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**DEPARTMENT OF THE ARMY**  
U.S. ARMY CRIMINAL INVESTIGATION COMMAND  
Fort Myer CID Office  
105 Fenton Circle, Building 305, Fort Myer, VA 22211

02 Jun 2009

MEMORANDUM FOR: SEE DISTRIBUTION

SUBJECT: CID REPORT OF INVESTIGATION - FINAL/SSI - 0323-2008-CID041-37972 - 5H1K / 5X1

DATES/TIMES/LOCATIONS OF OCCURRENCES:

- 1. 01 JAN 2004, 0001 - 31 DEC 2005, 2359; UNKNOWN LOCATION, IRAQ

DATE/TIME REPORTED: 02 JUN 2008, 1130

INVESTIGATED BY:

SA (b)(6), (b)(7)(C), (b)(7)(F)  
SA  
SA  
SA

SUBJECT:

- 1. UNKNOWN-2023970-0323-2008-CID041-I ; [CONSPIRACY (UNFOUNDED)], [MURDER (UNFOUNDED)] (NFI)

VICTIM:

- 1. U.S. GOVERNMENT; [CONSPIRACY (UNFOUNDED)]
- 2. UNKNOWN-2023971-0323-2008-CID041-I ; [MURDER (UNFOUNDED)] (NFI)

INVESTIGATIVE SUMMARY:

On 2 Jun 08, this office received Request for Investigation (RFI) 0013-08-CID001 from Headquarters, U.S. Army Criminal Investigation Command (USACIDC), Fort Belvoir, VA

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22060. The RFI requested this office investigate allegations that Mr (Former U.S. Army CPT) (b)(6),(b)(7)(C) Defense Intelligence Agency, Pentagon, Arlington, VA 22202, while deployed to Iraq, between 04 and 05, as a U.S. Army Intelligence Officer, unlawfully approved an Iraqi Intelligence Officer (NFI) to assassinate an (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) NFI) (aka's: (b)(6),(b)(7)(C) and (b)(6),(b)(7)(C) (b)(6),(b)(7)(C)

Investigation determined the offenses of Conspiracy and Murder did not occur as alleged. Through coordinations with the Task Force Counter Intelligence Coordinating Authority, Camp Slayer, Iraq, APO AE 09342, reviews of U.S. Army Intelligence Information Reports disclosed there were no reports or mention of Mr (b)(6),(b)(7)(C) being killed during time frame of the alleged incident. Further it disclosed Mr (b)(6),(b)(7)(C) was mentioned in U.S. Army Intelligence Information Reports in Jan 09, and therefore, could not have been deceased at the time of the alleged incident.

STATUTES:

Article 81, UCMJ; Conspiracy (UNFOUNDED)  
Article 118, UCMJ; Murder (UNFOUNDED)

EXHIBITS/SUBSTANTIATIONS:

Attached:

1. Agent's Investigation Report (AIR) of SA (b)(6),(b)(7)(C) 30 Jun 08.
2. Defense Manpower Data Center (DMDC) Query Documentation pertaining to Mr (b)(6),(b)(7)(C) (USACRC and file copies only)
3. Defense Intelligence Agency Agent Report pertaining to Mr (b)(6),(b)(7)(C) 5 Apr 07. (USACRC and file copies only)
4. Central Intelligence Agency Background report pertaining to Mr (b)(6),(b)(7)(C) 29 Dec 05. (USACRC and file copies only)
5. Standard For 86 (Security Clearance Application) of Mr (b)(6),(b)(7)(C) Apr 07.

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(USACRC and file copies only)

6. (3) Officer Evaluation Reports pertaining to Mr. (b)(6),(b)(7)(C) 12 Feb 03 thru 20 Jun 05.
7. Compact Disc containing the U.S. Army Human Resources Command archived copies of Mr. (b)(6),(b)(7)(C) Officer Record Brief and associated documents. (USACRC and file copies only)
8. AIR of SA (b)(6),(b)(7)(C) 9 Jun 08.
9. Sworn Statement of COI (b)(6),(b)(7)(C) 19 Jun 08.
10. AIR of SA (b)(6),(b)(7)(C) 17 Jul 08.
11. Sworn Statement of CPT (b)(6),(b)(7)(C) 16 Jul 08.
12. AIR of SA (b)(6),(b)(7)(C) 23 Jul 08.
13. Sworn Statement of LTC (b)(6),(b)(7)(C) 23 Jul 08.
14. AIR of SA (b)(6),(b)(7)(C) 25 Jul 08.
15. AIR of SA (b)(6),(b)(7)(C) 29 Jul 08.
16. Sworn Statement of Mr. (b)(6),(b)(7)(C) 28 Jul 08.
17. AIR of SA (b)(6),(b)(7)(C) 15 Aug 08.
18. Sworn Statement of LTC (b)(6),(b)(7)(C) 8 Aug 08.
19. Sworn Statement of CPT (b)(6),(b)(7)(C) 15 Aug 08.
20. AIR of SA (b)(6),(b)(7)(C) 26 Aug 08.
21. Sworn Statement of CPT (b)(6),(b)(7)(C) 26 Aug 08.

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22. AIR of SA (b)(6), (b)(7) 25 Sep 08.
23. AIR of SA (b)(6),(b)(7)(C) 9 Sep 08.
24. Sworn Statement of LTC (b)(6),(b)(7)(C) 5 Aug 08.
25. Sworn Statement of COL (b)(6),(b)(7)(C) 8 Aug 08.
26. Sworn Statement of Mr (Retired LTC) (b)(6),(b)(7)(C) 4 Sep 08.
27. Sworn Statement of Mr (Retired CSM) (b)(6),(b)(7)(C) 9 Sep 08.
28. AIR of Mr (b)(6),(b)(7)(C) 13 Nov 08.
29. AIR of SA (b)(6),(b)(7)(C) 20 Apr 09.
30. AIR of SA (b)(6),(b)(7)(C) 21 Apr 09.
31. Rights Waiver Certificate and Sworn Statement of Mr (b)(6),(b)(7)(C) 27 Feb 09/

Not Attached:

NONE

The originals of Exhibits 1 and 8 through 31 are attached to the USACRC copy of this report. The originals of Exhibit 2 are retained in the Department of Defense, Defense Manpower Data Center data base. The originals of Exhibit 3 and 5 are retained in the files of the Defense Intelligence Agency, Pentagon, Arlington, VA 22202. The originals of Exhibit 4 are retained in the files of the Central Intelligence Agency, Washington, DC 20505. The originals of Exhibit 6 and the contents of 7 are retained in the files of the U.S. Army Human Resources Command, Alexandria, VA 22232

STATUS: This is a Final Report. Commander's Report of Disciplinary or Administrative Action Taken (DA Form 4833) is not required.

CID Reports of Investigation may be subject to a Quality Review by CID higher headquarters.

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b(6), b(7)(C)

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Report Prepared By:

Report Approved By:

(b)(6),(b)(7)(C)

(b)(6),(b)(7)(C)

Special Agent

Special Agent in Charge

DISTRIBUTION:

- 1 - DIR, USACRC, Ft Belvoir, VA (Original)
- 1 - CDR, USACIDC, ATTN: CIOP-ZA, 6010 6th Street, Ft Belvoir, VA 22060
- 1 - CDR, 3rd MP Group, ATTN: Operations, Ft Gillem, GA 30297
- 1 - Chief of Detectives, DES, Ft Myer, VA 22211 (e-mail only)
- 1 - Chief, Criminal Justice, OSJA, Military District of Washington, Ft McNair, DC (e-mail only)
- 1 - Director of Emergency Services, Ft Myer, VA 22211 (email only)
- 1 - Defense Intelligence Agency, ATTN: SA (b)(6),(b)(7)(C) @dia.mil), Investigations Division, Arlington, VA 22201 (e-mail only)
- 1 - Mr James YOON, Trail Attorney, Domestic Security Section, U.S. Department of Justice, Criminal Division, 950 Pennsylvania Ave, Rm 6537, Washington, DC, 20530
- 1 - FILE

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b(6), b(7)(C)

BASIS FOR INVESTIGATION: About 1130, 2 Jun 08, this office received a Request for Investigation (0013-08-CID001) from HQ, U.S. Army Criminal Investigation Command (USACIDC), Fort Belvoir, VA 22060 (FBVA), concerning allegations that Mr (Former CPT) (b)(6), (b)(7)(C), Defense Intelligence Agency, Pentagon, Arlington, VA 22202, approved the assassination of an Iraqi National linked to terrorism, by an Iraqi Intelligence officer, sometime between 2004 and 2005, while he was deployed to Iraq.

About 1400, 4 Jun 08, this office received a U.S. Army Crime Records Center, Fort Belvoir, VA and Defense Clearance and Investigations Index Database check on Mr. (b)(6), (b)(7)(C), which revealed no derogatory information.

About 0900, 5 Jun 08, SA (b)(6), (b)(7)(C) this office, coordinated with SA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) USACIDC, FBVA, who provided information relating to this case. SA (b)(6), (b)(7)(C) related Mr (b)(6), (b)(7)(C) may have notified his supervisor and commander at the time of the incident as to what he authorized the Iraqi Intelligence Officer to do. Further SA (b)(6), (b)(7)(C) provided copies of paperwork concerning Mr. (b)(6), (b)(7)(C) to include a Defense Manpower Data Center (DMDC) query printout, Defense Intelligence Agency (DIA) report, Central Intelligence Agency (CIA) Background report, and Standard Form (SF) 86. (See DMDC printout, DIA report, CIA background sheets, and SF 86 for details)

About 1000, 12 Jun 08, (b)(6), (b)(7)(C) conducted a review of the documentation provided by SA (b)(6), (b)(7)(C) USACIDC, FBVA. A Foreign Travel Chart contained within the DIA report detailed Mr (b)(6), (b)(7)(C) was deployed to Baghdad, Iraq between 2 Mar 04 and 2 Mar 05, at FOB Freedom 1 (aka FOB Warhorse), and his unit was Task Force 3-8.

About 1100, 12 Jun 08, (b)(6), (b)(7)(C) coordinated with Mr (b)(6), (b)(7)(C) Branch Chief, Information Management and Records Branch, Fort Myer, VA 22211 who related he conducted a query of all the data bases in reference to personnel records of soldiers available to his office and was unable to locate a Officer Record Brief (ORB) for Mr (b)(6), (b)(7)(C) Mr (b)(6), (b)(7)(C) related once a soldier retires or ETS' from the Army the last copy of their ORB is maintained by the Human Resources Command, Saint Louis, MO. Mr (b)(6), (b)(7)(C) additionally provided 3 Officer Evaluation Reports (OER) for Mr (b)(6), (b)(7)(C) The first OER was for a rating period covering 12 Feb 03 to 11 Feb 04.

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

Signature:

(b)(6), (b)(7)(C)

Jun 08

The second OER was for a rating period covering 12 Feb 04 to 31 Dec 04. The third OER was for a rating period covering 1 Jan 05 to 20 Jun 05. The OER covering the period of 11 Feb 04 to 31 Dec 08 details Mr (b)(6), (b)(7)(C) was assigned to Headquarters and Headquarters Command (HHC), Task Force (TF) 3/8 Calvary (CAV), 1<sup>st</sup> Calvary Division (CD), APO AE 09348. This OER detailed Mr (b)(6), (b)(7)(C) was 35D (All Source Intelligence Officer) and his specific duty title was Battalion Intelligence Officer. The OER also listed a MAJ (b)(6), (b)(7)(C), Battalion (BN) Executive Officer (XO), (b)(6), (b)(7)(C) Headquarters (HQ), TF 3/8 CAV, APO AE 09348, as Mr (b)(6), (b)(7)(C) rater, and it also listed a LTC (b)(6), (b)(7)(C) BN Commander, (b)(6), (b)(7)(C) HQ, TF 3/8 CAV, APO AE 09348, as Mr (b)(6), (b)(7)(C) senior rater. The OER listed Mr (b)(6), (b)(7)(C) as being responsible for an intelligence section consisting of 12 men responsible for all aspects of intelligence collection and dissemination in an urban combat environment. It also listed that his duties included submission of Task Force Priority Intelligence Requirements, development of the Task Force collection plan, production of daily enemy situation reports, monitoring and dissemination of all incoming threat warning to AO Warhorse, developing targets through analysis of both standard and non-standard military asset reporting, linguist management, predicting any upcoming enemy courses of action that effect AO Warhorse; Coordinates intelligence operations with civilian and military agencies of all intelligence disciplines that reside in AO Warhorse. (See OER's for details)

About 0915, 30 Jun 08, SA (b)(6), (b)(7)(C) this office, coordinated with SA (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) United States Army Intelligence & Security Command (USAINSCOM), National Capital Region Field Office (NCR FO), 902<sup>nd</sup> Military Intelligence Group (MIG), Fort Belvoir, VA 22060 (FBVA), who provided a compact disc (CD) containing documents (Appointment Orders, Enlistment Contrat Documents, OER's, etc) from Mr (Former CPT) (b)(6), (b)(7)(C) archived Officer Record Brief, which his office obtained from the Human Resources Command, Alexandria, VA 22331. (See CD for details)///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

Signature:

(b)(6), (b)(7)(C)

Date:

30 Jun 08

CID Form 94

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EXHIBIT:

0007

# AGENT'S INVESTIGATIVE REPORT

CID Regulation 195-1

ROI NUMBER:

0177-08-CID146-

**0323-08-CID041-37972**

PAGE 1 OF 1 PAGES

**DETAILS:**

**BASIS FOR INVESTIGATION:** This office received a Request for Assistance from Fort Myer CID office requesting this office interview (b)(6)(b)(7)(C)

(b)(6), (b)(7)(C) Operations Group, National Training Center, Fort Irwin, CA 92310, regarding allegations Mr. (former CPT) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Defense Intelligence Agency, Pentagon, D.C, approved the assassination of an Iraqi National.

About 1343, 19 Jun 08, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who provided a sworn statement wherein he detailed his position while he was deployed to Iraq in March of 2004. (b)(6), (b)(7)(C) related CPT (b)(6), (b)(7)(C) was the Battalion Intelligence Officer and he was not aware CPT (b)(6), (b)(7)(C) had approved the assassination of an Iraqi National.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION:

Fort Irwin Resident Agency (CID)  
Fort Irwin, CA 92310

SIGNATURE:

(b)(6), (b)(7)(C)

DATE:

19 Jun 08

EXHIBIT



SWORN STATEMENT

0323-08-CID041-37972

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**File Number** : 0323-08-CID041-37972 (RFA: 0177-08-CID146)

**Location** : Fort Irwin, CA 92310 (b)(6), (b)(7)(C)

**Date** : 19 Jun 0 (b)(6), (b)(7)(C)

**Time** : 13 (b)(6), (b)(7)(C)

**Statement of** (b)(6), (b)(7)(C)

**Grade/Status** : O-6/AD

**SSN** (b)(6), (b)(7)(C)

**Org/Address** : Operation Groups, National Training Center, Fort Irwin, CA 92310

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(b)(6), (b)(7)(C), (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I  
 (b)(6), (b)(7)(C) deployed to Iraq in March of 2004 and was the Deputy Commanding Officer (DCO) of the 1<sup>st</sup> Cavalry (CAV) Division Artillery (DIVARTY) until I assumed command of 3-8 CAV, 3d Brigade (BDE), 1<sup>st</sup> CAV on 24 JUL 2004. At that time CPT (b)(6), (b)(7)(C) was the Battalion Intelligence Officer and as such I became his senior rater. We were deployed through March of 2005 at which time we returned to Fort Hood, TX. The only time I was away from the Battalion was in mid-September 2004 to the 1<sup>st</sup> week of October 2004 during leave back to the States. Upon redeployment, CPT (b)(6), (b)(7)(C) left the service for employment in the civilian sector in the fall of 2005. My only other contact with him upon his departure from the service was to complete a reference for him for potential employment with MPRI (Civilian Company). This was done through the employer, not through direct contact with Mr.

(b)(6), (b)(7)(C)

Q: Was Mr. (former CPT) (b)(6), (b)(7)(C) in charge of any intelligence assets/sources during his deployment?

A: Not to my knowledge unless that was an arrangement done before I took command. I had no knowledge of any source operations taking place.

Q: Did Mr. (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/source, if so what was the name of the Iraqi Intelligence Officer, and what is his/her current status/location?

A: Not that I know of and not one that I authorized.

Q: Who would have that information?

A: The only person I could think of that would have any knowledge would have been the Brigade Commander, COL (b)(6), (b)(7)(C) Last duty assignment I was aware of for COL (b)(6), (b)(7)(C) was the 3 Corp G-3, Fort Hood, Texas.

Q: What is the name of the Iraqi national that Mr. (b)(6), (b)(7)(C) authorized the assassination of and what is his/her current location?

A: I have no idea.

Q: Who would have that information?

A: I have no idea. Source Operations are not even authorized at the Battalion Level.

EXHIBIT \_\_\_\_\_ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 OF 2

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0078

STATEMENT OF: (b)(6),(b)(7)(C) Operation Group, NTC, Fort Irwin, CA 92310: TAKEN

AT: Fort Irwin, CA DATED: 19 Jun 08; CONTINUED:

(b)(6),(b)(7)(C) Was Mr. (b)(6),(b)(7)(C) or anyone else in his unit during the deployment authorized to approve assassinations? If so, who?

A: Absolutely not.

Q: What are the names of the other unit members deployed with Mr. (b)(6),(b)(7)(C) particularly the 12 personnel he was responsible for in the Intelligence Section he was in charge of during the deployment?

A: I remember a 1LT (b)(6),(b)(7)(C) 1LT (b)(6),(b)(7)(C) (now a CPT and may be leaving the service) and SSG (b)(6),(b)(7)(C)

Q: Are there any notes or files pertaining to contact between Mr. (b)(6),(b)(7)(C) and any Iraqi Intelligence Officers during the deployment? If so, where are they maintained?

A: I don't have any. If there were any files of this nature they would be secret and handed off to the next unit.

Q: Were you in the same location as Mr. (b)(6),(b)(7)(C) in Iraq?

A: Yes. We were headquartered in the Green Zone.

Q: Would you have known if Mr. (b)(6),(b)(7)(C) was involved with any sources?

A: In the Green Zone was the Coalition Headquarters and I know he would have contact with elements of the C-2. That is the only contact that I know of that he had. There was other Government Agencies that he could have contact with but not to a reference of a sanction source operation.

Q: Can you describe Mr. (b)(6),(b)(7)(C) character?

A: I thought he was a high quality officer. I was disappointed he wanted to leave the service.

Q: Were there any questionable incidents pertaining to Mr. (b)(6),(b)(7)(C)?

A: There was another investigation involving Fort Myer CID office.

Q: Is there anything else you would like to add to this statement?

A: No (b)(6),(b)(7)(C)

///END STATEMENT///

EXHIBIT \_\_\_\_\_

INITIALS OF PERSON MAKING STATEMENT

(b)(6),(b)(7)(C)

PAGE 2

(b)(6),(b)(7)(C)

0079

STATEMENT OF: (b)(6)(b)(7)(C) Operation Group, NTC, Fort Irwin, CA 92310: TAKEN  
AT: Fort Irwin, CA DATED: 19 Jun 08; CONTINUED:

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
-----  
(Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oath, this 19<sup>th</sup> Day of Jun 2008, at Fort Irwin, California

(b)(6), (b)(7)(C)  
-----  
(Administering Oath)

SA (b)(6), (b)(7)(C), (b)(7)(F)  
FORT IRWIN RESIDENT AGENCY (CID)  
FORT IRWIN, CA 92310

-----  
(Typed Name of Person Administering Oath)

10 USC 936

-----  
(Authority to Administer Oath)

WITNESSES:  
-----  
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ORGANIZATION OR ADDRESS

EXHIBIT \_\_\_\_\_

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)  
PAGE 3

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0323-08-CID041-37972  
0159-08-CID446-

PAGE 1 OF 1 PAGE(S)

## DETAILS

**BASIS FOR INVESTIGATION:** This investigation was initiated upon notification by the Fort Myer CID Office, Fort Myer, VA 22211 (FMVA), who requested this office fully identify and interview CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) A CO, 304<sup>th</sup> Military Intelligence Battalion (MI BN), Fort Huachuca, AZ 85613 (FHAZ).

About 1530, 16 Jul 08, (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who provided a Sworn Statement regarding his knowledge of CP (b)(6), (b)(7)(C) actions during deployment. He stated he did not know any information regarding authorized or unauthorized assassinations on any Iraqi Nationals; however, he did provide extensive information on who was deployed with him while in Iraq. (See Sworn Statement of (b)(6), (b)(7)(C))

About 1300, 17 Jul 08, (b)(6), (b)(7)(C) coordinated with (b)(6), (b)(7)(C) Fort Myer CID Office, FMVA, who related all investigative activity required by this office was completed and required no further assistance.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Fort Huachuca CID Office  
Fort Huachuca, AZ 85613

DATE

17 Jul 08

EXHIBIT

CID FORM 94

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ACLU-RDI 5569 p.12 10-L-0126 ACLU DD TICID ROI 4540

0081

SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION: Fort Huachuca, AZ 85613; DA: 16 Jul 2008; TIME: 1530/1639; FILE NUMBER: 0323-08-C10841-37972; 0159-08-C10944-45; LAST NAME, FIRST NAME, MIDDLE NAME; SOCIAL SECURITY NUMBER; GRADE/STATUS: O-3 / AD

ORGANIZATION OR ADDRESS: A Company, 304th Military Intelligence Battalion, Fort Huachuca, AZ 85613

(b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I was deployed with CPT (b)(6), (b)(7)(C) as the assistant S2, MAR04 to FEB05, in Baghdad, Iraq, with Task Force 3-8 CAV, 1st Cavalry Division. As the AS2, I primarily worked overnight, having little direct contact with CPT (b)(6), (b)(7)(C) perhaps 15 minutes at the beginning of a shift and another 15 minutes the following morning, if at all. I have no knowledge of CPT (b)(6), (b)(7)(C) requesting, authorizing, or consenting to an assassination of anyone. I do not know the name of the Iraqi Intelligence officer mentioned in the report, nor do I know the name of the supposed target for assassination. CPT (b)(6), (b)(7)(C) day-shift personnel consisted of CPT (b)(6), (b)(7)(C) branch transfer to special forces, CPT (b)(6), (b)(7)(C) (currently living in or near Fort Sam Houston), SFC (b)(6), (b)(7)(C) (likely at Fort Bliss), (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of 19K, likely retired) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of 19K (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of 19K, likely ETSed), and SFC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of 19K, likely retired). The soldiers under my supervision during the night-shift consisted of SGT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (currently assigned to A/3BSTB/3BCT/1CD), SPC (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of 11C), and (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) of 19K, likely retired).

Of the other personnel in the shop (b)(6), (b)(7)(C) would most likely know the details of this incident, if it occurred. CPT (b)(6), (b)(7)(C) also confided in a CPT (b)(6), (b)(7)(C) (former armor officer, ETSed).

- Q: Did you type the above statement?
A: Yes.
Q: What do you mean by FNU?
A: First name unknown.
Q: Who was the battalion commander at the time of the deployment?
A: LTC (b)(6), (b)(7)(C) works for general dynamics at Ft. Hood. (b)(6), (b)(7)(C) took over about half way through the deployment.
Q: Is there anyone else that you know of that might have information pertaining to this investigation?
A: MAJ (b)(6), (b)(7)(C) S-3 then transitioned to being the XO during deployment taking over for MAJ (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) MAJ (b)(6), (b)(7)(C) SGS, 3-8 CAV came in as the S-3 towards the end of deployment. His last position was as the SGS, for MG FIL, 1st CD. (b)(6), (b)(7)(C) current OCMI chief, which falls under DA, G-2; he was the 3rd BDE S-2 and relayed with (b)(6), (b)(7)(C) frequently on matters during deployment.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know where (b)(6), (b)(7)(C) is located?
A: No.
Q: Do you know any information of any assassinations of any Iraqi national during your deployment?
A: No.
Q: Was Mr (b)(6), (b)(7)(C) authorized or anyone else in the unit during the deployment authorized to approve

EXHIBIT: (b)(6), (b)(7)(C); STATEMENT OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C); PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED." THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

0323-08-C10041-37972

(b)(6)(b)(7)(C)

STATEMENT OF

(b)(6), (b)(7)(C)

TAKEN AT Fort Huachuca, AZ 85613 DATED 16 July 2008 CONTINUED

assassinations?

A: No, and I don't know who the approving authority would have been for something like that.

Q: Is there any other information that you know that might be helpful to this investigation?

A: Not at this time.

Q: Do you have anything to add to your statement?

A: No. ///END OF STATEMENT///

(b)(6), (b)(7)(C)

0083

(b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT:

PAGE 2 OF 3 PAGES

ACLU-RDI 5569 p.14

10-L-01207-0011-001 II CID ROI 4542

Exhibit

Fair Employment Council

0323-08-010041-37972

Not used

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 16th day of July, 2008 at F (b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

10 USC, 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
(b)(6), (b)(7)(C)

PAGE 3 OF 3 PAGES

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0190-08-CID056

0323-08-CID041-37972

PAGE 1 OF 1 PAGE

DETAILS

About 1442, 23 Jul 08, (b)(6)(b)(7)(C) interviewed LTC (b)(6), (b)(7)(C) U.S. Army Student Detachment, Fort Jackson, SC 29207, who provided a Sworn Statement wherein he detailed he did not have any information pertaining to the incident under investigation. (See Statement for details)  
///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Fort Carson CID Office, 48<sup>th</sup> MP Det (CID)  
Fort Carson, CO 80913

SIGNATURE

DATE

23 Jul 08

EXHIBIT

CID FORM 94

EXHIBIT / 2 ( )



# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Buckley Air Force Base, Aurora, CO	DATE 23 Jan 2006	TIME 1442	FILE NUMBER 0190-08-CID056
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)	GRADE/STATUS LTC/RA	
ORGANIZATION OR ADDRESS (b)(6), (b)(7)(C)			

0323-08-CID041-37972

I, \_\_\_\_\_, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
I deployed with CPT (b)(6), (b)(7)(C) Mar 2004 thru Mar 2005. We were based out of Fort Hood, TX. We were assigned to FOB Warhorse, Iraq. I was the S-3/XO of the 3/8<sup>th</sup> Cavalry, 1<sup>st</sup> Cavalry Division. Mr. (b)(6), (b)(7)(C) was our battalion S-2 Intelligence Officer, and I was his Rater. Mr. (b)(6), (b)(7)(C) job tasks were to collect and disseminate current intelligence and intelligence estimates for the Task Force (TF) operations. He also managed the employment of Iraqi interpreters and other S-2 functions. I never heard of any unauthorized killings while assigned there. We did kill people running Check Points, but they were all within the Rules of Engagement (ROE). I did not hear about anyone authorizing any Iraqi National being killed. I didn't hear rumors about any unauthorized killing. I did not have any knowledge of Mr. (b)(6), (b)(7)(C) having any involvement with an Iraqi Intelligence Officer. To my understanding we did not have involvement with Iraqi Intelligence Officers. Mr. (b)(6), (b)(7)(C) appeared to me to be a good Officer; he was very professional, and he executed any assigned missions. Other units would come to him because of his level of expertise. He seemed to be a reserved person who took care of his work, and I can't remember ever having any issues with him. I did not hear any information about a Colonel putting out a Warning Order concerning any unauthorized killings apart from ROE. We re-deployed March 2005, and I had no further contact with Mr. (b)(6), (b)(7)(C)

(b)(6),  
(b)(7)  
(C)

Q: SA (b)(6), (b)(7)(C)  
A: LTC (b)(6), (b)(7)(C)  
Q: Was Mr. (Former CPT) (b)(6), (b)(7)(C) in charge of any intelligence assets/sources during his deployment?  
A: He dealt with informants but no official sources. People would come to the unit to provide intelligence information.  
Q: Did Mr. (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/source?  
A: Not that I know of.  
Q: What was the name of the Iraqi Intelligence Officer and what is his/her status/location?  
A: I do not have any information as I stated above.  
Q: Who would have information concerning that Iraqi Intelligence Officer?  
A: Other people in the S-2 shop may have information about that.  
Q: What is the name of the Iraqi National that Mr. (b)(6), (b)(7)(C) authorized the assassination of?  
A: I do not have any information as I stated above.  
Q: What is the current status/location of that Iraqi National?  
A: I do not have any information as I stated above.  
Q: Who would have more information concerning that Iraqi National?  
A: I do not have any information as I stated above.  
Q: Was Mr. (b)(6), (b)(7)(C) or anyone else in his unit authorized to approve assassinations during the deployment?  
A: No.  
Q: Who was officially responsible for authorizing assassinations?  
A: As far as I know, no one.  
Q: What was the normal protocol for having an assassination officially approved?  
A: As far as I know there is no protocol.  
Q: Was Mr. (b)(6), (b)(7)(C) in charge of an Intelligence Section during his deployment?  
A: Yes.  
Q: How was the section configured?  
A: There was a day and night shift. He was overall in charge of both shifts. He was the S-2. There was the assistant S-2 and maybe a couple NCOs and Soldiers. He probably had about five people in his section including him.  
Q: What are the names of the unit members deployed with Mr. (b)(6), (b)(7)(C)  
A: His Lieutenant wore glasses. I don't remember his name. They were all males in the S-2. They were all of white (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_\_\_ TAKEN AT \_\_\_\_\_ DATED \_\_\_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE  
INITIALED AS "PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE  
LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

(b)(6)(b)(7)(C) STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Buckley Air Force Base, Aurora, CO DATED 23 July 2008 CONTINUED  
complexion. I don't remember their names.

Q: Are there any notes or files pertaining to contact between Mr. (b)(6), (b)(7)(C) and any Iraqi Intelligence Officers during his deployment?

A: I would say none that I know of. But, all intelligence related files were passed to the replacement unit. I believe it was the 4/64<sup>th</sup> Armor Battalion S-2 shop.

Q: Do you know where those files are maintained and who has access to them?

A: No. I believe we even signed our ASAS Lite computers over to them. They were an All Source computer part of the Tactical Operations Suite.

Q: Do you have anything else to add to this statement?

Q: No.///END OF STATEMENT (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

STATEMENT OF (b)(6)(b)(7)(C) TAKEN AT Buckley Air Force Base, Aurora, CO DATED 23 July 2008

CONTINUED:  
STATEMENT (Continued)

0325-08-CID041-37972

(b)(6), (b)(7)(C)

**AFFIDAVIT**

I, (b)(6), (b)(7)(C), 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.

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

INITIALS OF PERSON MAKING STATEMENT (C)

(b)(6), (b)(7)(C)  
Statement)  
Person authorized by law  
to administer oaths, this 23rd day of July, 2008  
at (b)(6), (b)(7)(C)

(Signature of Person Administering Oath)

(b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

10 USC 936

(Authority To Administer Oaths)

PAGE 3 OF 3 PAGES

About 1535, 23 Jul 09, (b)(6)(b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) 902nd Military Intelligence Group, Fort Belvoir, VA, in reference to the status of the Request for Assistance (RFA) sent to her office by this office. SA (b)(6), (b)(7)(C) stated the only information she was able to obtain was the Compact Disc (CD) her office pertaining to provided to his office which contained documents from Mr (b)(6), (b)(7)(C) archived Officer Record Brief, which her office obtained from the Human Resources Command, Alexandria, VA. She further related she was unable to obtain any other information requested in the RFA. SA (b)(6), (b)(7)(C) additionally stated her office would not be preparing a final information report on the activity they conducted.

About 1050, 24 Jul 08, (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Operations Officer, United States Army Intelligence & Security Command (USAINSCOM), National Capital Region Field Office, 902nd Military Intelligence Group, Fort Belvoir, VA, who related he was previously unaware of the RFA sent to his office by this office. (b)(6), (b)(7)(C) stated he was recently made aware of the CD SA (b)(6), (b)(7)(C) already provided and her relating she was unable to obtain any further requested information. (b)(6), (b)(7)(C) stated this office's investigation was of high interest to his office and he was going to push the RFA up to USAINSCOM HQ, and upon doing so his office should be able to obtain the information requested in the RFA this office sent his office.

About 1600, 25 Jul 08, SA (b)(6), (b)(7)(C) this office, briefed Mr (b)(6), (b)(7)(C) Trail Attorney, Domestic Security Section, Criminal Division, U.S. Department of Justice, Washington, DC, on all aspects of this investigation to date.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

(b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

Signature: (b)(6), (b)(7)(C)

Date:  
25 Jul 08

CID Form 94

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EXHIBIT:

EXHIBIT/41

0089

AGENT'S INVESTIGATION REPORT

0249-08-CID044

0323-08-CID044 - 37972

CID Regulation 195-1

Page 1 of 1

On 18 Jul 08, This office received a request for assistance (RFA), from the Fort Myer CID Office, 3rd Military Police Group (CID), 105 Fenton Circle, Building 305, Fort Myers, VA 22211, to obtain a sworn statement from Mr. (b)(6), (b)(7)(C) Installation Management Command (West), Fort Sam Houston, TX 78234 (FSHTX) reference his knowledge of any assets/ sources maintained by Mr. (b)(6), (b)(7)(C) Defense Intelligence Agency, Pentagon, D.C.

About 1629, 28 Jul 08, SA (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) who provided a sworn statement wherein he stated he did not know of any assets/ sources maintained by Mr. (b)(6), (b)(7)(C) Defense Intelligence Agency, Pentagon, D.C. who may have assassinated an Iraqi National.

About 1049, 29 Jul 08, SA (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) CID, Fort Myer, VA, who related no further investigative activity was required from this office. ////LAST ENTRY////

(b)(6), (b)(7)(C), (b)(7)(F)

FORT SAM HOUSTON CID OFFICE  
1490 WILSON STREET, BUILDING 268  
FORT SAM HOUSTON, TX 78234

Signature

(b)(6), (b)(7)(C)

Date:  
Jul 08

Exhibit:

CID For

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SWORN STATEMENT 0323-08-C10044-37972

File Number: 249-20 (b)(6), (b)(7)(C) 044- (b)(6)(b)(7)(C)

Location : Fort Sam Houston, Texas

Date : 28 July 2004 Time: 1629 (b)(6)(b)(7)(C)

Statement Of: (b)(6), (b)(7)(C)

SSN : (b)(6), (b)(7)(C) Grade/Status: GS12

Org/Address: Installation Management Command (West), Fort Sam Houston, TX 78234

I, (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I met CPT (b)(6), (b)(7)(C) on or about January 2004 when I was assigned to the S2 Shop of 3-8 Cavalry 1 Cavalry Division. CPT (b)(6), (b)(7)(C) was the S2 of the Battalion and I acted as his Assistant S2. We deployed to Iraq in March of 2004, where our relationship was purely professional. I respected him as a very good intelligence officer, and an upstanding and fair boss. We never socialized or had many conversations other than work related. I ceased any contact with CPT (b)(6), (b)(7)(C) in June of 2005 after our deployment, because we changed units. In regards to the Assassination of an Iraqi National, I have no knowledge of the incident in question. I knew CPT (b)(6), (b)(7)(C) had sources in Iraq, but by no means was I privileged to the information. I have no knowledge of a source who could have offered any kind of assignment.

- Q. SA (b)(6), (b)(7)(C)
- A. Mr. (b)(6), (b)(7)(C)
- Q. Did you type the above statement?
- A. Yes.
- Q. Was Mr. (b)(6), (b)(7)(C) (former CPT), in charge of any intelligence assets/ sources during his deployment?
- A. Yes he was, but I personally did not have knowledge of all them.
- Q. Which sources did you have knowledge of?
- A. Truthfully I can not recall any names. This was about three years ago and I do not remember.
- Q. Did Mr. (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/ source?
- A. No. I did not know he had a source in the Iraqi Intelligence Agency.
- Q. Who would have the information as to who the source was?
- A. Mr. (b)(6), (b)(7)(C) and maybe the battalion commander, who there was two, the first one was LTC (b)(6), (b)(7)(C) and the second was (b)(6), (b)(7)(C) I do not know their full names. They were the commander of 3/8 Cavalry.
- Q. Do you know the name of the Iraqi National that Mr. (b)(6), (b)(7)(C) authorized the assassination of?
- A. No.
- Q. Do you know what is the current status/ location of the Iraqi National?
- A. No.
- Q. Do you know who would have this information?
- A. I was not privileged to this information, but I believe Mr. (b)(6), (b)(7)(C) would have the information if the information in the report is accurate.
- Q. Was Mr. (b)(6), (b)(7)(C) or anyone in (b)(6), (b)(7)(C) during the deployment authorized to approve assassinations?

EXHIBIT \_\_\_\_\_ INITIALS \_\_\_\_\_ PAGE 1 OF 3 PAGES

EXHIBIT/a(1-3) 0091

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0323-06-010041-37972

SWORN STATEMENT OF <sup>(b)(6)(b)(7)(C)</sup> [REDACTED], TAKEN AT THE FORT SAM HOUSTON, TEXAS 28 July 2008. CONTINUED

A. Not to my knowledge.

Q. Have you heard of anyone in his unit approving assassinations?

A. No.

Q. What are the names of the other unit members deployed with Mr. <sup>(b)(6), (b)(7)(C)</sup> [REDACTED] particularly the 12 personnel he was responsible for in the Intelligence Section he was in charge of during the deployment?

A. I specifically remember the other two LT's, who were LT <sup>(b)(6), (b)(7)(C)</sup> [REDACTED] and LT <sup>(b)(6), (b)(7)(C)</sup> [REDACTED]. There was <sup>(b)(6), (b)(7)(C)</sup> [REDACTED] SPC <sup>(b)(6), (b)(7)(C)</sup> [REDACTED] and two US Army interpreters, which I can not remember their last names. They were of Arabic descent, but not MOS qualified. They knew the language and that is why they assisted us. One was a SGT and the other a SPC. I don not the first names of the soldiers I mentioned. They were all assigned to 3-8 Cavalry. I don not recall the 12<sup>th</sup> name.

Q. Do you know of any notes or files pertaining to the contact between Mr. <sup>(b)(6), (b)(7)(C)</sup> [REDACTED] and any Iraqi Intelligence Officer during the deployment?

A. No.

Q. Do you know where any notes or files would be maintained?

A. No.

Q. Is there anything else you would like to add to this statement?

<sup>(b)(6), (b)(7)(C)</sup> [REDACTED] ///End of Statement///

EXHIBIT \_\_\_\_\_ INITIALS: <sup>(b)(6), (b)(7)(C)</sup> [REDACTED]

EXHIBIT 16 (7-3) 0092

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SWORN STATEMENT OF <sup>(b)(6)(b)(7)(C)</sup> [REDACTED] TAKEN AT THE FORT SAM HOUSTON, TEXAS 28 July 2008. CONTINUED

0323-08-G10041-37972

-----  
AFFIDAVIT  
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I, <sup>(b)(6), (b)(7)(C)</sup> [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 CO<sup>(b)(6), (b)(7)(C)</sup> [REDACTED] CE, OR UNLAWFUL INDUCEMENT.

\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to before me, a person authorized by law to administer oaths, on 28 July 2008 at Fort Sam Houston, Texas.

<sup>(b)(6), (b)(7)(C), (b)(7)(F)</sup> [REDACTED]  
\_\_\_\_\_  
(S  
S

\_\_\_\_\_  
(Typed Name of Person Administering Oath)

10 USC 936

\_\_\_\_\_  
(Authority To Administer Oaths)

<sup>(b)(6), (b)(7)(C)</sup> [REDACTED]

EXHIBIT \_\_\_\_\_

INITIALS \_\_\_\_\_

PAGE 3 OF 3 PAGES

0093

EXHIBIT 1013-30

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# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER 0169-08-CID446  
0323-08-CID041-37972

PAGE 1 OF 1 PAGE(S)

## DETAILS

BASIS FOR INVESTIGATION: About 1332, 1 Aug 08, this investigation was initiated upon receipt of Request for Assistance 0323-08-CID041-37972, from the Fort Myer CID Office, 105 Fenton Cir, Bldg 305, Fort Myer, VA 22211, for the interview of LTC (b)(6), (b)(7)(C) HHC, US Army Intelligence Center (USAIC), Fort Huachuca, AZ 85613 (FHAZ).

About 1325, 8 Aug 08, SA (b)(6)(b)(7)(C), this office, interviewed (b)(6), (b)(7)(C) who provided a Sworn Statement regarding his knowledge of the alleged assassination. (b)(6), (b)(7)(C) detailed there was no assassinations, but kill/capture missions designated for targets that were identified as terrorists or persons that were of interest regarding the war in Iraq. He stated he did not know of any assassination CPT (b)(6), (b)(7)(C) approved on an Iraqi national and did not know any details regarding this investigation or of anything similar being reported to the Battalion or Brigade chain of command. (b)(6), (b)(7)(C) detailed CPT (b)(6), (b)(7)(C) had many opportunities to work with an Iraqi Intelligence Officer, but did not specific people he might have worked with. ( See Sworn Statement of (b)(6), (b)(7)(C)

About 1500, 15 Aug 08, (b)(6), (b)(7)(C) interviewed (b)(6), (b)(7)(C) A Company, 304<sup>th</sup> Military Intelligence Battalion, Fort Huachuca, FHAZ, who provided a Sworn Statement regarding his knowledge of the alleged assassination. (b)(6), (b)(7)(C) stated he did not know of an assassination ordered by Mr (b)(6), (b)(7)(C). (b)(6), (b)(7)(C) stated he did not know of Mr (b)(6), (b)(7)(C) assets/sources in Iraq. (See Sworn Statement of (b)(6), (b)(7)(C) ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Fort Huachuca CID Office  
Fort Huachuca, AZ 85613

DATE

15 Aug 08

EXHIBIT

FOR OFFICIAL USE ONLY

# SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

LOCATION Fort Huachuca, AZ 85613	DATE 8 Aug 2008	TIME 1325/1516	FILE NUMBER 0169-08-CID446
LAST NAME, FIRST NAME, MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS LTC / AD

ORGANIZATION OR ADDRESS  
HHC, US Army Intelligence Center, Fort Huachuca, AZ 85613 **0323-08-00004-37972**

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:  
From March 2004 through Mar 2005 I was deployed with 3<sup>rd</sup> Bde, 1<sup>st</sup> Cavalry Division as the Bde S2. Cpt (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was the S2 for 3-8 Cav, a subordinate Battalion, during this same time period. The Area of Operations for 3-8 Cav included the International Zone (IZ) of Baghdad and a small area surrounding the IZ. In his position, CPT (b)(6), (b)(7)(C) had responsibility for ISR functions within his Bn though final tasking authority would have resided with the S3 and approval authority with the Battalion Commander. As the Bn responsible for security of the IZ, CPT (b)(6), (b)(7)(C) would have had weekly, if not daily, interaction with a variety of agencies, organizations, and ministries from Brigade level to National level of both coalition and Iraqi nationalities. While I cannot say for sure that he did or did not have a liaison relationship with an Iraqi Intelligence Officer, I can state that it is likely that he had some level of repeated contact with any of a variety of these types of organizations. I developed and maintained a regular, liaison contact with the Ministry of Defense Intelligence section that was located in the IZ and was involved in several operations conducted by the Iraqi National Intelligence Service (INIS) ...to include the detention of an INIS High Value Target in which we provided the finishing intelligence leading to the targets detention by INIS agents. While we did not conduct "assassinations" of Iraqi Nationals during the deployment, we regularly targeted identified individuals for non-lethal engagement, capture and/or lethal engagement. These planned targets were routinely briefed to either the Battalion or Brigade Commanders for approval (depending upon the echelon). This follows the same targeting approval process as has been used throughout OIF. We were never authorized to conduct assassinations but there were a number of deliberate capture or kill operations that resulted in the death of a specific, targeted individual within the limits of the rules of engagement. The description of the incident sounds very much like it may have been a case of CPT (b)(6), (b)(7)(C) having a target that he was getting no forward movement on and, in an effort to gain additional Intelligence, sharing the information with a member of an Iraqi Intelligence agency. We worked very hard to share information with our Iraqi counterparts in order to gain trust, build rapport, and leverage their extensive Intelligence networks.

Throughout the 12 month deployment, I talked or emailed with CPT (b)(6), (b)(7)(C) on a daily basis and saw him face-to-face three to four times a month. The only individual I can recall from the 3-8 Cav S2 was (b)(6), (b)(7)(C) currently attending the MICCC here at Ft Huachuca, AZ. (b)(6), (b)(7)(C) also currently attending the MICCC, was in the 3<sup>rd</sup> Bde S2 during the rotation but had less interaction with CPT (b)(6), (b)(7)(C) than I did. I am not sure where historical files of the deployment would be maintained... potentially Ft Hood, but the subordinate units of the 1<sup>st</sup> Cavalry Division have since had a reorganization and another Iraq deployment since.

I had not heard anything resembling the incident of interest prior to today. I was not aware of any reports to the Chain of Command that this event might have occurred, but did witness incidents that were in violation of ROE, Interrogation Policies, or UCMJ that were quickly addressed and resolved by the Bde level Chain of Command. In fact, the Commander of 3-8 Cav was relieved over a GO1 violation part way through the rotation.

We received multiple briefings concerning Rules of Engagement that might fit the description of the briefing mentioned. These were received during pre-deployment training at Ft Hood, Tx, upon RSOI in Kuwait, and within Baghdad as both refresher training and to account for any changes to ROE during the course of the deployment.

Q: Did you type the above statement?  
A: Yes.  
Q: What was your official position while deployed in Iraq with 3<sup>rd</sup> Brigade?  
A: I was S-2 Officer.  
Q: What does ISR stand for? (b)(6), (b)(7)(C)

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 3 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

(b)(6)(b)(7)(C) STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Fort Huachuca, AZ 85613 DATED 8 August 2008 CONTINUED

A: Intelligence, Surveillance and reconnaissance.

Q: What does RSOI stand for?

A: Reception Staging Onward movement and Integration.

Q: What does MICCC stand for?

A: Military Intelligence Caption Career's Course.

Q: What is (b)(6), (b)(7)(C) full name and current unit?

A: I don't remember his first name, but he is currently in 304<sup>th</sup> MI BN, Fort Huachuca, AZ 85613 (FHAZ).

Q: What is (b)(6), (b)(7)(C) current unit?

A: 304<sup>th</sup> MI BN, FHAZ.

Q: Was CPT (b)(6), (b)(7)(C) in charge of any intelligence assets/sources during his deployment?

A: Liaison contacts, not sources.

Q: Did CPT (b)(6), (b)(7)(C) have an Iraqi intelligence Officer as an asset or liaison contact?

A: I could not confirm that, it would be likely that he had some type of contact with them.

Q: Who would have the information regarding the Iraqi Intelligence Officer that the unit worked with?

A: If he had a regular contact it would probably maintained within the BN. Fort Hood would be a good place to start if the BN retained the information.

Q: Was CPT (b)(6), (b)(7)(C) or anyone else in his unit during the deployment authorized to approve an assassination?

A: No.

Q: Do you know anyone else that was deployed with CPT (b)(6), (b)(7)(C) that might have valuable information pertaining to this investigation?

A: (b)(6), (b)(7)(C) he was the BN S-2 assistant. (b)(6), (b)(7)(C) was working with me at brigade and would probably have as much information as I do regarding the incident.

Q: Do you anyone who was specifically supervised by CPT (b)(6), (b)(7)(C) that might be able to help with this investigation?

A: (b)(6), (b)(7)(C) would be the only one that I could think of.

Q: Are there any notes or files pertaining to contacts between (b)(6), (b)(7)(C) and any Iraqi Intelligence Officer during the deployment?

A: If they had them, it would be in classified files within the BN archives. I do not know where if they had anything it would be, because since the return from deployment the unit has been re-organized and has deployed again. The brigade did make a copy of the classified hard drive and placed that into the brigade classified archives. I am unsure if the BN did the same thing though.

Q: Can you recall any information pertaining to this investigation being briefed or identified to the chain of command during the deployment?

A: No.

Q: Do you have anything to add to your statement?

A: No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

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~~LAW ENFORCEMENT SENSITIVE~~

STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT Fort Huachuca, AZ 85613 DATED 8 August 2008 CONTINUED:  
STATEMENT (Continued)

0323-08-CID041-37972

NOT USED

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 8th day of August, 2008 at Fort Huachuca, AZ 85613

(b)(6), (b)(7)(C)  
(Signature of Person Administering Oath)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C)  
(Typed Name of Person Administering Oath)

10 USC, 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

~~FOR OFFICIAL USE~~

PAGE 3 OF 3 PAGES

SWORN STATEMENT

File Number: 0169-08-CID446  
Location: Fort Huachuca, AZ  
Date: 15 Aug 08  
Statement of: (b)(6), (b)(7)(C)  
SSN: (b)(6), (b)(7)(C)  
Org / Address: A Company, 304<sup>th</sup> Military Intelligence Battalion, Fort Huachuca, AZ 85613

0323-08-CID041-37972

Time: 1605 (b)(6), (b)(7)  
Rank: CPT/O3/RA

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C), want to make the following statement under oath: that I was a member of 3BCT/1CD from late October 2003 to August 2005. I served as an assistant S2 with 3BCT during OIF 2 from March 2004 to March 2005. As part of our task organization, TF 3-8 CAV was a subordinate battalion in the Brigade and was charged with the mission of security of the ECP's in the International Zone (I.Z.) and a myriad of other tasks as part of our mission within the I.Z. As part of my duties as an Assistant S2 I dealt daily with the subordinate BN S-2 shops. In that stead, I dealt with CPT (b)(6), (b)(7)(C) on a limited basis (usually on Fridays at our S2 shop during the S2 targeting meeting,) as I dealt mostly with his subordinates based on our battle rhythm and my specific duties within the shop. My role and responsibility in dealing with the 3-8 S2 shop was the daily dissemination of intelligence products such as INTSUM's, HUMINT reports, answering of RFI's and other products either built in our shop or passed down from higher. During our time in Iraq, 3-8 CAV had a good intelligence network based on their habitual relationships with a number of informants due to their mission set. Due to the importance of their mission, we received numerous instances of threat reporting from their informants and were able to develop a better picture of our A.O. I was not aware of who their informants were and how information was gathered but our shop as a whole received good intelligence information derived from their informants. At no time, during our rotation or after our redeployment was I made aware or received any information indicating that CPT (b)(6), (b)(7)(C) was paying informants or local nationals to conduct "hits" or assassinations of Iraqi citizens suspected of being insurgents. On our return during the summer of 2005, I talked to CPT (b)(6), (b)(7)(C) on a couple of occasions while he was assigned to the 1CD G2 and I would encounter him during my visits there. The extent of our conversations concerned his future plans after leaving the Army, current job in the G2 shop and what I was doing next. Our rotation was discussed very little and if brought up only concerned the fellow officers we served with and what they were up to. I have not talked to CPT (b)(6), (b)(7)(C) since the summer of 2005. At no time, during my interactions with (b)(6), (b)(7)(C) did he ever mention, discuss or intimate that he was ordering or paying for "hits" or assassinations of local Iraqis suspected of being in the insurgency. I was never made aware of any allegations indicating those actions were going on during my rotation serving in the BCT S2 shop during OIF 2 or on our return back from Iraq.

Q: (b)(6), (b)(7)(C)  
A: (b)(6), (b)(7)(C)

Q: Did you type the narrative portion of this statement?

A: Yes (b)(6), (b)(7)(C)

Q: Who is CPT (b)(6), (b)(7)(C)

A: He is CPT (b)(6), (b)(7)(C) he is about 5'11", about 190lbs, brown hair, medium build.

INITIALS (b)(6), (b)(7)(C)

SWORN STATEMENT OF (b)(6), (b)(7)(C) TAKEN AT FORT HUACHUCA, AZ, DATED 15 AUG 08, CONTINUED:

0323-08-CID041-37972

Q: What is CD, TF, ECP, INTSUM, HUMINT, and RFI?

A: CD Cavalry Division, TF Task Force, ECP Entry Control Point, INTSUM Intelligence Summary, HUMINT Human Intelligence, and RFI Request for Intelligence.

Q: Was Mr (b)(6), (b)(7)(C) in charge of any intelligence Assets/sources during his deployment?

A: I am aware of an informant network, but I don't know how he interacted with the network.

Q: Did Mr (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/source?

A: I don't know.

Q: Who would have the name of any Iraqi Intelligence Officer that Mr (b)(6), (b)(7)(C) had as an asset/source?

A: I don't know.

Q: What was the name of the Iraqi National that Mr (b)(6), (b)(7)(C) authorized the assassination of?

A: I have not ideal. I never heard of this allegation until today.

Q: Who would have the name of any Iraqi National that Mr (b)(6), (b)(7)(C) had assassinated?

A: I have no ideal.

Q: Was Mr (b)(6), (b)(7)(C) authorized to approve assassinations?

A: No. No one was authorized to approve of assassinations.

Q: Who did Mr (b)(6), (b)(7)(C) work for and with?

A: (b)(6), (b)(7)(C) (NFI), Fort Riley, (b)(6), (b)(7)(C) (NFI), and CPT (b)(6), (b)(7)(C)

Q: Are you aware of any documentation that might contain Mr (b)(6), (b)(7)(C) contact, assets, and sources?

A: No.

Q: Are you aware of any briefings by anyone in the unit's chain of command during the deployment occurring in reference to the aforementioned information?

A: No.

Q: Is there anything you want to add to this statement?

A. No. ///END OF STATEMENT/// (b)(6), (b)(7)(C)

INITIALS (b)(6), (b)(7)(C)

EXHIBIT \_\_\_\_\_

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0099

SWORN STATEMENT OF (b)(6)(b)(7)(C) TAKEN AT FORT HUACHUCA, AZ, DATED 15 AUG 08, CONTINUED:

0323-08-010041-37972

AFFIDAVIT

I, (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 3 (b)(6), (b)(7)(C) I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
\_\_\_\_\_  
(Signature of Person Making Statement)

Subscribed and sworn to, before me, a person authorized by law to administer oaths, this 15<sup>th</sup> day of Aug 2008, at Fort Huachuca, AZ.

(b)(6), (b)(7)(C)  
\_\_\_\_\_  
(Person Administering Oath)

SA (b)(6), (b)(7)(C)  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

10 USC, 936  
\_\_\_\_\_

# AGENT'S INVESTIGATIVE REPORT

ROI NUMBER: 0323-08-CID041-37972  
0223-08-CID146-

CID Regulation 195-1

PAGE 1 OF 1 PAGES

DETAILS

**BASIS FOR INVESTIGATION:** On 5 Aug 08, this office received a Request for Assistance (RFA) 0323-08-CID041-37972, from the Fort Myer CID Office, Fort Myer, VA 22211. The RFA requested this office to obtain a sworn statement from CPT (b)(6)(b)(7)(C) A Company (CO), Team 2, 2<sup>nd</sup> Battalion (BN), 5<sup>th</sup> Special Forces Group (SFG), Fort Campbell KY, regarding any information pertaining to the alleged assassination of an Iraqi national at the order of Mr. (Former CPT) (b)(6), (b)(7)(C) Defense Intelligence Agency (DIA), Washington, DC, while he while assigned in Iraq between 2004-2005.

About 1740, 26 Aug 08, SA (b)(6), (b)(7)(C) this office, interviewed (b)(6), (b)(7)(C) who provided a sworn statement. (b)(6), (b)(7)(C) related he had no knowledge of Mr. (b)(6), (b)(7)(C) ordering any person(s) to be assassinated while stationed in Iraq.

///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION:

Fort Irwin Resident Agency (CID)  
Fort Irwin, CA 92310

SIC

DATE:

26 August 2008

EXHIBIT



### SWORN STATEMENT

For use of this form, see AR 190-45; the proponent agency is Office of The Deputy Chief of Staff for Personnel.

0323-08-CID041-37972

LOCATION Fort Irwin, CA 92310	DATE 26 Aug 2008	TIME 1754	FILE NUMBER 0223-2008-CID146
LAST NAME FIRST NAME MIDDLE NAME (b)(6), (b)(7)(C)	SOCIAL SECURITY NUMBER (b)(6), (b)(7)(C)		GRADE/STATUS 03/ CPT
ORGANIZATION OR ADDRESS A Co, Operation Detachment Alpha 5213, 2 <sup>nd</sup> Battalion, 5 <sup>th</sup> Special Forces Group, Fort Campbell, KY			

I, (b)(6), (b)(7)(C), WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Q: (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C)

Q: Was Mr. (Former CPT) (b)(6), (b)(7)(C) in charge of any Intelligence assets/sources during his deployment?

A: Overall in charge of the intelligence shop but would only have informants that would walk up to the gate or our unit and give information. There were no paid sources that I was aware of.

Q: Did Mr. (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/source? If so what was the name of the Iraq Intelligence Officer and what is his/her current status/location?

A: No, just contacts with their intelligence community. I don't know any of their names.

Q: Who would know or have that information?

A: Possibly at the 3/8 Calvary in their Intelligence archives.

Q: What was the name of the Iraqi National that Mr. (b)(6), (b)(7)(C) authorized the assassination of and what is his/her current status/location?

A: Never authorized assassinations as far as I know.

Q: Who would have that information?

A: Battalion Commander LTC (b)(6), (b)(7)(C) or LTC (b)(6), (b)(7)(C)

Q: Was Mr. (b)(6), (b)(7)(C) or anyone else in his unit authorized to approve assassinations? If so who?

A: NO

Q: What are the names of the other unit members deployed with Mr. (b)(6), (b)(7)(C) particularly the personnel he was responsible for in the Intelligence section he was in charge of during the deployment?

A: Me, (b)(6), (b)(7)(C) and two SPC one from Morocco and one from Lebanon that were native speakers assigned to him but I don't recall their names at this time.

Q: Where there any notes or files pertaining to the contact between Mr. (b)(6), (b)(7)(C) and any Iraqi Intelligence Officer during the deployment, if so where are they maintained?

A: We would write a daily Intelligence report for the Battalion and attach a HUMINT report. I am not aware of any other reports that we generated. Sometimes during the deployment the Brigade S2 shop would ask for names of individuals who provided information to us to make sure that there was no dual reporting happening.

Q: Do you know of anyone else who may have reported the aforementioned information to the unit's chain of command if so do you know who the person who reported it?

A: No

Q: Do you have knowledge of a briefing by anyone in the unit's chain of command during the deployment occurring in reference to the aforementioned information, if so who provided that briefing and what were the details of that briefing?

A: I have never heard of this briefing.

Q: Do you have anything further to add to this statement?

A: No.///END OF STATEMENT///

EXHIBIT	INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C)	PAGE 1 OF 2 PAGES
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ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF \_\_\_ TAKEN AT \_\_\_ DATED \_\_\_ CONTINUED."  
 THE BOTTOM OF EACH ADDITIONAL PAGE MUST BEAR THE INITIALS OF THE PERSON MAKING THE STATEMENT AND BE  
 INITIALED AS "PAGE \_\_\_ OF \_\_\_ PAGES." WHEN ADDITIONAL PAGES ARE UTILIZED, THE BACK OF PAGE 1 WILL BE  
 LINED OUT, AND THE STATEMENT WILL BE CONCLUDED ON THE REVERSE SIDE OF ANOTHER COPY OF THIS FORM.

found.

STATEMENT OF (b)(6)(b)(7)(C) TAKEN AT Fort Irwin, CA 92310 DATED 26 August 2008 CONTINUED:  
STATEMENT (Continued)

— NOTHING FOLLOWS —

(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)  
\_\_\_\_\_  
(Signature of Person Making Statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths on August 26, 2008 at Fort (b)(6), (b)(7)(C), (b)(7)(F)

(b)(6), (b)(7)(C), (b)(7)(F)  
\_\_\_\_\_  
(Typed Name of Person Administering Oath)

ORGANIZATION OR ADDRESS  
\_\_\_\_\_  
\_\_\_\_\_  
ORGANIZATION OR ADDRESS  
\_\_\_\_\_

10 USC § 936  
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT  
(b)(6), (b)(7)(C)

PAGE 2 OF 2 PAGES

About 1110, 3 Sep 08, (b)(6), (b)(7)(C) coordinated with SA (b)(6), (b)(7)(C) Operations Officer, USAINSCOM, National Capital Region Field Office, 902nd Military Intelligence Group, Fort Belvoir, VA in reference to the status of the RFA that was sent to his office by this office which he subsequently forwarded to USAINSCOM HQ. (b)(6), (b)(7)(C) stated he coordinated with USAINSCOM HQ personnel and they informed him that they were not able to obtain any information requested in the RFA.

About 1630, 11 Sep 08, (b)(6), (b)(7)(C) coordinated with LTC (b)(6), (b)(7)(C) Military Intelligence (MI) Branch Chief for Officers and Warrant Officers, Operations Support Division, HRC, Alexandria, VA. LTC (b)(6), (b)(7)(C) stated the MOS 35D was a generic MOS for all MI Offices, that did not have any specialized training in relation to MI skills like Human Intelligence (HUMINT), Imagery Intelligence (IMINT), Measurement and Signature Intelligence (MASINT), or Signals Intelligence (SIGINT). He related if an MI Officer received the specialized training for HUMINT, IMINT, MASINT, or SIGINT the Officer would receive the 35 serious MOS identifier associated to the special skill training upon successful graduation of the specific course. LTC (b)(6), (b)(7)(C) stated he did not know all of the specific details or job duties that an Officer with the MOS 35D could/would perform but the specifics of the MOS were spelled out in DA PAM 600-3 (Commissioned Officer Professional Development and Career Management). He further stated that a CPT with the MOS of 35D could be assigned as a Commander of a MI Company, an S-2 for a Battalion, or a Assistance S-2 for a Brigade, among other jobs.

About 1700, 11 Sep 08, (b)(6), (b)(7)(C) conducted a review of DA PAM 600-3 (Commissioned Officer Professional Development and Career Management). Below is the excerpt from Paragraph 26-2 (Military Intelligence officer areas of concentration) of DA PAM 600-3 pertaining to the MOS 35:

-All MI officers begin their career as 35D (all-source intelligence officer) and may acquire additional AOC training upon completion of the MI CCC (MI CCC). This provides the Army with a corps of intelligence generalists possessing a common skill set that can succeed at all echelons. All AOCs accomplish their mission through six primary tasks which generate intelligence synchronized to support the commander's mission and intelligence requirements. These six tasks; Indications and warnings, intelligence preparation of the battle space, situation development, target development, force protection, and battle damage assessment can be thought of as the mission essential task list for intelligence.

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

Signature: (b)(6), (b)(7)(C)

Date:

25 Sep 08

CID Form 94

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~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT:

0104

EXHIBIT 2211 ( - 3 )

-a. All-source intelligence officer (35D). All MI officers receive initial and advanced training as a 35D. Duties include directing, supervising and coordinating the planning, collection, processing, production, and dissemination of all-source intelligence (HUMINT, IMINT, MASINT, SIGINT, OSINT, and CI) at all echelons (to include JIIM). They perform multidiscipline collection management, coordination of surveillance, and reconnaissance activities and provide advice on the use of intelligence resources at all echelons. They supervise and perform IPB using automated intelligence data processing systems and advise the commander and subordinate units on the enemy, weather, and terrain.

- b. IMINT officer (35C). Duties include planning, directing, managing, coordinating and participating in the collection, production, analysis, exploitation, and dissemination of optical, infrared, and radar IMINT from national, operational, and tactical sensors to support reconnaissance and surveillance operations at all echelons (to include JIIM).

-c. CI officer (35E). Duties include planning, directing, managing, coordinating and participating in the collection, production and dissemination of CI information and conducting CI investigations and operations at all levels. Provide CI input and assistance to force protection planning and execution by limiting the effectiveness of foreign multidiscipline collection directed against Army operations, activities, technology, and personnel at all echelons (to include JIIM).

-d. HUMINT officer (35F). Duties include directing, coordinating and participating in controlled collection operations to obtain intelligence information in support of Army and DOD requirements. Senior captains may apply and must have 35D experience prior to selection.

-e. SIGINT/electronic warfare officer (35G). Duties include planning, directing, managing, coordinating, and participating in the collection, production, and dissemination of SIGINT and conducting electronic warfare at tactical, operational, and strategic levels (to include JIIM).

Per Mr (b)(6)(b)(7)(C) Certificate of Release or Discharge from Active Duty Mr (b)(6), (b)(7)(C) MOS when he was discharged from the Army was 35D, and the OER's he received during the time frame in question his MOS was also 35D. However it also appears based on DMDC query documentation that Mr (b)(6), (b)(7)(C) attended the Signal Intelligence/Electronic Warfare Officer Course between Feb and Mar 03, which should have given him MOS skill identify of G (SIGINT/Electronic Warfare Officer) as

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

Signature:

(b)(6), (b)(7)(C)

Date:

25 Sep 08

detailed in Para e above. Also in the DMDC query documents and the Certificate of Release or Discharge it details in Mar 03 he attended the Electronic Warfare Staff Officer Course.

About 1430, 25 Sep 08, SA (b)(6)(b)(7)(C) briefed Mr (b)(6), (b)(7)(C) Trail Attorney, Domestic Security Section, Criminal Division, U.S. Department of Justice, Washington, DC on the interviews conducted to date. (b)(6), (b)(7)(C) related at this point no further interviews would be necessary; however, he would like this office to attempt a records screening in regards to Mr (b)(6), (b)(7)(C) unit while Mr (b)(6), (b)(7)(C) was deployed to Iraq. Specifically to attempt to develop any information which would assist in determining whether or not the incident under investigation may have occurred and/or aide the identification of the alleged deceased.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

Signature:

(b)(6), (b)(7)(C)

Date:

25 Sep 08

CID Form 94

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EXHIBIT:

0106

EXHIBIT 2 (3-3)

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0667-08-CID0341-37972

0323-08-CID041-37972  
PAGE 1 OF 2 PAGES

## DETAILS

**BASIS FOR INVESTIGATION:** On 1 Aug 08, this office received a Request for Assistance (RFA) (0323-08-CID041-37972) from the Fort Meyer CID Office, Fort Meyer, VA 22211, to interview COI (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) Deputy Commanding General-Maneuver (DCG-M), 1st Cavalry Division (1 CD), Fort Hood, TX 76544 (FHTX), and LTC (b)(6), (b)(7)(C), Headquarters Company, 1st Brigade Combat Team (BCT), 1 CD, FHTX, pertaining to their knowledge of Mr. (Former CPT) (b)(6), (b)(7)(C) Defense Intelligence Agency, Pentagon, Washington D.C. and if they or he approved the assassination of an Iraqi National.

About 1600, 5 Aug 08, SA (b)(6), (b)(7)(C) interviewed LTC (b)(6), (b)(7)(C) pertaining to Mr. (b)(6), (b)(7)(C) authorizing the assassination of an Iraqi National. LTC (b)(6), (b)(7)(C) stated he worked with Mr. (former CPT) (b)(6), (b)(7)(C) on a daily basis while deployed to Iraq in 04 and 05 because LTC (b)(6), (b)(7)(C) was the S-3. LTC (b)(6), (b)(7)(C) further stated that he does not recall any incidents as described nor does he recall any briefings denouncing such actions. LTC (b)(6), (b)(7)(C) further stated the only person who could authorize an assassination was the brigade commander.

About 1400, 8 Aug 08, SA (b)(6), (b)(7)(C) interviewed COI (b)(6), (b)(7)(C) pertaining to his knowledge of the incident described by Mr. (b)(6), (b)(7)(C) COL(P) (b)(6), (b)(7)(C) related he knew nothing of the incident and did not authorize any such actions.

About 1501, 24 Aug 08, SA (b)(6), (b)(7)(C) coordinated with MAJ (b)(6), (b)(7)(C) Executive Officer, 3<sup>rd</sup> Battalion, 8<sup>th</sup> Cavalry Regiment, 1<sup>st</sup> BCT, 1 CD, FHTX, who related he is not able to locate a roster of personnel for the deployment rotation in question.

About 1320, 4 Sep 08, SA (b)(6), (b)(7)(C) interviewed LTC (b)(6), (b)(7)(C) pertaining to the allegation made by Mr. (b)(6), (b)(7)(C) LTC (b)(6), (b)(7)(C) stated he was the commander of Task Force 3-8 Cavalry for approximately 7 months during Operation Enduring Freedom II. While the commander he was never briefed by anyone of any assassinations or solicitations to assassinate any person(s) for the U.S. Further LTC (b)(6), (b)(7)(C) did not authorize nor could he authorize such an action.

About 1000, 9 Sep 08, SA (b)(6), (b)(7)(C) this office, interviewed CSM (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) pertaining to his knowledge of Mr. (b)(6), (b)(7)(C) allegations. CSM (b)(6), (b)(7)(C) stated he knew nothing about the alleged incident.

About 1143, 29 Sep 08, SA (b)(6), (b)(7)(C) coordinated with LTC (b)(6), (b)(7)(C) and verified which unit replaced Task Force 3-8. LTC (b)(6), (b)(7)(C) stated 4 Battalion, 64<sup>th</sup> Regiment, 4<sup>th</sup> Brigade, 3<sup>rd</sup> Infantry Division, Fort Stewart, GA.

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

FORT HOOD CID OFFICE  
FORT HOOD, TX 76544

SIGNATURE  
(b)(6), (b)(7)(C)

DATE

29 Sep 08

EXHIBIT

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0667-08-CID034-

0323-08-CID04L-37972

PAGE 2 OF 2 PAGES

DETAILS

About 1622, 29 Sep 08, this office was notified by SA (b)(6), (b)(7)(C) Fort Meyer CID Office, Fort Meyer, VA 22211, that no further investigative activity is required pertaining to this investigation at this time.

STATUS: Further activity by this office is not anticipated at this time. This matter is closed within the files of this office. Additional activity, if deemed necessary, will be conducted under a separate sequence. ///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

FORT HOOD CID OFFICE  
FORT HOOD, TX 76544

SIGNATURE  
(b)(6), (b)(7)(C)

DATE

29 Sep 08

EXHIBIT

FOR OFFICIAL USE ONLY - Law Enforcement Sensitive

SWORN STATEMENT

0323-08-010941-37972

LOCATION: Fort Hood, TX 76544 DATE: 5 Aug 08 TIME: 1600
NAME: LTC
SSN:
STATUS: AD
ORGANIZATION/ADDRESS: Headquarters, 1st Brigade Combat Team, 1st Cavalry Division, III Corps, Fort Hood, TX 76544

want to make the following statement under oath: I was deployed from July of 2004 thru March of 2005 with 3-8 Cav, 3BCT, 1CD as the Battalion S3. As the Battalion S3, I worked closely with CPT for the purposes of targeting AIF and other forces in our sector that would harm U.S. or coalition objectives or assets. As the S3, I worked with him on a daily basis to filter tips and intelligence to determine what information was of value to help in my targeting process to refine and improve BOLO targets and as appropriate trigger raids or cordon and searches to apprehend possible threats. We operated under a 7 day targeting cycle and though working together informally on a daily basis, had two targeting meetings weekly at the Bn level and one at the Bde level that he and I attended to refine our targets

Q: Was Mr. in charge of any intelligence assets/sources during his deployment?
A: In terms of receiving information from interpreters that we're employed by Titan and operating with our units as well as some ING soldiers, he did handle information or tips provided by these personnel to help paint an accurate picture of the situation in AO Warhorse.

Q: Did Mr. have an Iraqi Intelligence Officer as an asset/source?
A: Not that I am aware of.

Q: Do you know who would have that information?
A: Files from 3-8 Cav's deployment were preserved and stored in the S2 safe in 3-8 Cav upon return from OIF II - if they are still accessible, they would be stored in the 3-8 Cav S2 shop in 3BCT, 1CD on Ft Hood.

Q: Was Mr. authorized to approve assassinations?
A: No
Q: Was anyone in the unit authorized to approve assassinations? If so who?
A: No

Q: Do you know the names of the other unit members that were deployed with Mr. ? Particularly the personnel he was responsible for in the intelligence section he was in charge of during the deployment?

A: CPT and possibly CW2/3
Q: Do you know if there are any notes or files pertaining to contact between Mr. and any Iraqi Intelligence Officers during the deployment?
A: None that I am aware of - if they exist, they would be in 3-8 Cav.

Q: Do you recall anyone reporting the aforementioned information or similar information to the unit's chain of command?
A: No

Q: Do you have any knowledge of a briefing by anyone in the chain of command during the deployment occurring in reference to the aforementioned information?

A: No but if this issue were raised, I suspect it would have been in the context of the Bn week

INITIALS OF PERSON MAKING STATEMENT Page 1 of 3

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EXHIBIT 24 (1-3)



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“Statement of LTC (b)(6), (b)(7)(C) Headquarters, 1<sup>st</sup> Brigade Combat Team, 1<sup>st</sup> Cavalry Division, III Corps, Fort Hood, TX 76544; Dated: 5 Aug 08

Continued:”  
targeting Brief

0323-08-C1404L-37972

Q: Can you describe a targeting brief?

A: On a weekly basis, the S2 and I would review our High Value Target List and identify what new information we had from either subordinate units, the BCT or sister Bns as well as tips from informants/walk-ins as it related to our AO or our current BOLO list. We had a prep meeting the day prior with the S3, S2, and several other key Bn staff to digest the information we have and determine if the new info we had warranted new actions on any of our existing targets or if it warranted adding a new target to the list. Then we would discuss options for refining that information so as to acquire confirmation of what we believed was a threat to the AO or interests in order to gather a second source to make the target actionable. Once it was deemed actionable, the Commander would be briefed in the targeting brief that included all of the unit commanders to determine based on assets available and sectors who was the best unit positioned to conduct whatever actions were appropriate or to determine whether additional observation was warranted to develop patterns of life and better timing for action.

Q: Are you concealing any information you believe might affect the outcome of this investigation?

A: No

Q: Is there anything else you would like to add to this statement?

A: (b)(6), (b)(7)(C) End of Statement///

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 2 of 3 Pages

~~FOR OFFICIAL USE ONLY - Law Enforcement Sensitive~~

EXHIBIT 24 (2-3)

~~FOR OFFICIAL USE ONLY - Law Enforcement Sensitive~~

"Statement of LTC (b)(6)(b)(7)(C) Headquarters, 1<sup>st</sup> Brigade Combat Team,  
1<sup>st</sup> Cavalry Division, III Corps, Fort Hood, TX 76544; Dated: 5 Aug 08

Continued:"

0323-08-C10044-37972

**AFFIDAVIT**

I, (b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS  
ON PAGE 1 AND ENDS ON PAGE 3 (b)(6), (b)(7)(C) UNDERSTOOD THE CONTENTS OF THE ENTIRE  
STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND  
HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS  
STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF  
PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law  
to administer oaths, this 5 day of Aug, 2008 at  
Fort Hood, TX 76544

(b)(6), (b)(7)(C)

ORGANIZATION AND ADDRESS

Special Agent (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

Title 10 USC, Section 936

(Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT

(b)(6), (b)(7)(C)

Page 3 of 3 Pages

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EXHIBIT 24137

~~FOR OFFICIAL USE ONLY - Law Enforcement Sensitive~~

SWORN STATEMENT

0323-08-G10041-37972

(b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)  
LOCATION: Fort Hood CID Office, Fort Hood, TX 76544 DATE: 8 Aug 08 TIME: 1425  
NAME: COL(P) (b)(6), (b)(7)(C)  
SSN: (b)(6), (b)(7)(C)  
STATUS: AD  
ORGANIZATION/ADDRESS: Headquarters, 1<sup>st</sup> Cavalry Division, Fort Hood, TX 76544 (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) I, want to make the following statement under oath: During the deployment I was the Brigade commander and received briefings from CPT (b)(6), (b)(7)(C) about ever three to four weeks. These briefing were operations briefing for what was happening in their AOR (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C) Q: Was Mr. (b)(6), (b)(7)(C) in charge of any intelligence assets/sources during his deployment?

A: As the S-2 I am sure that he was in charge of assets or sources.

Q: Did MR. (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/source?

A: Not to my knowledge.

Q: What was the name of the Iraqi National that Mr. (b)(6), (b)(7)(C) authorize the assassination of and what is his/her current status/location? If they do not know, ask who would have that information.

A: I have no idea of this incident.

Q: Was Mr. (b)(6), (b)(7)(C) or anyone else in his unit during the deployment authorized to approve assassinations?, If so who?

A: Absolutely not.

Q: What are the names of the other unit members deployed with Mr. (b)(6), (b)(7)(C) particularly the personnel he was responsible for in the intelligence section?

A: MAJ (b)(6), (b)(7)(C) LTC (b)(6), (b)(7)(C) LTC(R) (b)(6), (b)(7)(C), CPT (b)(6), (b)(7)(C) CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) LTC (b)(6), (b)(7)(C) BDE S2, LTC (b)(6), (b)(7)(C) replaced LTC (b)(6), (b)(7)(C) CSM(R) (b)(6), (b)(7)(C)

Q: Are there any notes or files pertaining to contact between Mr. (b)(6), (b)(7)(C) and any Iraqi Intelligence Officers during the deployment? If so where are they maintained?

A: If they exist, my guess is that they were left in theater or with 3-8 CAV

Q: Do you recall any one reporting the aforementioned information or similar information to the unit's chain of command, and if so who was the person who reported it?

A: No.

Q: Do you recall any briefings in reference to the aforementioned information?

A: No.

Q: Are you concealing any information you believe might affect the outcome of this investigation?

A: No.

Q: Is there anything else you would like to add to this statement?

A: No. (b)(7)(C) //End of Statement//

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 1 of 2 Pages

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~~FOR OFFICIAL USE ONLY - Law Enforcement Sensitive~~

(b)(6), (b)(7)(C)

Statement of COL(P) (b)(6), (b)(7)(C) Headquarters, 1<sup>st</sup> Cavalry Division, Fort Hood, TX 76544; Dated: 8 Aug 08, Continued:"

0323-08-CID041-37971

**AFFIDAVIT**

I, (b)(6), (b)(7)(C), HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2 (b)(6), (b)(7)(C) UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT. (b)(6), (b)(7)(C)

WITNESSES:

(b)(6), (b)(7)(C)

by law

to administer oaths, this 8th day of Aug, 2008 at Fort Hood, TX 76544

(b)(6), (b)(7)(C)

ORGANIZATION AND ADDRESS

(b)(6), (b)(7)(C) (Oath))

Special Agent (b)(6), (b)(7)(C), (b)(7)(F)

(Typed Name of Person Administering Oath)

Title 10 USC, Section 936 (Authority to Administer Oath)

INITIALS OF PERSON MAKING STATEMENT: (b)(6), (b)(7)(C)

Page 2 of 2 Pages

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0323-08-01004/ 37972

Location: Fort Hood, TX 76544  
Date: 4 Sep 08  
Time: 1320 hrs  
Name: LTC(R)  
SSN: XXX-XX-XXXX  
Address:

(b)(6), (b)(7)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

, want to make the following statement under oath: During Operation Enduring Freedom (OIF) II, I was the Task Force Commander of 3-8 Cav, 3<sup>rd</sup> Brigade, 1<sup>st</sup> Cavalry Division, deployed from Fort Hood, TX. I was in country approximately 7 months and never heard of an assassination attempt or any one soliciting to assassinate someone for us. During this time I did know who CPT (b)(6), (b)(7)(C) was and that he worked in the Task Force level S-2 and S-5 (Civil Affairs). During my daily S-2 briefings I was never made aware of any assassination attempts or solicitations. (b)(6), (b)(7)(C)

Q: Did you type the above statement?

(b)(6), (b)(7)(C)

No, it was typed by SA (b)(6), (b)(7)(C) but it is accurate.

Q: Did CPT (b)(6), (b)(7)(C) have any sources or assets?

A: Yes, but I don't recall to what extent or who they were.

Q: Were their records kept of sources or assets? If so where are they now?

A: Yes, both hard copy and electronic. I don't know where they would be kept now. I assume it was handed over to the incoming task force.

Q: Were their any briefings provided by the chain of command denouncing assassinations or soliciting for assassinations? By who?

A: No.

Q: Who could authorize such an action?

A: An action like that could not be authorized at my level. I doubt it could have been authorized at the division level.

Q: Did you authorize such an action?

A: No.

Q: Do you recall anyone who worked in the S-2 section? And where they are at?

A: I think SFC (b)(6), (b)(7)(C) NCOIC. I don't know where they are at.

Q: Are you concealing any information that could affect the out come of this investigation?

A: No.

Q: Is there anything else you would like to add to this statement?

A: No. (b)(6), (b)(7)(C) DF STATEMENT///

(b)(6), (b)(7)(C)

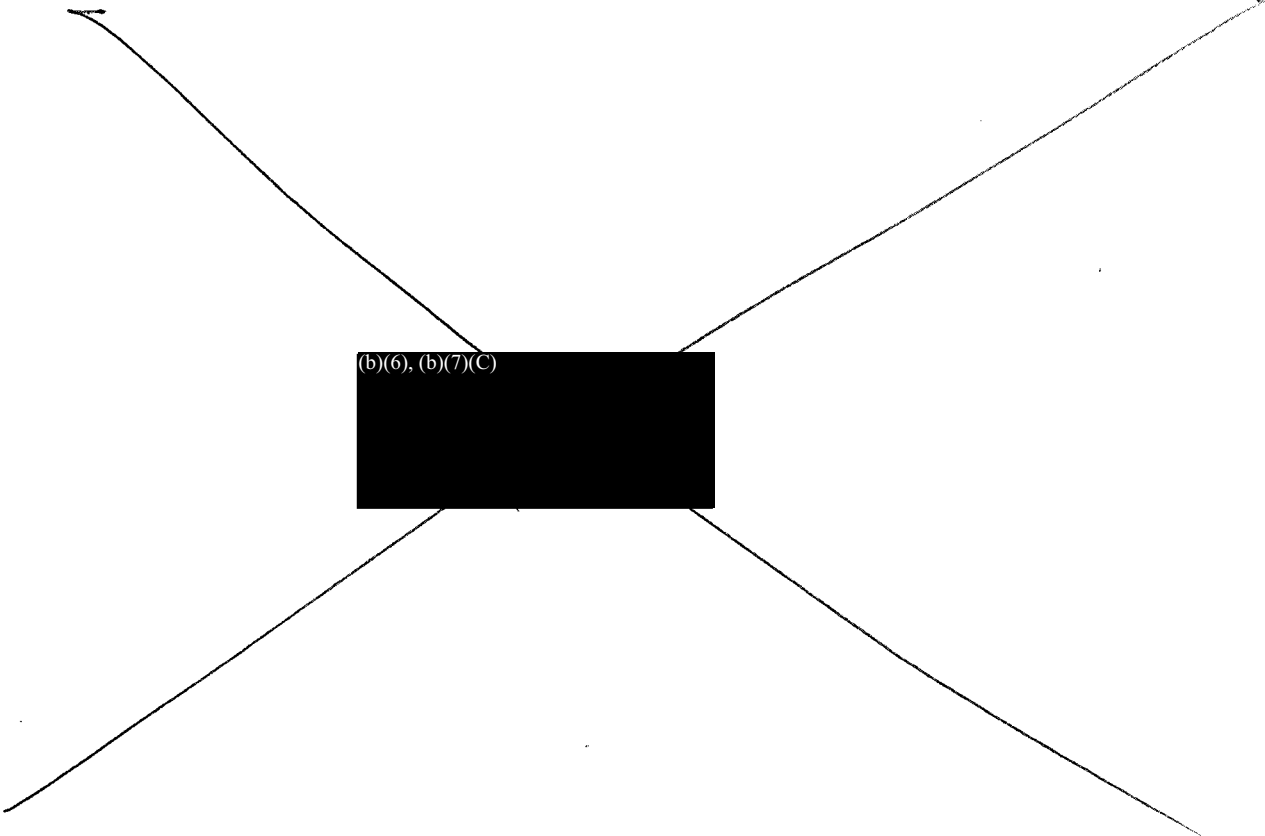
EXHIBIT 29 (1) 3

Initials of person making statement

STATEMENT OF LTC(R) (b)(6), (b)(7)(C) TAKEN AT Fort Hood TX (b)(6), (b)(7)(C) 4 Sep 08 (b)(6), (b)(7)(C)

9. STATEMENT (Continued)

0323-08-015042-37972



(b)(6), (b)(7)(C)

AFFIDAVIT

I, (b)(6), (b)(7)(C), 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 (b)(6), (b)(7)(C), WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLU

(statement)

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 4 day of Sept, 2008 at Fort Hood TX 76544  
(b)(6), (b)(7)(C)

ORGANIZATION OR ADDRESS

(b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION OR ADDRESS

USC 936

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

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~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT 2008-09-04

0667-08-CID034

SWORN STATEMENT

0323-08-CID04-37972

LOCATION: Fort Hood CID Office, Fort Hood, TX 76544 DATE: 09 Sep 08 TIME: 1052

NAME: (b)(6), (b)(7)(C)

SSN: (b)(6), (b)(7)(C)

STATUS: CSM (RET)

ORGANIZATION/ADDRESS: (b)(6), (b)(7)(C)

(b)(6), (b)(7)(C)

want to make the following statement under oath:

I retired from active duty on 1 Sep 05. Prior to that date, I was deployed to Iraq from March 2004 to March 2005. I was assigned HHC, 3-8<sup>th</sup> CAV, 1<sup>st</sup> Calvary Division on FOB Warhorse. The FOB was later changed to FOB Freedom. While deployed, I was aware of daily intelligence reports, however, I was not aware of all details that occurred in every cell. I had daily knowledge of the BOLO reports and certain targets. Mostly, I was inspecting the troops at their checkpoints for their security posture and situational awareness. I went on patrols almost every day.

Q: SA (b)(6), (b)(7)(C)

A: (b)(6), (b)(7)(C)

Q: Did you type the above narrative?

A: No. It is accurate.

Q: Did you know Mr. (Formerly CPT) (b)(6), (b)(7)(C)

A: Yes I did.

Q: What was his duty position?

A: He was the Task Force Intelligence Officer (S-2).

Q: Was Mr. (b)(6), (b)(7)(C) in charge of any intelligence assets/sources during his deployment?

A: I would say he was.

Q: Did Mr. (b)(6), (b)(7)(C) have an Iraqi Intelligence Officer as an asset/source?

A: I don't know if he did or not.

Q: Do you know anyone that may have that information?

A: I believe it would be a Major at the Brigade S-2, or maybe LTC (b)(6), (b)(7)(C)

Q: Was Mr. (b)(6), (b)(7)(C) or anyone else in his unit during the deployment authorized to approve assassinations?

A: I do not know.

Q: Do you remember anyone that served with Mr. (b)(6), (b)(7)(C) during the deployment, particularly in the Intelligence Section?

A: The only person I remember was a Sergeant First Class with the last name (b)(6), (b)(7)(C) believe he is in Arizona. I am not sure if that is correct spelling of his name.

Q: Are there any files pertaining to the contact between Mr. (b)(6), (b)(7)(C) and any Iraqi Intelligence Officer during the deployment?

A: I don't know.

Q: Are you aware of anyone reporting any assassinations to the chain of command?

A: No.

Q: Are you concealing any information you believe might affect the outcome of this investigation?

A: No.

Q: Is there anything else you would like to add to this statement?

A: No (b)(6), (b)(7)(C) //End of Statement (b)(6), (b)(7)(C)

INITIALS OF PERSON MAKING STATEMENT

Page 1 of 2 Pages

"Statement of **(b)(6), b(7)(C)** Continued:"

0323-08-C10041 37972

AFFIDAVIT

**(b)(6), (b)(7)(C)**

HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 2. I FULLY UNDERSTOOD THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

**(b)(6), (b)(7)(C)**

WITNESSES:

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 9<sup>th</sup> day of September 2008 at Fort Hood CID Office, Fort Hood, TX 76544

**(b)(6), (b)(7)(C)**

ORGANIZATION AND ADDRESS

Special Agent **(b)(6), (b)(7)(C), (b)(7)(F)**

*(Typed Name of Person Administering Oath)*

Title 10 USC, Section 936  
*(Authority to Administer Oath)*

**(b)(6), (b)(7)(C)**

INITIALS OF PERSON MAKING STATEMENT

Page 2 of 2 Pages



About 1000, 14 Oct 08, Mr. (b)(6), (b)(7)(C) Criminal Intelligence Analyst, 733<sup>rd</sup> Military Police Battalion (CID), Camp Victory, Iraq, APO AE 09342, received a Request for Assistance (0332-2008-CID041-37972) from SA (b)(6), (b)(7)(C), Fort Myer CID Office, 3<sup>rd</sup> Military Police Group (CID), 105 Fenton Circle, Building 305, Fort Myer, VA 22211 requesting information regarding the duties and contacts of a former Captain (CPT), CPT (b)(6), (b)(7)(C) currently employed by the Defense Intelligence Agency, Pentagon, D.C.

At 1015, 14 Oct 08, (b)(6), (b)(7)(C) conducted a review of the Query Tree and Pathfinder databases which resulted in the following information:

According to Intelligence reports, CPT (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) was assigned to TF 3-8 CAV, from 19 Mar 04 to 14 Nov 06. CPT (b)(6), (b)(7)(C) actual dates of assignment in Iraq may differ, however, Intelligence Report sent to him ar attributed to him were from 10 Mar 04 to 14 Nov 06.

It is unknown whether CPT (b)(6), (b)(7)(C) was responsible for certain section or if he supervised other persons; however, reports were located which indicated CPT (b)(6), (b)(7)(C) authored them.

Mr. (b)(6), (b)(7)(C) is currently employed by DOD, Directorate For Analysis as a GS-13. His position is listed as Operation Deputy MNA-1, Defense Intelligence Agency. He has a Top Secret clearance and his Passport Number is (b)(6), (b)(7)(C) which expires 10 May 2009. He is an American citizen. Mr (b)(6), (b)(7)(C) was scheduled to visit Al Udeid, Qatar, on business, from 18-27 Apr 08.

At 1000, 10 Nov 08, (b)(6), (b)(7)(C) conducted a search of Intel databases for anyone named "Quassam", or variations of that name, who was killed between 2004 - 2005. No Intl regarding the incident was found.

POC, this information Report, is the undersigned at DSN: (b)(6), (b)(7)(C)//LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

MR (b)(6), (b)(7)(C), (b)(7)(F)

MNC-I, 733<sup>RD</sup> MP BATTALION (CID)  
CAMP VICTORY, IRAQ, APO AE 09342

Signature (b)(6), (b)(7)(C)

Date:  
13 Nov 08

CID Form 94

~~FOR OFFICIAL USE ONLY~~  
~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT:

About 1630, 20 Apr 09, SA (b)(6), (b)(7)(C) briefed Mr. (b)(6), (b)(7)(C) Trail Attorney, Domestic Security Section, Criminal Division, U.S. Department of Justice, Washington, DC on all facts and circumstances of this investigation to date. (b)(6), (b)(7)(C) opined without realistic leads to pursue, this investigation could be closed and that there was no probable cause to believe Mr. (b)(6), (b)(7)(C) committed the offenses of Conspiracy and Murder, due to there being no known event or recollection of pertinent personnel could corroborate any specifics of the details which initiated this investigative. Also due to the fact that information uncovered during the conduct of this investigation revealed that the alleged victim was still alive as of Jan 09, per Intelligence Reports maintained in Iraq. (b)(6), (b)(7)(C) related no further investigative activity was necessary.///LAST ENTRY///

TYPED AGENT'S NAME AND SEQUENCE NUMBER:

ORGANIZATION:

SA (b)(6), (b)(7)(C), (b)(7)(F)

Fort Myer CID Office  
Fort Myer, VA 22211

(b)(6), (b)(7)(C)

Date:

20 Apr 09

CID Form 94

~~FOR OFFICIAL USE ONLY~~  
~~LAW ENFORCEMENT SENSITIVE~~

EXHIBIT:

# AGENT'S INVESTIGATION REPORT

CID Regulation 195-1

ROI NUMBER

0033-09-CID259-

PAGE 1 OF 1 PAGES

BASIS FOR INVESTIGATION: About 1033, 16 Feb 09, (b)(6), (b) received a Request for Assistance (RFA) 0323-08-CID041-37972, from the Fort Myer CID Office, Fort Myer, VA 22211, requesting this office conduct a subject interview of Mr. (Former CPT) (b)(6), (b)(7)(C) Defense Intelligence Agency (DIA), FOB Union III, Iraq, APO AE 09348, regarding the assassination of an Iraqi National (NFI) by his order.

About 1149, 27 Feb 09, (b)(6), (b)(7)(C) and SA (b)(6), (b)(7)(C) advised Mr. (b)(6), (b)(7)(C) of his legal rights, which he waived, and provided a sworn statement denying authorizing an assassinations of an Iraqi National and denying ever telling the CIA that he did.

About 1400, 26 Mar 09, (b)(6), (b)(7)(C) coordinated SSG (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C) CJ2X, Task Force Counter Intelligence Coordinating Authority (TFCICA), Camp Slayer, Iraq, APO AE 09342, who related through their intelligence gathering they were able to find the following information on Quassim "Abu Mohammed":

High probability (b)(6), (b)(7)(C) (possible victim) is the same (b)(6), (b)(7)(C) aka (b)(6), (b)(7)(C) referenced in Intelligence Information Report (IIR) 2363152304, based on the location he was reported to be in during the time of the alleged incident and associations with terrorist groups in Iraq. There are no reports or indications that he was killed during the time frame of the alleged incident. (b)(6), (b)(7)(C) was mentioned in intelligence reports in Jan 09; and therefore, couldn't have been deceased at the time of the alleged incident.

The following individuals were identified as possibly being the COL (b)(6), (b)(7)(C) involved in the incident:

- COL (b)(6), (b)(7)(C) Major Crimes Unit, International Zone, Iraq
- COL (b)(6), (b)(7)(C) 1<sup>st</sup> Regiment, Police Commandos, International Zone, Iraq
- COL (b)(6), (b)(7)(C) 3-4-1 National Police Battalion

AGENT'S COMMENT: The above information was extracted from numerous IIRs in the TFCICA database by SSG (b)(6), (b)(7)(C) and CPT (b)(6), (b)(7)(C). Due to the classification of the IIRs a complete copy of the IIR was not collected. Information had to remain vague as the report was unable to be d-classified.

About 0900, 21 Apr 09, (b)(6), (b)(7) coordinated with (b)(6), (b)(7) who related per his SAC guidance and coordination with AUSA there is nothing else needed form this office. ///Last Entry///

TYPED AGENT'S NAME AND SEQUENCE NUMBER

SA (b)(6), (b)(7)(C), (b)(7)(F)

ORGANIZATION

Camp Slayer CID Office, 24<sup>th</sup>/348<sup>th</sup> MP Det (CID)  
10<sup>th</sup> MP BN (CID), Unit # 42232, APO AE 09342

SIGNATURE

(b)(6), (b)(7)(C)

DATE

21 Apr 09

EXHIBIT

CID FORM 94

FOR OFFICIAL USE ONLY

Protective Marking is Excluded From  
Automatic Termination (Para 13, AR 34-16)

ACLU-RDI 5569 p.5110-L-0126 ACLU DD II CID ROI 4579

0120

RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

For use of this form, see AR 190-30; the proponent agency is ODCSOPS

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)
PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.
ROUTINE USES:
DISCLOSURE: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and

1. LOCATION: I7, Iraq, APO AE 09348
2. DATE: 27 Feb 09, TIME: 1149, FILE NO.: 0033-09-CID25
6. (b)(6), (b)(7)(C)
7. GRADE/STATUS: GS13/CIV

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army Criminal Investigation Command and wanted to question me about the following offense(s) of which I am suspected/accused: Murder, Conspiracy

he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights: I do not have to answer any question or say anything. Anything I say or do can be used as evidence against me in a criminal trial. For personnel subject othe UCMJ I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

(For civilians not subject to the UCMJ) I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. I understand that this lawyer can be one that I arrange for at my own expense, or if I cannot afford a lawyer and want one, a lawyer will be appointed for me before any questioning begins.

I am now willing to discuss the offense(s) under investigation, with or without a lawyer present, I have a right to stop answering questions at any time, or speak privately with a lawyer before answering further, even if I sign the waiver below.

5. COMMENTS (Continue on reverse side)

Section B. Waiver

I understand my rights as stated above. I am now willing to discuss the offense(s) under investigation and make a statement without talking to a lawyer first and without having a lawyer present with me.

WITNESSES (If available)
1a. NAME: SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE: Camp Slayer CID Office, Iraq
4. SIGNATURE OF INTERVIEWEE: (b)(6), (b)(7)(C)
2a. NAME (Type or Print): SA (b)(6), (b)(7)(C)
b. ORGANIZATION OR ADDRESS AND PHONE: Camp Slayer CID Office
5. TYPED NAME OF INVESTIGATOR: SA (b)(6), (b)(7)(C)
6. ORGANIZATION OF INVESTIGATOR: Camp Slayer CID Office

Section C. Non-waiver

1. I do not want to give up my rights
I want a lawyer
I do not want to be questioned or say anything
2. SIGNATURE OF INTERVIEWEE

ATTACH THIS WAIVER CERTIFICATE TO ANY SWORN STATEMENT (DA FORM 2823) SUBSEQUENTLY EXECUTED BY THE SUSPECT/ACCUSED

SWORN STATEMENT

File Number : 0033-09-CID259
Location : International Zone, IRAQ
Date : 27 FEB (b)(6), (b)(7)(C)
Time : 1516 (C)
Statement of : (b)(6), (b)(7)(C) GS13/CIV SSN: (b)(6), (b)(7)(C)
Org/Address : International Zone, IRAQ

I (b)(6), (b)(7)(C) WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH: I was on active duty in the US Army from 1997 until 31DEC05. I was an intelligence officer throughout my term of service. From March of 2004 until March of 2005, I was the intelligence officer for 3-8 Cavalry/ 3rd Brigade Combat Team/ 1st Cavalry Division. While serving in Iraq, we lived at FOB Freedom I (aka FOB Warhorse) in Baghdad, Iraq. While in my duties as an intelligence officer, we were tasked to meet with various Iraqis within the community to gather information. One person that was reported to be a potential person of interest was a Colonel (b)(6), (b)(7)(C) in summer/ fall of 2004 he was the emergency response police unit commander located in the Salhiya district of Baghdad). Col (b)(6), (b)(7)(C) was appeared to have good knowledge of the community. Later we received reporting that there was a hostile actor in the area named (b)(6), (b)(7)(C) who was involved supporting terrorist attacks in Baghdad. In our attempts to gather information about the location and whereabouts of (b)(6), (b)(7)(C), we spoke to Col (b)(6), (b)(7)(C) and asked if any of his contacts had information about the individual being in the area. Col (b)(6), (b)(7)(C) continued to ask questions. Being suspicious of (b)(6), (b)(7)(C) questioning (not wanting to reveal what intelligence we had on the individual, our current collection, or the methods used) I simply asked (b)(6), (b)(7)(C) to let us know if he found (b)(6), (b)(7)(C) asked if this individual (b)(6), (b)(7)(C) was to be killed or captured. I told (b)(6), (b)(7)(C) that we (US forces) were searching for the individual, and that I was a staff officer for the local Army unit (again, not wanting to go down the path of revealing US plans for targeting the individual, and understanding Iraqi sovereignty in the post Coalition Provisional Authority environment). I instructed (b)(6), (b)(7)(C) I was not in a position to provide tasking on how he or his unit were to conduct operations, or which operations they were to conduct. I reported the updates on Col (b)(6), (b)(7)(C) and (b)(6), (b)(7)(C) in the unit's daily intelligence summaries (INTSUM). I met with Col (b)(6), (b)(7)(C) couple times after that. He was never able to provide any additional updates on (b)(6), (b)(7)(C). After several weeks, a separate informant to the unit (b)(6), (b)(7)(C) was asked if had any updates on the status of (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) said he had heard that (b)(6), (b)(7)(C) was killed while preparing an improvised explosive device (IED). I reported in our daily INTSUM that an informant had reported that (b)(6), (b)(7)(C) was killed. I also discussed the incident with my unit's chain of command, in particular the operations officer Major (b)(6), (b)(7)(C) who was the senior officer most in tune with operations of the Task Force). Several weeks passed, and I noticed that (b)(6), (b)(7)(C) was still on the Division target list. I sent a secure e-mail to the division staff and reiterated that I was informed that (b)(6), (b)(7)(C) had been killed. The division replied that there was no confirmation that (b)(6), (b)(7)(C) was in fact killed. I relayed the message to MAJ (b)(6), (b)(7)(C) the command that the Division still assessed that (b)(6), (b)(7)(C) was still alive even though we had a report that he had been killed. I also let MAJ (b)(6), (b)(7)(C) know that Col (b)(6), (b)(7)(C) was also gathering information on (b)(6), (b)(7)(C) and that the target (b)(6), (b)(7)(C) may have been killed or captured by Iraqi forces unknown to coalition forces. Col (b)(6), (b)(7)(C) left the area and I saw him again in early 2005 at the site of a vehicle-borne explosive device attack (VBIED). I spoke with him and asked him how he was doing. I met him in his office

EXHIBIT \_\_\_\_\_ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 1 (b)(6), (b)(7)(C) PAGES

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: International Zone, Iraq; DATED: February 27, 2009  
CONTINUED:

and he was no longer in uniform and instead wore a suit. The compound, which I thought was some kind of Iraqi special police force, was located right next to what currently known as FOB Prosperity. They had many prisoners there from recent efforts in Fallujah, and the setting made me uncomfortable due to the large number of Iraqi special troops there. I was worried about spending too much time there because there wasn't any American presence on the base, and (b)(6), (b)(7)(C) always struck as a bit "shaddy". I returned home from Iraq in late March of 2005. During my time home, I applied for a position within the Central Intelligence Agency (CIA). I went through a series of tests in Dallas, TX and Washington, DC. One portion of the test included a polygraph examination (NOV or DEC 2005). The polygrapher asked about various topics and stressed that I needed to bring up any items that might sway the testing. Previously, I had been told by a friend within the FBI to be upfront with any thing you may have been done even remotely bad prior to the testing. Topics brought up included: contact with foreign governments or intelligence, destruction of government property, pornography, and stealing. The questioner asked if I had ever broken government equipment, I explained I had never willfully destroyed any government equipment. When asked about pornography, I explained I had viewed pornography. The follow-up question was the age of the women in the pornography, to which I replied there were only adults in any of the pornographic material I was ever exposed to. In regards to theft, I mentioned that I had downloaded songs and movies from the internet. When asked about connections to foreign governments or intelligence, I explained that in the course of my normal duties I had been in contact with foreign intelligence officials and military/ security forces. The examiner went through a list of questions regarding foreign contacts he asked if I had been involved with any type of nefarious individuals in Iraq or those acting outside of the government. This is when I explained my meeting Col (b)(6), (b)(7)(C) and my suspicions that he may have been involved in corrupt activity based on the target we (US military) were looking for disappearing, and the fact that I later saw him with some unidentified special policing unit in Baghdad. I went through the polygraph examine, and the majority of the post examine questioning focused on whether or not I ever used illegal drugs (which I have not).

Q. SA (b)(6), (b)(7)(C)

A. Mr (b)(6), (b)(7)(C)

Q. Was the above statement typed by you and in your own words?

A. Yes (b)(6), (b)(7)(C)

Q. What was your rank while you were deployed to Iraq between 2004-2005?

A. CPT/O-3

Q. When you say COI (b)(6), (b)(7)(C) is a person of interest what do you mean?

A. We thought he may be associated with (b)(6), (b)(7)(C).

Q. Was COI (b)(6), (b)(7)(C) on the Divisions target list?

A. No

Q. Who else did you work close with in the Iraqi Army?

A. COI (b)(6), (b)(7)(C) and COI (b)(6), (b)(7)(C) both from Salhyia district of Baghdad.

Q. When COI (b)(6), (b)(7)(C) asked if (b)(6), (b)(7)(C) was to be captured or killed what was your exact response to him?

A. I told him I was not in position to tell him or his unit how to operate missions or what missions to operate.

Q. How do you think COI (b)(6), (b)(7)(C) interpreted this response?

A. He did not make any comments of gestures in anyway we just moved on to another conversation.

EXHIBIT \_\_\_\_\_ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 2 OF 5 PAGES (b)(6), (b)(7)(C)

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: International Zone, Iraq; DATED: February 27, 2009  
CONTINUED:

Q. Do you think COI (b)(6), (b)(7)(C) may have taken your response as an authorization to go ahead and kill (b)(6), (b)(7)(C) (b)(6), (b)(7)(C)?

A. I don't think so but because of how I saw him later on with the Iraqi Special Forces I thought it would be possible for him to do it and I wouldn't put it past him to kill him because he struck me as being sleezy.

Q. Did COI (b)(6), (b)(7)(C) ever mention anything about (b)(6), (b)(7)(C) to you again?

A. No, I asked if he had any updates on the guy but he never had anything on him.

Q. Who was in charge of the unit's daily intelligence summaries?

A. Me.

Q. Who reviewed the unit's daily intelligence summaries?

A. We submitted them to the Brigade S-2 shop. The OIC was (b)(6), (b)(7)(C) (The other COL's would call him (b)(6), (b)(7)(C) but I do not think that was his first name. It may have been his middle name.)

Q. Who is (b)(6), (b)(7)(C)?

A. He was a local resident who would provide us information on what terrorists groups and insurgents were in the area. I think (b)(6), (b)(7)(C) as his first name. He was also an Iraqi Police Officer and I think he may have worked for COI (b)(6), (b)(7)(C).

Q. Did (b)(6), (b)(7)(C) tell you where he heard about (b)(6), (b)(7)(C) being killed?

A. No, I think it was just word on the street.

Q. When you first heard that (b)(6), (b)(7)(C) had been killed by an IED did you ever think that COL (b)(6), (b)(7)(C) may have had something to do with his death?

A. I was sort of torn and suspicious about him being killed by an IED.

Q. Why did you think (b)(6), (b)(7)(C) may had been killed or captured by Iraqi Forces unknown to coalition forces?

A. I was trying to think of explanations as to why our Division would not be able to confirm his death.

Q. Were you ever in charge of any assets or sources while deployed to Iraq in 2004-2005?

A. No one directly just informants that would provide us information when we passed. Sometimes we would tell them that if they know of any terrorism acts going on to tell us and they would come to us if they saw us.

Q. Was anyone in your unit during your deployment in 2004-2005 authorized to approve assassinations?

A. No.

Q. Did you know any Iraqi intelligence Officers while you were deployed in 2004-2005?

A. COI (b)(6), (b)(7)(C) COI (b)(6), (b)(7)(C) and COI (b)(6), (b)(7)(C) They were not assigned to an intelligence unit but we referred to them as intelligence officers because they would gather information and relay to us.

Q. Did you have weekly contact with the above individuals?

A. Yes.

Q. Who was the Iraqi intelligence Officer that offered to assassinate an Iraqi national who was believed to be supplying weapons to terrorist groups and involved in the ambush and murders of local Iraqi ministers?

A. COI (b)(6), (b)(7)(C) he did not offer to assassinate him he just asked he should be captured or killed.

Q. What is the name of the individual COI (b)(6), (b)(7)(C) as talking about?

A. (b)(6), (b)(7)(C) (b)(6), (b)(7)(C) (b)(7)(C)

Q. Did you authorize COI (b)(6), (b)(7)(C) or anyone else to assassinate (b)(6), (b)(7)(C) or anyone else?

A. No.

EXHIBIT \_\_\_\_\_ INITIALS OF PERSON MAKING STATEMENT \_\_\_\_\_ PAGE 3 OF 5 PAGES

STATEMENT OF: (b)(6), (b)(7)(C) TAKEN AT: International Zone, Iraq; DATED: February 27, 2009  
CONTINUED:

Q. CIA related you stated to them you authorized this assassination based on the following: an official authorization was cumbersome; if captured, the asset would lie to interrogators; and there was a good chance the asset would deny being involved and would be exonerated by the Iraqi units. Why would the CIA report this to us?

A. I never said anything like that. They asked me how I felt about (b)(6), (b)(7)(C) being killed and I said I did not loose any sleep over it but that was all. If I did say any of those things it would have been just saying why I was not loosing sleep over his death.

Q. Did you ever ask anyone to assassinate anyone else?

A. No

Q. Did you ever pay anyone to assassinate anyone else?

A. No

Q. Did you ever give anything or receive anything from the three Iraqi COLs?

A. Only COI (b)(6), (b)(7)(C) he gave me a bottle of perfume for my wife one time when we meet for a meeting.

Q. How much do you believe the perfume cost?

A. \$5.00

Q. Who did you send the secure e-mail to at the Division about (b)(6), (b)(7)(C) still being on the division target list?

A. I am not sure. I just replied to who ever the individual that prepared the slides with the target list that I thought this guy had already been killed.

Q. Were you afforded breaks during the interview today?

A. Yes (b)(6), (b)(7)(C)

Q. Were you offered food or drinks during the interview today?

A. Yes (b)(6), (b)(7)(C)

Q. How were you treated here today?

A. Well (b)(6), (b)(7)(C)

Q. Is there anything else you would like to add to this statement?

A. I just think there was a misunderstanding with the polygraph examiner. It was a very stressful environment and I never ordered anyone to assassinate anyone and never received any confirmation that (b)(6), (b)(7)(C) was killed. I just thought COI (b)(6), (b)(7)(C) would be capable of killing someone. Nothing else.

///End of Statement// (b)(6), (b)(7)(C)

EXHIBIT \_\_\_\_\_ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 4 OF 5 PAGES (b)(6), (b)(7)(C)



STATEMENT OF: (b)(6), (b)(7)(C)  
CONTINUED:

TAKEN AT: International Zone, Iraq; DATED: February 27, 2009

**AFFIDAVIT**

(b)(6), (b)(7)(C) HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1 AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(b)(6), (b)(7)(C)

Subscribed and sworn to before me, a person authorized by law to administer oath, this February 27, 2009, International Zone, Iraq

(b)(6), (b)(7)(C)

*(Signature of Person Administering Oath)*

SPECIAL AGENT (b)(6), (b)(7)(C)

*(Typed Name of Person Administering Oath)*

10 USC 936

*(Authority to Administer Oath)*

EXHIBIT \_\_\_\_\_ INITIALS OF PERSON MAKING STATEMENT (b)(6), (b)(7)(C) PAGE 5 OF 5 PAGES (b)(6), (b)(7)(C)