

Enclosure 10



DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
1ST SPECIAL FORCES COMMAND (AIRBORNE)
FORT BRAGG NORTH CAROLINA 28310-8500

AOSC-CO

5 April 2023

MEMORANDUM FOR SFC Michael Forbes, 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310

SUBJECT: Response to Initial Request for Redress Under Article 138, Uniform Code of Military Justice, and In Accordance with Army Regulation 27-10

1. I received your initial request for redress under Article 138, Uniform Code of Military Justice (UCMJ) on 31 March 2023. I acknowledged receipt of your request via email on 3 April 2023.

2. Under AR 27-10, paragraph 19-6, you are allowed to submit an initial request for redress under Article 138 to your commanding officer. I am the Brigade Commander of 528th Sustainment Brigade (Special Operations) (Airborne) (528th SB (SO)(A)).

3. In your initial request for redress, you mentioned the following basis for why you and other members of 528th SB (SO)(A) were wronged:

a. That you not be required to consent to participation in the portions of the Health Performance and Wellness (HPW) assessment via a third party application, called Bridgetracker, due to personal privacy concerns;

b. That the HPW Assessment (in its current form) violates military regulations that prohibit the creation of records involving the exercise of yours and members of 528th SB (SO)(A) first amendment rights; and

c. That the HPW Assessment (in its current form) is a form of research, and as such requires the informed consent of all participants, including yourself.

4. Pursuant to AR 27-10, paragraph 19-7, I am required to respond to requests made as it pertains to why you are wronged within 15 days of receipt of your request. My response as of the date of this memorandum satisfies that response time.

5. In response to your basis for redress, I provide the following response IAW AR 27-10, paragraph 19-7 as it relates to your wrongs:

a. Your request for exemption from participation in the HPW Assessments is appropriate and I grant your request.

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b. As it relates to your request for redress for other members of the 528th SB (SO)(A), your request is not appropriate and denied under AR 27-10, paragraph 19-6 as it does not address why you specifically were personally wronged as the complainant.

6. The POC for this memorandum is CPT Joshua Bell, Brigade Judge Advocate, at joshua.d.bell.mil@socom.mil or at (910)-908-8863.

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Commanding