]]

Q: I just want to follow up. So you have no idea, would you know if someone [REDACTED] while you were operating it? Would someone tell you that, 'hey they [REDACTED] EMO came down and [REDACTED] Would you have knowledge of that?

A: I would if they briefed me on it, sir. But—

Q: Just not normal for somebody to say—

A: Right. It's not a normal everyday occurrence, I mean if someone came in, there would be a big deal. Um... [REDACTED] came on the site today [REDACTED] That would be--

Q: So someone probably would have told you.

A: Right, sir. I would have probably found out about it if I wasn't on shift.

Q: Do you know what day you took over the system? About what day?

A: Uh, sir, I have my logs in the van, but I believe it was March 2d. It was either March 2d or March 3d.

Q: Questions from LTC [REDACTED]

A: Answers from 1LT [REDACTED]

Q: CO [REDACTED] wanted me to ask you a question. The air space control Order comes down. How does that process work? How does it eventually end up in the system? How does your unit do that?

A: Well, sir, since in our case, since, when we were with 552, we had a hard wire through CRG, and through that, we were able to get data from the ICC, so they would do a download.

Q: The ICC would download the air space control and initialize your system.

A: Right, but now, since we do not pass data with anyone, I had to physically go pick it up at this location yesterday from B 2-1, and go back and manually type it in the system.

Q: Yesterday?

A: Yes, sir.

Q: Well what about all the days before?

A: We didn't have it sir, and that's probably my fault, but we, you know, once we switched over to B 2-1—

Q: Well what's the importance of having air space control?

A: Well it is very important, sir. The importance would be if a track was flying a safe corridor, um we safe pass corridor credit, you would see that on your track end data.

Q: So, once again, just be clear here about how the Lieutenants are supposed to evaluate tracks, how they are supposed to be evaluating tracks, assessing them, self defense criteria—

A: Right sir, if--

Q: If they don't have an air space control Order, how are they supposed to do that?

A: They can't accurately do that, sir.

Q: And it is your responsibility to make sure that happens?

A: Yes, sir.

[Questions from BG Lennox]

[A: Answers from 1LT [REDACTED]]

Q: [REDACTED]

A: Not to my knowledge, sir.

Q: OKAY. I'd like to take break here for another minute or so, if you don't mind. Everyone stretch, and maybe use the restroom and stuff. Let you relax for a second or two if you don't mind stepping outside.

A: Yes, sir.

Q: Thanks.

[The proceeding recessed]

[The proceeding resumed. All parties present prior to the break were again present. 1LT [REDACTED] was advised of his rights under Article 31 of the UCMJ regarding the possibility of Dereliction of Duty, charge, he waived those rights and wished to continue talking.]

[Questions from BG Lennox]

[Answers from 1LT [REDACTED]]

Q: (In reference to the will to continue on with the questioning) Is that still how you feel?

A: Yes, sir. I am waiving my rights, however, as I understand it, um... if there is a question pertaining to that, that I do not wish to answer, then I can exercise the right at that time.

Q: You've got it exactly right. And you have the right to consult with an attorney before answering those questions, and in general.

A: Yes, sir.

Q: Okay, I was also reminded that we also took that opportunity for the United Kingdom board to, Board of Inquiry to advise him of his rights regarding potential, Queens Regulation 1269A. Thank you, I appreciate the help.

Q: At this time what I would like to do is turn it over to Chief Sprinkle who will ask you some questions I think about that, the engagement, and particulars about training for that engagement.

[Questions from CW3 [REDACTED]
[Answers from 1LT [REDACTED]

Q: I'd like to just get right down to that evening if I could, but before I do, with the different experience levels in the room, I'd like to just briefly discover what a Fire Control Platoon Leader does. Spend just a few minutes on that. You didn't go to school to become a Fire Control Platoon Leader.

A: No, Chief, that's right.

Q: You joined the unit, and I assume you had a previous job before Fire Control Platoon Leader.

A: Negative, Chief, well I had the assistant Fire Control Platoon Leader, but after about a month, I became Fire Control Platoon Leader.

Q: So you went right to the top when it comes to Lieutenants in the Battery.

A: We were short Lieutenants, Chief.

Q: Right. And you held that job for how long?

A: Approximately a year now. 11 months to a year.

Q: So you have trained a lot of crews in that time?

A: 3.

Q: 3. All the other crews in the Batteries have less experience than you do?

A: Yes.

Q: All the other crews would come to you for advise, training, opinion, um....--

A: Yes, they would come to me—

Q: How the system works.

A: Yes.

Q: So, you're the expert.

A: At the Battery level, yes.

Q: Right, so you're the Battery level expert. So, given that as the backdrop, what did 1LT [REDACTED] crew do wrong?

A: Well, Chief, I wasn't in there for the actual engagement. And I haven't really seen much of the data because of the confidentiality of the investigation. So I would actually have to see, from what I've seen in the data, um... I saw a hard copy early when the track first popped up on the scope. And from that data, it is really hard to tell, I looked at, the only thing that was glaring to me was the air threat category of 9, and the speed. And the air threat category of a 9, um... I do not recall that the distance in nautical miles that that track was on the track data tab, that was out, but, so I'm not sure how the ATC 9's plane ended that engagement at this time. But what I saw that was glaring was the speed, and that was, I believe it was around, somewhere around [REDACTED] if I am correct.

Q: Let's deal with the ATC first, you referred to it as a air threat category, is that correct? Is it an air threat category with something flying around threatening the air?

A: Well, it's threatening either your asset, or, it just depends on where it is flying, how high it is flying—

Q: So it is an asset threat category, is that right?

A: Well I've heard both, actually.

Q: What, what ATC is the asset that you're protecting out at New Jersey?

A: Right now it is 1.

Q: 1. So if an aircraft threatens your asset, what ATC would you imagine it would receive?

A: If it's flying below the TMAT, it would receive a 1.

Q: Receive a 1. So if it were flying below the TMAT, let me just add, how would it pick up an ATC of 4?

A: Well, the way the ATC's work is, your um, well this is what it is in the TSOP, it deviates, as I understand it from it depending on the mission, but the way I understood it is your self, C Battery 552, has an ATC of 1. Any sister firing Battery has an ATC of 2, and any of your number one defended asset on the SYNC priority is an ATC of 3. And

then, and soon and so forth. then your number 2 priority would be 1, number 3 priority would be a 5, all the way up to 8.

Q: We, I think we've already been through that. A fire unit does not have an ATC.

A: Okay.

Q: It is an asset threat category, right? So assets have ATC's, other fire units do not. Would you agree with that?

A: I would agree with that. That is what I meant to say.

Q: I mean if there were two things that were glaring and wrong to you about 1LT [REDACTED] performance, her cruise performance, one being the ATC, then I want to know from an expert in the Battery, why and ATC of 9 would have been glaring to you.

A: It would have been glaring to me because it was saying that yes the track was underneath the TMAT, but it was not threatening the Battery asset.

Q: The Battery asset. What to ARM's threaten?

A: It depends on what they are fired at, Chief.

Q: Are they fired at trees, or buildings, or what are ARM's generally fired at?

A: At radars.

Q: At radars. Right, so, this ARM wasn't attacking your asset.

A: Right.

Q: This ARM was attacking what?

A: I'm not sure, Chief, I wasn't in the—

Q: What are ARM'S fired at?

A: Radars.

Q: Radars, so would this ARM be attacking your asset, or would this ARM be attacking your radar?

A: Well is your radar part of your asset, it is kind of philosophical.

Q: Okay. So, we'll jump straight to the chase and not try to beleaguer this much, but she only had two choices, right? It was going to be an ATC of 9 or it was going to be an ATC of 1. She had two choices.

A: Right.

Q: There is no 8s in this scenario, there is no 7s, no 6s, she had a 9 or a 1. What would uh... put yourself in the chair, and I'll have to get you to speculate here, if you saw an

A: I think, I mean I can't say, I wasn't in the chair, like I said, it is hard to speculate. But I believe that my crew [REDACTED], that is strictly speculation, and I want to make sure that that is in the record, because you can't say unless you are actually in that situation.

Q: Based on ATC?

A: Based on anything that was going on at that time. I mean, we could talk hypotheticals all day long, but unless you are in that chair, you don't know. And I can speculate all day long.

Q: Okay, well let's don't speculate, then. You've got an ATC of 9.

A: I am not going to speculate—

Q: Would you engage an ATC of 9? Well part of your job is to teach the crews. Would you teach your crew to engage an ATC [REDACTED] That is not speculation, that is training.

A: Right, no.

Q: No. Okay. Then the other thing that concerns you is the velocity of this arm. What concerns you about the velocity?

A: That it was less than what a typical ARM would be, that I have been taught.

Q: What ARM's do the Iraqis have?

A: I could not tell you off the top of my head. I haven't seen a matrix that said what they have.

Q: Have you ever seen an actual ARM on the scope?

A: No, not an actual ARM on the scope.

Q: So it is fair to say that you have seen scripted ARM'S.

A: Yes.

Q: Who scripts those ARM'S?

A: It would be whoever scripted the Air Battle. Either the tactical directors, or the trainers themselves, or--

Q: So you've scripted ARM's?

A: Yes.

Q: So you basically were scripting of ARM's on a threat? You pick a threat, you say the soviets have this threat, so I am going to script an ARM so that I can teach my crews how to engage a Soviet ARM, for example.

A: No, when we script ARM's, usually it's just scripted based on, there is like a standard ARM usually, I mean it is not even a standard ARM—

Q: A generic ARM?

A: Right. A generic ARM pretty much.

Q: So, back to 1LT [REDACTED] in the van that night, she's had practice on generic ARM's, she doesn't know what ARM's the Iraqi has, right? Probably. We can ask her, but I would think, no. She probably doesn't know what the minimum speed or the maximum of an Iraqi ARM is, right?

A: Probably not.

Q: I am not really asking you to speak for her, so I'll direct my questions more to you, but just try to put yourself back in the van, and you are concerned about these velocities, now are you still concerned about the velocity that you saw reported? Now that we've had a chance to think about it. Is that velocity so unreasonable that you think her actions were imprudent?

A: Um... based on how I have been trained, you have to understand, too, Chief, um... you know I have been trained by my higher people, as well, so—

Q: Okay, well let's stick with this. The velocity that she saw, and that is what concerns you about her engagement, do you think its unreasonable for her to see this velocity with her limited knowledge of how ARM's work in general, much less Iraqi ARM's, and seeing that velocity, and something totally you would not have done, surprised that she did it, and quite frankly, if you had been there, maybe you could have not engaged.

A: I would see that velocity as, I would, in reference to her actions and that velocity, I would say that right now, I don't believe that it is her fault and I believe that it popped up so quick, because our training is specifically dictated, it is specifically tailored to reacting. That is all we're trained on. You have—

Q: Cut, cut, I don't want to cover too much ground separately because I am trying to keep this as short as possible. So if you had a chance to roll time back, and you had another week with her, what would you have taught her in hind sight? If you had another training opportunity?

A: If I had another training opportunity, I would probably have taught her the same thing that I have been teaching her, which is just you have to watch the speed, you have to watch the altitude, I mean, she knows what to look out for, but in the instance of—

Q: Now don't think any of us know what to look out for, because I think we've already based that we don't know what speed is, I mean if I ask you right now if an AS 9 is fired at [REDACTED] away from your position, would you really know what the speed is?

A: No—

Q: I wouldn't either. Would you really know what the altitude is?

A: Not unless—

Q: No. So me or you, neither one could train her right now, even if we had another month to tell her what to properly expect. Is that fair?

A: I would say that is fair, Chief.



Q: Okay. So, I'm kind of getting a little hung up over your training, concerns in your statement, because I've been there, I'd like to have more time with crews, I would like to see them report quicker, send an engagement report sooner, those types of things. But when we are talking about this incident, about should she engage, or should she not engage, she didn't have the information. I don't think you have the information, quite honestly, I don't think anyone on that site had information about the proper kinematics of an ARM. Kinematics being the flight speed heading, that type of... so we're down to, [REDACTED] She had to decide if it was threatening or not threatening, and how would she do that? How would she determine [REDACTED]

A: With the, as you put it, with the asset threat category, or speed, altitude.

Q: Well speed and altitude I think we can trash because we don't know anything about speed and altitude, do we?

A: Just what is in the hard copy.

Q: That is the actual speed and altitude of the air craft. But that is not the ARM.

A: Well, there was no ARM.

Q: Right... There was no ARM. But in her mind, [REDACTED] I've got to determine if it is threatening to me. Do I save my Battery, because its going to dive in and blow up my radar, or not? And she's got a very limited time. And if I could ask, in that limited time, let's say she's got a minute, she is to do, if I can quote you a little bit, "She is supposed to call up to B 2-1, the speed, the altitude, the ATC, any SIF responses--" She is supposed to call that stuff up. Who at B is supposed to say, you know, I don't think that is an Arm. Let that one fly over.

A: That's the point, Chief, um, when we were out there, the way we're operating, you would have to call up to B 2-1, B would have to call up to the ICC,--

Q: Okay, let me just ask you, there, lets say this information got relayed to the ICC. Who at the ICC says, B, you tell C 552 you know, don't sound like an ARM to me—

A: It would be the tactical director that makes that decision.

[REDACTED]

Q: Do you think the tactical director could logically make that decision?

A: No.

Q: So now we are back to this. The 1LT has [REDACTED] she's got to make a decision, pretty post haste, is this threatening or not? Do I engage or not? Is that fair?

A: Yes, that's fair.

Q: So, she decides, you know it's high bright, my radar is tracking this, I've got a limited amount of time, I'm gonna' light this thing up. So she did. She tells her TCA engage track number 28. And... well, no more and. That is what she did, and that's why we're here. And I'd like an answer to this if you were sitting in that chair, in your speculation, would you have made the same decision?

A: Chief, I'm not, I can't honestly, truthfully I can't tell you what I would do, because I wasn't in that situation. I mean, you know, even if I speculated, I do not know if that would be truthful.

Q: Okay. So let's move on. What I wanna' talk about ACOs, ACOs for a minute or, Airspace Control Orders. You get those on a daily basis.

A: I am not going to answer any questions about ACOs, Chief. I am going to exercise my rights on that.

Q: Okay, let's do IFF codes.

A: I am not answering anything on IFF codes, either.

Q: Okay. Sir, that's the three topics I came with, so----

[Response from BG Lennox]

Q: Okay, thanks, chief.

[Questions from COL [REDACTED]]

[Answers from 1LT [REDACTED]]

Q: Just, your log reflects that you had RS Isolate during the previous 24 hours, so there should be, the system would have been, go down for maintenance, bring it back up. There should be a hard copy.

A: Right, sir. Can I see that log for a second?

Q: Sure. (pauses). So the hard copy that comes up, where is that kept?

A: For the RS Isolated?

Q: When you bring your system back up, it automatically prints out a hard copy, where do you keep that?

A: We usually don't, sir. It just depends, I mean there is nothing on the hard copy that's really that pertinent unless there is a fault, or anything of that nature. I'm trying to figure out what, exactly you're looking for on that hard copy paper.

Q: What version of software is running.

A: Okay, no we don't keep that.

Q: Okay, thank you.

Q: Questions from Wing Commander [REDACTED]

A: Answers from 1LT [REDACTED]

Q: Just one question, three parts, I may need the log for this, please. Do you know who was on the early part of that block, the 0300 to 0700 local, so the 0000 to 0400Z.

A: That would be myself.

Q: Okay, and the 0400 to 0800Z and 1200 to 1600?

A: It would be, well from 0300 local to 0700 local was my crew, and then from 0700 local to 1100 local is 1LT [REDACTED] crew, and then from 1100 local to 1500 local is 1LT [REDACTED] crew, and they cycle in 4 hours all the way back to 0300 in the morning.

Q: Thank you very much. The, everything that is discussed in our board inquiry is in confidence and is treated accordingly. Consequently, when you leave, I would ask to remind you that anything that you heard or discussed with us should not be discussed outside the inquiry.

A: Right, sir.

[The witness, 1LT [REDACTED] was warned, and temporarily excused, and subject to recall.]

[END OF PAGE]

investigate the accident involving Tornado ZG710 that crashed on 22 Mar 03. We are the members of that BOI. I have been issued Terms of Reference. The main requirements are for me:

- to investigate the circumstances;
- determine the cause or causes of the accident, and;
- investigate any other relevant issues.

The following comments are designed to help you in case you are unsure of your exact legal position.

1. The BOI have a duty to ask questions to find out exactly what happened at the time of the accident being investigated and during the sequence of events leading up to it. It is not the purpose of the BOI to find negligence or apportion blame. You are not bound by the Air Force Act 1955 (UK) and Queens Regulations. Therefore, you may be reassured that your evidence to the BOI is not admissible against you in disciplinary proceedings brought under the Air Force Act 1955 (UK). You may, if you wish, elect to be represented, at your own expense, whilst giving evidence before the Board. You do not have to answer the Board's questions if you prefer not to do so.

2. You should be aware that the evidence received by the Board, including your statement, could become available at a future date to the Next of Kin (NOK) of those killed in the accident. It sometimes happens that an accident investigated by a BOI subsequently becomes subject to proceedings in the Coroner's Court and/or civil proceedings for compensation in either the High Court or the County Court in England and Wales (or the appropriate Court elsewhere). You should be aware that your evidence before the BOI could, in certain cases, become available to the parties to those civil proceedings and if you are called to give evidence by either party you may be questioned on the contents of the statement you made to the BOI. Any evidence you give before the BOI should be as full and frank and accurate as possible.

3. If you are affected by the findings of the BOI in any way, you should be aware that the NOK may have sight of the BOI and may decide to pursue separate civil action.

Everything that is discussed at this BOI is in confidence and is treated accordingly. Consequently, when you leave us I have to remind you that anything that you have heard or discussed with us should not be discussed outside this Inquiry.

I have to take formal evidence from you for use by this BOI. All evidence given to this BOI will be given on oath.

AFFIDAVIT

I, 1LT [REDACTED], 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.

[REDACTED SIGNATURE]

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 6 day of Apr, 2003 at Al: Al Salem Airbase, Kuwait

[REDACTED SIGNATURE]

(Signature of Person Administering Oath)

[REDACTED NAME]

(Typed Name of Person Administering Oath)

CPT, JA

(Authority To Administer Oaths)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

NAME OF PERSON MAKING STATEMENT

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 2635; 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
 TYPICAL 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 C/5-52 ADA	2. DATE (YYYYMMDD) 20030323	3. TIME 0910	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS O-2	
8. ORGANIZATION OR ADDRESS C/5-52			

I, [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

My position in the battery is Fire Control Platoon Leader. In addition, I was the Battery Trainer for LT [REDACTED] C/5-52 has had mode I codes given to the unit every day of the mission. We have been on this site approximately two and a half weeks. We load mode I and mode IV codes daily. LT [REDACTED] KNOWS we have mode I codes for this mission. To speak with 2-1's ICC, we speak through B/2-1 via FM SINCGARS communication. That mode of communication has been unreliable at times based on weather and other factors. We use a modified Arcant crew changeover checklist. The mode I codes are usually given to us after the 0000z scheduled changeover time. I have informed my Battery Commander, 5-52 ICC, and 5-52 TCS that the issue of SSTO's is a problem. C/5-52 ADA uses 1594's to log significant events. Charlie does comms checks every 10 minutes (at least) but does NOT put every comms check on the 1594 unless comms with higher is lost. TCA's are trained to leave "Friends" switch indicator on, even if it is not required.

In addition to the events surrounding this incident, I believe that lack of training time, lack of protected scheduled training on the training schedule, and lack of concern about tactics in the

9. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

STATEMENT (Continued)

Battalion (5-52 ADA) contributed to this incident. I have consulted my chain of command numerous times about my concerns in the area of training. I wanted to see the BN Commander on the open door policy because of my concerns back at Fort Bliss. I accept responsibility for NOT fully bringing these issues to light, but nevertheless I believe they should be noted for the record. I believe LT [REDACTED] did the best job she could given limited support and what was perceived at the Soldier level as lack of concern from our next higher echelon unit.

I do NOT wish to cause harm to anyone wrongfully by making the above statements but I feel strongly enough to have them noted for the record. I have been made fully aware of my rights. I do NOT feel comfortable with over 80% of the ECS crews in my Battalion when it comes to going to war due to lack of training time. LT [REDACTED] crew and I conducted ARM training in order to prepare her for her table VII evaluation.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

NAME OF PERSON MAKING STATEMENT

[REDACTED]

PAGE 2 OF J PAGES

AFFIDAVIT

I, [REDACTED], 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 TO 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.

[REDACTED]
(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 _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

NAME AND ADDRESS OF PERSON MAKING STATEMENT
[REDACTED]

TAB BP

On 22 March '3 I PFC [redacted] was on

ty in the ECS on Pat Site III, at about 02:18 A.M. on the morning
the 23rd we B/2-1 lost Singer's communication with Charlie and
Sta 5-52 ADA. Then approximately 02:43 Charlie 5-52 came
over the Singer and said [redacted] then
a minute later they told us over the Singer that
they believed they had a confirmed kill, at which time we
again ~~notifying~~ asking for all the data on the track and kill.
the moment that the alert from them that they had [redacted]
[redacted] I looked at the scope and did not see [redacted]
[redacted] suddenly drop,

PFC [redacted]
[redacted]

TAB BQ

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section [redacted] 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
 DISCLOSED: 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 C 5-52 ADA CAMP NEW JERSEY	2. DATE (YYYYMMDD) 20030323	3. TIME 1000HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [redacted]	6. SSN [redacted]	7. GRADE/STATUS CW3 / Active	
8. ORGANIZATION OR ADDRESS HHB 11TH ADA			

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
 I WAS NOTIFIED OF [redacted] 0500L. I ARRIVED ON SITE APPROX 0830L. I REVIEWED THE HARD COPY 1694, AND THE SWORN STATEMENTS GIVEN BY THE TCO AND TCA. I WENT THEN TO THE ECS. I NOTICED THAT THE CURRENT TCA KEPT HIS FRIEND S/I OFF, THUS NOT DISPLAYING ANY FRIENDLY ID# AIRCRAFT ON HIS SCOPE. HAVING THIS ON IS NOT MANDATORY UNLESS THE TCA TAKES CONTROL OF THEIR SCOPE. I HAD THE TCO/TCA DISPLAY TRACK AND DATA ON AT LEAST SEVEN TRACKS TO VIEW IFF RESPONSES, THE TABS DISPLAYED BOTH POSITIVE ^{AND NO} MODE IV AND MODE I ^{AND III} RETURNS. I SAW BOTH VALID AND INVALID MODE I RESPONSES, ALSO MODE III RESPONSES FROM TRACKS. THE ECS HAD 73 ENTERED IN TAB 73 FOR MODE I. THE EDR WAS NOT OPERATIONAL. THE RADAR WAS IN TBM SEARCH. FAULT DATA WAS CLEAN EXCEPT FOR CDST FAULT THAT IS NORMAL FOR UNITS WITH TACTICAL STORAGE SYSTEMS STALLED.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [redacted]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

AFFIDAVIT

I, [REDACTED], 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.

[REDACTED] (in Making Statement)

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

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

ALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Section 2635; Title 5 USC Section 2951; E.O. 9397 dated Nov. 19, 1975 (SSN).
 ORIGINAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
 JUSTICE 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 C 552 ADA CAMP NEW JERSEY	2. DATE (YYYYMMDD) 20030323	3. TIME 1000HRS	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS CW3 / ACTIVE	
8. ORGANIZATION OR ADDRESS HHB 11TH ADA			

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

I WAS NOTIFIED OF [REDACTED] 0500Z. I ARRIVED ON SITE APPROX 0630Z. I REVIEWED THE HARD COPY 11094, AND THE SWORN STATEMENTS GIVEN BY THE TCO AND TCA. I WENT THEN TO THE ECS. I NOTICED THAT THE CURRENT TCA KEPT HIS FRIEND S/I OFF, THUS NOT DISPLAYING ANY FRIENDLY ID# AIRCRAFT ON HIS SCOPE. HAVING THIS ON IS NOT MANDATORY UNLESS THE TCA TAKES CONTROL OF THEIR SCOPE. I HAD THE TCO/TCA DISPLAY TRACK AND DATA ON AT LEAST SEVEN TRACKS TO VIEW OFF RESPONSES, THE TABS DISPLAYED BOTH POSITIVE AND NO MODE IV AND MODE I AND III RETURNS. I SAW BOTH VALID AND INVALID MODE I RESPONSES, ALSO MODE III RESPONSES FROM TRACKS. THE ECS HAD 73 ENTERED IN TAB 73 FOR MODE I. THE EDR WAS NOT OPERATIONAL. THE RADAR WAS IN TBM SEARCH. FAULT DATA WAS CLEAN EXCEPT FOR COST FAULT THAT IS NORMAL FOR UNITS WITH TACTICAL STORAGE SYSTEMS) STALLED.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
 BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

AFFIDAVIT

I, [REDACTED], 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 INFLUENCE.

[REDACTED] (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 _____ day of _____, _____ at _____

(Signature of Person Administering Oath)

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE OF PAGES

TAB BR

Call at B/2-1 EC from C/5-52. They said they
[REDACTED] My TCA^(CPL) and I both checked
the scope to see if we picked it up, and I immediately
called ICC to notify them and try to confirm [REDACTED]
PL [REDACTED] tried to contact C/5-52 again to confirm, less
than 1 minute later, and the crew at C/5-52 notified
us they had [REDACTED]. I immediately
notified ICC, and began coordinating with them ICC to
obtain all pertinent information and data from the
engagement. The attached is the information that we
obtained. Also, while checking our scope, there were no
[REDACTED], and after conferring with all other batteries, no one
else saw anything either. The only tracks on our scope
were friendly tracks.

[REDACTED]

ILT, AD
TCO on Duty

[REDACTED]

Crew on duty:

TCO ILT [REDACTED]
FCA ~~SPC~~ [REDACTED]
3IR SPC [REDACTED]

: 02:29:10

827 3 FP TACT OPNS-K7 PDB-5+7FG17 OD-2UR

SG [REDACTED] WALKED IN B 2-1 ECS ON 23 MAR 2003, AT ABOUT
1-0200H. I HEARD C 5-52 COME ON THE RADIO AND SAY;
[REDACTED] WE HAVE A CONFIRMED KILL. THAT IS ALL!
[REDACTED] DURING THE CONFUSION. THEY NEVER ASKED TO VERIFY TRAIL,
TO BRING LAUNCHERS TO OPERATE.

SSG [REDACTED]
B 2-1 TF 2-1 ADA
US ARMY KUWAIT

[REDACTED] 23 MAR 03

TAB BS

PRIVACY ACT STATEMENT

AUTHORITY: Title 10 USC Sec 101; Title 5 USC Section 2951; E.O. 9397 dated November 22, 1943 (SSN).
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION AASAB, CRC, Kuwait	2. DATE (YYYYMMDD) 20030323	3. TIME 0259Z	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN [REDACTED]	7. GRADE/STATUS E-6/556	
8. ORGANIZATION OR ADDRESS H4B 11th AOA BBE			

9. I, 556 [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

At approximately 2347Z on the 22nd CPT. [REDACTED] (The CRC Tactical Director) received a point to point call from LT [REDACTED] at the U.S. J.C.C. I (The tactical director's assistant) heard him repeat the question "[REDACTED]" As he (CPT. [REDACTED]) asked MSgt [REDACTED] (The gateway sim station operator) if he had any [REDACTED] At the same time, I immediately picked up the tac phone and called 3and (Black Jack) which is what I do every time we see an air target or the U.S. J.C.C. has one. I verify that 3and and space are seeing the same track and it is hostile. But at the time I was on the line with SFC [REDACTED] getting verification I then heard CPT [REDACTED] say, "You gotta be shitting me." That is when the U.S. J.C.C. informed CPT [REDACTED] that C-5-52 had got a confirmed kill on a target.

End of Statement

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT _____ TAKEN AT _____ DATED _____"
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No Statement

AFFIDAVIT

I, _____, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE _____. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE OR UNLAWFUL INDUCEMENT.

(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

PAGE OF PAGES

TAB BT

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately
ROUTINE USES: Your social security number is used as an additional/alternate means of identification to facilitate filing and retrieval.
DISCLOSURE: Disclosure of your social security number is voluntary.

1. LOCATION Ali Al Salem, Kuwait	2. DATE (YYYYMMDD) 20030322	3. TIME 2346	4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME [REDACTED]	6. SSN	7. GRADE/STATUS E7/MSGT	
8. ORGANIZATION OR ADDRESS 386 EACS/DO			

9. [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 22 March 03 at approximately 2346Z I received a phone call from the British Coalition Forces stating that there was a Patriot engagement. Furthermore they wanted to know if we [REDACTED] had any additional amplifying information. I immediately questioned the on duty ADAFCO Capt [REDACTED] who was on another line discussing this very issue. I heard the Capt [REDACTED] state "the CRC/JCC did not approve or were aware of any Patriot engagement [REDACTED]". Also, I saw nothing on my scope indicating any [REDACTED] and I informed the Captain of this. Several coordinates were passed in relation to a beacon of a distressed aircraft. Initial coordinates were 30 36 44 N 047 32.59 E. At 0009Z all a/c for the ATO were accounted for per PSAB CROC. At 0052 GR4 squadron reported they have lost contact with Yahoo 76 over the Udari Range last known position 3150 N 4650 E per the Rapier unit. Later Capt [REDACTED] asked me to verify 3 tracks, but I had no data on any of them with our Gateway Sim Station. At 0054Z I spoke with Sgt [REDACTED] one of our Weapons Directors who spoke with Yahoo 75 the flight lead, but she had no comms with Yahoo 76. This concludes my statement nothing further to follow.

end of statement

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT [REDACTED]	PAGE 1 OF 1 PAGES
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THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT, AND PAGE NUMBER MUST BE INDICATED.

End of Statement
End of Statement

AFFIDAVIT

I, [REDACTED], 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, [REDACTED]

(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

PAGE OF PAGES

TAB BU

On 23 March 2003

CPL [REDACTED] (Crew 2 TCA)

CW2 [REDACTED] (Commanders Fix or Fight Advisor)

On 23 March '03 at about 02:46 Zulu, we received a call from Charlie 5-52 "saying they [REDACTED]" The TCO 1LT [REDACTED] TCA Cpl [REDACTED] CW2 [REDACTED] immediately looked to our scope and didn't see anything. There were a couple of friendly tracks around New Jersey, Kabul. Approx 30 to 45 seconds later Charlie 5-52 ADA called back and reported they had a confirmed kill [REDACTED] 1LT [REDACTED] and Cpl [REDACTED] immediately called ICC and informed them on what was happening at Charlie 5-52 ADA. We called Charlie 5-52 ADA back immediately after confirming with ICC and told them to put their launchers to standby. For the next hour we gathered and received information from Charlie 5-52 ADA and it is as follows:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

1 ATM Expanded

MOF was SLS

There was no separation

The only track around was a T

IFF codes loaded were 22B+22 A Day

The Track No. was: 28

There was no TBE symbology [REDACTED]

They did not check the Eng Data tab

There was no GIP [REDACTED]

Time was 2120

Eng mode was manual In tab 78 83. MOF was Ripple

They did not have mode 1 codes loaded in their tab 73

[REDACTED]

CW2

B 2-1 ADA

[REDACTED]

ECS Crew: TCO 1LT [REDACTED] / TCA SPC [REDACTED] 1R SPC [REDACTED]

ICC CREW: TD 1LT [REDACTED] / TDA SPC [REDACTED] PFC [REDACTED] 31R

CRC : TD CPT [REDACTED] TDA SSC [REDACTED]

B/2-1 ECS: TCO 1LT [REDACTED] TCA [REDACTED]

This is what I have. I believe this info to be the most reliable in the AO. Flow of info to me was C/5-52 to B/2-1 to USICC to CRC.

V/R
CPT [REDACTED]

TAB BV

PRIVACY ACT STATEMENT

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

1. LOCATION: CRC, Al: As Salew KU
2. DATE (YYYYMMDD): 2003 0323
3. TIME: 0557(L)
4. FILE NUMBER:

5. LAST NAME FIRST NAME MIDDLE NAME: [REDACTED]
6. SSN: [REDACTED]
7. GRADE/STATUS: O3/CPT

8. ORGANIZATION OR ADDRESS: 11th BDE HHD Ft Bliss TX 79911

9. I, CPT [REDACTED], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

On 22 Mar 2003 at approx 2345Z I was the ADAFCO at the CRC. I received a call on the point to point from KT [REDACTED] and she ASKED me if I had an [REDACTED] on scope. I looked up at the GCCS and saw nothing. [REDACTED] SSG [REDACTED] proceed to call Space. I asked MSG [REDACTED] (Ops Coordinator) if he had any [REDACTED] on their Scope. He said no. I looked up at the ADST and saw nothing. Just as I told KT [REDACTED] "I had nothing on Scope" she stated, ~~that~~ "what? Charlie has a confirmed Kill [REDACTED]". Then she said it again. ~~[REDACTED]~~

End of Statement

23 Mar 03

10. EXHIBIT: [REDACTED]
11. INITIALS OF PERSON MAKING STATEMENT: [REDACTED]
PAGE 1 OF 1 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT" TAKEN AT _____ DATED _____
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23 Mar 03

NOTHING Follows

AFFIDAVIT

_____, 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.

(Signature of Person Making Statement)

WITNESSES:

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

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

TAB BW

TAB BX

Col 11th ADA BDE

From: [REDACTED] Maj 11th Brigade
Sent: Sunday, March 23, 2003 5:40 AM
To: [REDACTED] Col 11th ADA BDE
Cc: 11 ADA/BATCAP Battle Captain; 11 ADA/XO Deputy Command Officer; 11 ADA/LEGAL
Subject: FW: RE: Report Data for Preliminary report

-----Original Message-----

From: [REDACTED] Maj 11th Brigade
Sent: Sunday, March 23, 2003 5:37 AM
To: CFLCC-FWD-32 AAMDC
Subject: RE: Report Data for Preliminary report

FIRST CUT. [REDACTED]/CW3 [REDACTED] ARE ON THE SCENE AT C/5-52 GATHERING MUCH MORE INFO

V/R
MAJ [REDACTED]

Here is the format. Use your best judgment on how to address some of these especially since some of this came over chat except where it was reported to the CRC or your CP. This is just a preliminary report would like to have this data by 0600Z/0900C. We have a meeting at 1200Z for more data reporting so we will be in contact more throughout the day.

a. Date and time of incident **222347Z ENGAGEMENT TIME**

b. name, rank and unit of individuals involved
SPC [REDACTED] 3IR SPC [REDACTED]

ECS Crew: TCO 1LT [REDACTED] TCA

ICC CREW: TD 1LT [REDACTED] TDA SPC
[REDACTED] FC [REDACTED] 3IR

CRC : TD CPT [REDACTED] / TDA SSG
[REDACTED]

B/2-1 ECS: TCO 1LT [REDACTED]
TCA [REDACTED]

c. Location and Grid/LAT LONG **Location:39N4716843308720**

d. Extent of injuries/current location of injured: **Unknown ATT**

e. Vehicle/Aircraft/equipment type and ID number **ECS WAS ARCENT SA EQUIPMENT...
BUMPER NUMBER TO FOLLOW**

3/23/2003

C/5-52 WAS OPERATING IN INDEPENDENT OPS. THEY HAD VOICE COMMUNICATIONS ONLY (FM SINGARS) TO B/2-1. B/2-1 HAS VOICE/DATA WITH THE 2-1 ICC AS WELL AS SECURE POINT TO POINT COMS WITH THE CRC.

AT 222346 THE TCA IN B/2-1 ECS (CPL [REDACTED]) RECEIVED A TRANSMISSION OVER THE FM NET FROM C/5-52 THAT C/5-52 HAD [REDACTED] BOTH THE B/2-1 TCA (CPL [REDACTED]) AND TCO (1LT [REDACTED]). [REDACTED] CHECKED THE B/2-1 ECS SCOPE FOR AN [REDACTED] 1LT [REDACTED] IMMEDIATELY CALLED THE ICC TO NOTIFY THEM OF THE [REDACTED] AND CONFIRM THAT THE ICC WAS TRACKING THE [REDACTED] AS WELL. THE B/2-1 ICC TACTICAL DIRECTOR (1LT [REDACTED]) CONTACTED THE CRC ADAFCO (CPT [REDACTED]) TO DETERMINE IF THE CRC HAD AN [REDACTED] AFTER CPT [REDACTED] VERIFIED THERE WAS NO [REDACTED] ON EITHER GCCS AND ADSI, AND VERIFIED THE AIR FORCE OPS COORDINATOR IN THE CRC (MSG [REDACTED]) DID NOT HAVE AN [REDACTED] UPON NOTIFYING THE TACTICAL DIRECTOR IN THE 2-1 ICC (1LT [REDACTED]) THAT THERE WAS NO [REDACTED] CPT [REDACTED] WAS INFORMED BY CPT [REDACTED] THAT SHE RECEIVED CONFIRMATION THROUGH THE B/2-1 ECS THAT C/5-52 HAD A CONFIRMED KILL [REDACTED]

g. Emergency Services Required Unknown ATT

h. Phone number/radio frequency, name or call sign of the person calling in the report. Unknown ATT

TAB BY

11 ADA/BATCAP Battle Captain

From: [REDACTED] Maj 11th Brigade
Sent: Sunday, March 23, 2003 3:48 AM
To: 11 ADA/BATCAP Battle Captain; 11 ADA/FCO
Cc: Patriot BNCDR; Patriot BN XO, [REDACTED] R Col 11th ADA BDE
Subject: CHANGE TO SPINS---EFFECTIVE IMMEDIATELY
Importance: High

ADAFCO----EFFECTIVE IMMEDIATELY IMPLEMENT THE FOLLOWING CHANGES TO SPINS

ISSUE IMMEDIATELY TO ALL ICCs. REPORT TO BDE TOC ASAP WHEN INFO HAS BEEN PASSED TO EACH SUBORDINATE UNIT

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]
5. [REDACTED]

MAJ [REDACTED]

TAB BZ

PRELIMINARY POTENTIAL FRATRICIDE AND ACCIDENT REPORT

a. Date and time of incident: 222347Z ENGAGEMENT TIME

b. Name, rank and unit of individuals involved

(1) C/5-52 ADA Engagement Control Station (ECS) Crew:

(a) Tactical Control Officer (TCO): 1LT [REDACTED]

(b) Tactical Control Assistant (TCA): SPC [REDACTED]

(c) Communications Specialist (31R): SPC [REDACTED]

(2) 2-1 ADA Information Coordination and Central (ICC) CREW:

(a) Tactical Director (TD): 1LT [REDACTED]

(b) Tactical Director Assistant (TDA): SPC [REDACTED]

(c) Communications Specialist (31R) PFC [REDACTED]

(3) Control and Reporting Center:

(a) Tactical Director (TD): CPT [REDACTED]

(b) Tactical Director Assistant (TDA): SSG [REDACTED]

(4) B/2-1 ECS:

(a) TCO 1LT [REDACTED]

(b) TCA CPL [REDACTED]

(5) British Tornado Fighter Aircraft – Call sign Yahoo 76

c. Location and Grid/LAT LONG Location: 39N4716843308720

d. Extent of injuries/current location of injured: Unknown ATT

- e. Vehicle/Aircraft/equipment and ID number: The ECS is ARCI -SA equipment. We will provide the bumper number in subsequent report.
- f. Aircraft: GR4 British Tornado

g. Description and circumstances of the incident:

C/5-52 was operating in independent operations in the TBM mode only. They had voice communications only (FM SINCGARS) to B/2-1. B/2-1 has voice/data with the 2-1 ADA ICC as well as secure point-to-point communications with the USAF CRC.

At 222346Z MAR 03 the B/2-1 ECS TCA (CPL [REDACTED]) received a transmission over the FM net from C/5-52 that C/5-52 had an [REDACTED]. Both the B/2-1 (CPL [REDACTED]) and the TCO (1LT [REDACTED]) checked the B/2-1 ECS scope for an [REDACTED] track. 1LT [REDACTED] immediately called the ICC to notify them of the [REDACTED] and confirm that the ICC was tracking the [REDACTED] as well. The B/2-1 ICC tactical director (1LT [REDACTED]) contacted the CRC Air Defense Fire Control Officer (ADAFCO) (CPT [REDACTED]) to determine if the CRC had an [REDACTED]. The CRC TD, CPT [REDACTED] verified there was no [REDACTED] on either Global Command and Control System (GCCS) or the Air Defense System Integrator (ADSI). He also verified with MSG [REDACTED] the Air Force CRC operations coordinator that the CRC did not have an [REDACTED] on its scope. He then notified the 2-1 ADA ICC tactical director (1LT [REDACTED]) that there was no [REDACTED] on the scope, CPT [REDACTED] was informed by CPT [REDACTED] that she had received confirmation through the B/2-1 ECS that C/5-52 had a confirmed kill [REDACTED].

[REDACTED]

[REDACTED]

[REDACTED]

The firing battery fired one ATM (PAT II) missile at the target at 2327Z using manual engagement procedures. The track ended at grid coordinate 3010N4650E.

The aircraft in the vicinity was a British Tornado, call sign Yahoo 76. His last contact was with his wingman Yahoo 75 @ 2345Z. Both planes were inbound Ali Al Salem airbase, south of the firing battery.

Explosion in midair was seen people in Camp Udari, northeast of firing battery and debris was found on the helicopter ramp at Camp Udari.

h. Emergency Services Required Unknown ATT. SAR Notified; there were Multiple beacons in area.

i. Phone number/radio frequency, name or call sign of the person calling in the report.

MEMORANDUM FOR Kuwait Air Traffic Control

Subject: Existing Safety Risk to Air Traffic

1. Due to the existing Tactical Ballistic Missile threat, there remains a risk to commercial air traffic within Kuwait. We believe this risk can be minimized by the use of an existing alternate route (G795/B419).
2. Since the initiation of hostilities, Iraqi missile forces have targeting Kuwait daily. These attacks have been successfully repelled by the brave efforts of Kuwaiti and American Patriot forces. In providing this vital defense, these forces are required to fire multiple interceptors in the air with little to no warning. The rapid nature of these events prohibits the diversion of civilian aircraft once the attack is initiated.
3. The continued use of routes G782/C667 and M320 places any civilian aircraft at significant risk of being involved in a mid-air collision with either an inbound Tactical Ballistic Missile or and outbound Patriot interceptor. Use of pre-approved route G795/B419 will significantly reduce that risk by avoiding the normal flight paths of any Patriot interceptors.
4. Your cooperation in this matter and your continued efforts to support coalition efforts in this endeavor is greatly appreciated.
5. Point of contact for this correspondence is Colonel [REDACTED] Theater Air and Missile Defense Officer for Combined Forces Air Component Command.

TAB CA

? Battle Captain
Notes... CPT [REDACTED]

LTC [REDACTED]

3156 4707

Attack on Camp Pennsylvania @ ^{10 WIA} ~~222~~ 2224Z

✓ notify Kuwaitis

✓ notify TF

accountability of TF

denied still alive

C/S-52 confirmed KIM [REDACTED] (source)

no permission to go to operate

no authorized engagement

2320Z NW Kirkuk

[REDACTED]

no report of A/C being hit
aircraft saw impact

1 ATM

SLS