

EXHIBIT P

Re: [Non-DoD Source] reportable research program violation

From: Michael Forbes (paxmas2007@yahoo.com)

To: martha.s.alvarado.civ@health.mil

Date: Wednesday, April 19, 2023 at 10:33 AM EDT

Ma'am:

In the spirit of DA PAM 600-25 (11DEC2018), 2-12 which states,

"The heart of what it means to be an **NCO is a function of moral and professional identity. An NCO must be a values-based leader with impeccable character**, professional competence, presence, and intellectual capacity, who leads, develops, and achieves results. The traditional activities of NCOs include: **taking care of Soldiers**, communicating, supervising, training, teaching, advising, and mentoring. **All of these remain at the core of their roles and responsibilities**," and I take this role seriously.

I submit COL Brunson's response to the Article 138 redress memorandum that I previously submitted to your office for scrutiny. He is correct that I am not "personally wronged," by his denial to withdraw his order for all to participate in this program in its current form. However, I disagree (due to the above paragraph) that my "request is not appropriate and denied." After all he my request for exemption was "appropriate" and granted by him.

Therefore, I am providing you and other AHRPO personnel (at your discretion) with his response IOT be fully informed of his position regarding the HPW program, going forward. As stated, he granted my exemption on request. Some, not nearly all, SMs are providing incorrect DoD IDs and trying to avoid the scheduled sessions due to their concerns over this invasive and coercive data-gathering research program coupled with the mandatory OPORD repeatedly communicated to all. Given current laws and constitutional rights, please restructure the program back to what it has been historically, which was a voluntary, non-retaliatory/reprisal program. Alternatively, you could temporarily stop this roll out to allow time for appropriate oversight that does not ignore, skirt or inappropriately interpret our laws and constitutional rights that would require congressional scrutiny.

His formal response is attached for your use in getting to the bottom of the inferred coercive consent nature of the program and the other concerns I raised, in its current form.

FYI: I will attempt to get transparency on the HIPPA violations and the 3rd party APP mandates, with OCR and OIRA, respectively.

Note:
in order to (IOT)

SFC Forbes

On Tuesday, April 4, 2023 at 09:22:57 PM EDT, Alvarado, Martha S CIV USARMY HQDA OTSG (USA)
<martha.s.alvarado.civ@health.mil> wrote:

Greetings Mr. Forbes:

I am acknowledging receipt of your email. I am forwarding it to Dr. Hanson as well. She is aware that you provided this information. Dr. Hanson is currently TDY—returning to the office after 15 April.

V/r,

Martha

Martha S. Alvarado, MPH, CIP

Director

Army Human Research Protections Office (AHRPO)

Office of the Surgeon General (OTSG)

G 3/5/7, Readiness and Health Integration Directorate

Quality Management Division

7700 Arlington Blvd, 2SW417

Falls Church, VA 22042

Office: 703-681-5702

Mobile: 571-318-2194

Email: martha.s.alvarado.civ@health.mil

AHRPO Email: usarmy.ncr.hqda-otsg.mbx.otsg-ahrpo@health.mil

From: Michael Forbes <paxmas2007@yahoo.com>

Sent: Tuesday, April 4, 2023 10:47 AM

To: Alvarado, Martha S CIV USARMY HQDA OTSG (USA) <martha.s.alvarado.civ@health.mil>

Subject: Fw: [Non-DoD Source] reportable research program violation

Ma'am Please consider this a formal complaint; after speaking with you today I learned you do not have a formal complaint form. My meeting with USASOC ARHPO members, I consider informal, as they have not requested and are in receipt of any evidence. They only have my verbal complaint.

If there is another venue I should consider that would be interested in documentation of my alleged violations of Law, Regulation or Professional Codes, please let me know and I will pursue that my effort to preserve my career and stem these actions for other Soldiers.

1) Per the APA Code of Conduct adopted by the AZ Board of Psychological Examiners, the unit psychologist erroneously used her Multiple Relationship position to deflect and later exploit my lawful requests for the scope and statutory support for the ad hoc, Soldier-identifiable, data-gathering, BDE Sponsored BHE using third-party apps/relationships entitled Strengths Deployment Inventory (SDI) in late NOV2022; I intend to file a formal complaint with AZ Psych Board for her failure to follow AZ

adopted "APA Ethical principles of Psychologists and Code of Conduct" as demonstrated through her actions/lack of reply and other violations of the applicable CoC,

2) An imminent Order followed the BDE CDR's astute decision to absolve me from the ad hoc SDI (after which, I personally recognized him), in the form of mandatory attendance directive (via unsigned OPOD) for BDE Senior/Special Staff, with Soldier-identifiable, data-gathering, USASOC Sponsored HPW Directive (including BHE) using third-party apps/relationships. This was preempted by the DCO as an "Assess the Unassessed USASOC Pilot Program" and later distributed through BDE S3,

Please provide appropriate oversight as I am being persecuted for asking questions specifically allowed by Law; answers of which are required Law, Regulation and Code of Conduct.

Thank you.

----- Forwarded Message -----

From: Michael Forbes <paxmas2007@yahoo.com>

To: Alvarado, Martha S CIV USARMY HQDA OTSG (USA) <martha.s.alvarado.civ@health.mil>

Cc: brenda.s.hanson.civ@socom.mil <brenda.s.hanson.civ@socom.mil>; colin.t.frament.mil@socom.mil <colin.t.frament.mil@socom.mil>

Sent: Friday, February 10, 2023 at 03:47:38 AM EST

Subject: Re: [Non-DoD Source] reportable research program violation

Alcon:

Thank you for listening to my concerns regarding which are:

- 1) coerced 3rd party commercial relationships from BDE
- 2) likely baseline and regular interval research data gathering from 3rd party surrogates
- 3) lack of answers to simple questions by licensed professionals regarding the scope and statutory support behind this rollout
- 4) likely premature rollout of the HPW program at our BDE
- 5) the internal battle that the CO CDR is waging against me using CDBHE and internal investigations (and likely support he is receiving from higher)
- 6) my intent to use all civil means available to defend my career against this Office War (on paper) Onslaught due to my inquiring IAW Federal Law and regulations, e.g. APA, INSCOM PAO, CI etc.

(may not be an inclusive list of topics)

I did not start this battle, but it seems I got figuratively sucker-punched because a BN CSM literally assaulted and humiliated me in front of an entire BN formation because I was trying to protect my BDE CDR from the institutionalized promotion and use of PEDs in X-4047 ISO the premature rollout of the former USASOC Commanding General's defined HPW research program.

But it seems, as I stated to you, that I am in for the battle for my career.

Thanks again for any assistance in shedding more transparency on this issue for me and all of the Soldiers that are as equally, or more so, uninformed about the "behind the portal" work that is being forced into Soldiers personal daily lives to gather data through 3rd party corporate surrogates and provide it back to the funding sponsor.

Should any of you need any of my supporting documents, do not hesitate to ask.

Thanks again. I am glad i could inform you of some things that you were not aware of. I hope this does some good for all of us.

SFC Forbes

Note: SPEAR was always voluntary. Question to answer later; 'What changed when we changed the name to HPW?' Now HPW is mandatory and missing a session is publicized as punitive and the Soldiers "privileges" will be taken away. I, for one, would prefer never to have the privilege, than to ever be punished for not using a privilege. Please straighten this all out. Nor do I intend to have my daily life, in my home, tracked and gathered using subjective surveys that are matched up with objective biometric vitals using government supplied oura rings for some back-office phycologist to make subjective ad-hoc periodic behavioral health evaluations that are Command Directed (mandated) to change a behavior that they subjectively deem is necessary.

On Wednesday, February 8, 2023 at 08:26:24 AM EST, Alvarado, Martha S CIV USARMY HQDA OTSG (USA) <martha.s.alvarado.civ@health.mil> wrote:

SFC Forbes:

I hope you can reach out to either myself or Dr. Hanson. We are here to support you. Call me or her directly about the research/activity that you were either asked or ordered to do. Dr. Hanson can investigate and determine if its research and what proper procedures should be in place and whether these were followed or not.

Ms. Rule copied here is the POC for USASOC in our office—we oversee the human research program at USASOC.

We are the only personnel aware of this issue. Don't hesitate to follow-up.

V/r,

Martha

Martha S. Alvarado, MPH, CIP

Director

Army Human Research Protections Office (AHRPO)

Office of the Surgeon General (OTSG)

G 3/5/7, Quality Management Division

7700 Arlington Blvd, 2SW417

Falls Church, VA 22042

Office: 703-681-5702

Mobile: 571-318-2194

Email: martha.s.alvarado.civ@health.mil

AHRPO Email: usarmy.ncr.hqda-otsg.mbx.otsg-ahrpo@health.mil

From: Alvarado, Martha S CIV USARMY HQDA OTSG (USA)

Sent: Saturday, February 4, 2023 12:34 PM

To: Michael Forbes <paxmas2007@yahoo.com>

Cc: Rule, Sarah P CIV USARMY HQDA (USA) <sarah.p.rule.civ@health.mil>

Subject: RE: [Non-DoD Source] reportable research program violation

SFC Forbes:

Also, you can contact the USASOC Human Protections Director, Dr. Brenda Hanson. She is the point of contact for human subjects research at USASOC.

Brenda S Hanson, PhD

Human Protections Director

Deputy Chief of Staff, Surgeon

US Army Special Operations Command

Office: 910.432.4261/ DSN: 239-4261

NIPR: brenda.s.hanson.civ@socom.mil

SIPR: brenda.s.hanson.civ@socom.smil.mil

V/r,

Martha

Martha S. Alvarado, MPH, CIP

Director

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Email: martha.s.alvarado.civ@health.mil

AHRPO Email: usarmy.ncr.hqda-otsg.mbx.otsg-ahrpo@health.mil

From: Michael Forbes <paxmas2007@yahoo.com>

Sent: Friday, February 3, 2023 2:04 PM

To: USARMY NCR HQDA OTSG Mailbox OTSG AHRPO <usarmy.ncr.hqda-otsg.mbx.otsg-ahrpo@health.mil>

Subject: [Non-DoD Source] reportable research program violation

To whom it may concern:

May I please have the process of how to report the lack of consent of a mandated USASOC funded program?

Tried to call but can't get through.

SFC Forbes



20230411 Response to Initial Request for Redress-SFC Forbes.pdf
172.3kB



DEPARTMENT OF THE ARMY
528th SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MED

23 February 2023

MEMORANDUM FOR Record

SUBJECT: 528th HPW Assessment Program HIPPA, PHI, and PII Security Program

1. At the direction of the United States Army Special Operations Command (USASOC), the 528th Sustainment Brigade Human Performance and Wellness (HPW) program has begun routine screening and assessment of the Health, Spiritual, Family, and Financial needs of all assigned Soldiers.

2. As dictated by USASOC, part of this screening and assessment program involves the Tactical Performance Index Questionnaire (TPIQ). This is a 75 item questionnaire that involves a self-reported status on all of the Preservation of the Force and Family (POTFF) domains to include physical, spiritual, family/social, cognitive and financial well-being. This involves self-reporting on overall status of these functional areas and the Soldier's knowledge and/or involvement with the HPW program in the past. There is no soliciting of specific past medical or behavioral health history in this regard.

3. As a consequence, there is potential for the TPIQ, and the HPW assessment program in general, to generate HIPPA, PHI, and PII covered information. Therefore the following safeguards will be implemented as a matter of SOP:

a. Administrative Safeguards:

i. A **Notice of Privacy Practices** is provided to the Soldier at the beginning of the TPIQ before any self-reported information is given. All Soldiers will be given the opportunity to Opt-in or Opt-out of the TPIQ.

ii. All Soldiers will be given the opportunity to Opt-in or Opt-out of self-reported data. This does not apply to the objective data obtained by In-body testing as this is a part of the Army's ABCP program.

iii. All members of the 528th HPW team will complete HIPPA training. This will be an annual requirement, and records of completion will be maintained locally.

iv. Access to identifiable information generated by the HPW assessments will be restricted to HPW members. Commanders will only have access to aggregate scores of their units without the ability to access individual results.

AOSC-MED

SUBJECT: 528th HPW Assessment Program HIPPA, PHI, and PII Security Program

b. Physical Safeguards:

- i. Access to the HPW office is restricted by a locked door that can only be accessed by HPW team members.
- ii. All tablets used to input of the HPW assessments during intake are to be locked in a locker that will remain behind the access restricted HPW office noted above.

c. Technical Safeguards:

- i. No input self-reported data will be stored on the individual tablets used to conduct the self-reported HPW surveys.
- ii. Survey input on tablets is de-identified by provision of a roster number only. No PII is transmitted on the tablets.
- iii. All self-reported data input will be uploaded onto a secure server where it will be stored and aggregated via MS Forms on a specific 528th account that is password protected. No data will be stored on tablets. Once the patient selects "submit" at the end of the TPIQ all data is automatically deleted from the tablets.
- iv. Information that can be accessed via MS Forms by HPW staff will default to aggregate data without individual results. However, as a matter of day-to-day operations, individual results have the option to be accessed and displayed as a collective report IOT facilitate a holistic service model that forms the basis of the POTFF program concept. In the event a collective individual report is generated as noted above, it will be done so as a password protected document and transferred to HPW members via DODSAFE to prevent unauthorized disclosures.
- v. Pending further software development into Microsoft Power BI, the collective individual results reports noted above will need to be accessed to evaluate the individual results of screening and assessment data IOT better serve the Soldier and provide them with the necessary HPW resources. This will ensure that the data obtained can be actioned upon to impact the Soldier appropriately and be more than just collected data.
- vi. Once Microsoft Power BI is full developed, access to individual results will be limited to HPW members only. Commanders will be limited to aggregate, non-identifiable data for their unit only.
- vii. In the event a collective individual report is generated as noted above, it will be done so as a password protected document and transferred via DODSAFE to prevent unauthorized disclosures.

AOSC-MED

SUBJECT: 528th HPW Assessment Program HIPPA, PHI, and PII Security Program

4. The policies outlined in the SOP are to ensure protection of HIPPA, PHI, and PII information, but also to allow the 528th HPW program to action the assessed data to best serve the Soldier and their physical, mental, spiritual, family, and financial needs.

5. POC for this memorandum is the undersigned at robert.c.sawyer.mil@socom.mil or (910)908-6070.

SAWYER.ROBERT.CH
RISTIAN.1030060900
Digitally signed by
SAWYER.ROBERT.CHRISTIAN.1030
060900
Date: 2023.02.23 12:53:26 -05'00'

ROBERT C SAWYER, MD
MAJ(P), MC
Brigade Surgeon

FW: [INFORM] **What Is The Human Research Protection Program?

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
To: pavmas2007@yahoo.com <pavmas2007@yahoo.com>
Cc: James M. Branum <jmb@jmb.bike>

James

Read the following portions for any possible use in your Mil. Admin. Counsel role for me for any future work:
4.d.(1)
4.g.(2)

From: USASOC HQ COMMAND INFORMATION SHDMBX <USASOC.HQ.COMMAND.INFORMATION.SHDMBX@socom.mil>
Sent: Thursday, July 18, 2024 12:10 PM
Subject: [INFORM] **What Is The Human Research Protection Program?

USASOC Human Research Protection Program

Did you know USASOC has a program committed to ensuring the ethical conduct of participation, data, or biospecimens in research?

The HRPP is embedded in federal regulations and focuses on the protection of the rights, safety, and welfare in research.

How do Commanders and participants learn more?

See attached Policy; reach out to the POC; and be on the lookout for upcoming educational opportunities!

Who is the POC?

Brenda Hanson, PhD

910-432-4261

brenda.s.hanson.civ@socom.mil



2 Files | 971.8kB

 [mime.p7c](#)
5kB

 [POL 24-14, USASOC HRPP Policy.pdf](#)
966kB

POLICY OR PRECEDENT

SUBJECT: USASOC Human Research Protection Program (HRPP)

DATE: 17 JUL 2024

POLICY NUMBER:
24-14

ORIGINATING SECTION:
AOHP (70-25k)

ORIGINATOR:
Dr. Hanson

PHONE#:
910-432-4261

APPROVED BY: JOHN D. BISHOP, COLONEL, GS, Chief of Staff



SYNOPSIS:

1. Purpose: The USASOC HRPP establishes guidelines to ensure compliance with federal laws and regulations, uphold ethical standards, and protect the rights and welfare of participants, their data, and/or biospecimens involved in Human Subject Research (HSR).

2. Scope: The policy is applicable to all elements of the USASOC Headquarters, component subordinate commands, and component subordinate units.

3. General:

a. USASOC has been designated a HRPP through Army Human Research Protections Office. The USASOC Commanding General has delegated authority to the Deputy Commander – Support (DC-S). USASOC is authorized to conduct up to exempt HSR. USASOC may allow access to its facilities, equipment, information about DoD-affiliated personnel for recruitment, access to DoD affiliated personnel, data, and/or biospecimens.

b. Ensure that HSR receive both institutional and regulatory approval prior to commencement. The process must be clearly documented and followed to avoid any legal liabilities. Regulatory reviews are completed by the HRPP post institutional approval and are required even when units are added to an existing institutionally approved project.

PRESCRIBING DIRECTIVES: 32CFR219; 21CFR50; 21CFR56; 10 USC 980; 45CFR46, Subpart B, C, D, and E; 48CFR 252.235-7004; 48CFR252.235-7004; The Belmont Report: Ethical Principles and Guidelines for the Protection of HSR; Department of Defense (DoD) Directive 6000.4, Clinical Investigation Program; DoD Directive, Research Integrity and Misconduct; DoD Instruction 3216.02, Protection of Human Subjects and Adherence to Ethical Standards in DoD-Conducted And - Supported Research; Army regulation (AR) 25-98, Information Management Control Requirements Program; AR 70-25, Use of Volunteers as Subjects of Research; United States Army HRPP Component Management Plan; Department of the Army (DA) 2023 Assistance Policy; DA Guidance, Command Approval for HSR.

DISTRIBUTION:

This publication is available in electronic media and is intended for A5 distribution. Paper copies will be provided for those not having access to e-media.

OTHER POLICIES AFFECTED:

Supersedes USASOC Policy 24-18, 19 Dec 2018

AOHP (70-25k)
SUBJECT: USASOC HRPP

c. The authority of the USASOC exemption determination official is defined and documented in the regulations. Ensure that no individual self-determines what constitutes HSR to maintain compliance with regulations.

d. Post approval compliance monitoring (PACM) activities are thoroughly conducted and documented to ensure ongoing compliance with all applicable regulations. This includes risk assessments, educational training, random site assessments, for-cause audits, publication review and, monitoring maintenance of study records post-study closure and is a requirement for all HSR.

4. Responsibilities:

a. Institutional official –

(1) The DC-S serves as USASOC's senior person legally responsible to establish, implement, and maintain the HRPP.

(2) Senior USASOC official authorized to approve HSR.

b. Human protections director –

(1) Exercise operational authority for the HRPP (e.g., conduct reviews, record maintenance, and reporting requirements).

(2) Serve as the exemption determination official for USASOC to determine if an activity meets the regulatory definition of HSR.

(3) Conduct and document PACM activities.

(4) Conduct HRPP quality assurance activities to monitor institutional compliance and improve the HRPP, its policies, and procedures.

(5) Authority to suspend and conduct investigations into unauthorized HSR.

c. Human performance and wellness –

(1) Office of primary responsibility for obtaining institutional approval and HSR deliverables of study activities (e.g., results/ data).

(2) Implement support agreements (e.g., memorandum of agreement, memorandum of understanding), when needed.

d. Staff Judge Advocate –

AOHP (70-25k)
SUBJECT: USASOC HRPP

(1) The Staff Judge Advocate must ensure that informed consents and other study related documents (conflict of interest management plans, individual investigator agreements, informed consents, and payments for participation in research) are in full compliance with lawful principles and ethical standards. This is crucial to protect the rights and welfare of participants.

(2) Conduct ethics review for applicability of DoD 5500.7R, when needed.

e. Public affairs office –

(1) Approve recruitment materials (e.g., flyers/emails/advertisements).

(2) Coordination with HRPP is essential to ensure that all HSR publications are consistent with approval and do not disclose sensitive or unauthorized information in IAW AR 360-1.

f. Component subordinate command/subordinate unit –

(1) Designate a point of contact responsible for maintaining command awareness of HSR activities.

(2) Identify a point of contact with direct oversight of each HSR activity.

(3) Comply with command responsibilities as outlined in DoD Instruction 3216.02 and Department of Army policies.

(4) Comply with HRPP PACM activities.

g. Primary investigators –

(1) Conduct HSR activities after receiving institutional and regulatory approvals.

(2) Execute protocol in accordance with approval, laws, and regulations.

(3) Responsible for maintaining study files and teams training.

(4) Comply with HRPP PACM activities.

5. Effective Date: This policy is effective immediately and remains in effect until rescinded.

(END)

EXHIBIT Q

RE: [Non-DoD Source] Fw: USASOC IG WBR complaint w/ synopsis

From: Vincent, Shaun C CIV USSOCOM USASOC (USA) (shaun.c.vincent.civ@socom.mil)

To: paxmas2007@yahoo.com

Date: Monday, February 6, 2023 at 11:36 AM EST

SFC Forbes,

Acknowledge receipt of your DA Form 1559 and it's 6 page attachment. SFC Forbes I need this Whistleblower Reprisal Questionnaire filled out as well. Interview time for Wednesday or Thursday?
Mr. Vincent?

Mr. Shaun C. Vincent
Inspector General
Office of the Inspector General
U.S. Army Special Operations Command
DSN 239.5350/910.432.5350
FAX: 910.432-6433
EMAIL: shaun.c.vincent.civ@socom.mil
shaun.c.vincent.civ@mail.mil

Controlled by: The Inspector General of the Army (SAIG-ZA)
Controlled by: USASOC Inspector General's Office, AOIG
CUI Category: PRIIG;PRVCY;WHSTL
Distribution/Dissemination Controls: FEDCON
POC: Mr. Shaun Vincent, 910-432-5350

INSPECTOR GENERAL CONTROLLED UNCLASSIFIED INFORMATION: The information contained in this email and any accompanying attachments may contain Inspector General Controlled Unclassified Information, which is protected from mandatory disclosure under 5 USC 552. Matters within IG records are often pre-decisional in nature and do not represent final approved DA policy. Dissemination is prohibited except as authorized under AR 20-1. Do not release outside of DA channels without prior authorization from The Inspector General. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. If you received this email in error, please notify us immediately by return email

CUI

From: Michael Forbes <paxmas2007@yahoo.com>
Sent: Monday, February 6, 2023 11:20 AM
To: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>
Subject: [Non-DoD Source] Fw: USASOC IG WBR complaint w/ synopsis

Sir:

My complaint is attached.

----- Forwarded Message -----

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

To: paxmas2007@yahoo.com <paxmas2007@yahoo.com>

Sent: Monday, February 6, 2023 at 10:40:04 AM EST

Subject: IG

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

☎ NIPR: (910) 908-8788

☎ BB: (910) 929-7078

☎ Staff Office: (910) 908-8787

☎ SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil



Blank WBR Questionnaire.pdf
300.6kB



smime.p7s
5.3kB

INSPECTOR GENERAL ACTION REQUEST			
For use of this form, see AR 20-1; the proponent agency is the Office of The Inspector General.			
DATA REQUIRED BY THE PRIVACY ACT OF 1974			
AUTHORITY:		10 U.S.C. 7013, Secretary of the Army; 10 U.S.C. 7020, Inspector General; Inspector General Act of 1978, Public Law 95-452, 92 Stat. 1101 (1978), as amended; DoDD 1030.1, Victim and Witness Assistance; AR 20-1, Inspector General Activities and Procedures.	
PRINCIPAL PURPOSE:		To secure information sufficient to inquire into the matters presented, to take action to correct deficiencies, and to respond to requesters.	
ROUTINE USES:		Information is used for official purposes within the Department of Defense; to answer complaints or respond to requests for assistance, advice, or information; by Members of Congress and other Government agencies when determined by the Inspector General to be in the best interest of the Army; and, in certain cases, in trials by court-martial and other military matters as authorized by the Uniform Code of Military Justice.	
DISCLOSURE:		Voluntary. However, failure to provide complete information may hinder proper identification of the requester, accomplishment of the requested action(s), and response to the requester.	
SORN:		A0020-1 SAIG, Inspector General Records (January 11, 2002, 67 FR 1447)	
1. LAST, FIRST, MIDDLE INITIAL Forbes, Michael J.	2. GRADE / RANK E-7/SFC	3. DOB <div style="background-color: black; width: 100px; height: 20px;"></div>	4. COMPONENT / DUTY STATUS USA/Active
5. PREFERRED CONTACT TELEPHONE (<i>Duty, home, and / or cell</i>) 910.336-5966 (home) work unavailable		6. E-MAIL ADDRESS(ES) paxmas2007@yahoo.com	
7. UNIT AND COMPLETE MILITARY ADDRESS (<i>Point of Contact/Telephone if applicable</i>) 528th Sustainment Brigade (SO) (A) X-4047 New Dawn Drive, Fort Bragg, NC 28310		8. PREFERRED MAILING ADDRESS (<i>If different from military address, including ZIP Code</i>) 614 Northampton Rd., Fayetteville, NC 28303	
9. SPECIFIC ACTION REQUESTED (<i>What do you want the IG to do for you?</i>) Thoroughly Investigate and recommend to GCMCA appropriate action to be taken to punish the criminal acts and regulatory violations of the Command Teams at all echelons appropriate. Provide transparency to DA Army so that more efficient means of dealing with assault in our military is addressed. Ensure laws and regulations are adhered to WRT research and consumer protections.			
10. HAVE YOU CONTACTED YOUR CHAIN OF COMMAND OR ANY AGENCY CONCERNING THIS REQUEST? (<i>Explain for both yes and no responses.</i>) <input checked="" type="checkbox"/> Yes Yes, I sent a timeline to Mr. Smith who indicated that it was shared with USASOC IG. Further contacts and future planned contacts with agencies are written in the attached synopsis. <input type="checkbox"/> No			
11. INFORMATION PERTAINING TO THIS REQUEST (<i>Be specific and detailed. List any supporting documentation or enclosures if applicable.</i>) See attached Synopsis PDF 6 pages. 			
12. I do <input checked="" type="checkbox"/> I do not <input type="checkbox"/> consent to release my personal information outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not consent to the release of my personal information, my request for assistance may go unresolved.			
13. I do <input checked="" type="checkbox"/> I do not <input type="checkbox"/> consent to release the supporting documents I provided to the IG (to exclude this DA Form) outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not consent to the release of my documents, my request for assistance may go unresolved.			
This information is submitted for the basic purpose of requesting assistance, correcting injustices affecting the individual, or eliminating conditions considered detrimental to the efficiency or reputation of the Army. Those who knowingly and intentionally provide false statements on this form are subject to potential punitive and administrative action (UCMJ Art 107, 18 U.S.C 1001).			
14. SIGNATURE <div style="background-color: black; width: 100px; height: 40px; margin-top: 10px;"></div>	15. DATE (YYYYMMDD) 20230206		16. IG / INTAKE REMARKS

DA FORM 1559, APR 2021
PREVIOUS EDITIONS ARE OBSOLETE

Continuation Page

APD AEM v1.01ES
Page 1 of 1

Whistleblower Reprisal complaint written by SFC Forbes, Michael J., 1295918507, submitted 06FEB23

BLUF: A series of a Headquarters & Headquarters Company (HHC) Commander's (CDR) flawed decisions and misperceptions, feeding disseminated misinformation, culminated in the destruction (080625RDEC2022 & 080627RDEC2022) of the Brigade (BDE)-appointed INFOSEC Officer's Personal Electronic Device (PED) Prohibition Prevention "posted security reminders," per USASOC Regulation 25-2. Subsequently, CSM Emekaekwue (120615RDEC22) assaulted and concurrently humiliated the INFOSEC Officer in front of the entire Battalion (BN) formation that he had not yet taken control of, from the 1SG. This act further diminished the INFOSEC Officer's National Security (PED Prohibition) message and likely had innumerable effects on the entire formation, going forward (see below).

Responsibilities:

MG Angle, Richard E. - 1ST Special Forces Command (1SFC) Special Operation (SO), Airborne (A), Commanding General (**1SFC CG**) and General Court-Martial Convening Authority
CSM Munter, Ted C. - 1SFC (SO) (A), 1SFC CSM, (**1SFC CS**)
COL Brunson, Tavi N. - 528th Sustainment BDE (SB) (SO) (A), 528th Commanding Officer (**BDE CDR**),
LTC Sanchez, Manuel D. - 528th SB (SO) (A), 528th Deputy CO (**DCO**),
CSM Vargas, Sandra A. - 528th SB (SO) (A), CSM (**BDE CSM**),
LTC Furlow, Burton - Special Troops BN (STB) (SO) (A), STB BN CDR (**BN CDR**),
MAJ Weber, Andrew J. - STB Executive Officer, (**STB XO**)
CSM Emekaekwue, Emmanuel A. - STB (SO) (A), STB CSM (**BN CSM**),
CPT Korista, David K. - HHC CDR, (**HHC CDR**),
1SG Morgan, Larry - HHC CO 1SG, (**HHC 1SG**)
SFC Surorodriquez, Edgar V. - (S3 Staff Member) **BDE Staff PSG**
CPT Lowrie, Patrina A. - BDE S2 OIC (OCT2022-Present),
SFC Forbes, Michael J. - BDE NCOIC (MAR2021-Present, Acting BDE S2 OIC MAY2021-OCT2022).

Acronym Forward Glossary:

DODI	Department of Defence Instruction (DODI)
ISSO	Information System Security Officer
SEAD	Security Executive Agent Directive (SEAD)
USASOC	United States Army Special Operations Command
GCMCA	General Court-Martial Convening Authority
POTFF	Preservation of the Force and Family
DONSA	Days Of No-Scheduled Activity
OPORD	Operation Order
PSM	Personnel Security Manager
HPW	Human Performance & (+) Wellness

WAMC	Womack Army Medical Center (WAMC)
AHRPO	Army Human Research Protections Office
MEO	Military Equal Opportunity
CDBHE	Command Directed Behavioral Health Evaluation (CDBHE)
HPW	Human Performance and Wellness
SJA	Staff Judge Advocate
PMO	Provost Marshal's Office
CIV	Civilian
CTR	Contractor
POC	Point of Contact
FAQ	Frequently Asked Questions
AOO	Area of Operations
WRT	with regard to
ISO	in support of
IAW	in accordance with
IOT	in order to
AO	Action Officer
PA	Personnel Action
PC	Protected Communication
RMO	Responsible Management Official
WBR	Whistleblower Reprisal
MOC	Member of Congress
signs	"posted security reminders" per USASOC Regulation 25-2

Non-Inclusive Synopsis (evidence available)

COL Tavi N. Brunson has, likely, violated his own signed Policy entitled "Commander's Policy Letter Treatment of Persons," signed 21JUL21, and other applicable United States Army Regulations (ARs) and Federal Laws, through an abuse of authority, HIPPA violations, and Undue Command Influence, including but not limited to, discretionary PAs through a created and coordinated, hostile work environment. Unfortunately, ARs have no remediation given that a hostile work environment must apply to one of the discriminatory categories available of race, color, sex (to include gender identity), national origin, religion, or sexual orientation (AR 600-20, 6-2, MEO). This lack of "other procedures provid[ing] notice, a right to a rebuttal or hearing, and review by a superior authority" of a hostile work environment occurring due to a SM's performing their inherent and appointed duties, therefore, would, likely and eventually, require remediation under Article 138 to the GCMCA.

Hostile work environment is defined in AR 600-20 as, "... a series of acts that are so severe and pervasive as to alter an individual's work conditions. The acts may be discreet acts which are offensive, intimidating, or abusive to another person using the reasonable person standard. They need not result in concrete psychological harm, but need only be perceived by a

reasonable person as hostile or offensive.” I perceive the following incidents as hostile and offensive and, definitively, altered my work conditions. The rest of this complaint is written in the 3rd person to ease the use of its content for IG investigators, Congressional staff and any other appropriate agencies.

COL Brunson’s (and LTC Furlow and CSM Vargas; all were present), likely, failure to act during and after the morning of 12DEC22, when CSM Emekaekwue “attacked physically,” “humiliated,” “demean[ed],” and “diminished SFC Michael J. Forbes’ “dignity, position and status” as INFOSEC Officer for 528th Sustainment Brigade (BDE) Special Operation (SO) Airborne (A). This occurred during the morning formation in front ~150 BN members present. The day of the assault, 12DEC22, SFC Forbes requested of 1SG Morgan (Larry), and was approved by 1SG Morgan, to come in front of the formation and communicate a “National Security commercial” to the formation during a quiet period in that morning formation. This “everyday task became an opportunity for [the INFOSEC Officer] in the organization to foster resourcefulness and responsible decision-making within the commander’s intent,” since SFC Forbes was appointed as the INFOSEC Officer, on multiple dates, since his initial appointment on 13SEP21. Hours later, SFC Forbes was further provided a written counseling, which further diminishing his role as INFOSEC Officer by CSM Emekaekwue. After the Command Team’s failure to act and CSM Emekaekwue’s retaliatory counsel, SFC Forbes filed a report with PMO on 14DEC22. SFC Forbes has also investigated remediation of the incidents contained in this complaint with the on-duty Magistrate at the Cumberland County Magistrates Office, an oversight supervisor to the PMO, the WAMC Ombudsman, and has begun discussions with the Army Human Research Protections Office. Moreover, SFC Forbes is considering filing a complaint with the AZ Board of Psychologist Examiners WRT MAJ Racaza’s refusal to provide the scope of the Command Directed Behavioral Health 3rd Party Corporate data gathering event in order to assess his right to consent for a prior similar event entitled, “Strength Deployment Inventory” (SDI); this is discussed below. SFC Forbes has requested and retained representation with legal representation WRT ‘suspect rights’ as he has been informed on multiple occasions, at multiple echelons within 528th SB BDE, that he is being investigated even though he has not been counseled or flagged as the subject of a 15-6 investigation.

‘What led up to this?’ As the BDE INFOSEC Officer and during the week prior to the assault, SFC Forbes identified the institutional promotion of unauthorized PEDs to 389th MI BN SMs, announced by an HPW Contractor working for 528th SB, whose attendance to the meeting was mandated by the BDE CDR. The SMs were attending the HPW research program, deemed “Assess the Un-assessed USASOC Pilot Program,” and were encouraged by the CIV CTR to use personal phones (PEDs) in our BDE’s facilities. SFC Forbes witnessed this ‘institutionalized PED-use approval message’ by the Contractor, in the HPW office, located within X-4047, on Fort Bragg. SFC Forbes immediately (verbally) corrected the situation with those (~12-15 SMs)

present; CSM Prewitt, of 389th MI BN, was present and offered no commentary. Furthermore, SFC Forbes, as the BDE INFOSEC Officer, had no way of assessing the extent or breadth this institutionalized message may have already permeated 528th SB as, he knew, this was not the first gathering of mandated SMs for these HPW sessions. Therefore, SFC Forbes suggested a sweep to 1SFC IG IOT assess the magnitude of the institutionalization of the PED promotion that was clearly indicated by the CIV CTR's comments. The next day, SFC Forbes got berated by CSM Emekaekwue, during a long meeting in the CSM's office, for not informing the BDE CDR of the CTR's comments. Therefore, SFC Forbes, decided, to follow the CSM's intent by installed hasty (the next morning) "posted security reminders," on all outer doors facing the X-4047 parking area and various locations within the USASOC facility, per USASOC 25-2; this reminded all SMs of their signed "Cell Phone Policy" upon in-processing and concurrently notified the BDE CDR as well. CPT Korista removed the signs within 24 hours. Within 30 hours of his actions, 2 PEDs were identified by the sweep and, someone, other than the PAO, posted 2-4 other phones in a uploaded image on the BDE's Facebook page; both events occurred the morning of Friday, 09DEC22. These events led to SFC Forbes' decision to request to deliver the short National Security message of 1SG Morgan on the morning (12DEC22) that CSM Emekaekwue decided to assault, humiliate, demean and diminish SFC Forbes in front of the entire UIC WJTDA formation present.

'What followed?' Next, on 19DEC22, COL Brunson, removed SFC Forbes from his position as S2 NCOIC, and all Additional Duties appointments, which he successfully performed for months, and, in fact, SFC Forbes was the Acting S2 for over a year prior to a replacement OIC arrived in OCT22. On 16DEC22, SFC Forbes requested access to the USASOC HPW portal because he could not locate the statutory support for or the scope of the BDE HPW OPORD that was being executed through the BDE S3; SFC Forbes had also been rebuffed for similar requests by MAJ Racaza (Rhea Lynn), the BDE Psychologist, for a separate Command Directed Behavioral Health data gathering event (SDI), in the weeks prior to the HPW event OPORD. The BDE CDR had made a similar mandate to all Senior Staff (OICs and NCOICs) to attend an offsite event with answers to an identifiable behavioral health questionnaire being supplied to a 3rd Party Corporation that required a "Terms of Service" and "Privacy Policy" be agreed to prior to participation in SDI. SFC Forbes was never able to get any information regarding the scope or statutory support for SDI's data gathering other than his personal online research; SFC Forbes only received an emailed "directive" of the "requirement" from COL Brunson and a follow-on personalized link "(your link)" emailed from MAJ Racaza. Immediately after this event ended, emphasis on the HPW program surfaced; it is a similar "baseline" gathering program. SFC Forbes had multiple queries to identify the scope and statutory support of for the HPW Program implementation that was being coercively mandated without any consent. These efforts culminated with SFC Forbes' HPW portal access request being denied (16DEC22) the same day by USASOC employee, Ms. Cathy Lutz. SFC Forbes' then requested of Ms. Lutz, a copy

of the any HPW directive at any higher echelon associated with the distributed/communicated 528th BDE OPORD, or a POC to identify any statutory support for the mandated participation found in the BDE OPORD. This resulted in Ms. Lutz emailing other USASOC professionals. At 180754RDEC22 (Sunday), LTC Webb, (George S.) of the Human Performance Optimization Division, USASOC HPW, responded to Ms. Lutz, a Ms. Allemand, 1SG Morgan (SFC Forbes' 1SG) and CPT Forte, of the 528th BDE Surgeon Cell, that, "The USASOC Directive is still in draft.... You guys are way ahead of us on this...." Essentially, the BDE OPORD may have been premature and all of the necessary communications, vetting or consents IAW Federal Law and AR likely had not occurred yet or may not have been finalized. The next duty day, after SFC Forbes returned from filing a handwritten complaint with Hon. Richard Hudson's office and was verbally ordered (191230RDEC22) to report to 389th MI BN on Wednesday (21DEC22) by COL Brunson, with LTC Furlow (as a witness); the BDE CDR also informed SFC Forbes that "disruptive behavior were identified in the Townhalls" and he needed to investigate it via a 15-6. This Reprisal PA, that removed SFC Forbes from his position as S2 NCOIC, by the BDE CDR, is still in effect today.

Lastly, the ongoing verbal and written, likely vitriolic and mendacious, allegations levied at SFC Forbes of counterproductive leadership, in the weeks following CSM Emekaekwue's assault, created a hostile work environment and further institutionalized the bullying. In fact, CSM Prewitt, the 389th MI BN CSM, wrote on a DA 4856 that SFC Forbes was under investigation at STB, that SFC Forbes was toxic and SFC Forbes' reputation was ruined, among other things. SFC Forbes' question is, 'How did CSM Prewitt know all of this to create such misinformed opinions of SFC Forbes?' After all, SFC Forbes proactively did his job, and supported his BDE CDR in doing so. These events, coupled with others alleging incorrect opinions, resulted in BDE S1 reassigning SFC Forbes back to STB BN the day before SFC Forbes was ordered, By CPT Korista (David K.), to a CDBHE (19JAN22). This act was, at least Retaliatory, if not, but most likely, Reprisal, given CPT Korista's response to the question in block 10 of FB 1462-E, "Your future plans for dealing with this Soldier are:... Remove him from USASOC/levels of responsibility[.]" Either the CO CDR (CPT Korista) or the BDE CDR must have ordered BDE S1 (this may be odd for a CO CDR to order BDE Staff) to reassign SFC Forbes back to STB. Essentially, CPT Korista may have intended to destroy SFC Forbes' career prior to the CDBHE. What if he received an "erratic" or "paranoia" diagnoses out of the CDBHE; 'Would he achieve his future plan?' Moreover, both, CSM Prewitt seemingly being informed that SFC Forbes was the subject of a 15-6 and SFC Forbes abrupt reassignment to accomplish a CDBHE to "Remove [SFC Forbes] from USASOC/levels of responsibility," could be indicative of Undue Command Influence at the BDE level.

In fact, CPT Korista's CDBHE order occurred hours after SFC Forbes visited 1SFC HQ building requesting an open-door meeting with the 1SFC CSM, CSM Munter; it was purportedly driven by a "call form some psychologist to STB." When asked during the multi-person (~6 staff members from multiple BNs and echelons) meeting in which SFC Forbes was being ordered to

the CDBHE, neither 1SG Morgan, nor CPT Korista could come close to a quote of the comment SFC Forbes allegedly made at 1SFC when he asked for the open-door meeting; 'Were they first-party to the conversation, or did this call from 1SFC come in at a higher echelon?' Interestingly, SFC Forbes never wittingly met with any psychologist/psychiatrist while at 1SFC that day. Some of these acts represent Retaliation; that said, some fit the definition of Reprisal as well due to the many protected communications SFC Forbes has had over the course of recent events that he stated to CPT Korista during the 1.5 hour meeting. Furthermore, SFC Forbes attempted to guide the CO CDR that DODI 6490.04 states that CDBHEs cannot be used as reprisal. SFC Forbes was escorted to WAMC for the CDBHE and was released at 200311RJAN23 with the diagnoses of "stress" and a stress management pamphlet.

Throughout these events, SFC Forbes attempted to procure the Scope and statutory support of Command Directed participation in BDE HPW OPORD due to the blatant disregard for historical National Security protocols enforced by USASOC, at our BDE; yet, these protocols are posted and commonly known throughout USASOC facilities and personnel, respectively. Later, SFC Forbes realized that no written consent request, or any consent request, were being communicated, per Title 32, Part 219; Title 10 section 980; AR 70-25. In fact, all communication centered on 100% participation in this "Assess the Un-Assessed" effort. Moreover, the restrictions of Command Directives in DODI 6490.04 for Command Directed Behavioral Health Evaluations and, separately, their use as Reprisal, were ignored. The HPW Program required SM participation in cognitive, behavioral and spiritual research or "baseline" gathering on an identifiable basis for research gathering, in which the SMs data is stored in a database named "SMARTABASE" and communicated back to, at least, PLT leadership, per their website. This could be a direct violation of Federal Law, the HIPPA Act or AR. Whether it is, or not, SFC Forbes and all SMs, have the right to know where their data is going and what the scope of the research is, especially when it comes to Command Directed (OPORD) Behavioral Health Evaluations. SMs should not be coerced into 3rd Party Corporate relationships with "Terms of Service" and "Privacy Policies" that must be agreed to in order to execute the orders of the BDE CDR, let alone, research programs without written consent or a common-understanding of the risks and objectives of the research, prior to the order. It could have been a voluntary event instead of mandated event through an OPORD. SFC Forbes merely asked lawful questions, and reinforced Laws and Regulations, as a United States Soldier / Citizen, and as an on-order PSM / INFOSEC Officer, respectively. No SM should be treated in the manner in which SFC Forbes was treated; there are other issues being addressed outside the scope of this WBR complaint.

EXHIBIT R



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET
FORT BRAGG NC 28310-8500

FEB 09 2023

AOSO-DCG

MEMORANDUM FOR MAJ Ian Chustek, Headquarters, 1st Special Forces Command (Airborne), Fort Bragg, North Carolina 28310-8500

SUBJECT: Appointment as a Preliminary Inquiry Investigating Officer into Allegations Against Members of 528th Sustainment Brigade (Special Operations) (Airborne)

1. Appointment. You are hereby appointed as an Investigating Officer (IO) to conduct a preliminary inquiry pursuant to Chapter 4 of Army Regulation (AR) 15-6. Your responsibilities as an IO take precedence over all other military duties. You have until **20 February 2023** to conduct this investigation. Request any necessary extensions from my Staff Judge Advocate.

2. General Instructions.

a. The purpose of a preliminary inquiry is to ascertain facts, to make findings that are warranted by the evidence, and, where appropriate, to make recommendations that are feasible and consistent with your findings. Conduct your investigation into the matters set forth in paragraph 3, below. Upon completion, submit a report of investigation (ROI) that conforms to the requirements in paragraph 5 of this memorandum and AR 15-6.

b. If, at any time in the course of your investigation, something happens that could cause me to consider enlarging, restricting, or terminating the investigation, or otherwise modifying any instruction in this memorandum, immediately report the situation to your legal advisor. Additionally, if you discover credible evidence of alleged misconduct against a person senior in rank to you, immediately halt your investigation and report this situation to me, through your legal advisor.

3. Scope of Investigation. Specifically, you will determine the following:

a. What happened between CSM Emmanuel Emekaekwue and SFC Michael Forbes on the morning of 12 December 2022 during a Battalion formation? If applicable, were any actions by CSM Emekaekwue or SFC Forbes disrespectful or undignified on the morning of 12 December 2022?

b. What are the circumstances surrounding the allegation that Soldiers at 528th were cutting grass with scissors on or about 18-19 May 2022? If applicable, were any regulations or policies violated?

AOSO-DCG

SUBJECT: Appointment as a Preliminary Inquiry Investigating Officer into Allegations Against Members of 528th Sustainment Brigade (Special Operations) (Airborne)

5. Report of Investigation.

a. Assembly. Your completed preliminary inquiry will include:

- i. This Memorandum of Appointment.
- ii. An index of all attached exhibits, labeled and numbered.
- iii. A memorandum with your findings and recommendations.

b. Findings. Reach your findings by a preponderance of the evidence. A finding is a clear and concise statement of fact readily deduced from evidence in the record. In your report, develop specific findings and cite specific evidence that supports your findings. If evidence is conflicting (e.g., conflicting witness statements), make a finding as to which evidence is more credible and state why you believe it is more credible.

c. Recommendations. Make recommendations, if appropriate, consistent with your findings that are feasible, acceptable, and suitable.


6. Submission.

a. Submit an electronic copy of your completed inquiry to your legal advisor; and

b. Submit a paper copy of your completed inquiry, appropriately tabbed and organized, to me, through your legal advisor.

c. Do not release any information related to this investigation to anyone, other than your legal advisor, without my prior approval.

7. The point of contact for this memorandum is CPT Guybert "Jimmy" Paul by email at guybert.j.paul.mil@socom.mil.


DEREK N. LIPSON
Brigadier General, SF
Deputy Commanding General



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET
FORT BRAGG NC 28310-8500

FEB 09 2023

AOSO-DCG

MEMORANDUM FOR MAJ Ian Chustek, Headquarters, 1st Special Forces Command (Airborne), Fort Bragg, North Carolina 28310-8500

SUBJECT: Appointment as a Preliminary Inquiry Investigating Officer into Allegations Against Members of 528th Sustainment Brigade (Special Operations) (Airborne)

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2. General Instructions.

a. The purpose of a preliminary inquiry is to ascertain facts, to make findings that are warranted by the evidence, and, where appropriate, to make recommendations that are feasible and consistent with your findings. Conduct your investigation into the matters set forth in paragraph 3, below. Upon completion, submit a report of investigation (ROI) that conforms to the requirements in paragraph 5 of this memorandum and AR 15-6.

b. If, at any time in the course of your investigation, something happens that could cause me to consider enlarging, restricting, or terminating the investigation, or otherwise modifying any instruction in this memorandum, immediately report the situation to your legal advisor. Additionally, if you discover credible evidence of alleged misconduct against a person senior in rank to you, immediately halt your investigation and report this situation to me, through your legal advisor.

3. Scope of Investigation. Specifically, you will determine the following:

a. What happened between CSM Emmanuel Emekaekwue and SFC Michael Forbes on the morning of 12 December 2022 during a Battalion formation? If applicable, were any actions by CSM Emekaekwue or SFC Forbes disrespectful or undignified on the morning of 12 December 2022?

b. What are the circumstances surrounding the allegation that Soldiers at 528th were cutting grass with scissors on or about 18-19 May 2022? If applicable, were any regulations or policies violated?

AOSO-DCG

SUBJECT: Appointment as a Preliminary Inquiry Investigating Officer into Allegations Against Members of 528th Sustainment Brigade (Special Operations) (Airborne)

5. Report of Investigation.

a. Assembly. Your completed preliminary inquiry will include:

- i. This Memorandum of Appointment.
- ii. An index of all attached exhibits, labeled and numbered.
- iii. A memorandum with your findings and recommendations.

b. Findings. Reach your findings by a preponderance of the evidence. A finding is a clear and concise statement of fact readily deduced from evidence in the record. In your report, develop specific findings and cite specific evidence that supports your findings. If evidence is conflicting (e.g., conflicting witness statements), make a finding as to which evidence is more credible and state why you believe it is more credible.

c. Recommendations. Make recommendations, if appropriate, consistent with your findings that are feasible, acceptable, and suitable.


6. Submission.

a. Submit an electronic copy of your completed inquiry to your legal advisor; and

b. Submit a paper copy of your completed inquiry, appropriately tabbed and organized, to me, through your legal advisor.

c. Do not release any information related to this investigation to anyone, other than your legal advisor, without my prior approval.

7. The point of contact for this memorandum is CPT Guybert "Jimmy" Paul by email at guybert.j.paul.mil@socom.mil.


DEREK N. LIPSON
Brigadier General, SF
Deputy Commanding General

FW: Investigating Officer

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: paxmas2007@yahoo.com

Date: Wednesday, June 28, 2023 at 09:52 PM EDT

Cordially,

Michael J. Forbes


528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Chustek, Ian L MAJ USARMY USSOCOM USASOC (USA) <ian.l.chustek.mil@socom.mil>

Sent: Sunday, February 12, 2023 5:42 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject: Re: Investigating Officer

SFC Forbes,

I just realized tomorrow is a USASOC late work call, so disregard my last email REF: meeting Monday morning. Please reply to my email whenever you get in and we will schedule a time to meet ASAP.

thanks

MAJ Chustek

From: Chustek, Ian L MAJ USARMY USSOCOM USASOC (USA)

Sent: Friday, February 10, 2023 3:11 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Subject: Investigating Officer

Hi SFC Forbes,

I'm MAJ Ian Chustek, I work up at 1SFC and have been appointed as an investigating officer in relation to allegations you have made against various individuals in the 528th. While I have been provided a lot of background information, I would like to start by meeting with you to ensure I understand the situation and your allegations. Your CoC will

make you available if I ask them to do so, so please let me know if Monday (13th) at 1030 would work for you to meet and go over the details.

Thanks

MAJ Chustek



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DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
(b) (7)(C), (b) (6), (b) (3) (B)
FORT BRAGG, NORTH CAROLINA 28310-8500

AOSO-CG

MAR 7 2023

MEMORANDUM FOR RECORD

SUBJECT: Approval of Preliminary Inquiry – Allegations Against Members of 528th Sustainment Brigade (Special Operations) (Airborne)

1. After a thorough review of the subject investigation, IAW AR 15-6, chapter 4, I hereby approve the Investigating Officer's findings and recommendations on memorandum, dated 23 February 2023.

2. The POC for this memorandum is (b) (7)(C), (b) (6), (b) (3) (B) by email at (b) (7)(C), (b) (6), (b) (3) (B) or by phone at (b) (7)(C), (b) (6), (b) (3) (B).

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

/ RICHARD E. ANGLE
Major General, USA
Commanding General



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1st SPECIAL FORCES COMMAND (AIRBORNE)
(b) (7)(C), (b) (6), (b) (3) (B)
FORT BRAGG, NC 28310-8500

AOSO

23 FEB 2023

MEMORANDUM FOR Commander, 1st Special Forces Command (Airborne), For
Bragg, NC 28310

SUBJECT: Findings and Recommendations, Army Regulation (AR) 15-6 Investigation
into Allegation Against Members of the 528th Sustainment Brigade (Special Operations)
(Airborne)

1. On 9 February 2023 I was appointed as an investigating officer pursuant to Army Regulation (AR) 15-6. The purpose of the investigation was to determine the facts and circumstances surrounding the Allegation Against Members of the 528th Sustainment Brigade (Special Operations) (Airborne)

2. Conclusion. The accusations made by SFC Forbes are unfounded. No action should be taken against the individuals SFC Forbes has made accusations against. SFC Should be PCS'd out of 1SFC(A).

3. Facts.

a. Topic 1: What happened between (b) (7)(C), (b) (6), (b) (3) (B) and SFC Michael Forbes on the morning of 12 December 2022 during a Battalion formation? If applicable, were any actions by (b) (7)(C), (b) (6), (b) (3) (B) or SFC Forbes disrespectful or undignified on the morning of 12 December 2022?

(1) Sworn statements obtained from all parties interviewed (See ENCL 1-6 & 10) agree on the following facts: On 12 December 2022 at approximately 06:27 SFC Forbes was addressing the 528th SB (SO) (A) morning formation, reinforcing the USASOC/1SFC Personal Electronic Device (PED) use policy. (b) (7)(C), (b) (6), (b) (3) (B) took his position at the front of the formation prior to saluting the flag, and in the process made physical contact with SFC Forbes in attempt to have him rejoin the formation prior to saluting the flag.

(2) SFC Forbes alleges that (b) (7)(C), (b) (6), (b) (3) (B) inappropriately used excessive force to physically move SFC Forbes back into formation in an undignified/disrespectful manner, causing SFC Forbes professional embarrassment and reputational harm (See ENCL 10)

(b) (7)(C), (b) (6), (b) (3) (B) tapped SFC Forbes on the shoulder and told him to get back in formation, (b) (7)(C), (b) (6), (b) (3) (B)

AOSO

SUBJECT: Findings and Recommendations, Army Regulation (AR) 15-6 Investigation into Allegation Against Members of the 528th Sustainment Brigade (Special Operations) (Airborne)

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

6)

(5) SFC Forbes reported the incident to the Fort Bragg Provost Marshall Office who investigated and found the allegations to be "unfounded" (See ENCL 7).

b. Topic 2: What are the circumstances surrounding the allegation that Soldiers at 528th were cutting grass with scissors on or about 18-19 May 2022? If applicable, were any regulations or policies violated

(b) (7)(C), (b) (6), (b) (3) (B) the scissors were used for edging, to cut around fire hydrants, and other obstacles etc. There were not enough wire trimmers for all soldiers, (b) (7)(C), (b) (6), (b) (3) (B) instructed those without powered lawn care equipment to use scissors. (b) (7)(C), (b) (6), (b) (3) (B) (See ENCL 5 & 6)

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

c. Topic 3: What are the circumstances surrounding the skulls on a wall in an office at the (b) (7)(C), (b) (6), (b) (3) (B) 528th SB (SO)(A)? If applicable, were any regulations or policies violated?

(b) (7)(C), (b) (6), (b) (3) (B) the painted skulls on the wall represented administrative actions that had been taken against members of (b) (7)(C), (b) (6), (b) (3) (B)

(b) (7)(C), (b) (6), (b) (3) (B), (b) (5)

When the issue was brought up (b) (7)(C), (b) (6), (b) (3) (B) directed (b) (7)(C), (b) (6), (b) (3) (B) to paint over the skulls, which (b) (7)(C), (b) (6), (b) (3) (B) did.

d. Topic 4: What are the circumstances surrounding the relationship between (b) (7)(C), (b) (6), (b) (3) (B) and SFC Forbes? If applicable, analyze whether there are any counterproductive leadership issues or concerns in violation of AR 600-100?

(1) Both SFC Forbes and (b) (7)(C), (b) (6), (b) (3) (B) identified an incident occurring on 4 February involving the layout of Joint Light Tactical Vehicle BII. However, interpretations of the incident differ.

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SUBJECT: Findings and Recommendations, Army Regulation (AR) 15-6 Investigation into Allegation Against Members of the 528th Sustainment Brigade (Special Operations) (Airborne)

(2) SFC Forbes stated that he received an email invitation for an "Initial Counseling – HHC Sub Hand Receipt Holders" on 0410000FEB22. At this event SFC Forbes states that he was asked to provide two things: 1) An initial counseling memorandum and 2) a Bill Of Materials (BOM) referencing missing non-expendable items on a JLTV signed to SFC Forbes. SFC states that proper accountability of the vehicle had not been maintained by the motor pool as evidenced by it being signed out for maintenance without him present and additional BII items going missing since he did a full accountability. As such SFC Forbes refused to sign the documents in question.

(b) (7)(C), (b) (6), (b) (3) (B) SFC Forbes "became agitated and began to curse" at (b) (7)(C), (b) (6), (b) (3) (B) reminded SFC Forbes he was talking to an Army Officer and to not use such language. Furthermore, (b) (7)(C), (b) (6), (b) (3) (B) the missing BII was ordered through appropriate army channels.

(4) On 12 January 2023 the 528th SB's (b) (7)(C), (b) (6), (b) (3) (B) initiated a 15-6 investigation into allegations of misconduct by SFC Forbes resulting in a flag. (b) (7)(C), (b) (6), (b) (3) (B) counseled SFC Forbes to the flag, but SFC Forbes refused to sign the counseling stating that he wanted the "presence of council prior to signature" (See ENCL 11 & 12) SFC Forbes did not mention the flag or 15-6 investigation during an almost two-hour interview for this investigation

(5) On 18 January (b) (7)(C), (b) (6), (b) (3) (B) ordered SFC Forbes to obtain a command directed behavioral health evaluation. This was a result of erratic and aggressive behavior (b) (7)(C), (b) (6), (b) (3) (B) at the 1SFC HQs while exercising the CG's open-door policy (See ENCL 9). SFC Forbes's behavior was reported to the 1SFC Command Psychologist (b) (7)(C), (b) (6), (b) (3) (B) who contacted the 528th SB's Psychologist (b) (7)(C), (b) (6), (b) (3) (B) who agreed that SFC Forbes needed a behavioral health evaluation for his own safety. (b) (7)(C), (b) (6), (b) (3) (B)

(b) (7)(C), (b) (6), (b) (3) (B) SFC Forbes did not agree to the evaluation until the MPs were called to take him to WAMC, only at this point did SFC Forbes voluntarily admitted himself. (See ENCL 2,4,5 & 9)

e. Topic 5: What are the circumstances surrounding the removal of security postage (b) (7)(C), (b) (6), (b) (3) (B) on or about 8 December 2022? If applicable, analyze whether any applicable regulations or policies were violated.

(1) Finding: SFC Forbes had printed out paper copies of the USASOC PED policy and posted them in front of all entryways (b) (7)(C), (b) (6), (b) (3) (B)

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

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

(2) There is no defined requirement within applicable regulation (See USASOC 25-2 RAR) that defines specific placement, amounts, or locations of posted security reminders.

5. Findings. After carefully considering the evidence, I find that:

a. **Topic 1: What happened between (b) (7)(C), (b) (6), (b) (3) (B) and SFC Michael Forbes on the morning of 12 December 2022 during a Battalion formation? If applicable, were any actions by (b) (7)(C), (b) (6), (b) (3) (B) SFC Forbes disrespectful or undignified on the morning of 12 December 2022?**

i. Finding: (b) (7)(C), (b) (6), (b) (3) (B)
(b) (7)(C), (b) (6), (b) (3) (B)

(b) (7)(C), (b) (6), (b) (3) (B) While SFC Forbes may feel that excessive force was used, all other firsthand witnesses did not observe as much.

b. **Topic 2: What are the circumstances surrounding the allegation that Soldiers at 528th were cutting grass with scissors on or about 18-19 May 2022? If applicable, were any regulations or policies violated?**

i. Finding: As the scissors were used due to a lack of enough power equipment, (b) (7)(C), (b) (6), (b) (3) (B) find no need for additional action.

c. **Topic 3: What are the circumstances surrounding the skulls on a wall in an office at the Special Troops Battalion, 528th SB (SO)(A)? If applicable, were any regulations or policies violated?**

(b) (7)(C), (b) (6), (b) (3) (B), (b) (5)
(b) (7)(C), (b) (6), (b) (3) (B), (b) (5) and the fact that the skulls have been painted over, I do not find a need for additional action.

d. **Topic 4: What are the circumstances surrounding the relationship between (b) (7)(C), (b) (6), (b) (3) (B) and SFC Forbes? If applicable, analyze whether there are any counterproductive leadership issues or concerns in violation of AR 600-100?**

i. Finding: No counterproductive leadership issues (b) (7)(C), (b) (6), (b) (3) (B) were identified. However, over the course of multiple interviews addressing the multiple allegations covered in the scope of this investigation, a common narrative coalesced around the overreaction to any perceived slight and workplace behavioral issues of SFC Forbes. This was manifested in not only SFC Forbes' accusation of assault by (b) (7)(C), (b) (6), (b) (3) (B) but his reaction to the 4 FEB sub hand receipt holder counseling in which he became agitated and unprofessional towards (b) (7)(C), (b) (6), (b) (3) (B) his behavior in the 1SFC HQs that resulted in

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SUBJECT: Findings and Recommendations, Army Regulation (AR) 15-6 Investigation into Allegation Against Members of the 528th Sustainment Brigade (Special Operations) (Airborne)

the Womack Army Medical Center behavioral health evaluation, and the other accusations of wrongdoing covered in this. Additionally, the fact that SFC Forbes behavior had previously been so egregious that the 528th SB initiated a 15-6 investigation, (b) (7)(C), (b) (6), (b) (3) (B)

all points to my finding that (b) (7)(C), (b) (6), (b) (3) (B) is not the one displaying counterproductive/unprofessional behavior, it is SFC Forbes (See ENCL 11 & 12)

e. **Topic 5: What are the circumstances surrounding the removal of security postage (b) (7)(C), (b) (6), (b) (3) (B) on or about 8 December 2022? If applicable, analyze whether any applicable regulations or policies were violated:**

(1) Finding: While SFC was merely trying to fulfill his duties by posting the printed signs at every door, there is no defined requirement within applicable regulation (See USASOC 25-2 RAR) that defines specific placement, amounts, or locations of posted security reminders. (b) (7)(C), (b) (6), (b) (3) (B)
(b) (7)(C), (b) (6), (b) (3) (B)

f. **Conclusion:**

(1) SFC Forbes' allegations have some factual base but are wildly divergent from the minutia details of what actually took place. In essence, SFC Forbes overexaggerates circumstances. This is a trend throughout all the topics of this investigation, SFC Forbes seems to take routine work disputes, misunderstandings, or relatively minor issues and turn them into something larger than is warranted. His reaction is often considered aggressive and unprofessional by other witnesses.

(2) Additionally, I believe SFC Forbes' behavior to be suspicious that all the allegations of violations made by SFC Forbes have been found to be unsubstantiated, he filed official complaints to all these incidents after the 15-6 investigation into his behavior was initiated. As such, I believe that SFC Forbes is deliberately weaponizing the IG/ Congressional complaint process to protect himself from the 15-6 initiated against him.

(3)

6. Recommendations. In view of the above findings, I recommend:

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

b. I recommend that SFC Forbes be PCS'd out of 1st Special Forces Command

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7. The point of contact for this memorandum is the (b) (7)(C), (b) (6), (b) (3) (B)
(b) (7)(C), (b) (6), (b) (3) (B)

2/24/2023

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

INVESTIGATING OFFICER



DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY LANE (STOP A)
FORT BRAGG, NORTH CAROLINA 28310

April 28, 2023

The Honorable Richard Hudson
United States Representative
Attention: Kimberly Baldwin
225 Green Street, Suite 202
Fayetteville, North Carolina 28301

Dear Representative Hudson,

We appreciate your recent letter regarding the issues raised by Sergeant First Class (SFC) Michael Forbes. We take SFC Forbes' allegations very seriously. As such, we have inquired into every one of SFC Forbes' allegations, to include his current concerns. Regarding SFC Forbes' current concerns, multiple inquiries found that there is no evidence to substantiate his claims. As a matter of fact, as recent as February 9, 2023, this command initiated an inquiry to investigate other allegations raised by Sergeant First Class Forbes. A senior commissioned officer was appointed as the investigating officer. That senior commissioned officer was selected to conduct a thorough investigation because of his experience, and he was a disinterested party. The investigating officer found that SFC Forbes displayed counterproductive/unprofessional behavior. Furthermore, the investigating officer concluded:

SFC Forbes' allegations have some factual (*sic*) base but are wildly divergent from the minutia details of what actually took place. In essence, SFC Forbes overexaggerates circumstances. This is a trend throughout all the topics of this investigation, SFC Forbes seems to take routine work disputes, misunderstandings, or relatively minor issues and turn them into something larger than is warranted. His reaction is often aggressive and unprofessional by other witnesses.

In summary, we have investigated all of SFC Forbes' allegations once they came to our attention, and we will continue to take every prudent measure to inquire into any new allegation. I thank you for your interest in this matter and I hope the information we provided was helpful. Please rest assured knowing that we will continue to support our servicemembers who bring forward any allegation of wrongdoing.

Sincerely,

A handwritten signature in black ink, appearing to be "P. Nelson", is written over a horizontal line.

Patrick R. Nelson
Colonel, U.S. Army
Chief of Staff

RE: response requested

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: shaun.c.vincent.civ@socom.mil

Cc: david.kimsey@socom.mil

Date: Tuesday, November 7, 2023 at 09:28 AM EST

Good morning to ya.

Yes Sir.

We discussed that and we discussed the Command echelon it was conducted, the two DCOs part of that Command, how it was used (including the content in COL Jones' letter to Hon. Hudson) and its illegality under 10 USC Section 1034.

I probably did not mention that COL Jones worked with me at 3/3 years ago.

Hope this helps.

SFC Forbes

From: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>

Sent: Monday, November 6, 2023 3:06 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject: RE:

SFC Forbes,

For clarification, the investigative conducted by 1st SFC [MAJ Chustek] was not considered by the CG in rendering your GOMOR. Are you aware of that?

Mr. V

Mr. Shaun C. Vincent

Inspector General

Office of the Inspector General

U.S. Army Special Operations Command

DSN 239.5350/910.432.5350

FAX: 910.432-6433

EMAIL: shaun.c.vincent.civ@socom.mil

shaun.c.vincent.civ@mail.mil

Controlled by: The Inspector General of the Army (SAIG-ZA)

Controlled by: USASOC Inspector General's Office, AOIG

CUI Category: PRIIG;PRVCY;WHSTL
Distribution/Dissemination Controls: FEDCON
POC: Mr. Shaun Vincent, 910-432-5350

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CUI

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Monday, November 6, 2023 2:53 PM
To: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>
Cc: 'paxmas2007@yahoo.com' <paxmas2007@yahoo.com>
Subject: FW:

Mr. V.

Per your RFI (attached). Short of going there and asking, I wrote his name on a post it that day and cannot remember. He had dark hair, about my height, an E-5, sat behind the MAJ on the right side as you go in the Command Suite. If I find the post it or any other reference to him, without going there, I will let you know. Sorry, Sir.

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Wednesday, October 11, 2023 10:10 AM
To: Kimsey, David B LTC USARMY USSOCOM USASOC (USA) <david.kimsey@socom.mil>
Cc: jmb@jmb.bike; paxmas2007@yahoo.com
Subject: FW:

Sir:

Sorry this took so long. Here is the 1559 that addresses the MWPA investigation turned against me in 1SFC.

SFC Forbes

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, October 11, 2023 10:06 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject:



smime.p7s
5.3kB

FW: USASOC 25-2 ref you requested

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: paxmas2007@yahoo.com

Date: Wednesday, June 28, 2023 at 09:49 PM EDT

Cordially,

Michael J. Forbes


528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Thursday, February 16, 2023 2:12 PM

To: Chustek, Ian L MAJ USARMY USSOCOM USASOC (USA) <ian.l.chustek.mil@socom.mil>

Subject: USASOC 25-2 ref you requested

Sir, this should help. If you need the link from the INFOSEC world to cybersecurity, I can provide that too.

9-2 Prevention states

“a. The following are in place to prevent cybersecurity violations:...

(3) Cybersecurity awareness information (such as computer screensavers, posted security reminders).

SFC Forbes

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil



smime.p7s
6.5kB

EXHIBIT S

Fw: credentials / policy request

From: Michael Forbes (paxmas2007@yahoo.com)

To: jennifer.s.kuntz.civ@health.mil; marcel.d.batts.mil@health.mil; tammie.s.dorsett-logan.civ@health.mil

Cc: tavi.n.brunson.mil@socom.mil

Date: Wednesday, May 10, 2023 at 03:35 PM EDT

Good Morning.

Ms. Kuntz:

Thank you for letting me know, when I stopped by yesterday, to follow-up on my prior verbal request for the "in-processing SOP of WAMC." That day (a couple week ago) you did take me to Credentialing, but as I stated to you later that same day, Ms. Foster referred me to Ms. Phair and she pointed me elsewhere and defined "privileges" for me. This did not accomplish my request. On a separate note, thank you for letting me know that the 'clinic' told you not to provide the in-processing SOP as it is on the hospital Intranet. You have been helpful.

Please let MAJ Nash (next door) know (please forward this to her) that I appreciated her approaching me in the hallway to assist. Her time was valuable to me to discuss how to get the credentialing below. Our conversation was positive and, given her stated roll having something to do with research and suicide prevention, was informative and if she needs any assistance from me, I want to help ensure Soldier/Citizen-rights are preserved. We seemed to agree that identifying unchecked counterproductive leadership may be a preferred method of suicide prevention rather than invasive questioning and tracking Soldiers behaviors using 3rd party apps culminating with a periodic, subjective and unpublished assessment by MHPs (this is only my assessment of our conversation, not speaking for her). MAJ Nash, astutely, led me back to Ms. Logan in Patient Relations.

Ms. Logan:

Ma'am, you are a consummate professional and I appreciate you so much. As I stated to you yesterday, even though it should not have taken 3 months to get my full BHE record, your tenacity in support of my efforts for documents that I have a right to have, was crucial in my success in finally getting them.

Now, I am requesting, what I have learned, is the "credentialing" of MAJ Racaza, Rhea and any continuing requirements, my unit's Psychologist. Pursuant to the attached (DHA-PI 6025.10). I am requesting the following: 1) pursuant to DHA-PI 6025.10, 3., a., (4), the complete list of the credentials of MAJ Racaza, 2) pursuant to DHA-PI 6025.10, 3., a. (7), how to file grievances to the MTF Patient Relations Representative/Office (if decided and necessary).

During our conversation you asked who my CDR was and even though I verbally informed you, I wanted to ensure you had his information. His name is COL Tavi Brunson, CDR of 528th Sustainment Brigade (SO) (A), X-4047 New Dawn Drive, Fort Bragg, NC 28310. I have CC'ed him since you asked, which infers that WAMC may reach out to him regarding my requests, and I do not wish for him to be unwitting of my request or be 'blind-sided' by any communications.

I am sorry to ask in such a detailed manner, but time is of the essence in other matters with other institutions, pertaining to this situation, and I am attempting to avoid having to endure another 3 months of multiple visits and bureaucratic filling- and refilling-out of information on forms due to my requests being misinterpreted, again.

Sir:

I am sorry to bother you, but they asked about you, so I wanted you to be fully informed of what I am requesting.

SFC Forbes



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5.4kB



20231009 DHAPI 6025.10 Patient Rights and Responsibilities.pdf
254.8kB

SH Document 27-2 Filed 05/2

73

A

Amanda 389th, HHC, 1SG Kelly >

Wed, May 10, 4:43 PM

Good afternoon SFC Forbes. What time are you free tomorrow? The CDR and I would like to speak with you.

1SG I am at your disposal. I only have to run over to the hospital sometime in the morning to check to see if the photo treatment machine is repaired yet

Can you meet us in the office at 1300?

Of course first sergeant

Subject

iMessage



(This document is considered Controlled Unclassified Information (CUI) when filled.)

DEVELOPMENTAL COUNSELING FORM

For use of this form, see ATP 6-22.1; the proponent agency is TRADOC.

PRIVACY ACT STATEMENT**AUTHORITY:** 5 USC 301, Departmental Regulations, 10 USC 3013, Secretary of the Army.**PRINCIPAL PURPOSE:** These records are created and maintained to manage the member's Army and Army National Guard service effectively, to document historically a member's military service, and safeguard the rights of the member and the Army.**NOTE:** For additional information, see the System of Records Notice A0600-8-104b AHRC, <https://dpcl.dod.mil/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570051/a0600-8-104b-ahrc/>.**ROUTINE USE(S):** There are no specific routine uses anticipated for this form; however, it may be subject to a number of proper and necessary routine uses identified in the system of records notice specified in the purpose statement above.**DISCLOSURE:** Disclosure is voluntary.**PART I - ADMINISTRATIVE DATA**

Name (Last, First, MI) Forbes, Michael J.	Rank/Grade E-7	Date of Counseling 11-May-2023
--	-------------------	-----------------------------------

Organization HHC, 389th Military Intelligence Battalion	Name and Title of Counselor CPT Hollis Davenport, HHC Commander
--	--

PART II - BACKGROUND INFORMATION**Purpose of Counseling:** (Leader states the reason for the counseling, e.g. Performance/Professional/Event-Oriented counseling, and include the leader's facts and observations prior to the counseling.)Approach: ☐ Non Directive ☐ Combined ☒ DirectiveType of Counseling: ☒ General Form ☐ Professional Growth ☐ Performance ☐ Event Oriented

The purpose of this counseling is to inform you that the BDE Commander has recommended that you receive a General Officer Memorandum of Reprimand (GOMOR).

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points Discussion:

The sole purpose of this counseling is to keep you informed. If you receive a GOMOR, you will be counseled again by your chain of command on the next appropriate actions.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

(This document is considered Controlled Unclassified Information (CUI) when filled.)

Plan of Action (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).

ISG Kelley and I will keep you informed as soon as we hear of any further developments regarding the BDE Commander's recommendation. BDE Legal has advised us that it typically takes about 2 weeks before we receive a decision from 1st SFC on whether you will receive a GOMOR.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees / disagrees and provides remarks if appropriate.)

Individual counseled: ☐ I agree ☒ disagree with the information above.

Individual counseled remarks:

I HAVE DONE NOTHING BUT PROCEED SIGNATURE SUPPORT THE ARMY IN ITS EFFORTS TO KEEP RIGHTS OUT OF LAWSUIT (HANDLING) BUILDINGS. I ALSO AM ATTEMPTING TO PROTECT MY CIVIL RIGHTS AND THE RIGHTS OF OTHER PETA ARMY DOGMA. THIS IS FURTHER BDE REPRISAL.

Signature of Individual Counseled:

WE

DATE (YYYYMMDD):

11 MAY 2023

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.)

Signature of Counselor:

Emma D. Dant

Date (YYYYMMDD):

11 MAY 2023

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

SIGNATURES

Counselor:

Individual Counseled:

Date of Assessment (YYYYMMDD):

Note: Both the counselor and the individual counseled should retain a record of the counseling.

EXHIBIT T

Fw: On calendar for pre-meeting to discuss meeting with CSM Naumann

From: Michael Forbes (paxmas2007@yahoo.com)
To: william.wallace@socom.mil
Cc: jmb@jmb.bike; tavi.n.brunson.mil@socom.mil
Date: Monday, May 22, 2023 at 02:42 PM EDT

Mr. Wallace, good afternoon.

I did not get your email until this morning and given how much I do want to meet with someone, I obviously will accept this date and thank you for it. I am sorry to have to bother the new CSM.

That said, I fear it will be an ineffectual conversation though. I asked for the open door immediately after a reprisal action by 1SG Kelly (she recommended a LOR to CPT Davenport). After that I had her added as an RMO to the WBR case. Later, in an effort to pursue the reporting of the many violations of the APA Code of Conduct (CoC) by MAJ Racaza and her divesting of her authority by not following laws, regulation and the APA CoC on 30NOV2022 and circa 12JAN2023, I went to WAMC to get her credentialling. Therefore, on 10MAY2023, pursuant to the Patient Bill of Rights, I sent an email to the Patient Liaison Ms. Logan (at her request) to get MAJ Racaza's, our unit Psychologist, credentialing, which I had asked for on 2 prior occasions. This time, given Ms. Logan asked not only for my BDE CDR's name, but also, his first name, I cc'd my BDE CDR so that he would not be an unwitting recipient of an 'out-of-the-'phone call.

One hour and 8 minutes later I was scheduled to receive the following GOMOR counseling. The attached GOMOR recommendation will likely be decided upon prior to the meeting you suggest, which may make that meeting mute. After not hearing from you, my wife decided to write the Secretary of the Army. That letter should be stamped today; tomorrow at the latest. I wish I could get this obvious reprisal to stop because my wife is now wanting to get involved. She is Native American and more tenacious than I am; that is saying something (believe you, me).

I have attached the GOMOR recommendation counseling form for your perusal, another Article 138 will be on the BDE CDR's desk regarding his investigation (likely) this week, Senator Ted Budd's office is expecting information from me and I am getting ever closer to filing the licensee complaint. This is NOT an inclusive list; though I am so busy with all of this in the defense of my unblemished career, I will reschedule things to make time if this could be moved up.

If not moved up, depending on what occurs next, it may not be worth either of our time and, you can ask 1SFC CSM Munter, I hated having to ask to bother him. It upsets me to think such blatant disregard for regulations and law makes perpetrators attack the person trying to enforce the regulations and not deal with the issues to solve the problems.

James:

Per our telephone conversation and for your review, guidance and/or actions. Note:(Feres).

Sir:

FYI, I, finally, got my requested meeting.

----- Forwarded Message -----

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
To: paxmas2007@yahoo.com <paxmas2007@yahoo.com>
Sent: Monday, May 22, 2023 at 01:57:43 PM EDT

Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

From: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>

Sent: Monday, May 22, 2023 1:28 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Cc: Munter, Ted C CSM USARMY USSOCOM USASOC (USA) <ted.c.munter@socom.mil>; Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>; Vargas, Sandra A CSM USSOCOM USASOC (USA) <sandra.cruz@socom.mil>; Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Utley, Matthew D LTC USARMY USSOCOM USASOC (USA) <matthew.d.utley.mil@socom.mil>; Prewitt, Demetris A CSM USARMY USSOCOM USASOC (USA) <demetris.a.prewitt.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>; Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>; Davenport, Hollis CPT USARMY USSOCOM USASOC (USA) <hollis.davenport.mil@socom.mil>; Kelley, Amanda F SFC USARMY USSOCOM USASOC (USA) <amanda.f.kelley.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Barnes, Terrence D CIV USSOCOM USASOC (USA) <terrence.d.barnes.civ@socom.mil>; Vazquez, Annemarie P MAJ USARMY USSOCOM USASOC (USA) <annemarie.p.vazquez.mil@socom.mil>

Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

Good Afternoon SFC Forbes,

I had not received a response back from you, so I just wanted to circle back and resend the email that I sent on the 19th.

Due to CG travel, would you be available to do an open door with CSM Naumann at 1030 on Thursday, 15 June?

v/r

Will

William Wallace

USASOC Secretary of the General Staff (SGS)

Wk: 910-432-0946 / Cell 910-286-9423 / SIPR: 239-0946

NIPR: william.wallace@socom.mil

SIPR: william.wallace4@socom.smil.mil

From: Wallace, William T SGS USARMY USSOCOM USASOC (USA)

Sent: Friday, May 19, 2023 2:00 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Cc: Munter, Ted C CSM USARMY USSOCOM USASOC (USA) <ted.c.munter@socom.mil>; Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>; Vargas, Sandra A CSM USSOCOM USASOC (USA) <sandra.cruz@socom.mil>; Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Utley, Matthew D LTC USARMY USSOCOM USASOC (USA) <matthew.d.utley.mil@socom.mil>; Prewitt, Demetris A CSM USARMY USSOCOM USASOC (USA) <demetris.a.prewitt.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>; Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>; Davenport, Hollis CPT USARMY USSOCOM USASOC (USA) <hollis.davenport.mil@socom.mil>; Kelley, Amanda F SFC USARMY USSOCOM USASOC (USA) <amanda.f.kelley.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Barnes, Terrence D CIV USSOCOM USASOC (USA) <terrence.d.barnes.civ@socom.mil>; Vazquez, Annemarie P MAJ USARMY USSOCOM USASOC (USA) <annemarie.p.vazquez.mil@socom.mil>

Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

Good Afternoon SFC Forbes,

Due to CG travel, would you be available to do an open door with CSM Naumann at 1030 on Thursday, 15 June?

v/r

Will

William Wallace

USASOC Secretary of the General Staff (SGS)

Tel: 910-432-0946 / BB [910-627-9608](tel:910-627-9608) / SIPR: [239-0946](tel:239-0946)

NIPR: william.wallace@socom.mil

SIPR: william.wallace4@socom.smil.mil

From: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>

Date: Wednesday, May 03, 2023 at 10:34

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Cc: Munter, Ted C CSM USARMY USSOCOM USASOC (USA) <ted.c.munter@socom.mil>, Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>, Vargas, Sandra A CSM USSOCOM USASOC (USA) <Sandra.Cruz@socom.mil>, Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>, Utley, Matthew D LTC USARMY USSOCOM USASOC (USA) <matthew.d.utley.mil@socom.mil>, Prewitt, Demetris A CSM USARMY USSOCOM USASOC (USA) <demetris.a.prewitt.mil@socom.mil>, Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>, Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>, Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>, Davenport, Hollis CPT USARMY USSOCOM USASOC (USA) <hollis.davenport.mil@socom.mil>, Kelley, Amanda F SFC USARMY USSOCOM USASOC (USA) <amanda.f.kelley.mil@socom.mil>, Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>, Barnes, Terrence D CIV USSOCOM USASOC (USA) <terrence.d.barnes.civ@socom.mil>, Vazquez, Annemarie P MAJ USARMY USSOCOM USASOC (USA) <annemarie.p.vazquez.mil@socom.mil>

Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

Good Afternoon SFC Forbes,

Again, your updated information was received. If there are any pending matters that may come to the CG for decision, in order to protect the integrity of the process, he may elect not to hold the office call at this time. We will respond as soon as possible.

v/r

Will

William Wallace

USASOC Secretary of the General Staff (SGS)

Wk: 910-432-0946 / Cell 910-286-9423 / SIPR: 239-0946

NIPR: william.wallace@socom.mil

SIPR: william.wallace4@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, May 3, 2023 1:27 PM
To: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>
Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

Thank you Sir.

Then when could we meet? Or is that not an option? Or is the new CSM an option? Or, both of you? I am open to anything at this point.

Thanks again Sir.

SFC Forbes

From: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>
Sent: Wednesday, May 3, 2023 11:29 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Munter, Ted C CSM USARMY USSOCOM USASOC (USA) <ted.c.munter@socom.mil>; Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>; Vargas, Sandra A CSM USSOCOM USASOC (USA) <sandra.cruz@socom.mil>; Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Utley, Matthew D LTC USARMY USSOCOM USASOC (USA) <matthew.d.utley.mil@socom.mil>; Prewitt, Demetris A CSM USARMY USSOCOM USASOC (USA) <demetris.a.prewitt.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>; Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>; Davenport, Hollis CPT USARMY USSOCOM USASOC (USA) <hollis.davenport.mil@socom.mil>; Kelley, Amanda F SFC USARMY USSOCOM USASOC (USA) <amanda.f.kelley.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Barnes, Terrence D CIV USSOCOM USASOC (USA) <terrence.d.barnes.civ@socom.mil>; Vazquez, Annemarie P MAJ USARMY USSOCOM USASOC (USA) <annemarie.p.vazquez.mil@socom.mil>
Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

Good Morning SFC Forbes,

Your updated information was received. If there are any pending matters that may come to the CG for decision, in order to protect the integrity of the process, he may elect not to hold the office call at this time. We will respond as soon as possible.

v/r

Will

William Wallace

USASOC Secretary of the General Staff (SGS)

Wk: 910-432-0946 / Cell 910-286-9423 / SIPR: 239-0946

NIPR: william.wallace@socom.mil

SIPR: william.wallace4@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Sent: Tuesday, May 2, 2023 7:37 AM

To: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>

Subject: FW: On calendar for pre-meeting to discuss meeting with LG Braga

Thank you, Sir.

Forgot to mention topics:

Violations of Laws, Regulations, Executive Memoranda guidance & APA CoC

Unwitting Subject of a Retaliatory Investigation

Reprisal eCDBHE and the motivation behind it

Significant Lack of enforcement of USASOC 25-2

Assault in front of BN Formation and it effects

Protected Communication vs. direct orders

Restriction of access protected communications

Officer Divestiture of Authority

Counterproductive Leadership

Please don't feel this will be onerous as most of these issues are layered into actions that have occurred and are apparent without verbal reference and written words, going forward, can capture them.

Last topics:

How these aforementioned events are translating into oversight and investigatory requests.

Why these requests are occurring.

Recommendations for possible resolutions and saving all involved time and energy.

Thank you for considering my calendar request.


Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

“Those who cannot attack the thought, instead attack the thinker.”

– **Paul Valéry**

From: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>

Sent: Monday, May 1, 2023 6:17 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Munter, Ted C CSM USARMY USSOCOM USASOC (USA) <ted.c.munter@socom.mil>; Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>; Vargas, Sandra A CSM USSOCOM USASOC (USA) <sandrea.cruz@socom.mil>; Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Utley, Matthew D LTC USARMY USSOCOM USASOC (USA) <matthew.d.utley.mil@socom.mil>; Prewitt, Demetris A CSM USARMY USSOCOM USASOC (USA) <demetris.a.prewitt.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>; Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>; Davenport, Hollis CPT USARMY USSOCOM USASOC (USA) <hollis.davenport.mil@socom.mil>; Kelley, Amanda F SFC USARMY USSOCOM USASOC (USA) <amanda.f.kelley.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Barnes, Terrence D CIV USSOCOM USASOC (USA) <terrence.d.barnes.civ@socom.mil>
Subject: RE: On calendar for pre-meeting to discuss meeting with LG Braga

SFC Forbes, I acknowledge receipt of your request. We are processing it at this time.

Stand by.

v/r

Will

William Wallace

USASOC Secretary of the General Staff (SGS)

Wk: 910-432-0946 / Cell 910-286-9423 / SIPR: 239-0946

NIPR: william.wallace@socom.mil

SIPR: william.wallace4@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Sent: Monday, May 1, 2023 9:49 AM

To: Wallace, William T SGS USARMY USSOCOM USASOC (USA) <william.wallace@socom.mil>

Cc: Munter, Ted C CSM USARMY USSOCOM USASOC (USA) <ted.c.munter@socom.mil>; Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>; Vargas, Sandra A CSM USSOCOM USASOC (USA) <sandrea.cruz@socom.mil>; Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Utley, Matthew D LTC USARMY USSOCOM USASOC (USA)

<matthew.d.utley.mil@socom.mil>; Prewitt, Demetris A CSM USARMY USSOCOM USASOC (USA)
<demetris.a.prewitt.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA)
<burton.furlow.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
<emmanuel.a.emekaekwue.mil@socom.mil>; Korista, David K CPT USARMY USSOCOM USASOC (USA)
<david.k.korista.mil@socom.mil>; Davenport, Hollis CPT USARMY USSOCOM USASOC (USA)
<hollis.davenport.mil@socom.mil>; Kelley, Amanda F SFC USARMY USSOCOM USASOC (USA)
<amanda.f.kelley.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA)
<larry.morgan.mil@socom.mil>

Subject: On calendar for pre-meeting to discuss meeting with LG Braga

Sir:

Would you have any time to discuss an appropriate time to get on the USASOC General's Calendar for an open-door?

I am in varying levels of communication with multiple agencies, IG and various Congresspersons and would like to briefly discuss all concerns with you. I want leadership to understand the multiple inquiries they may or may not field and why they are occurring. I went over much of this up to and including our meeting date of 19JAN2023 with CSM Munter. CSM, thanks again for your time.

I am in the process of submitting a second Article 138 redress memo att to my BDE CDR.

Unfortunately, the timing of recent events are occurring in a manner that I feel I must expedite my originally intended meetings with USASOC leadership. We may be able to find a better way forward. If CSM Weimer is available, I would not mind meeting with him either if he is available and willing.

This email should suffice as notification per the General's open-door policy I was provided a couple of weeks ago as I have included every echelon of each unit I am currently affiliated in one way or another. Let me know if I must accomplish further notifications.

SFC Forbes

Assigned STB

Attached 389th

528th SB (SO) (A)

N: 910-908-9355 (not my direct but should work)



smime.p7s
6.5kB



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

AOSC-CO



22 May 2023

MEMORANDUM FOR RECORD

SUBJECT: Clarification of Approved Findings, AR 15-6 Investigation, dated 20 April 2023

1. The purpose of this memorandum is to clarify the findings annotated on DA Form 1574-1. Dated, 20 April 2023.
2. I disapprove the finding of harassment, pursuant to AR 600-20.
3. I approve the finding of disrespect to a senior commissioned officer, pursuant to Article 89, Uniform Code of Military Justice.
4. The point of contact for this memorandum is CPT Rudolph P. Dambeck at rudolph.p.dambeck.mil@socom.mil.

BRUNSON.TAVI.N
IGEL. [REDACTED]
TAVI N. BRUNSON
COL, LG
Commanding

Digitally signed by
BRUNSON.TAVI.N
717
Date: 2023.05.22 15:44:53 -04'00'

EXHIBIT U

FW: (For action) SFC Forbes NCOER

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: jmb@jmb.bike; paxmas2007@yahoo.com

Date: Wednesday, September 13, 2023 at 05:22 PM EDT

Here is the other one.

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

From: Leadbeater, Patricia M. CIV USSOCOM USASOC (USA) <patricia.leadbeater@socom.mil>

Sent: Wednesday, September 13, 2023 2:13 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Cc: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>; Williams, Christopher R SFC USARMY USSOCOM USASOC (USA) <christopher.r.williams.mil@socom.mil>; Kimsey, David B LTC USARMY USSOCOM USASOC (USA) <david.kimsey@socom.mil>

Subject: RE: (For action) SFC Forbes NCOER

Importance: High

CUI

SFC Forbes,

Please send an email requesting a commander's inquiry to the senior rater and 'cc' the S1 OIC and NCOIC include Mr. Vincent.

In the email list what you want the inquiry to address. Be clear. Be concise.

I provided some advice/help to guide you. Turn in your request TODAY.

Q: WHAT IS A COMMANDERS INQUIRY?

It is an informal means to bring alleged errors, injustices, and illegalities in a rated Soldier's evaluation report to the Commander's or commandant's attention.

Q: WHY DO A COMMANDER'S INQUIRY?

A Commander's Inquiry is intended to bring obvious errors and injustice such as improperly designated or unqualified rating officials; inaccurate or untrue statements; or lack of objectivity or fairness to the Commander's attention before they are filed in the Soldier's official record. A secondary purpose is to obtain command involvement in clarifying errors or injustices after the evaluation is accepted at HQDA.

Q: IS A COMMANDER'S INQUIRY THE SAME AS AN EVALUATION APPEAL?

No. If the inquiry does not obtain the results you are seeking, or if the unjust document has already been filed, you must still appeal.

Q: WHO PERFORMS A COMMANDER'S INQUIRY? The Commander's Inquiry is performed by a Commander in the chain of command above the designated rating officials involved in the allegations.

The inquiry must be conducted by either the Commander who is still in the command position at the time the report was rendered or by a subsequent Commander in the position.

Q: WHEN SHOULD THE INQUIRY BE PERFORMED?

Immediately. The inquiry must be forwarded to HQDA no later than 120 days after the signature date of the senior rater in the case of OERs, reviewer in the case of NCOERs, or authenticating official in the case of AERs. The evaluation system establishes rating chains and normally relies on the opinions of the rating officials. Rating officials will evaluate a rated Soldier and their opinions constitute the organization's view of that Soldier. However, the CDR may determine through inquiry that the report has serious irregularities or errors. Q: HOW DO I INITIATE A COMMANDERS INQUIRY?

Submit a written request to a CDR above the designated rating chain for a CDR's or Commandant's Inquiry in memorandum form indicating the specific the injustices and/or regulatory violations contained in the OER, NCOER, or AER in question.

Q: CAN THE COMMANDER FORCE THE EVALUATOR TO CHANGE THE RATING?

NO. The Commander will not pressure or force rating officials to change their evaluations and may not evaluate the rated individual, either as a substitute for, or in addition to, the designated rating officials' evaluations.

A CDR's or Commandant's Inquiry will not be used to document differences of opinion among members of the rating chain about a rated Soldier's performance and potential.

Q: WHAT HAPPENS TO THE COMMANDERS INQUIRY ONCE IT'S DONE?

If the Commander finds no fault with the evaluation, then the Commander's Inquiry is filed locally and a copy given to the rated individual. The commander will not use the Commander's Inquiry provisions to forward information derogatory to the rated individual. If the report has not yet been forwarded to HQDA and the CDR or commandant and the rating chain members cannot agree on the need for change in the report, the CDR or commandant will forward the evaluation report and the results of the inquiry to the appropriate agency. The results of a Commander's Inquiry, being forwarded to HQDA, will include findings, conclusions, and recommendations in a format that can be filed with the report in the OMPF. The results, therefore, will include the Commander's signature, should stand alone without reference to the other documentation, and will be limited to one page.

Ms. Leadbeater

Ms. Patricia M. Leadbeater
Deputy Command Inspecting General
U.S. Army Special Operations Command
DSN 239.4402/910.432.4402
Cell Phone: 910-627-7044
FAX: 910.432-6433

EMAIL: patricia.leadbeater@socom.mil <mailto:patricia.leadbeater@socom.mil>

INSPECTOR GENERAL SENSITIVE INFORMATION

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

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, September 13, 2023 11:51 AM
To: Leadbeater, Patricia M. CIV USSOCOM USASOC (USA) <patricia.leadbeater@socom.mil>
Cc: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>
Subject: FW: (For action) SFC Forbes NCOER

Ma'am:

Thank you for your time yesterday. They are submitting the RFC on Friday per the email moments ago. Don't know what I must do to get the CI (if I have that right?) filed to look into it prior to it being sent (per the discussion).

SFC Forbes

From: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Sent: Wednesday, September 13, 2023 11:40 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; jmb@jmb.bike;
Ferguson, Lawrence G BG USARMY USSOCOM USASOC (USA) <lawrence.g.ferguson.mil@socom.mil>; Cooper-McGee, Starsen J SPC USARMY USSOCOM USASOC (USA) <starsen.j.coopermcgee.mil@socom.mil>; Ulrich, Nicole K MAJ USARMY USSOCOM USASOC (USA) <nicole.k.ulrich.mil@socom.mil>; Robles, Jesus D 1SG USASOC (USA)

<jesus.robles1@socom.mil>; Sousa, Nicholas A CPT USARMY USSOCOM USASOC (USA)
<nicholas.a.sousa.mil@socom.mil>
Subject: RE: (For action) SFC Forbes NCOER

SFC Forbes,

Good morning, hope you and you're family are doing well.

I'm reaching out to follow up on your eval. I haven't heard a response based on previous correspondence (text/email). Your eval is still available in EES pending your review/signature. It will be submitted to HRC NLT 15SEP (Friday).

If you've any issues accessing it please let me know.

Have a great rest of your day,

P.S. You're worthy of dignity and respect!

V/R,

Patrina (Ana) Lowrie

CPT, MI

Brigade S2

528SB (SO) (A)

TEAMS| Chat with me on Teams! <<https://teams.microsoft.com/l/chat/0/0?users=patrina.a.lowrie.mil@socom.mil>>

NIPR | patrina.a.lowrie.mil@socom.mil <<mailto:patrina.a.lowrie.mil@socom.mil>> | (910) 908-8789

SIPR | patrina.a.lowrie.mil@socom.smil.mil <<mailto:patrina.a.lowrie.mil@socom.smil.mil>> | (308) 860-2003

Cell | (910) 639-9012

SMO: W0GKAA6

"I've learned that people will forget what you said, people will forget what
you did,

but people will never forget how you made them feel." - Dr. Maya Angelou

The Privacy Act of 1974, Title 5 U.S.C. § 552a, establishes a code of fair information practice that governs the collection, maintenance, use, and dissemination of personally identifiable information about individuals that is maintained in systems of records by federal agencies. A system of records is a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifier assigned to the individual. The Privacy Act prohibits the disclosure of information from a system of records absent the written consent of the subject individual, unless the disclosure is pursuant to one of twelve statutory exceptions. The Act also provides individuals with a means by which to seek access to and amendment of their records (Freedom of Information Act), and sets forth various agency record-keeping requirements.

From: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
<<mailto:patrina.a.lowrie.mil@socom.mil>> >

Date: Monday, Aug 07, 2023 at 4:33 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
<<mailto:michael.j.forbes.mil@socom.mil>> >

Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
<<mailto:burton.furlow.mil@socom.mil>> >, jmb@jmb.bike <<mailto:jmb@jmb.bike>> <jmb@jmb.bike>
<<mailto:jmb@jmb.bike>> >, Ferguson, Lawrence G BG USARMY USSOCOM USASOC (USA)
<lawrence.g.ferguson.mil@socom.mil> <<mailto:lawrence.g.ferguson.mil@socom.mil>> >, Cooper-McGee, Starsen J SPC
USARMY USSOCOM USASOC (USA) <starsen.j.coopermcgee.mil@socom.mil>
<<mailto:starsen.j.coopermcgee.mil@socom.mil>> >, Ulrich, Nicole K MAJ USARMY USSOCOM USASOC (USA)
<nicole.k.ulrich.mil@socom.mil> <<mailto:nicole.k.ulrich.mil@socom.mil>> >, Robles, Jesus D 1SG USASOC (USA)
<jesus.robles1@socom.mil> <<mailto:jesus.robles1@socom.mil>> >

Subject: (For action) SFC Forbes NCOER

SFC Forbes,

Good evening, as notified previously, your NCOER is available in EES for review and signature as of 21JUL23.

If you have any issues accessing it, please reach out.

Have a good evening!

V/R,

Patrina (Ana) Lowrie

CPT, MI

Brigade S2

528SB (SO) (A)

TEAMS| Chat with me on Teams! <<https://teams.microsoft.com/l/chat/0/0?users=patrina.a.lowrie.mil@socom.mil>>

NIPR | patrina.a.lowrie.mil@socom.mil <<mailto:patrina.a.lowrie.mil@socom.mil>> | (910) 908-8789

SIPR | patrina.a.lowrie.mil@socom.smil.mil <<mailto:patrina.a.lowrie.mil@socom.smil.mil>> | (308) 860-2003

Cell | (910) 639-9012

SMO: W0GKAA6

"I've learned that people will forget what you said, people will forget what
you did,

but people will never forget how you made them feel." - Dr. Maya Angelou

The Privacy Act of 1974, Title 5 U.S.C. § 552a, establishes a code of fair information practice that governs the collection, maintenance, use, and dissemination of personally identifiable information about individuals that is maintained in systems of records by federal agencies. A system of records is a group of records under the control of an agency from which information is retrieved by the name of the individual or by some identifier assigned to the individual. The Privacy Act prohibits the disclosure of information from a system of records absent the written consent of the subject individual, unless the disclosure is pursuant to one of twelve statutory exceptions. The Act also provides individuals with a means by which to seek access to and amendment of their records (Freedom of Information Act), and sets forth various agency record-keeping requirements.



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FORT LIBERTY, NORTH CAROLINA 28310-5000

AOSO-HHC

11 October 2023

MEMORANDUM FOR RECORD

SUBJECT: Commander's (CDR's) Inquiry Request into Relief For Cause (RFC) of SFC Forbes dated 20230712.

1. References:

AR 600-37, Unfavorable Information,
AR 623-3, Evaluation Reporting System

2. This memorandum is submitted for the following purposes: a.) to ensure that "fair and just standards" are applied to all Soldiers;" b.) to "protect the rights of [SFC Forbes], and at the same time, permit the Army to consider all available relevant information;" c.) to "prevent adverse personnel actions based on unsubstantiated derogatory information, irrelevant or untimely information;" d.) to "provide a means of correcting injustices if they occur," and, e.) to appropriately recognize my dutiful "moral character," due to CPT Lowrie's, Patrina, and LTC Furlow's, Burton, unsubstantiated comments (as Rater and Senior Rater, respectively) on an unjustified RFC that incorrectly adjudicated my actions in 528th SB from 20220901 thru 20230712.

3. The RFC stems from my removal from his appointed position as Brigade (BDE) S2 (Intelligence), Noncommissioned Officer In Charge (NCOIC) and all of his appointed duties (including Information Security (INFOSEC) Officer), by COL Brunson, Tavi, (528th BDE CDR) on 20221219. This situation is further corrupted by two subsequently-launched, clandestine investigations (one appointed by COL Brunson and one appointed by BG Lipson) of me.

4. The first investigation included a conflict of interest when MAJ Racaza, Rhea, recommended an emergency Command Directed Behavioral Health Exam (eCDBHE) in her role as an operational (unit) psychologist after having formally misperceived my questions and complained, a week prior, that I had disrespected her in her other role as a MAJ, which helped launch COL Brunson's the same covert investigation of me. Her complaint stems from my lawfully requesting information to provide Informed Consent to an ad hoc Behavioral Health Assessment that MAJ Racaza convinced COL Brunson to purchase from a corporate 3rd Party corporation and he subsequently mandated for his Senior Staff Members (SFC Forbes being one). The eCDBHE referral was an attempt to gather evidence via an unjustified and corruptly executed investigation of SFC Forbes, which could have easily supported and closed COL Brunson's investigation. After the eCDBJE failed to support the investigation, three more attempted entrapment events occurred (and also failed) to coerce me to admit fault and thereby failed to support the seemingly never-ending investigation that spanned over 3 months.



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5. Also just prior to CPT Lowrie's RFC decision, the second unlawfully launched clandestine investigation was used to disparage my moral character to Hon. Richard Huson using unchallenged and unknown allegations. The impetus for this investigation was my Military Whistleblower Protection Act (MWPA) complaint that I filed with 1st Special Forces Command (1SFC) Inspector General (IG) regarding CSM Emekaekwue's assault on SFC Forbes and CPT Korista's willful disregard for USASOC Policy that SFC Forbes was promoting to protect building X-4047 from unauthorized Personal Electronic Devices (PEDs), on 20231213. SFC Forbes was notified that his complaint would finally be acted upon on 20230119 during a meeting on the day of his release from the eCDBHE at Womack Army Medical Center (WAMC); the investigation was launched on 20230209 by BG Lipson, the Administrative DCO of 1SFC. Unconscionably, between the 20221213 (SFC Forbes' 1SFC IG MWPA complaint) and 20230209 (the launching of the investigation of his complaints into his superiors), SFC Forbes was named as a possible suspect of wrongdoing in the investigation's appointment orders. SFC Forbes' MWPA complaint was unlawfully turned against him as a potential suspect of wrongdoing in violation of the MWPA.

6. Both, the appointment orders and investigation/findings, were withheld from SFC Forbes, regardless of multiple requests and a Freedom of Information Act request, respectively. Ultimately, my character was then unjustly disparaged (via memo from COL Jones, Shane, 1SFC) without me having the opportunity to challenge, let alone, view the evidence or allegations against him. Moreover, I was not notified of the communication to Hon. Richard Hudson's office until after his rebuttal response was submitted for BG Ferguson's (1SFC Operations DCO) consideration. The General's decision was made with knowledge of his subordinate's communication of the findings to the unchallenged investigation but without my input or evidence to the contrary, which I have an abundance of.

7. Prior to and through this entire ordeal, I have upheld the highest standards of moral character and fulfillment of my inherent and appointed duties to the best of my abilities as I have for nearly 17 years. SFC Forbes has a myriad of evidence to support the aforementioned actions of various echelons of 1SFC and 528th SB Command and Staff, which debunks both investigations in whole; all evidence is available for consideration of the removal of the RFC and replacement with an appropriate NCOER. Notably, material administrative errors and unjustified falsifications exist in the RFC that nullify its accuracy; some are listed below.

8. This memorandum summarized key facts in this case, but please note that I can provide additional documentation as needed to any appointed officer to investigate and confirm these facts.

9. Material falsifications in the RFC content is as follows:

a. Part 1, c. - "SFC (P),"



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- b. Part 1, i. - "Annual,"
- c. Part 1, j. - "20230830,"
- d. Part 1 (assigned to 389th on 20221220),
- e. Part 1, l. - "Q" or have someone else at 389th write it,
- f. Part 1, m. - what are these enclosures?,
- g. Part 2, a6. - CPT Lowrie only worked with me for only 2 months,
- h. Part 2, b6. - LTC Sanchez was the DCO for this NCOER, LTC Furlow was installed as DCO on; he was the STB BN Commander during this NCOER,
- i. Part 2, d1 - CPT Lowrie has no signed counseling from 20221118; CSM Prewitt attempted an entrapment in the disagreed with counseling on 20230110; 1SG Kelley attempted an entrapment in the disagreed with counseling on 20230501; CPT Davenport counseled me regarding COL Brunson's rec'd GOMOR (another entrapment attempt that I disagreed with). All counselings were refuted and evidence of why is in my possession.
- j. Part 3, c.- CPT Lowrie retroactively demoted my PSM responsibilities from the prior to NCOERs,
- k. Part 3, d. - CPT Lowrie removed many appointed duties I still had prior to her arrival on 20221018 and while she was being trained and certified for accounts,
- l. Part 3, e. - CPT Lowrie put "Focal Point Control Officer" as an ADO; this is not true (I have never been on orders for this and left off others),
- m. Part 4, c. - I lived up to the Army Values. The field grade officer violated my civil rights, and redirected and falsified events to cover her failure to answer my lawful informed consent questions but continued to act as a facilitator for 3d party corporation and misguided our BDE CDR.
- n. Part 4, f. – there is no substantiated evidence of any counterproductive behavior on my part (there is only a corrupted investigation that did not provide me with appropriate protections or due process nor did it consider hardly any or possibly all of the evidence) and the corrupted eCDBHE was a 'dry hole' showing my behavior is not erratic after having my work destroyed and being assaulted in front of the BN
- o. Part 4, f. – I have 2 NCOERs spanning 18 months that refute this; plus there is no substantiated evidence; in fact, I can show how I improved the unit across all 3 BNs
- p. Part 4, h. – this is another CPT Lowrie fabrication; I never created a CCTV "how-to-guide"
- q. Rater overall – my approach was professional and met with contempt and reprisal; none of the allegations had merit and are unsubstantiated, I welcome a court of law to prove it,
- r. Part 5, a. & b. I received an OML number on the promotion list on 20230119. I have 15 NCOERs that refute any pattern conveyed; in fact, the Senior Rater demonstrated severe lack of knowledge of derogatory reporting, INFOSEC and the treatment of Soldiers; he let a rogue Co. CDR get away with abusing Soldiers (see rebuttal package for all), which likely contributed to his unsubstantiated opinions as I had brought these behaviors to his attention.



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s. LTC Furlow was unwilling to go on record with allegations in the investigation but went on the record as Senior Rater after my rebuttal was completed. His opinions in the RFC are unsubstantiated.

10. Point of contact for this memorandum is the undersigned and can be reached at 910-432-6631 or michael.j.forbes.mil@socom.mil.

Michael J. Forbes
SFC, USA
Senior Intelligence Sergeant

FW: CI into CPT Lowrie's and LTC Furlow's RFC of SFC Forbes

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: jmb@jmb.bike

Cc: paxmas2007@yahoo.com

Date: Tuesday, November 28, 2023 at 09:32 AM EST

From: Dambeck, Rudolph P CPT USARMY USSOCOM USASOC (USA) <rudolph.p.dambeck.mil@socom.mil>

Sent: Wednesday, November 22, 2023 1:07 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Cc: Harris, Logan E SSG USARMY USSOCOM USASOC (USA) <logan.e.harris.mil@socom.mil>

Subject: FW: CI into CPT Lowrie's and LTC Furlow's RFC of SFC Forbes

SFC Forbes,

Acknowledge receipt of your request and notifying you that the command is conducting an inquiry. Thank you.

-Rudy

V/r,

CPT Rudy Dambeck

BJA, 528 SB (SO) (A)

o: 910-908-8863

c: 906-367-0492

From: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>

Sent: Wednesday, October 11, 2023 12:22 PM

To: Dambeck, Rudolph P CPT USARMY USSOCOM USASOC (USA) <rudolph.p.dambeck.mil@socom.mil>

Subject: FW: CI into CPT Lowrie's and LTC Furlow's RFC of SFC Forbes

LTC Burton Furlow Jr.

Deputy Commander

528th SB (SO)(A)

Bldg X-4047, New Dawn Dr.

Fort Liberty, NC 28310

NIPR: burton.furlow.mil@socom.mil

SIPR: burton.furlow.mil@socom.smil.mil

(910) 432-9024 (o); DSN: 239-9024

(910) 882-3031 (work cell)

(910) 495-6642 (c)

239-3311 (SVOIP)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, October 11, 2023 11:36 AM
To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Markle, Trinity M SFC USARMY USSOCOM USASOC (USA) <trinity.markle@socom.mil>; Torres Matias, Michael MAJ USARMY USSOCOM USASOC (USA) <michael.torresmatias.mil@socom.mil>
Cc: Kimsey, David B LTC USARMY USSOCOM USASOC (USA) <david.kimsey@socom.mil>; jmb@jmb.bike; paxmas2007@yahoo.com
Subject: CI into CPT Lowrie's and LTC Furlow's RFC of SFC Forbes



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20231011 Memo requesting CI into RFC-signed.pdf
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EXHIBIT V

SERVICE MEMBER PRE-SEPARATION/TRANSITION COUNSELING AND CAREER READINESS STANDARDS EFORM FOR SERVICE MEMBERS SEPARATING, RETIRING, RELEASED FROM ACTIVE DUTY (REFRAD)

SECTION I - PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1142, Pre-separation Counseling; transmittal of medical records to Department of Veterans Affairs.

PURPOSE(S): To record pre-separation counseling services and benefits requested by and provided to Service members; to identify pre-separation counseling areas of interest as a basis for development of an Individual Transition Plan (ITP). The signed pre-separation counseling checklist will be maintained in the Service member's official personnel file. Title 10 USC 1142, requires that not later than 365 days before the date of separation, for anticipated losses, pre-separation counseling for Service members be made available. For unanticipated losses, or in the event a member of a reserve component is being demobilized under circumstances in which operational requirements make the 365-day requirement unfeasible, pre-separation counseling shall be made available as soon as possible within the remaining period.

ROUTINE USE(S): Disclosure of records are generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended. Applicable Routine Use(s) are: To the Department of Veterans Affairs for available benefits to the Service member; additional routine uses are listed in the applicable system of records notice, DMDC 01, Defense Manpower Data Center Data Base; at <https://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570563/dmdc-01>

DISCLOSURE: Voluntary; however, it may not be possible to initiate pre-separation counseling and other transition assistance services or develop an Individual Transition Plan (ITP) for a Service member if the information is not provided.

SECTION II - SERVICE MEMBER PERSONAL INFORMATION

1. NAME MICHAEL JEFFREY FORBES	2. DOD ID NUMBER [REDACTED]	3. GRADE E7	4. DATE OF BIRTH [REDACTED]	5. SERVICE Army	5a. COMPONENT Active
6. UNIT NAME HEADQUARTERS AND HEADQUARTERS		6a. UNIT ID CODE WJTDA		7. MILITARY INSTALLATION Fort Liberty	
8. ANTICIPATED DATE OF SEPARATION 12/27/2024	8a. REASON FOR SEPARATION Discharge		8b. TYPE OF SEPARATION Separating Involuntarily	9. DATE FORM WAS INITIATED 11/25/2024	
10. MEMBER ALLOWS THIS FORM TO BE SENT TO FEDERAL AGENCIES FOR ADDITIONAL TRANSITION ASSISTANCE POST SEPARATION: No					
10a. MEMBER ALLOWS THIS FORM TO BE SENT TO FEDERAL AND OTHER AGENCIES WHO LOOK FOR CRITICAL LANGUAGE SKILLS AND/OR REGIONAL EXPERTISE THAT COULD BE VITAL DURING TIMES OF NEED, CRISIS, AND/OR NATIONAL EMERGENCIES: No					
10b. MEMBER ALLOWS THIS FORM TO BE SENT TO STATE AGENCIES FOR ADDITIONAL TRANSITION ASSISTANCE POST SEPARATION: No					
10c. POST-SEPARATION EMAIL:			10d. POST-SEPARATION PHONE NUMBER: 910-336-5966		

SECTION III - INITIAL COUNSELING

Service members shall receive individualized initial counseling pursuant to Title 10 U.S.C., Section 1142 and DoD policies.

11. SPOUSE/CAREGIVER/LEGAL GUARDIAN/DESIGNEE GOING TO BE PRESENT DURING PRE-SEPARATION COUNSELING: No

12. HAS THE SERVICE MEMBER COMPLETED A PERSONAL SELF-ASSESSMENT: Yes

13. HAS THE SERVICE MEMBER COMPLETED AN INITIAL COUNSELING: Yes

13a. INITIAL COUNSELING COMPLETION DATE: 11/25/2024

14. WHAT ARE THE SERVICE MEMBER'S POST-TRANSITION GOALS: Employment

15. REQUIRED CRS AND SESSIONS BY SELECTED PATHWAY AND TIER: Tier 1; see list of required CRS/Tracks in Remarks Section.

SECTION IV - PRE-SEPARATION / TRANSITION COUNSELING, PRE-SEPARATION / TRANSITION COUNSELING NEEDS ASSESSMENT, REVIEW, AND VERIFICATION TO MEET CAREER READINESS STANDARDS (CRS), AND TITLE 10 U.S.C. COMPLIANCE

Service members will be counseled on all items prescribed in Title 10, United States Code (U.S.C.), Sections 1142(b) (1-18), Sections 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1154, and 1155 and DoD policies. Involuntarily separated Service members receive alternative benefits and programs that apply to them. Service member completed the following to meet Career Readiness Standards (CRS): ***Required**

	Pre-Sep Assessment	Capstone CRS Review
16. Completed Pre-Separation Counseling* Completed on 11/25/2024, at Fort Liberty, Reported by the Army	No	No
17. Registered on eBenefits *	No/No	N/A/N/A
18. Completed resume or provided employment verification in support of the Individual Transition Plan (ITP)	No	Yes
19. Prepared a criterion-based, post separation financial plan	No	Yes
20. Completed a criterion-based Individual Transition Plan (ITP) *	No	Yes
21. Completed a Continuum of Military Service Opportunity Counseling (Required Active Component Only)	No	Yes
22. Verify a completed Gap Analysis or provide verification of employment	No	Yes
23. Completed a comparison of higher education or vocational technical training institution options	No	N/A

24. I WAS COUNSELED AND RECEIVED DOCUMENTATION ON ALL ITEMS IN SECTION IV, WHICH INCLUDES ALL ITEMS LISTED ON THE PRE-SEPARATION / TRANSITION COUNSELING ADDENDUM SHEET: Yes

25. PRE-SEPARATION / TRANSITION COUNSELING WAS COMPLETED WITH 364 DAYS OR LESS REMAINING BEFORE SEPARATION: Yes

25a. PRE-SEPARATION / TRANSITION COUNSELING COMPLETED 364 DAYS OR LESS JUSTIFICATION: Personal Reasons

26. SERVICE MEMBER SIGNATURE & DATE Originally Signed on 11/25/2024, Transcribed via Disconnected Operations by JOHN PHILIP MURRAY, DoD ID #: 1454504573 on 11/25/2024	27. TRANSITION COUNSELOR SIGNATURE & DATE JOHN PHILIP MURRAY DoD ID #: 1454504573 Signed 11/25/2024
---	--

SECTION V – MANDATORY CURRICULUM ATTENDANCE	
28. DoD TRANSITION DAY: Managing Your Transition (MyTransition): Completed on 10/25/2024, at Fort Liberty, Reported by the Army Military Occupational Code Crosswalk: Completed on 10/25/2024, at Fort Liberty, Reported by the Army Financial Planning for Transition: Completed on 10/25/2024, at Fort Liberty, Reported by the Army	
29. VETERANS AFFAIRS (VA) SERVICES AND BENEFITS: Completed on 10/28/2024, at Fort Liberty, Reported by the Army	
30. DOL ONE-DAY: Completed on 10/29/2024, at Fort Liberty, Reported by the Army	
SECTION VI – OTHER CURRICULUM ATTENDANCE	
31. DOL EMPLOYMENT TRACK: N/A	
32. DOD EDUCATION TRACK: N/A	
33. SBA ENTREPRENEURSHIP TRACK: N/A	
34. DOL VOCATIONAL TRACK: N/A	
SECTION VII – WARM HANDOVER REQUIREMENTS	
35. EVALUATED POST-TRANSITION TRANSPORTATION REQUIREMENTS AND DEVELOPED A PLAN TO MEET PERSONAL/FAMILY NEEDS: Yes	
36. EVALUATED POST-TRANSITION HOUSING REQUIREMENTS AND DEVELOPED A PLAN TO MEET PERSONAL/FAMILY NEEDS: Yes	
37. EVALUATED POST-TRANSITION PEER SUPPORT REQUIREMENTS AND DEVELOPED A PLAN TO MEET THESE NEEDS: Yes	
SECTION VIII – WARM HANDOVER TO SUPPORTING AGENCIES CONTACT INFORMATION	
38. VETERANS AFFAIRS: N/A	
39. DEPARTMENT OF LABOR: N/A	
40. MILITARY ONE SOURCE: N/A	
41. OTHER RESOURCE: N/A	
SECTION IX – CAPSTONE REVIEW	
42. SERVICE MEMBER SIGNATURE & DATE: Originally Signed on 11/25/2024, Transcribed via Disconnected Operations by JOHN PHILIP MURRAY, DoD ID #: [REDACTED] on 11/25/2024	43. TRANSITION COUNSELOR SIGNATURE & DATE: JOHN PHILIP MURRAY DoD ID #: 1454504573 Signed 11/25/2024
SECTION X – COMMANDER OR COMMANDER'S DESIGNEE VERIFICATION	
44. APPLICABLE CAREER READINESS STANDARDS MET: No	47. COMMANDER OR COMMANDER'S DESIGNEE SIGNATURE & DATE: DANIEL HARRISON DoD ID #: [REDACTED] Signed 11/25/2024
45. VIABLE ITP COMPLETED: No	
46. WARM HANDOVERS EXECUTED: N/A	
SECTION XI – REMARKS	
48. REMARKS 	

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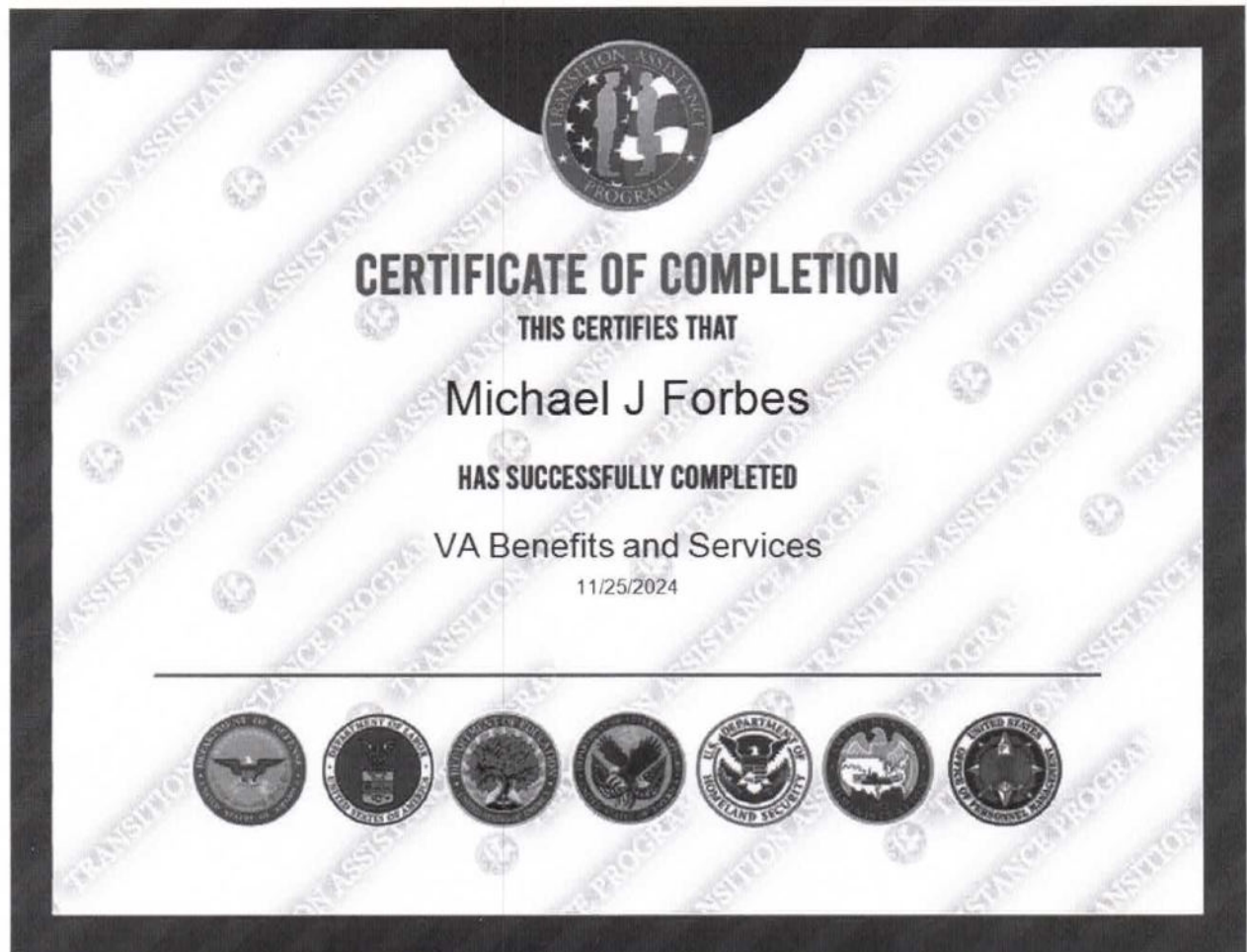
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CERTIFICATE OF COMPLETION

THIS CERTIFIES THAT

Michael J Forbes

HAS SUCCESSFULLY COMPLETED

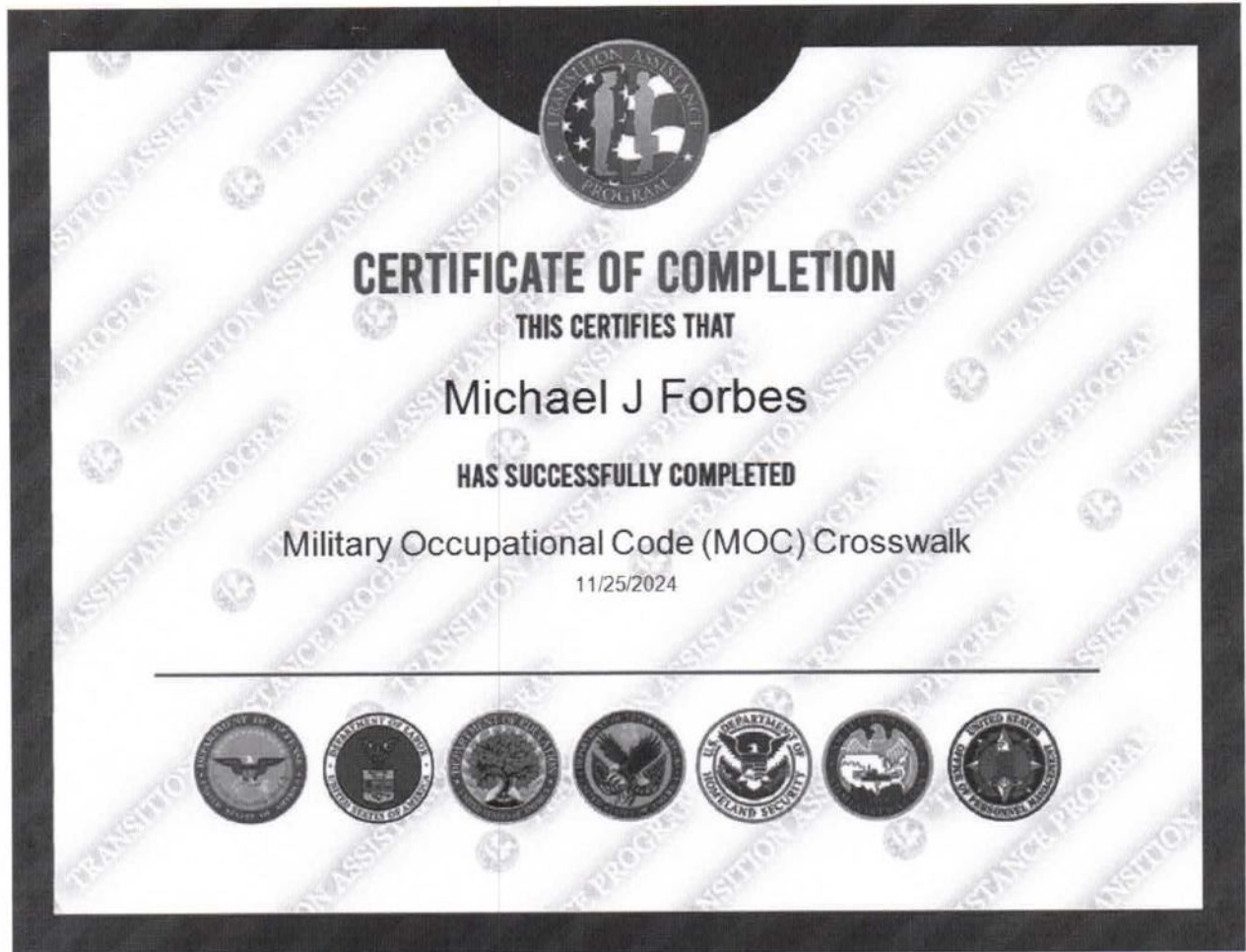
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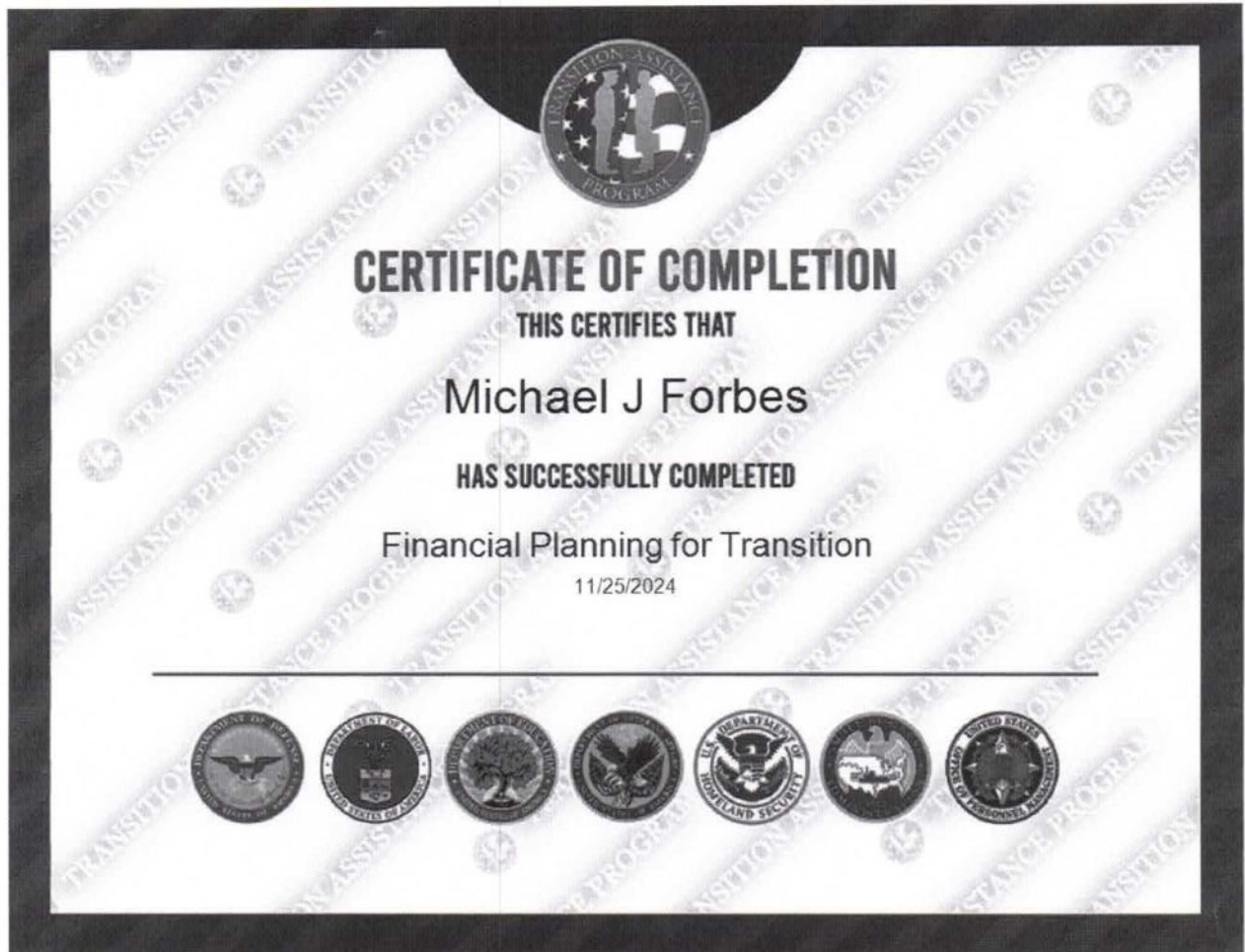
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From: no-reply@tapevents.org (no-reply@tapevents.org)

To: paxmas2007@yahoo.com

Date: Monday, November 25, 2024 at 01:10 AM EST

Thank you for registering for the Employment Fundamentals of Career Transition (EFCT) online course.
Click the link below, or copy the entire link into your browser, to access and resume the course at any time:

<https://www.tapevents.mil/courses/resume-landing/1c426058-87fe-4328-f592-11efaaf3dc73>

NOTE: You must complete the course within 90 days after you register, otherwise you will be required to restart from the beginning.

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From: no-reply@tapevents.org (no-reply@tapevents.org)

To: paxmas2007@yahoo.com

Date: Monday, November 25, 2024 at 01:39 AM EST

Thank you for registering for the Financial Planning for Transition online course.
Click the link below, or copy the entire link into your browser, to access and resume the course at any time:

<https://www.tapevents.mil/courses/resume-landing/9e72a022-1a9b-5ded-148a-11efaaf7f9a9>

NOTE: You must complete the course within 90 days after you register, otherwise you will be required to restart from the beginning.

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From: no-reply@tapevents.org (no-reply@tapevents.org)

To: paxmas2007@yahoo.com

Date: Monday, November 25, 2024 at 02:08 AM EST

Thank you for registering for the Financial Planning for Transition online course.

Click the link below, or copy the entire link into your browser, to access and resume the course at any time:

<https://www.tapevents.mil/courses/resume-landing/9e72a022-1a9b-5ded-148a-11efaaf7f9a9>

NOTE: You must complete the course within 90 days after you register, otherwise you will be required to restart from the beginning.

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Transition Assistance Program ★

Soldier Support Center
Bldg. 4-2843, Normandy Dr.
Wing C. / Room 1-C-19

CSM(R) Alvin V. Brown
Transition Services Specialist (TSS)

office: (910) 396-5687
Fax: (910) 396-1776
alvin.v.brown2.civ@army.mil

SERVICE MEMBER PRE-SEPARATION/TRANSITION COUNSELING AND CAREER READINESS STANDARDS EFORM FOR SERVICE MEMBERS SEPARATING, RETIRING, RELEASED FROM ACTIVE DUTY (REFRAD)

SECTION I - PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 1142, Pre-separation Counseling; transmittal of medical records to Department of Veterans Affairs.

PURPOSE(S): To record pre-separation counseling services and benefits requested by and provided to Service members; to identify pre-separation counseling areas of interest as a basis for development of an Individual Transition Plan (ITP). The signed pre-separation counseling checklist will be maintained in the Service member's official personnel file. Title 10 USC 1142, requires that not later than 365 days before the date of separation, for anticipated losses, pre-separation counseling for Service members be made available. For unanticipated losses, or in the event a member of a reserve component is being demobilized under circumstances in which operational requirements make the 365-day requirement unfeasible, pre-separation counseling shall be made available as soon as possible within the remaining period.

ROUTINE USE(S): Disclosure of records are generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended. Applicable Routine Use(s) are: To the Department of Veterans Affairs for available benefits to the Service member; additional routine uses are listed in the applicable system of records notice, DMDC 01, Defense Manpower Data Center Data Base; at <https://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570563/dmdc-01>

DISCLOSURE: Voluntary; however, it may not be possible to initiate pre-separation counseling and other transition assistance services or develop an Individual Transition Plan (ITP) for a Service member if the information is not provided.

SECTION II - SERVICE MEMBER PERSONAL INFORMATION

1. NAME MICHAEL JEFFREY FORBES	2. DOD ID NUMBER [REDACTED]	3. GRADE E7	4. DATE OF BIRTH 04/12/1968	5. SERVICE Army	5a. COMPONENT Active
6. UNIT NAME HEADQUARTERS AND HEADQUARTERS	6a. UNIT ID CODE WJTDA		7. MILITARY INSTALLATION Fort Liberty		
8. ANTICIPATED DATE OF SEPARATION 12/27/2024	8a. REASON FOR SEPARATION Discharge	8b. TYPE OF SEPARATION Separating Involuntarily		9. DATE FORM WAS INITIATED 11/25/2024	
10. MEMBER ALLOWS THIS FORM TO BE SENT TO FEDERAL AGENCIES FOR ADDITIONAL TRANSITION ASSISTANCE POST SEPARATION: No					
10a. MEMBER ALLOWS THIS FORM TO BE SENT TO FEDERAL AND OTHER AGENCIES WHO LOOK FOR CRITICAL LANGUAGE SKILLS AND/OR REGIONAL EXPERTISE THAT COULD BE VITAL DURING TIMES OF NEED, CRISIS, AND/OR NATIONAL EMERGENCIES: No					
10b. MEMBER ALLOWS THIS FORM TO BE SENT TO STATE AGENCIES FOR ADDITIONAL TRANSITION ASSISTANCE POST SEPARATION: No					
10c. POST-SEPARATION EMAIL:			10d. POST-SEPARATION PHONE NUMBER: 910-336-5966		

SECTION III - INITIAL COUNSELING

Service members shall receive individualized initial counseling pursuant to Title 10 U.S.C., Section 1142 and DoD policies.

11. SPOUSE/CAREGIVER/LEGAL GUARDIAN/DESIGNEE GOING TO BE PRESENT DURING PRE-SEPARATION COUNSELING: No

12. HAS THE SERVICE MEMBER COMPLETED A PERSONAL SELF-ASSESSMENT: Yes

13. HAS THE SERVICE MEMBER COMPLETED AN INITIAL COUNSELING: Yes

13a. INITIAL COUNSELING COMPLETION DATE: 11/25/2024

14. WHAT ARE THE SERVICE MEMBER'S POST-TRANSITION GOALS: Employment

15. REQUIRED CRS AND SESSIONS BY SELECTED PATHWAY AND TIER: Tier 1; see list of required CRS/Tracks in Remarks Section.

SECTION IV - PRE-SEPARATION / TRANSITION COUNSELING, PRE-SEPARATION / TRANSITION COUNSELING NEEDS ASSESSMENT, REVIEW, AND VERIFICATION TO MEET CAREER READINESS STANDARDS (CRS), AND TITLE 10 U.S.C. COMPLIANCE

Service members will be counseled on all items prescribed in Title 10, United States Code (U.S.C.), Sections 1142(b) (1-18), Sections 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1154, and 1155 and DoD policies. Involuntarily separated Service members receive alternative benefits and programs that apply to them. Service member completed the following to meet Career Readiness Standards (CRS): *Required

	Pre-Sep Assessment	Capstone CRS Review
16. Completed Pre-Separation Counseling* Completed on 11/25/2024, at Fort Liberty, Reported by the Army	No	No
17. Registered on eBenefits *	No/No	N/A/N/A
18. Completed resume or provided employment verification in support of the Individual Transition Plan (ITP)	No	Yes
19. Prepared a criterion-based, post separation financial plan	No	Yes
20. Completed a criterion-based Individual Transition Plan (ITP) *	No	Yes
21. Completed a Continuum of Military Service Opportunity Counseling (Required Active Component Only)	No	Yes
22. Verify a completed Gap Analysis or provide verification of employment	No	Yes
23. Completed a comparison of higher education or vocational technical training institution options	No	N/A
24. I WAS COUNSELED AND RECEIVED DOCUMENTATION ON ALL ITEMS IN SECTION IV, WHICH INCLUDES ALL ITEMS LISTED ON THE PRE-SEPARATION / TRANSITION COUNSELING ADDENDUM SHEET: Yes		
25. PRE-SEPARATION / TRANSITION COUNSELING WAS COMPLETED WITH 364 DAYS OR LESS REMAINING BEFORE SEPARATION: Yes		
25a. PRE-SEPARATION / TRANSITION COUNSELING COMPLETED 364 DAYS OR LESS JUSTIFICATION: Personal Reasons		
26. SERVICE MEMBER SIGNATURE & DATE Originally Signed on 11/25/2024, Transcribed via Disconnected Operations by JOHN PHILIP MURRAY, DoD ID # [REDACTED] on 11/25/2024	27. TRANSITION COUNSELOR SIGNATURE & DATE JOHN PHILIP MURRAY DoD ID #: [REDACTED] Signed 11/25/2024	

SECTION V – MANDATORY CURRICULUM ATTENDANCE	
28. DoD TRANSITION DAY: Managing Your Transition (MyTransition): Completed on 10/25/2024, at Fort Liberty, Reported by the Army Military Occupational Code Crosswalk: Completed on 10/25/2024, at Fort Liberty, Reported by the Army Financial Planning for Transition: Completed on 10/25/2024, at Fort Liberty, Reported by the Army	
29. VETERANS AFFAIRS (VA) SERVICES AND BENEFITS: Completed on 10/28/2024, at Fort Liberty, Reported by the Army	
30. DOL ONE-DAY: Completed on 10/29/2024, at Fort Liberty, Reported by the Army	
SECTION VI – OTHER CURRICULUM ATTENDANCE	
31. DOL EMPLOYMENT TRACK: N/A	
32. DOD EDUCATION TRACK: N/A	
33. SBA ENTREPRENEURSHIP TRACK: N/A	
34. DOL VOCATIONAL TRACK: N/A	
SECTION VII – WARM HANDOVER REQUIREMENTS	
35. EVALUATED POST-TRANSITION TRANSPORTATION REQUIREMENTS AND DEVELOPED A PLAN TO MEET PERSONAL/FAMILY NEEDS: Yes	
36. EVALUATED POST-TRANSITION HOUSING REQUIREMENTS AND DEVELOPED A PLAN TO MEET PERSONAL/FAMILY NEEDS: Yes	
37. EVALUATED POST-TRANSITION PEER SUPPORT REQUIREMENTS AND DEVELOPED A PLAN TO MEET THESE NEEDS: Yes	
SECTION VIII – WARM HANDOVER TO SUPPORTING AGENCIES CONTACT INFORMATION	
38. VETERANS AFFAIRS: N/A	
39. DEPARTMENT OF LABOR: N/A	
40. MILITARY ONE SOURCE: N/A	
41. OTHER RESOURCE: N/A	
SECTION IX – CAPSTONE REVIEW	
42. SERVICE MEMBER SIGNATURE & DATE: Originally Signed on 11/25/2024, Transcribed via Disconnected Operations by JOHN PHILIP MURRAY, DoD ID #: [REDACTED] on 11/25/2024	43. TRANSITION COUNSELOR SIGNATURE & DATE: JOHN PHILIP MURRAY DoD ID #: [REDACTED] Signed 11/25/2024
SECTION X – COMMANDER OR COMMANDER'S DESIGNEE VERIFICATION	
44. APPLICABLE CAREER READINESS STANDARDS MET: No	47. COMMANDER OR COMMANDER'S DESIGNEE SIGNATURE & DATE: DANIEL HARRISON DoD ID #: [REDACTED] Signed 11/25/2024
45. VIABLE ITP COMPLETED: No	
46. WARM HANDOVERS EXECUTED: N/A	
SECTION XI – REMARKS	
48. REMARKS	

SEPARATION PHYSICALS**ETS, CHAPTER, RETIREMENT
(STEP BY STEP INSTRUCTIONS)**

STEP 1 Complete the tasks that correspond with the physical you're requesting. These tasks **MUST** be completed **BEFORE** your appointment is scheduled.

1. Complete DD 2808 Numbers 1 thru 15, name, full SSN, & DOD ID at the top of pages 2 & 3.
2. Complete DD 2807-1 numbers 1 thru 29; every item marked yes in 10 - 28 **requires an explanation in box 29 by number and letter**; name, full SSN, & DOD ID at the top of pages 2 & 3.

Physical Type	Paperwork	Hearing Test	Basic Labs	Fasting Labs	EKG	Vision	Escort / Letter of intent
ETS	X	X	X	>39	>39	X	
CHAPTER	X	X	X	>39	>39	X	X
RETIREMENT	X	X	X	>39	>39	X	

- **Escort/LOI:** The following chapters require an escort SGT or higher (1 rank above patient's rank) and a letter of intent signed by the company commander: 5-14, 7, 9, 10, 11, 13, 14, 16-3, 16-10, 16-11, 16-12, & 18.
- **Paperwork:** Follow the directions at the bottom of every page. The directions are identified with asterisks (**). This **MUST** be filled out prior to scheduling your appointment.
- **Hearing Test:**
 1. You must bring a copy of your current hearing test. It must be less than 6 months old.
 2. If you need a new hearing test, you can go to the following locations with DD 2807-1 & DD 2808:
 - ▶ Clark Health Clinic Walk-in (Mon-Fri: 0730-1130; 1300-1430) Bldg. 5-4257 Bastogne St
 - ▶ Occupational Health Walk-in (Mon-Fri: 0730-1130; 1300-1430) Bldg 1-2739 Hamilton St
- **Basic Labs:** Complete your labs at Womack Army Medical Center (opens at 0630) or your assigned clinic (opens at 0730). Do not consume alcohol 24 hours prior to your lab work. (required labs must not be more than 6 months old from date of scheduled physical).
- **Fasting Labs (>39 y/o):** Complete your labs at Womack Army Medical Center (opens at 0630) or your assigned clinic (opens at 0730). Do not eat or drink anything (except plenty of water) after 1830 the night prior to having your labs drawn. Do not consume alcohol 24 hours prior to your lab work. (required labs must not be more than 6 months old from date of scheduled physical).
- **EKG:** If required, an EKG will be completed when you come in for your appointment with us. If our machine is down, you will be given a referral to an outlying clinic. This will be determined at the time of your appointment.
- **Vision:** Complete an optometry exam at WAMC Optometry Clinic or Clark Health Clinic (0730-0930). Contacts must be removed 24 hours prior and you must bring all required glasses to the clinic for your exam.

STEP 2 Appointment: Please allow **5-7 business days for labs to result before bringing packet to schedule.**

Bring your completed packet (DD2808, DD 2807-1, & audiogram) to bldg 307, Pope SRC, Physical Exams Section to schedule your appointment: Monday thru Friday **0740-1100: 1230-1600** to schedule exam.

STEP 3 Complete your appointment with the physician.

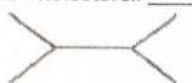
Failure to follow these instructions will result in your appointment being canceled.

- Arrive **20 minutes** prior to your scheduled appointment time and expect to be here **for a full hour**.
- Have your **ENTIRE physical exam packet filled out and copy of hearing exam** prior to signing in for your appointment.
- Come in **PT uniform**.
- If you are prescribed glasses, you must bring them for your appointment. **Do NOT wear contacts.**

STEP 4 Pick up your completed physical.

- Your physical will be ready for pickup **5-7 business days after** your scheduled appointment with the physician.
- You can only pick up **COMPLETED** physical exam packets from **0740-1100: 1230-1600 Mon-Fri**. We will not release packets outside of these times without OIC approval on a case-by-case basis. Completed physicals will also be available on the MHS-Genesis Patient Portal through messaging link below:
<https://patientportal.mhsgenesis.health.mil>
*****Chapter physical packets must still be picked up in person by escort and patient to receive commander's copy.*****

REPORT OF MEDICAL EXAMINATION		DATE OF EXAMINATION (YYYYMMDD)		SOCIAL SECURITY NUMBER		DOD ID NUMBER (If applicable)	
				188 547907		1295918507	
<p align="center">PRIVACY ACT STATEMENT</p> <p>AUTHORITY: 10 U.S.C. 504, Persons not qualified; 10 U.S.C. 505, Regular components: qualifications, term, grade; 10 U.S.C. 507, Extension of enlistment for members needing medical care or hospitalization; 10 U.S.C. 532, Qualifications for original appointment as a commissioned officer; 10 U.S.C. 978, Drug and alcohol abuse and dependency; testing of new entrants; 10 U.S.C. 1201, Regulars and members on active duty for more than 30 days; retirement; 10 U.S.C. 1202, Regulars and members on active duty for more than 30 days; temporary disability retired list; 10 U.S.C. 4346, Cadets: requirements for admission; DoD Directive 1145.2, United States Military Entrance Processing Command; E.O. 9397 (SSN) and 10 U.S.C. 1204, Members on Active Duty for 30 Days or Less or on Inactive Duty Training: Retirement, as amended.</p> <p>PRINCIPAL PURPOSE(S): To obtain medical data for determination of medical fitness for enlistment, induction, appointment and retention for applicants and members of the Armed Forces. The information will also be used for medical boards and separation of Service members from the Armed Forces.</p> <p>ROUTINE USE(S): The Routine Uses are listed in the applicable system of records notice found at: http://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570661/a0601-270-usmepcom-dod/</p> <p>DISCLOSURE: Voluntary; however, failure by an applicant to provide the information may result in delay or possible rejection of the individual's application to enter the Armed Forces. For an Armed Forces member, failure to provide the information may result in the individual being placed in a non-deployable status.</p>							
3. LAST NAME - FIRST NAME - MIDDLE NAME (Suffix)		4. HOME ADDRESS (Street, Apartment Number, City, State and Zip Code)		5a. HOME TELEPHONE NUMBER (Include Area Code)		5b. E-MAIL ADDRESS	
FORBES, MICHAEL J.		614 NORTHAMPTON RD. FAYETTEVILLE, NC 28303		910 336 5966		paxmas2007@yahoo.com	
6. GRADE/RANK	7. DATE OF BIRTH (YYYYMMDD)	8. AGE	9a. BIRTH SEX	9b. PREFERRED GENDER	10a. ETHNIC CATEGORY	10b. RACIAL CATEGORY (Select one)	
SFC	19680412	56	<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Male <input type="checkbox"/> Female	<input type="checkbox"/> Hispanic/Latino <input checked="" type="checkbox"/> Non Hispanic/Latino	<input type="checkbox"/> American Indian or Alaska Native <input type="checkbox"/> Black or African American <input checked="" type="checkbox"/> White <input type="checkbox"/> Native Hawaiian or Other Pacific Islander	
11. TOTAL YEARS GOVERNMENT SERVICE		12. AGENCY (Non-Service Members Only)		13. ORGANIZATION UNIT AND UIC/CODE			
a. MILITARY 17y 9m 19d		b. CIVILIAN		HHC, 4AL SUSTAINMENT BRIGADE (588) WJTDAA			
14a. RATING OR SPECIALTY (Aviators Only)			14b. TOTAL FLYING TIME			14c. LAST SIX MONTHS	
15a. SERVICE		15b. COMPONENT		15c. PURPOSE OF EXAMINATION		16. NAME OF EXAMINING LOCATION, AND ADDRESS (Include Zip Code)	
<input checked="" type="checkbox"/> Army <input type="checkbox"/> Air Force <input type="checkbox"/> Marine Corps <input type="checkbox"/> Navy <input type="checkbox"/> Coast Guard		<input checked="" type="checkbox"/> Active Duty <input type="checkbox"/> Reserve <input type="checkbox"/> National Guard		<input type="checkbox"/> Enlistment <input type="checkbox"/> Commission <input type="checkbox"/> Retention <input type="checkbox"/> Separation <input checked="" type="checkbox"/> Other INV. SEP CMP		<input type="checkbox"/> Retirement <input type="checkbox"/> U.S. Service Academy <input type="checkbox"/> ROTC Scholarship Program <input type="checkbox"/> Medical Board PHYSICAL EXAMS SECTION, POPE SRC WOMACK ARMY MEDICAL CENTER 383 MAYNARD ST POPE ARMY AIRFIELD, NC 28308	
MEDICAL EVALUATION (Check each item in appropriate column. Enter "NE" if not evaluated.)				43. DENTAL DEFECTS AND DISEASE (Please explain. Use dental form if completed by dentist. If abnormality noted, explain in item 44.)			
				Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> Class			
				44. NOTES: (Mandatory comment for every abnormality identified in items 17 - 43. Enter pertinent item number before each comment. Continue comments or use drawings in item 89 and use additional sheets if necessary.)			
17. Head, face, neck and scalp				Normal	Abnormal	17. Multiple small lesions. Pending Derm eval	
18. Nose						33. Swallow neck deformity at 4th disc left hand	
19. Sinuses						35. He at Foot Surgery w/ retained screws	
20. Mouth and throat						37. Lt arm/rt arm - Phlegm and Lt Hip - Flare	
21. Ears - General (Int. and ext. canals/Auditory acuity under item 71)						38. Multiple small lesions w/o evidence of infection	
22. Tympanic Membranes (Perforation)						39. See Block 89 for full Neurologic exam	
23. Eyes - General							
24. Ophthalmoscopic							
25. Pupils (Equality and reaction)							
26. Ocular motility (Associated parallel movements, nystagmus)							
27. Heart (Thrust, size, rhythm, sounds)							
28. Lungs and chest (Include breasts)							
29. Vascular system (Varicosities, etc.)							
30. Anus and rectum (Hemorrhoids, Fistulae) (Prostate if indicated)							
31. Abdomen and viscera (Include hernia)							
32. External genitalia (Genitourinary)							
33. Upper extremities							
34. Lower extremities (Except feet)							
35. Feet (Check category)							
35a. <input checked="" type="checkbox"/> Normal Arch <input type="checkbox"/> Pes Planus <input type="checkbox"/> Pes Cavus							
35b. <input type="checkbox"/> Mild <input type="checkbox"/> Moderate <input type="checkbox"/> Severe							
35c. <input type="checkbox"/> Asymptomatic <input type="checkbox"/> Symptomatic <input type="checkbox"/> Rigid							
36. Spine, other musculoskeletal							
37. Body marks, scars, tattoos							
38. Skin, lymphatics							
39. Neurologic							
40. Psychiatric (Specify any personality disorder)							
41. Pelvic (Females only)							
42. Endocrine							

LAST NAME - FIRST NAME - MIDDLE NAME - SSN FORSES, MICHAEL J.										SOCIAL SECURITY NUMBER 182547107										DOB NUMBER 1295918507																																																	
LABORATORY FINDINGS																																																																					
45. URINALYSIS nml / abnl SG:										a. Albumin pos / neg										b. Sugar pos / neg										46. URINE HCG pos / neg date:										47. H/H See Block 73										48. BLOOD TYPE																			
TESTS										RESULTS										HIV SPECIMEN ID LABEL										DRUG TEST SPECIMEN ID LABEL																																							
49. HIV										pos / neg date:																																																											
50. DRUGS										pos / neg																																																											
51. ALCOHOL										pos / neg																																																											
52. OTHER :RPR										reactive / non-reactive																																																											
a. PAP SMEAR										nml / abnl date:																																																											
b. EKG										nml / abnl																																																											
c. CXR										nml / abnl																																																											
MEASUREMENTS AND OTHER FINDINGS																																																																					
53. HEIGHT (in.) 66					54. WEIGHT (lbs.) 170					55a. MIN WGT					55b. MAX WGT					55c. MAX BF %					55d. BMI					56. TEMPERATURE					57. PULSE 106																																		
58. BLOOD PRESSURE															59. RED/GREEN										60. OTHER VISION TEST																																												
a. 1ST					b. 2ND					c. 3RD																																																											
SYS. 130					SYS.					SYS.																																																											
DIAS. 86					DIAS.					DIAS.																																																											
61. DISTANCE VISION										62. REFRACTION BY <input type="checkbox"/> AUTO OR <input type="checkbox"/> MANIFEST										63. NEAR VISION																																																	
Right Uncorr. 20/					Corr. to 20/ 20					Sph:					Cyl:					Axis:					Right Uncorr. 20/					Corr. to 20/					Add:																																		
Left Uncorr. 20/					Corr. to 20/ 20					Sph:					Cyl:					Axis:					Left Uncorr. 20/					Corr. to 20/					Add:																																		
64. HETEROPHORIA																																																																					
ES					EX					R.H.					L.H.					Prism div.					Prism Conv CT					NPR					PD																																		
65. ACCOMMODATION										66. COLOR VISION (Test and score/result)										67. DEPTH PERCEPTION (Test and score/result)																																																	
Right					Left					PIP <input type="checkbox"/>					FALANT <input type="checkbox"/>					Color Dx <input type="checkbox"/>					AFVT <input type="checkbox"/>					RANDOT/MCST <input type="checkbox"/>																																							
68. FIELD OF VISION															69. NIGHT VISION										70. INTRAOCULAR PRESSURE																																												
																									O.D.					O.S.																																							
71a. AUDIOMETER Unit Serial Number															71b. Unit Serial Number										72a. READING ALOUD TEST:					SAT					UNSAT																																		
Date Calibrated (YYYYMMDD)															Date Calibrated (YYYYMMDD)										72b. VALSALVA:					SAT					UNSAT																																		
HZ					500					1000					2000					3000					4000					6000					HZ					500					1000					2000					3000					4000					6000				
Left																														Left																																							
Right																														Right																																							
73. NOTES AND/OR INTERVAL HISTORY																																																																					
Tobacco use: Y ___ N ___ Quit ___ Type: ___ Amount ___ How Long? ___																																																																					
Total Cholesterol: ___ Trig: ___ HDL: ___ LDL: ___																																																																					
																																																																					
Sickle Cell pos / neg																																																																					
G6PD: nml / abnl																																																																					
FBS: ___																																																																					
Occult Blood: pos / neg																																																																					
PSA: ___																																																																					
<p>"I am informing the examining health care provider of any changes in my health since my last physical examination."</p> <p>"I have never experienced sudden loss of consciousness due to physical exertion and I have no family history of sudden cardiac death"</p> <p>(SERE) "I have no fear of heights, depths, dark or confined spaces"</p>																																																																					

DD FORM 2808, July 2019 ***Full Name and SSN at top of page***

89. ADDITIONAL REMARKS

Last Name: FORBESLast Four: 7907

Reviewed all answers noted by SM in block 29 of 2807. Reviewed EHR. SM is not pending any current medical treatment that would prohibit separation. Advised to follow up w/ PCM for any additional concerns.

nothing follows

(This information is for official and medically confidential use only and will not be released to unauthorized persons.)

The public reporting burden for this collection of information is estimated to average 10 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number. PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ORGANIZATION. RETURN COMPLETED FORM AS INDICATED ON PAGE 2.

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 136, Under Secretary Of Defense For Personnel And Readiness; DoD Directive 1145.2, United States Military Entrance Processing Command; DoD Instruction 6130.03, Medical Standards for Appointment, Enlistment, or Induction in the Military Services; and E.O. 9397 (SSN), as amended.

PRINCIPAL PURPOSE(S): The primary collection of this information is from individuals seeking to join the Armed Forces. The information collected on this form is used to assist DoD physicians in making determinations as to acceptability of applicants for military service and verifies disqualifying medical condition(s) noted on the prescreening form (DD 2807-2). An additional collection of information using this form occurs when a Medical Evaluation Board is convened to determine the medical fitness of a current member and if separation is warranted.

ROUTINE USE(S): The Routine Uses are listed in the applicable system of records notice found at: <http://dpcld.defense.gov/Privacy/SORNIndex/DOD-wide-SORN-Article-View/Article/570661/a0601-270-usmepcom-dod/>

DISCLOSURE: Voluntary; however, failure by an applicant to provide the information may result in delay or possible rejection of the individual's application to enter the Armed Forces. An applicant's SSN is used during the recruitment process to keep all records together and when requesting civilian medical records. For an Armed Forces member, failure to provide the information may result in the individual being placed in a non-deployable status. The SSN of an Armed Forces member is to ensure the collected information is filed in the proper individual's record.

WARNING: The information you have given constitutes an official statement. Federal law provides severe penalties (up to 5 years confinement or a \$10,000 fine or both), to anyone making a false statement.

1. LAST NAME, FIRST NAME, MIDDLE NAME (SUFFIX)

FORBES, MICHAEL J.

2.a. SOCIAL SECURITY NO.

b. DoD ID NO. (If applicable)

3. TODAY'S DATE

(YYYYMMDD)

20241126

4.a. HOME ADDRESS (Street, Apartment No., City, State, and ZIP Code)

614 NORTHAMPTON RD.
FAYETTEVILLE NC 28303

5. EXAMINING LOCATION AND ADDRESS (Include ZIP Code)

PHYSICAL EXAMS SECTION, POPE SRC
WOMACK ARMY MEDICAL CENTER
383 MAYNARD ST
POPE ARMY AIRFIELD, NC 28308

b. HOME TELEPHONE (Include Area Code)

910 336 5966

c. EMAIL ADDRESS

X ALL APPLICABLE BOXES:

6.a. SERVICE

☒ Army ☐ Coast Guard
☐ Navy
☐ Marine Corps
☐ Air Force

b. COMPONENT

☒ Regular
☐ Reserve
☐ National Guard

c. PURPOSE OF EXAMINATION

☐ Retention
☒ Separation
☐ Medical Board
☐ Retirement
☒ Other (Specify)

1st. S&P AMP

7.a. POSITION (Title, Grade, Component)

NONE

b. USUAL OCCUPATION

35F

8. CURRENT MEDICATIONS (Prescription and Over-the-counter)

COLUMBINE, ALPHEMBL, PEROSEL,
SYNTHADO

9. ALLERGIES (Including insect bites/stings, foods, medicine or other substance)

NONE

Mark each item "YES" or "NO". Every item marked "YES" must be fully explained in Item 29 on Page 2.

HAVE YOU EVER HAD OR DO YOU NOW HAVE:

YES NO

10.a. Tuberculosis

☐ ☒

b. Lived with someone who had tuberculosis

☐ ☒

c. Coughed up blood

☐ ☒

d. Asthma or any breathing problems related to exercise, weather, pollens, etc.

☐ ☒

e. Shortness of breath

☐ ☒

f. Bronchitis

☐ ☒

g. Wheezing or problems with wheezing

☐ ☒

h. Been prescribed or used an inhaler

☐ ☒

i. A chronic cough or cough at night

☐ ☒

j. Sinusitis

☐ ☒

k. Hay fever

☐ ☒

l. Chronic or frequent colds

☐ ☒

11.a. Severe tooth or gum trouble

☐ ☒

b. Thyroid trouble or goiter

☒ ☐

c. Eye disorder or trouble

☐ ☒

d. Ear, nose, or throat trouble

☐ ☒

e. Loss of vision in either eye

☐ ☒

f. Worn contact lenses or glasses

☒ ☐

g. A hearing loss or wear a hearing aid

☐ ☒

h. Surgery to correct vision (RK, PRK, LASIK, etc.)

☒ ☐

12.a. Painful shoulder, elbow or wrist (e.g. pain, dislocation, etc.)

☐ ☒

b. Arthritis, rheumatism, or bursitis

☐ ☒

c. Recurrent back pain or any back problem

☐ ☒

d. Numbness or tingling

☐ ☒

e. Loss of finger or toe

☐ ☒

12. (Continued)

YES NO

f. Foot trouble (e.g., pain, corns, bunions, etc.)

☐ ☒

g. Impaired use of arms, legs, hands, or feet

☐ ☒

h. Swollen or painful joint(s)

☒ ☐

i. Knee trouble (e.g., locking, giving out, pain or ligament injury, etc.)

☐ ☒

j. Any knee or foot surgery including arthroscopy or the use of a scope to any bone or joint

☐ ☒

k. Any need to use corrective devices such as prosthetic devices, knee brace(s), back support(s), lifts or orthotics, etc.

☐ ☒

l. Bone, joint, or other deformity

☐ ☒

m. Plate(s), screw(s), rod(s) or pin(s) in any bone

☒ ☐

n. Broken bone(s) (cracked or fractured)

☒ ☐

13.a. Frequent indigestion or heartburn

☒ ☐

b. Stomach, liver, intestinal trouble, or ulcer

☐ ☒

c. Gall bladder trouble or gallstones

☐ ☒

d. Jaundice or hepatitis (liver disease)

☐ ☒

e. Rupture/hernia

☐ ☒

f. Rectal disease, hemorrhoids or blood from the rectum

☐ ☒

g. Skin diseases (e.g. acne, eczema, psoriasis, etc.)

☒ ☐

h. Frequent or painful urination

☐ ☒

i. High or low blood sugar

☐ ☒

j. Kidney stone or blood in urine

☐ ☒

k. Sugar or protein in urine

☐ ☒

l. Sexually transmitted disease (syphilis, gonorrhea, chlamydia, genital warts, herpes, etc.)

☐ ☒

14.a. Adverse reaction to serum, food, insect stings or medicine

☐ ☒

b. Recent unexplained gain or loss of weight

☐ ☒

c. Currently in good health (If no, explain in Item 29 on Page 2.)

☒ ☐

d. Tumor, growth, cyst, or cancer

☐ ☒

DD FORM 2807-1 OCT 2018

DoD exception to SF 93 approved by ICMR, August 3, 2000.
PREVIOUS EDITION IS OBSOLETE.

Fill out 1-14d

Page 1 of 3 Pages
Adobe Professional XI

LAST NAME, FIRST NAME, MIDDLE NAME (SUFFIX)		SOCIAL SECURITY NUMBER	DoD ID NUMBER (If applicable)
FORBES, MICHAEL J.			
Mark each item "YES" or "NO". Every item marked "YES" must be fully explained in Item 29 below.			
HAVE YOU EVER HAD OR DO YOU NOW HAVE:		YES NO	YES NO
15.a. Dizziness or fainting spells		<input type="radio"/> YES <input checked="" type="radio"/> NO	
b. Frequent or severe headache		<input type="radio"/> YES <input checked="" type="radio"/> NO	
c. A head injury, memory loss or amnesia		<input type="radio"/> YES <input checked="" type="radio"/> NO	
d. Paralysis		<input type="radio"/> YES <input checked="" type="radio"/> NO	
e. Seizures, convulsions, epilepsy or fits		<input type="radio"/> YES <input checked="" type="radio"/> NO	
f. Car, train, sea, or air sickness		<input type="radio"/> YES <input checked="" type="radio"/> NO	
g. A period of unconsciousness or concussion		<input type="radio"/> YES <input checked="" type="radio"/> NO	
h. Meningitis, encephalitis, or other neurological problems		<input type="radio"/> YES <input checked="" type="radio"/> NO	
16.a. Rheumatic fever		<input type="radio"/> YES <input checked="" type="radio"/> NO	
b. Prolonged bleeding (as after an injury or tooth extraction, etc.)		<input type="radio"/> YES <input checked="" type="radio"/> NO	
c. Pain or pressure in the chest		<input type="radio"/> YES <input checked="" type="radio"/> NO	
d. Palpitation, pounding heart or abnormal heartbeat		<input type="radio"/> YES <input checked="" type="radio"/> NO	
e. Heart trouble or murmur		<input type="radio"/> YES <input checked="" type="radio"/> NO	
f. High or low blood pressure		<input type="radio"/> YES <input checked="" type="radio"/> NO	
17.a. Nervous trouble of any sort (anxiety or panic attacks)		<input type="radio"/> YES <input checked="" type="radio"/> NO	
b. Habitual stammering or stuttering		<input type="radio"/> YES <input checked="" type="radio"/> NO	
c. Loss of memory or amnesia, or neurological symptoms		<input type="radio"/> YES <input checked="" type="radio"/> NO	
d. Frequent trouble sleeping		<input type="radio"/> YES <input checked="" type="radio"/> NO	
e. Received counseling of any type		<input checked="" type="radio"/> YES <input type="radio"/> NO	
f. Depression or excessive worry		<input type="radio"/> YES <input checked="" type="radio"/> NO	
g. Been evaluated or treated for a mental condition		<input type="radio"/> YES <input checked="" type="radio"/> NO	
h. Attempted suicide		<input type="radio"/> YES <input checked="" type="radio"/> NO	
i. Used illegal drugs or abused prescription drugs		<input type="radio"/> YES <input checked="" type="radio"/> NO	
18. FEMALES ONLY. Have you ever had or do you now have:			
a. Treatment for a gynecological (female) disorder		<input type="radio"/> YES <input type="radio"/> NO	
b. A change of menstrual pattern		<input type="radio"/> YES <input type="radio"/> NO	
c. Any abnormal PAP smears		<input type="radio"/> YES <input type="radio"/> NO	
d. First day of last menstrual period (YYYYMMDD)			
e. Date of last PAP smear (YYYYMMDD)			
29. EXPLANATION OF "YES" ANSWER(S) (Describe answer(s), give date(s) of problem, name of doctor(s) and/or hospital(s), treatment given and current medical status.)			
<p>11b. diagnosed w/ hypothyroidism</p> <p>11f. always worn glasses except for 28 yrs after surgery.</p> <p>11h. HAD 2 DIFFERENT SURGERIES 1 FOR EACH EYE.</p> <p>12h. diagnosed w/ GOUT. FLARE UPS OCCUR OCCASIONALLY WITHOUT PREDICTABILITY.</p> <p>12m. SCABS IN FOOT IN ITALY.</p> <p>12n. HAND SURGERY IN ITALY</p> <p>13a. diagnosed w/ heartburn 1/2 prescribed meds.</p> <p>13g. diagnosed w/ idiopathic VITILIGO IN ITALY DOCTORS ONLY TREAT SYMPTOMS. 26 YRS.</p> <p>14e. INSTRUCTIONS ON THIS FORM CONFLECT.</p> <p>17e. THROUGHOUT CAREER DIFFERENT TYPES</p> <p>20. JANUARY 19 2023 & IN 2017 CDPS MISUSE ECDBHE. MYOPANACARDING @ Ft. BELVIER LEAD UP TRANS. TO WALTER REED.</p> <p>22. HAND & FOOT SURGERY + CARDIO SURG @ WALTER REED.</p> <p>25. BEING PREVENTED TO FULFILL MY CONTRACT AT THIS TIME.</p> <p>26. BEING DISCHARGED HONORABLY UNDER ADMIN SEP W/OUT DUE PROCESS AT THIS TIME.</p>			

NOTE: HAND TO THE DOCTOR OR NURSE, OR IF MAILED MARK ENVELOPE "TO BE OPENED BY MEDICAL PERSONNEL ONLY."

DD FORM 2807-1 OCT 2018

Page 2 of 3 Pages

Fill out 15a-28. ANYTHING you answer "yes" to from 10a-28 EXPLAIN why

DD 2807-1 Block 29 EXPLANATION OF YES ANSWERS CONTINUATION


PRIVACY ACT STATEMENT: This information is subject to the Privacy Act of 1974 (5 U.S.C. Section 552a). This information may be provided to appropriate Government agencies when relevant to civil, criminal or regulatory investigations or prosecutions. The Social Security Number, authorized by Public Law 93-579 Section 7 (b) and Executive Order 9397, is used as a unique identifier to distinguish between employees with the same names and birth dates and to ensure that each individual's record in the system is complete and accurate and the information is properly attributed.

Corresponding number/letter	Explanation of items marked "YES". This should include how, where, and when the injury occurred, treatment received, any physical limitations this causes, any current physical profiles for the condition, and whether the condition is ongoing or resolved.
	<p>Limited Separation Exon due to time till Separation. Reviewed all answers. Noted by SM in Block 29. Reviewed available EHR. SM is not pending any medical Evaluation or treatment that would Prohibit Separation.</p>
	<p>Advised to follow up with PCN & Specialists for any additional concerns.</p>
	<p style="text-align: right;">J. H. H. H.</p>

DD 2807-1 Block 29 EXPLANATION OF YES ANSWERS CONTINUATION

PRIVACY ACT STATEMENT: This information is subject to the Privacy Act of 1974 (5 U.S.C. Section 552a). This information may be provided to appropriate Government agencies when relevant to civil, criminal or regulatory investigations or prosecutions. The Social Security Number, authorized by Public Law 93-579 Section 7 (b) and Executive Order 9397, is used as a unique identifier to distinguish between employees with the same names and birth dates and to ensure that each individual's record in the system is complete and accurate and the information is properly attributed.

[illegible]

LAST NAME, FIRST NAME, MIDDLE NAME (SUFFIX) Fitzpatrick, Michael J.	SOCIAL SECURITY NUMBER <div style="background-color: black; height: 20px; width: 100%;"></div>	DoD ID NUMBER (If applicable) <div style="background-color: black; height: 20px; width: 100%;"></div>
30. EXAMINER'S SUMMARY AND ELABORATION OF ALL PERTINENT DATA (Physician/practitioner shall comment on all positive answers in questions 10 - 29. Physician/practitioner may develop by interview any additional medical history deemed important, and record any significant findings here.)		
a. COMMENTS <div style="margin-top: 10px;"> MEDICATIONS: <div style="display: flex; justify-content: space-between; margin-left: 20px;"> <div> Allupurinol Levothyroxine Colchicine Pomegranate Allegra </div> <div> Rolam Pridosec Tricincholine </div> </div> </div> <div style="margin-top: 10px;"> ALLERGIES: NKDA </div> <div style="margin-top: 10px;"> SURGERIES: All that follows has been reviewed w/ </div> <div style="margin-top: 10px;"> HOSPITALIZATIONS: SM & available EHR. </div> <div style="margin-top: 10px;"> FRACTURES/DISLOCATIONS: Limited Exam due to separation time line. </div> <div style="margin-top: 10px;"> CONCUSSIONS: </div> <div style="margin-top: 10px;"> BEHAVIORAL HEALTH: </div> <div style="margin-top: 10px;"> CHRONIC CONDITIONS: </div>		
b. TYPED OR PRINTED NAME OF EXAMINER (Last, First, Middle Initial) Fitzpatrick, John K	c. SIGNATURE 	d. DATE SIGNED (YYYYMMDD) 20241126

RE: update on Forbes v. US Army

From: Baldwin, Kimberly (kimberly.baldwin@mail.house.gov)

To: paxmas2007@yahoo.com

Date: Tuesday, August 20, 2024 at 09:44 AM EDT

Good Morning,

Please review the attached document pertaining to your case.

Please review the response below pertaining to your case.

"I am going to send this forward to G1 as is to get the ball rolling. If/when SFC Forbes completes an ETP, please send it to me to add to the case file."

Best,

Kimberly

From: Michael Forbes <paxmas2007@yahoo.com>
Sent: Friday, July 19, 2024 4:46 PM
To: Baldwin, Kimberly <Kimberly.Baldwin@mail.house.gov>
Subject: update on Forbes v. US Army

ALCON:

Here are recent filings that include the claims and the plaintiff's response to Army's Motion to Dismiss.

Hope you all had a great 4th.

SFC Forbes



Hudson Richard ref- SFC Forbes Michael.pdf
113.8kB



DEPARTMENT OF THE ARMY
U.S. ARMY HUMAN RESOURCES COMMAND
1600 SPEARHEAD DIVISION AVENUE, DEPARTMENT 300
FORT KNOX, KY 40122-5300

August 19, 2024

The Honorable Richard Hudson
United States Representative
225 Green Street, Suite 202
Fayetteville, NC 28301

Dear Representative Hudson,

Thank you for your correspondence on behalf of your constituent, SFC Michael Forbes, requesting to delay consideration of his separation or retentions until judicial action is complete.

The U.S. Army Human Resources Command does not have the authority to place SFC Forbes' separation proceeding or decision in abeyance. Recommend SFC Forbes submit an exception to policy to the Directorate of Military Personnel Management (DMPM), office of the Deputy Chief of Staff, G-1, United States Army for consideration of his request.

Thank you for your continued support of the US Army.



Jon E. Finke
Chief, Operations Management
Division

ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: ronald.t.keohane.civ@mail.mil

Cc: paxmas2007@yahoo.com

Date: Thursday, August 22, 2024 at 10:28 AM EDT

Sir:

I have been advised by the Hon. Richard Hudson (NC-09) via a letter from Jon Finke (attached) to submit to you (per DoDI 1332.14, Ch. 2.1) an Exception to Policy for an abeyance to my scheduled involuntary administrative separation on December 1, 2024.

My intent is to send it directly to you with cc: to the aforementioned Member of Congress. Unfortunately your website lacks easily identifiable contact information (telephonic or snail mail).

Can you assist me with the appropriate address or would you prefer my request to be signed and digitally sent to your office?

The reason for this impromptu email is merely that my MoC indicated to me that they will only add it to my file (in their office) and gave no indication that this request would be submitted directly to you for an expedient reply.

As an estimate for my request to reach you, once I receive your preferred method of contact information, I anticipate my request can be mailed or emailed to you with 2 days from your reply.

Thank you for your time.

SFC Michael J. Forbes
USA, 35F

For questions reply to the above or feel free and contact me via:

paxmas2007@yahoo.com (personal email)

910.336.5966 (personal cell only available on weekdays in afternoon)

910.806.3267 (commercial NIPR, 1SFC, S2 office, not my phone but I am near it in am hours)



smime.p7s
5.3kB



20240819 Finke to Hudson letter.pdf
149.5kB

FW: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: paxmas2007@yahoo.com

Date: Thursday, August 22, 2024 at 11:35 AM EDT

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Thursday, August 22, 2024 11:35 AM

To: 'jessica.felch@mail.house.gov' <jessica.felch@mail.house.gov>

Subject: FW: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

Ma'am:

Thank you for your willingness to forward this email this morning to Ms. Kimberly Baldwin (Constituent Liaison) in Hon. Richard Hudson's Fayetteville, NC office. I wanted her to have this communique (located below) in a timely fashion for the following reasons:

- 1) to notify her of my intent to request an abeyance and,
- 2) The identity of whom I feel is the correct authority to receive and adjudicate my request,
- 3) to provide an ETA of a copy of the request to her office for inclusion in my case file;

I just don't have her email at work and they are keeping me here today (which will significantly delay her near real-time notification). My unit intends to hold a meeting with me today to inquire about my **proactively** out-processing the Army, that I, obviously (given my lawsuit) do not agree with.

Should she have different information or any questions, she and anyone else should feel free and contact me as this is becoming an urgent matter with every passing day.

Thank you for this professional assist in the essence of time.

SFC Michael J. Forbes

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Thursday, August 22, 2024 10:29 AM

To: Keohane, Ronald T HON (USA) <ronald.t.keohane.civ@mail.mil>

Cc: paxmas2007@yahoo.com

Subject: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

Sir:

I have been advised by the Hon. Richard Hudson (NC-09) via a letter from Jon Finke (attached) to submit to you (per DoDI 1332.14, Ch. 2.1) an Exception to Policy for an abeyance to my scheduled involuntary administrative separation on December 1, 2024.

My intent is to send it directly to you with cc: to the aforementioned Member of Congress. Unfortunately your website lacks easily identifiable contact information (telephonic or snail mail).

Can you assist me with the appropriate address or would you prefer my request to be signed and digitally sent to your office?

The reason for this impromptu email is merely that my MoC indicated to me that they will only add it to my file (in their office) and gave no indication that this request would be submitted directly to you for an expedient reply.

As an estimate for my request to reach you, once I receive your preferred method of contact information, I anticipate my request can be mailed or emailed to you with 2 days from your reply.

Thank you for your time.

SFC Michael J. Forbes

USA, 35F

For questions reply to the above or feel free and contact me via:

paxmas2007@yahoo.com (personal email)

910.336.5966 (personal cell only available on weekdays in afternoon)

910.806.3267 (commercial NIPR, 1SFC, S2 office, not my phone but I am near it in am hours)



smime.p7s
5.3kB



20240819 Finke to Hudson letter.pdf
149.5kB

RE: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

From: Baldwin, Kimberly (kimberly.baldwin@mail.house.gov)

To: paxmas2007@yahoo.com

Date: Friday, August 23, 2024 at 09:53 AM EDT

Good Morning Sir,

I am in receipt of this information. I have reached out to the Army's liaison for clarification on where the ETP should be submitted.

Once I receive any information, I will inform you.

Respectfully,

Kimberly

From: Michael Forbes <paxmas2007@yahoo.com>

Sent: Thursday, August 22, 2024 5:37 PM

To: Baldwin, Kimberly <Kimberly.Baldwin@mail.house.gov>

Subject: Fw: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

Ma'am

I wanted to make sure you got this. I am attempting to find out where to send this ETP. See below.

SFC Forbes

----- Forwarded Message -----

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

To: paxmas2007@yahoo.com <paxmas2007@yahoo.com>

Sent: Thursday, August 22, 2024 at 11:35:31 AM EDT

Subject: FW: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, August 22, 2024 11:35 AM
To: 'jessica.felch@mail.house.gov' <jessica.felch@mail.house.gov>
Subject: FW: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

Ma'am:

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Should she have different information or any questions, she and anyone else should feel free and contact me as this is becoming an urgent matter with every passing day.

Thank you for this professional assist in the essence of time.

SFC Michael J. Forbes

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, August 22, 2024 10:29 AM
To: Keohane, Ronald T HON (USA) <ronald.t.keohane.civ@mail.mil>
Cc: paxmas2007@yahoo.com
Subject: ICO: SFC Michael J. Forbes; request address or digital submission of ETP to Hon. Ronald Keohane ASD(M&RA)

Sir:

I have been advised by the Hon. Richard Hudson (NC-09) via a letter from Jon Finke (attached) to submit to you (per DoDI 1332.14, Ch. 2.1) an Exception to Policy for an abeyance to my scheduled involuntary administrative separation on December 1, 2024.

My intent is to send it directly to you with cc: to the aforementioned Member of Congress. Unfortunately your website lacks easily identifiable contact information (telephonic or snail mail).

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Thank you for your time.

SFC Michael J. Forbes

USA, 35F

For questions reply to the above or feel free and contact me via:

paxmas2007@yahoo.com (personal email)

910.336.5966 (personal cell only available on weekdays in afternoon)

910.806.3267 (commercial NIPR, 1SFC, S2 office, not my phone but I am near it in am hours)

Request for ETP (Exception to Policy) from SFC Michael J. Forbes

From: James M. Branum (jmb@jmb.bike)

To: ronald.t.keohane.civ@mail.mil; kimberly.baldwin@mail.house.gov; paxmas2007@yahoo.com;
michael.j.forbes.mil@socom.mil

Date: Wednesday, August 28, 2024 at 12:26 PM EDT

Honorable Ronald Keohane,
cc: Kimberly Baldwin, office of Congressman Richard Hudson
cc: SFC Michael J. Forbes

Attached, please find my client's request for ETP (exception to policy), pursuant to DODI 1332.14 para. 2.1 (a), (b).

v/r,

James M. Branum
Civilian Defense Counsel

--

James Matthew Branum
Attorney at Law - www.jmbranum.com
Editor, *Humanistic Judaism* Magazine - www.SHJ.org

- **Contact Information**

- Pronouns: he/him
- Email: jmb@jmb.bike or girightslawyer@gmail.com
- Voice/Text: 405-494-0562
- Web: www.jmbranum.com
- Blog: www.jmbzine.com
- Social Media: www.jmb.mx

PRIVACY NOTICE: This electronic message may contain information that is confidential or privileged. Unless otherwise stated, this information is intended to be for the use of the individual or entity named above.



request for ETP-final.pdf
440.1kB



enclosure1 for ETP request.pdf
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enclosure 2 for ETP request.pdf
442.1kB



THE LAW FIRM OF JAMES M. BRANUM

Email: GIRightsLawyer@gmail.com - Voice/Text: 405-494-0562 - Web: JMBranum.com
Postal: James M. Branum, PO Box 134, Piedmont, OK 73078



Honorable Ronald Keohane
Assistant Secretary of Defense (ASD)
For Manpower and Reserve Affairs (M&RA)
4000 Defense Pentagon
Washington, DC 20301-4000

cc: Congressman Richard Hudson

August 28, 2024

Secretary Keohane or any appropriate authority:

I am writing on behalf of my client, SFC Michael J. Forbes to request an exception to policy (ETP), IAW DODI 1332.14 para. 2.1 (a), (b).

This request was prompted by a letter sent on August 19, 2024 to Congressman Richard Hudson by Jon E. Finke (Chief, Operations Management Division of the US Army Human resources command), which recommended that my client "submit an exception to policy to the Directorate of Military Personnel Management (DMPM), office of the Deputy Chief of Staff, G-1, United States Army for consideration of his request." However, based on the most recent revision (August 1) of DODI 1332.14, this request must instead be routed to you based upon the provisions of para 2.1 (b) which provides that you are charged with adjudicating "exceptions to policy requests for enlisted administrative separations."

This request is made due to the pending litigation in federal court (case # 5:24-cv-00176, filed in the US District Court for the Eastern District of North Carolina) regarding the wrongful pending separation of the plaintiff, SFC Forbes. To avoid irreparable harm to himself (and increased cost to the US Army), SFC Forbes is asking that his pending separation (scheduled for December 1, 2024) be put into abeyance until the litigation is resolved through the court.

This pending litigation raises specific claims that raise federal questions for adjudication by federal authorities, including serious issues of concern under DoDI 1332.14, 2.3, b., and b., (2) & (3) in that the US Army is alleged to have not "ensure[d] that" ... "[f]act-finding inquiries are conducted properly," and did not take appropriate actions to insure that

“[a]buses of authority do not occur.”¹ These questions of fact can best be resolved by allowing the federal court to hear the case prior to any discharge of SFC Forbes. For clarity, my client is not asking for a suspension of a separation action because he is not needing to be rehabilitated,² rather he needs to have his case heard and adjudicated by the court, which is why he is asking for an exception to policy to permit an abeyance.

I also request a written expedited response of your determination of this request because SFC Forbes is being repeatedly and informally asked if he has begun out-processing by his Chain of Command and NCO Support Channel without an order or checklist and he is unwilling to give the appearance of willingly separating as that is incongruent with his stance in his outstanding lawsuit. He feels that the *prima facie* violations of laws by his Brigade (BDE) Commander (CDR) that spawned the BDE CDR's investigation (of him), are what led to the Relief for Cause and General Officer Memorandum of Reprimand, that automatically instigated the Qualitative Management Program, which resulted in the wrongful separation. These issues should be adjudicated prior to his separation from the Army.

Very Respectfully,

A handwritten signature in black ink, appearing to read 'James M. Branum', with a stylized flourish at the end.

James M. Branum
Civilian Defense Counsel

Enclosures:

1. Letter from Jon E. Finke (Chief, Operations Management Division of the US Army Human resources command) to Congressman Richard Hudson
2. Docket Report on case # 5:24-cv-00176, US District Court for the Eastern District of North Carolina

¹ Ibid, Ch. 2.3, b. (2) & (3). August 1, 2024.

² IAW Ibid. para. 4.2.

RE: Request for ETP (exception to policy) from SFC Michael Forbes to HON Ronald Keohane

paxmas2007@yaho.../Inbox



Minyard, Stephen W SGM USARMY OSD OUSD P-R (USA) <stephen.w.minyard.mil@mail.mil>

Sep 12, 2024 at 11:34 AM

To: michael.j.forbes.mil@socom.mil <michael.j.forbes.mil@socom.mil>,
paxmas2007@yahoo.com <paxmas2007@yahoo.com>, jmb@jmb.bike <jmb@jmb.bike>

SFC Forbes/Mr. Branum,

Because this matter is in litigation, any communication concerning it should be with the Department of Justice attorney representing the United States.

V/R

SGM Steve Minyard
Senior Enlisted Advisor
Assistant Secretary of Defense (Manpower & Reserve Affairs)
Suite 2E556

Office: 703-693-8139

Cell: 771-215-6769

Stephen.w.minyard.mil@mail.mil

Military pay is far more than just basic pay-learn more about the benefits of military service below:

<https://www.militaryonesource.mil/military-basics/new-to-the-military/military-pay-101/>

1 File | 6.6kB



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7kB

RE: Request for ETP (exception to policy) from SFC Michael Forbes to HON Ronald Keohane

From: Baldwin, Kimberly (kimberly.baldwin@mail.house.gov)

To: paxmas2007@yahoo.com

Date: Tuesday, September 17, 2024 at 02:09 PM EDT

Good Afternoon Sir,

Due to the case being in litigation, our office is unable to intervene with this matter.

Respectfully,

Kimberly Baldwin
Veteran and Military Affairs Specialist
Office of Congressman Richard Hudson NC09
225 Green Street, Suite 202
Fayetteville, North Carolina 28301
Phone 910-997-2070 Fax 910-817-7202

From: Baldwin, Kimberly

Sent: Thursday, September 12, 2024 2:36 PM

To: 'Michael Forbes' <paxmas2007@yahoo.com>

Subject: RE: Request for ETP (exception to policy) from SFC Michael Forbes to HON Ronald Keohane

Thank you for this information.

I will contact the DOJ on your behalf.

Kimberly

From: Michael Forbes <paxmas2007@yahoo.com>
Sent: Thursday, September 12, 2024 12:24 PM
To: Baldwin, Kimberly <Kimberly.Baldwin@mail.house.gov>; James M. Branum <jmb@jmb.bike>
Subject: Fw: Request for ETP (exception to policy) from SFC Michael Forbes to HON Ronald Keohane

Here's their answer ma'm.

SFC Forbes

----- Forwarded Message -----

From: Minyard, Stephen W SGM USARMY OSD OUSD P-R (USA) <stephen.w.minyard.mil@mail.mil>
To: michael.j.forbes.mil@socom.mil <michael.j.forbes.mil@socom.mil>; paxmas2007@yahoo.com <paxmas2007@yahoo.com>; jmb@jmb.bike <jmb@jmb.bike>
Sent: Thursday, September 12, 2024 at 11:34:09 AM EDT
Subject: RE: Request for ETP (exception to policy) from SFC Michael Forbes to HON Ronald Keohane

SFC Forbes/Mr. Branum,

Because this matter is in litigation, any communication concerning it should be with the Department of Justice attorney representing the United States.

V/R

SGM Steve Minyard

Senior Enlisted Advisor

Assistant Secretary of Defense (Manpower & Reserve Affairs)

Suite 2E556

Office: 703-693-8139

Cell: 771-215-6769

Stephen.w.minyard.mil@mail.mil

Military pay is far more than just basic pay-learn more about the benefits of military service below:

<https://www.militaryonesource.mil/military-basics/new-to-the-military/military-pay-101/>

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Your item has been delivered and is available at a PO Box at 6:46 am on September 19, 2024 in WASHINGTON, DC 20301.

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Delivered, PO Box

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September 19, 2024, 6:46 am

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September 19, 2024, 5:39 am

In Transit to Next Facility

September 15, 2024

Arrived at USPS Regional Origin Facility

PHOENIX AZ DISTRIBUTION CENTER

September 11, 2024, 8:04 pm

Accepted at USPS Regional Origin Facility

PHOENIX AZ DISTRIBUTION CENTER

September 11, 2024, 6:49 pm

● **Shipment Received, Package Acceptance Pending**

PHOENIX, AZ 85026
September 11, 2024, 5:04 pm

● **Hide Tracking History**

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Need More Help?

Contact USPS Tracking support for further assistance.

FAQs

Exception to Policy Request from SFC Michael J. Forbes

paxmas2007@yaho.../Inbox



James M. Branum <jmb@jmb.bike>

To: brian.s.eifler.mil@army.mil,
Forbes, Michael J SFC USARMY 173 ABN BDE (USA) <michael.j.forbes7.mil@army.mil>
Bcc: paxmas2007@yahoo.com

Oct 28, 2024 at 12:38 PM

LTG Brian S. Eifler,

Attached, please find an exception to the policy request from my client, SFC Michael J. Forbes.

v/r,

James M. Branum

Civilian Defense Counsel

--

James Matthew Branum

Attorney at Law - www.jmbranum.com

Editor, Humanistic Judaism Magazine - www.SHJ.org

• **Contact Information**

- Pronouns: he/him
- Email: jmb@jmb.bike or girightslawyer@gmail.com
- Voice/Text: 405-494-0562
- Web: www.jmbranum.com
- Blog: www.jmbzine.com
- Social Media: www.jmb.mx

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THE LAW FIRM OF JAMES M. BRANUM

Email: GIRightsLawyer@gmail.com - Voice/Text: 405-494-0562 - Web: JMBranum.com
Postal: James M. Branum, PO Box 134, Piedmont, OK 73078



LTG Brian S. Eifler
Deputy Chief of Staff
G-1, United States Army
300 Army Pentagon
Washington, DC 20310-0300

cc: Congressman Richard Hudson
cc: Senator Ted Budd

October 28, 2024

LTG Eifler:

I am writing on behalf of my client, SFC Michael J. Forbes to request a waiver, following the guidance found in the preface of AR 635-200, under the heading "Proponent and exception authority" p. i:

The proponent of this regulation is the Deputy Chief of Staff, G-1. The proponent has the authority to approve exceptions or waivers to this regulation that are consistent with controlling law and regulations.

This request was prompted by a letter sent on August 19, 2024 to Congressman Richard Hudson by Jon E. Finke (Chief, Operations Management Division of the US Army Human Resources Command) which recommended that my client "submit an exception to policy to the Directorate of Military Personnel Management (DMPM), office of the Deputy Chief of Staff, G-1, United States Army for consideration of his request." However, based on the most recent revision (August 1) of DODI 1332.14, and the DoD not being named in my client's *pro se* litigation against the Secretary of the Army, et al., this request was instead routed to the Hon. Ronald Keohane, the ASD (M&RA) based upon the provisions of para 2.1 (b) which provides that he is charged specifically with adjudicating "exceptions to policy requests for enlisted administrative separations" and has no conflict of interest. This request was not considered by him or his office (citing my client's *pro se* legal case) and, therefore, is now being forwarded to you for your consideration, under the aforementioned administrative separation regulation.

Given the lack of support my client has endured throughout his multiple attempts to get his unwarranted administrative separation properly nullified internally, we have not requested today's ETP request be considered by or through my client's Chain of Command, which is 1st Special Forces Command (1SFC) and US Army Special Operations Command (USASOC) as normally required under military regulations. This is because the current Commanding General of that unit is General Lawrence G. "Gil" Ferguson is the same General who disregarded my client's detailed rebuttal of the allegations, denied my client's follow-on Article 138, and, ultimately authorized my client's wrongful separation. LTG Ferguson did all of this regardless of the *prima facie* evidence supplied to him that proved his subordinate Brigade Commander violated my client's privacy rights pursuant to the Privacy Act of 1974 (5 USC § 552a) that ultimately caused his administrative separation. My client does not feel this request would be treated any differently than those prior communications particularly since he was even denied meeting with both of the aforementioned units' Commanding Generals using the command's Open Door policy during this ordeal (MG Ferguson 1SFC and LTG Braga, USASOC).

This request is made due to the pending litigation in federal court (case # 5:24-cv-00176, filed in the US District Court for the Eastern District of North Carolina) regarding the wrongful pending separation of the plaintiff, SFC Forbes. To avoid irreparable harm to himself (and increased cost to the US Army), SFC Forbes is asking that his pending separation (scheduled for December 1, 2024) be put into abeyance until the litigation is resolved through the court.

This pending litigation raises specific claims that raise federal questions for adjudication by federal authorities, including serious issues of concern under DoDI 1332.14, in that the US Army is alleged to have not "ensure[d] that Fact-finding inquiries are conducted properly," and did not take appropriate actions to insure that "[a]buses of authority do not occur."¹ These questions of fact can best be resolved by allowing the federal court to hear the case prior to his discharge. My client is not asking for a suspension of action because he is not needing to be rehabilitated,² rather he needs to have his case heard and adjudicated by the court, which is why we are asking you for an exception to policy to permit an abeyance.

I also request a written expedited response of your determination of this request because SFC Forbes is being repeatedly and informally asked if he has begun out-processing without an ordered checklist and he is unwilling to give the appearance of willingly separating as that is incongruent with his stance in his outstanding lawsuit. He feels that the *prima facie* violations of laws by his Brigade (BDE) Commander (CDR) that spawned the BDE CDR's investigation (of him), are what led to the Relief for Cause and General Officer Memorandum of Reprimand, that automatically instigated the Qualitative Management Program. These

¹ DoDI 1332.14, Ch. 2.3, b. (2) & (3). August 1, 2024.

² IAW *Ibid.* para. 4.2.

issues should be adjudicated prior to his separation from the Army.

Very Respectfully,

A handwritten signature in black ink, appearing to read "James M. Branum". The signature is stylized with a large "J" and "B".

James M. Branum
Civilian Defense Counsel

Enclosures:

1. Letter from Jon E. Finke (Chief, Operations Management Division of the US Army Human resources command) to Congressman Richard Hudson
2. Docket Report on case # 5:24-cv-00176, US District Court for the Eastern District of North Carolina

Forbes reply Re: XVIII Airborne Corps and Fort Liberty Inspector General Office (FL-IGO)

From: Michael Forbes (paxmas2007@yahoo.com)

To: jasmine.d.cotton2.mil@army.mil

Cc: michael.e.murphy3.mil@army.mil

Bcc: jmb@jmb.bike

Date: Friday, November 22, 2024 at 10:49 AM EST

SFCs:

Thank you for the impromptu meeting with me on Wednesday (2 days ago). I am sorry this took so long to get to, as I had promised it to you later that day. It was just not feasible for me to do so until today.

Here is my 1559.

Thank you. You both were so professional the other day and I appreciate that. Let me know if there is anything else you need.

SFC Forbes

On Wednesday, November 20, 2024 at 12:00:15 PM EST, Cotton, Jasmine D SFC USARMY XVIII ABN CORPS (USA) <jasmine.d.cotton2.mil@army.mil> wrote:

CUI

SFC Forbes,

Per our conversation, please fill out the attached DA Form 1559. Please provide any details and supporting documents that you may have regarding your complaint. Please check blocks 12 and 13, whether you do or do not consent to the release of your information. Please note that checking that you do consent allows our office to assistance in getting your request resolved better.

Additionally, please answer the questions below:

- (1) What do you want the Inspector General to do for you?
- (2) Do you have any supporting documentation?
- (3) Have you asked any other agency to assist you?

(4) Is your chain of command aware of your problem?

Once we receive your email, we will acknowledge receipt, review the matters, and determine the appropriate course of action.

Very Respectfully,

SFC Jasmine Cotton
Inspector General NCO

Office of the Inspector General
XVIII Airborne Corps and Fort Liberty
Bldg 2-1728 Stiner Road

Fort Liberty, NC 28310-5000

O: 910-396-6015

NIPR: jasmine.d.cotton2.mil@army.mil

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CONTROLLED BY: The Inspector General of the Army (SAIG-ZA)

CONTROLLED BY: XVIII Airborne Corps and Fort Liberty Inspector General Office (AFZA-IG)

CUI Category: PRVCY

DISTRIBUTION/DISSEMINATION CONTROLS: FEDCON

POC: SFC Jasmine Cotton (910) 396-6015



20241122 Forbes DA 1559 to SFC Cotton signed.pdf
89.3kB



Att 1 20241031 FORBES- ORDERS from Meisenbach.pdf
663.7kB



Att 2 20241113 COL Lynch Denial of Redress.pdf
145.5kB



Att 3 20241030 Meisenbach email with optional.pdf
152.4kB



Att 4 20241031 Meisenbach email with Orders.pdf
232.5kB

INSPECTOR GENERAL ACTION REQUEST

For use of this form, see AR 20-1; the proponent agency is the Office of The Inspector General.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 10 U.S.C. 7013, Secretary of the Army; 10 U.S.C. 7020, Inspector General; Inspector General Act of 1978, Public Law 95-452, 92 Stat. 1101 (1978), as amended; DoDD 1030.1, Victim and Witness Assistance; AR 20-1, Inspector General Activities and Procedures.

PRINCIPAL PURPOSE: To secure information sufficient to inquire into the matters presented, to take action to correct deficiencies, and to respond to requesters.

ROUTINE USES: Information is used for official purposes within the Department of Defense; to answer complaints or respond to requests for assistance, advice, or information; by Members of Congress and other Government agencies when determined by the Inspector General to be in the best interest of the Army; and, in certain cases, in trials by court-martial and other military matters as authorized by the Uniform Code of Military Justice.

DISCLOSURE: Voluntary. However, failure to provide complete information may hinder proper identification of the requester, accomplishment of the requested action(s), and response to the requester.

SORN: A0020-1 SAIG, Inspector General Records (January 11, 2002, 67 FR 1447)

1. LAST, FIRST, MIDDLE INITIAL Forbes, Michael J.	2. GRADE / RANK E7/SFC	3. DOD ID [REDACTED]	4. COMPONENT / DUTY STATUS USA
5. PREFERRED CONTACT TELEPHONE (Duty, home, and / or cell) 9103365966		6. E-MAIL ADDRESS(ES) paxmas2007@yahoo.com	
7. UNIT AND COMPLETE MILITARY ADDRESS (Point of Contact/Telephone if applicable) 528th Sustainment Brigade		8. PREFERRED MAILING ADDRESS (If different from military address, including ZIP Code) 614 Northampton Rd. Fayetteville, NC 28303	

9. SPECIFIC ACTION REQUESTED (What do you want the IG to do for you?)
An immediate equitable postponement of the separation until such time as unit Commanders remediate their failures to perform their duty to provide the minimum required 120 days of separation preparation (as per Army Regulation 635-8, Ch. 4-3, b.) associated to the retaliatory events that led to the administrative separation currently scheduled for December 1, 2024.

10. HAVE YOU CONTACTED YOUR CHAIN OF COMMAND OR ANY AGENCY CONCERNING THIS REQUEST? (Explain for both yes and no responses.)
☒ Yes Result: formal denial of Article 138 redress request on November 13, 2024.
☐ No

11. INFORMATION PERTAINING TO THIS REQUEST (Be specific and detailed. List any supporting documentation or enclosures if applicable.)

The Army failed to act when presented with a request for a delay of separation due to unit Commander's denial of my redress request for any of the unit Commanders their negligence to fulfill their responsibilities "I[n]A[ccordance]W[ith] public Law 101-510, Section 1144" of ensuring Soldiers report as required to "a mandatory Preseparation Briefing 120-180 days prior to separation with the Soldier for Life," as per AR 635-8, (Ch. 4-3, b.),

Note: Orders were supposed to be provided 60 days prior and were cut 30 days prior. Moreover, the orders falsely stated that the "MEMBER CHOSE NOT TO COMPLY WITH 10 USC 1174 (E)(1)(A); this comment was also on the DD 214 worksheet. This is an absolute falsehood. Member had absolutely no contact with Ms. Meisenbach during the 28 hour period between her introductory email and her email that delivered the orders that included this falsity. Moreover, I could not retrieve email from 1SFC computer network until the following Monday (approximately 4 days later). Ms. Meisenbach stated that separation pay is optional, which infers that I (with over 17 years active duty service) may not receive it if the Army follows through on this separation process that is lacking of appropriate due process. Exhibits attached. Att 1) Orders, 2) redress denial, 3) Meisenbach intro email, 4) Meisenbach orders email (28 hours later)

12. I do ☒ I do not ☐ consent to release my personal information outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not consent to the release of my personal information, my request for assistance may go unresolved.

13. I do ☒ I do not ☐ consent to release the supporting documents I provided to the IG (to exclude this DA Form) outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not consent to the release of my documents, my request for assistance may go unresolved.

This information is submitted for the basic purpose of requesting assistance, correcting injustices affecting the individual, or eliminating conditions considered detrimental to the efficiency or reputation of the Army. Those who knowingly and intentionally provide false statements on this form are subject to potential punitive and administrative action (UCMJ Art 107, 18 U.S.C 1001).

14. SIGNATURE FORBES.MICHAEL.JEFFREY.1295918 507	Digitally signed by FORBES.MICHAEL.JEFFREY. Date: 2024.11.22 10:37:25 -0500	15. DATE (YYYYMMDD) 20241122	16. IG / INTAKE REMARKS
--	---	---------------------------------	-------------------------

UNCLASSIFIED

[illegible]

IG Matter (update)

From: Smith, Chase E CIV USSOCOM USASOC (USA) (chase.e.smith.civ@socom.mil)

To: paxmas2007@yahoo.com

Date: Monday, November 25, 2024 at 02:40 PM EST

CUI

SFC Forbes,

Thank you for the quick chat today. Listed below is my understanding of your concerns. I numbered each one and responded to each one.

CONCERN #1: Your request for IG assistance with postponing separation.

RESPONSE:

1. IG has no authority to postpone a Soldier's separation.
2. AR 635-200 (Active Duty Enlisted Separations) outlines the pre-established avenue of redress for separations.
3. Thank you for the conversation today. I understand you have spoken with the Military Personnel Division (Installation, Fort Liberty) to explore what options you may have to request a HQDA separation delay. I did receive your 25NOV24 email and see where HRC responded to your request with postponing the separation. HRC indicated they would need a memo from both you and a memo from the first O-6 supporting an ETP (with justification and with a requested new separation date) before HRC would consider approving an ETP for the separation date.
4. You received the 29MAY24 memo that HQDA denied continued active duty service under the Qualitative Management Program (QMP) and that memo included separation instructions.

STATUS: Closed and our office will take no further action.

CONCERN #2: Your request for IG assistance with a mandatory pre-separation briefing 120-180 days out. **RESPONSE:** You received the 29MAY24 memo that HQDA denied continued active duty service under the Qualitative Management Program (QMP) and that memo included separation instructions (specifically SFL-TAP and pre-separation briefing in paragraph 4). I understand you are attending the pre-separation briefing today and have done the SFL-TAP online. **STATUS:** Closed and our office will take no further action.

CONCERN #3: Your request for IG assistance with comments "member chose not to comply with 10 USC 1174(e)(1)(A)" in your Orders 305-0280 and on the DD Form 214 worksheet.

RESPONSE:

1. From our conversation today I understand you have completed the DA Form 7783. Now that it has been turned into MPD your orders will be amended and the DD Form 214 worksheet will be updated.
2. You will be able to discuss/check for final DD Form 214 edits at your final out. Additional redress for correcting DD Form 214's may be explored through the Army Board for Correction of Military Records (ABCMR). ABCMR is the highest level of administrative review within the Department of the Army with the mission to correct errors in or remove injustices from Army military records. Army Regulation 15-185 prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the

Army Board for Correction of Military Records (ABCMR).
<https://arba.army.pentagon.mil/abcmr-overview.html>.

3. Additionally, you may return to the 18th Airborne Corps IG office if you are requesting IG assistance with installation personnel paperwork processing because our office does not have jurisdiction. I understand you have the points of contact for the 18th Airborne Corps IG office. Additionally, IG at U.S. Army Human Resources Command (HRC), 1600 Spearhead Division Avenue, Dept 101, Suite 500, Bldg 6434, Room: 1-3-12, Fort Knox, KY (502) 613-4427, usarmy.knox.hrc.mbx.ig@army.mil,
<https://www.hrc.army.mil/content/HRC%20Inspector%20General>.

STATUS: Closed and our office will take no further action.

Note:

1. AR 600-8-101 (MAR2018) 3-2f: “f. Soldiers will be given a minimum of 5 working days to out-process unless it is locally determined that Soldiers can out-process quicker.”
2. I was not able to get confirmation, but my memory is that Soldiers exiting from the Army have access to SFL-TAP for up to 6 months after the transition date.

Have I missed anything that you were requesting IG assistance with?

V/R,

Chase

Mr. Chase E. Smith
Deputy Inspector General
1st Special Forces Command (A)
Fort Liberty, NC
OFFICE: 910-806-3318

Controlled by: The Inspector General of the Army (SAIG-ZA)
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Distribution/Dissemination Controls: FEDCON
POC: Mr. Chase Smith, 910-806-3318

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CUI



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5.3kB

IG Matter (final notification)

From: Smith, Chase E CIV USSOCOM USASOC (USA) (chase.e.smith.civ@socom.mil)

To: paxmas2007@yahoo.com

Date: Tuesday, November 26, 2024 at 08:50 AM EST

CUI

SFC Forbes,

I received your email sent today.

This email is a final response to your 22NOV24 request for IG assistance with postponing your 1DEC24 separation, attending a pre-separation briefing, and separation pay comments added to the DD214 worksheet.

We conducted a thorough inquiry into your request for assistance. Our inquiry determined the items listed in the email below.

We trust this information responds to your concerns. This office will take no further action and close the case.

If you need further assistance, please let our office know.

V/R,

Chase

Mr. Chase E. Smith
Deputy Inspector General
1st Special Forces Command (A)
Fort Liberty, NC
OFFICE: 910-806-3318

Controlled by: The Inspector General of the Army (SAIG-ZA)
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CUI

From: Smith, Chase E CIV USSOCOM USASOC (USA)
Sent: Monday, November 25, 2024 2:39 PM
To: 'Michael Forbes' <paxmas2007@yahoo.com>
Subject: IG Matter (update)

CUI

SFC Forbes,

Thank you for the quick chat today. Listed below is my understanding of your concerns. I numbered each one and responded to each one.

CONCERN #1: Your request for IG assistance with postponing separation.
RESPONSE:

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RESPONSE:

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<https://www.hrc.army.mil/content/HRC%20Inspector%20General>.

STATUS: Closed and our office will take no further action.

Note:

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Chase

Mr. Chase E. Smith
Deputy Inspector General
1st Special Forces Command (A)
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OFFICE: 910-806-3318

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CUI



smime.p7s
5.3kB

Re: IG Matter (update)

From: Michael Forbes (paxmas2007@yahoo.com)

To: chase.e.smith.civ@socom.mil

Date: Tuesday, November 26, 2024 at 07:19 AM EST

Chase:

Thank you for looking into AR 635-200's relationship with AR 635-8, Ch. 4-3, a. and b., as we discussed and as I submitted on my 1559 complaint.

Merry Christmas and goodbye.

On Monday, November 25, 2024 at 02:40:57 PM EST, Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil> wrote:

CUI

SFC Forbes,

Thank you for the quick chat today. Listed below is my understanding of your concerns. I numbered each one and responded to each one.

CONCERN #1: Your request for IG assistance with postponing separation.
RESPONSE:

1. IG has no authority to postpone a Soldier's separation.
2. AR 635-200 (Active Duty Enlisted Separations) outlines the pre-established avenue of redress for separations.
3. Thank you for the conversation today. I understand you have spoken with the Military Personnel Division (Installation, Fort Liberty) to explore what options you may have to request a HQDA separation delay. I did receive your 25NOV24 email and see where HRC responded to your request with postponing the separation. HRC indicated they would need a memo from both you and a memo from the first O-6 supporting an ETP (with justification and with a requested new separation date) before HRC would consider approving an ETP for the separation date.
4. You received the 29MAY24 memo that HQDA denied continued active duty service under the Qualitative Management Program (QMP) and that memo included separation instructions.

STATUS: Closed and our office will take no further action.

CONCERN #2: Your request for IG assistance with a mandatory pre-separation briefing 120-180 days out. RESPONSE: You received the 29MAY24 memo that HQDA denied continued active duty service under the Qualitative Management Program (QMP) and that memo included separation instructions (specifically SFL-TAP and pre-separation briefing in paragraph 4). I understand you are attending the pre-separation briefing today and have done the SFL-TAP online. STATUS: Closed and our office will take no further action.

CONCERN #3: Your request for IG assistance with comments "member chose not to comply with 10 USC 1174(e)(1)(A)" in your Orders 305-0280 and on the DD Form 214 worksheet.

RESPONSE:

1. From our conversation today I understand you have completed the DA Form 7783. Now that it has been turned into MPD your orders will be amended and the DD Form 214 worksheet will be updated.
2. You will be able to discuss/check for final DD Form 214 edits at your final out. Additional redress for correcting DD Form 214's may be explored through the Army Board for Correction of Military Records (ABCMR). ABCMR is the highest level of administrative review within the Department of the Army with the mission to correct errors in or remove injustices from Army military records. Army Regulation 15-185 prescribes the policies and procedures for correction of military records by the Secretary of the Army, acting through the Army Board for Correction of Military Records (ABCMR).
<https://arba.army.pentagon.mil/abcmr-overview.html>.
3. Additionally, you may return to the 18th Airborne Corps IG office if you are requesting IG assistance with installation personnel paperwork processing because our office does not have jurisdiction. I understand you have the points of contact for the 18th Airborne Corps IG office. Additionally, IG at U.S. Army Human Resources Command (HRC), 1600 Spearhead Division Avenue, Dept 101, Suite 500, Bldg 6434, Room: 1-3-12, Fort Knox, KY (502) 613-4427, usarmy.knox.hrc.mbx.ig@army.mil,
<https://www.hrc.army.mil/content/HRC%20Inspector%20General>.

STATUS: Closed and our office will take no further action.

Note:

1. AR 600-8-101 (MAR2018) 3-2f: "f. Soldiers will be given a minimum of 5 working days to out-process unless it is locally determined that Soldiers can out-process quicker."
2. I was not able to get confirmation, but my memory is that Soldiers exiting from the Army have access to SFL-TAP for up to 6 months after the transition date.

Have I missed anything that you were requesting IG assistance with?

V/R,

Chase

Mr. Chase E. Smith
Deputy Inspector General
1st Special Forces Command (A)
Fort Liberty, NC
OFFICE: 910-806-3318

Controlled by: The Inspector General of the Army (SAIG-ZA)
Controlled by: 1st Special Forces Command (A) Inspector General (AOSO-IG)
CUI Category: PRIIG, PRVCY
Distribution/Dissemination Controls: FEDCON
POC: Mr. Chase Smith, 910-806-3318

INSPECTOR GENERAL CONTROLLED UNCLASSIFIED INFORMATION

The information contained in this e-mail and any accompanying attachments may contain Inspector General Controlled Unclassified Information, which is protected from mandatory disclosure under the Freedom of Information Act (FOIA), 5 USC §552. Matters within IG records are often pre-decisional in nature and do not represent final approved DA policy. Dissemination is prohibited except as authorized under Army Regulation 20-1. Do not release outside of DA channels without prior authorization from The Inspector General. If you are not the intended recipient of this information, any disclosure, copying, distribution, or the taking of any action in reliance on this information is prohibited. If you received this e-mail in error, please notify us immediately by return e-mail or call 910-806-3318.

CUI

EXHIBIT W

UNCLASSIFIED

INSPECTOR GENERAL ACTION REQUEST

For use of this form, see AR 20-1; the proponent agency is the Office of The Inspector General.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 10 U.S.C. 7013, Secretary of the Army; 10 U.S.C. 7020, Inspector General; Inspector General Act of 1978, Public Law 95-452, 92 Stat. 1101 (1978), as amended; DoDD 1030.1, Victim and Witness Assistance; AR 20-1, Inspector General Activities and Procedures.

PRINCIPAL PURPOSE: To secure information sufficient to inquire into the matters presented, to take action to correct deficiencies, and to respond to requesters.

ROUTINE USES: Information is used for official purposes within the Department of Defense; to answer complaints or respond to requests for assistance, advice, or information; by Members of Congress and other Government agencies when determined by the Inspector General to be in the best interest of the Army; and, in certain cases, in trials by court-martial and other military matters as authorized by the Uniform Code of Military Justice.

DISCLOSURE: Voluntary. However, failure to provide complete information may hinder proper identification of the requester, accomplishment of the requested action(s), and response to the requester.

SORN: A0020-1 SAIG, Inspector General Records (January 11, 2002, 67 FR 1447)

1. LAST, FIRST, MIDDLE INITIAL Forbes, Michael J.	2. GRADE / RANK E-7/SFC	3. DOD ID [REDACTED]	4. COMPONENT / DUTY STATUS USA
5. PREFERRED CONTACT TELEPHONE (Duty, home, and / or cell) 910-336-5966		6. E-MAIL ADDRESS(ES) paxmas2007@yahoo.com	
7. UNIT AND COMPLETE MILITARY ADDRESS (Point of Contact/Telephone if applicable) 528th SB (SO) (A) 4047 New Dawn Dr. Fort Bragg, NC 28310		8. PREFERRED MAILING ADDRESS (If different from military address, including ZIP Code) 614 Northampton Rd. Fayetteville, NC 28303	
9. SPECIFIC ACTION REQUESTED (What do you want the IG to do for you?)			

Drop unjustified GOMOR based on unsubstantiated investigation, provide NCOER (not RFC), expose unlawful MWPA violations, stop this pattern of reprisal and retaliation re: SFC Forbes lawful acts.

10. HAVE YOU CONTACTED YOUR CHAIN OF COMMAND OR ANY AGENCY CONCERNING THIS REQUEST? (Explain for both yes and no responses.)

☒ Yes
☐ No

11. INFORMATION PERTAINING TO THIS REQUEST (Be specific and detailed. List any supporting documentation or enclosures if applicable.)

I was unlawfully investigated by my Chain of Command via commandeering my MWPA complaint lodged with 1SFC IG on 13DEC2022 and using it as an opportunity to retaliate, deflect and redirect topics to unsubstantiated issues associated with my actions to protect my Civil Rights (and those of others) and the unauthorized institutionalization of PED use in X-4047. This is a culminating reprisal event of a pattern of reprisal events including, 1) an assault, 2) another clandestine investigation, 3) an unwarranted conflict-of-interest eCDBHE, 4) lack of due process provisions (twice), 5) multiple CDR ordered entrapment counseling events, 6) fabricated conclusions to congress, 7) unsubstantiated Relief-for-Cause, 8) a GOMOR 9) removal from my successful duty position. All of this occurred to protect a MAJ from her unlawful actions, a CSM from his criminal act, echelons of Command Teams who failed to act to remediate these actions or stop the coordinated reprisal actions, in whole or in part.

I was not able to defend myself physically or administratively without reprisal or retaliation. I still intend to file a complaint against MAJ Rhea Racaza with the Arizona Board of Psychology Examiners and seek to file assault charges against CSM Emekaekwue.

I provided a compliant to 1SFC IG on 20221213.

I was told it was being referred to Command on 20230119 (day of release from eCDBHE).

My name was added to my 1SFC IG complaint investigation on 20230209; BG Lipson signed them.


I was not afforded due process.

Clandestine findings were used against me by 1SFC with Hon. Hudson on 20230428.

12. I do ☒ I do not ☐ consent to release my personal information outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not consent to the release of my personal information, my request for assistance may go unresolved.

13. I do ☒ I do not ☐ consent to release the supporting documents I provided to the IG (to exclude this DA Form) outside of IG channels to the chain of command or other officials (but within DoD channels) in order to resolve the matters listed above. I understand that if I do not consent to the release of my documents, my request for assistance may go unresolved.

This information is submitted for the basic purpose of requesting assistance, correcting injustices affecting the individual, or eliminating conditions considered detrimental to the efficiency or reputation of the Army. Those who knowingly and intentionally provide false statements on this form are subject to potential punitive and administrative action (UCMJ Art 107, 18 U.S.C 1001).

14. SIGNATURE 	15. DATE (YYYYMMDD) 20231009	16. IG / INTAKE REMARKS
--	---------------------------------	-------------------------

Request for assistance

paxmas2007@yaho.../Inbox



USARMY Pentagon HQDA OTIG Mailbox SAIG IN Office <usarmy.pentagon.hqda-otig.mbx.saig-in-office@army.mil>
To: paxmas2007@yahoo.com <paxmas2007@yahoo.com>

Oct 18, 2023 at 10:05 AM

CUI

SFC Forbes,

The Department of the Army Inspector General (DAIG) Investigations Division has received your request for assistance.

Our office will thoroughly analyze your request for assistance and determine the most appropriate course of action necessary.

In order to better understand your request for assistance, please provide us the name of the Senior Official (SO) and what is/are the allegation(s).

If you have any questions, please let us know, thanks.

v/r

Investigations Division
U.S. Army Inspector General Agency (SAIG-IN)
Pentagon, Room 1E115A
usarmy.pentagon.hqda-otig.mbx.saig-in-office@army.mil

Controlled by: The Inspector General of the Army (SAIG)
Controlled by: SAIG-IN (Investigations Division)
CUI Categories: PRIIG, PRVCY, OPSEC, PERS, MIL, WHSTL
Limited Dissemination Control: FEDCON

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CUI

FOIA Response

From: USARMY Pentagon HQDA OTIG Mailbox SAIG ZXL (usarmy.pentagon.hqda-otig.mbx.saig-zxl@army.mil)

To: paxmas2007@yahoo.com

Date: Friday, February 14, 2025 at 10:05 AM EST

Good morning,

Attached is our response to your FOIA request. Please refer to letter for further information.

Respectfully,

Records Release Office



smime.p7s
8.2kB



FOIA Response.pdf
163.6kB



DEPARTMENT OF THE ARMY
U.S. ARMY INSPECTOR GENERAL AGENCY
1700 ARMY PENTAGON
WASHINGTON, DC 20310-1700

February 6, 2025

Records Release Office

Mr. Michael Forbes
614 Northampton Road
Fayetteville, NC 28303
Paxmas2007@yahoo.com

Dear Mr. Forbes:

This letter responds to your Freedom of Information Act (FOIA) request, received on August 13, 2024, requesting “the 'findings report,' 'final report,' work-in-process report,' or any and all reports, by any name, associated with DIH 23-6161.”

The Army Inspector General records responsive to your request are part of a current or ongoing investigation; your request is therefore denied pursuant to Exemption (b)(7)(A) of the FOIA, 5 USC 552.

Exemption (b)(7)(A) applies to information compiled for law enforcement purposes, the disclosure of which could reasonably be expected to interfere with enforcement proceedings. In addition, Exemptions (b)(5), (b)(6), (b)(7)(C), and (b)(7)(D) may also apply.

Exemption (b)(5) protects from disclosure, under the “attorney-client privilege,” such information as confidential communications between an attorney and the IG relating to legal matters for which the IG has sought professional legal advice. It also protects information from disclosure under the “deliberative process privilege,” the general purpose of which is to prevent injury to the quality of agency decisions. The decision to withhold the information is necessary to encourage open, frank policy discussions among agency personnel; to protect against premature disclosure of proposed policies before they are actually adopted; and/or to protect against public confusion that might result from disclosure of reasons and rationales that were not in fact ultimately the grounds for an agency’s action.

Exemption (b)(6) applies to information about individuals, in “personnel and medical files and similar files,” the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Exemption (b)(7)(C) applies to information contained in records compiled for law enforcement purposes, disclosure of which could reasonably be expected to constitute an unwarranted invasion of the privacy of any individuals who were mentioned therein, or who conducted and/or supervised the conduct of an inquiry or investigation.

-2-

Exemption (b)(7)(D) protects information compiled for law enforcement purposes, when disclosure could reasonably be expected to reveal the identity of the person who furnished the information in confidence.

You may appeal this denial decision in writing within 90 days from the date of this letter. If you decide to appeal, please address your appeal through this office—Records Release Office (SAIG-ZXR), U.S. Army Inspector General Agency, 1700 Army Pentagon, Room 1E132, Washington, DC 20310-1700—for transmittal to the Army Office of the General Counsel (OGC). That office has appellate authority for Army Inspector General initial FOIA determinations. In any such appeal, you should also provide a copy of this letter along with sufficient justification upon which the OGC may base a decision.

You may seek dispute resolution services from the Army FOIA Public Liaison or the Office of Government Information Services (OGIS). The Army FOIA Public Liaison Officer may be contacted at (571) 515-0306, or by e-mail at : usarmy.belvoir.hqda-esa.mbx.rmda-foia-public-liaison@army.mil Contact information for OGIS is at www.archives.gov/ogis.

Please be advised that you may resubmit your request at a future date, thereby allowing time for the IG investigation to be completed. You may contact the Records Release Office to request the status of the investigation before you resubmit your request. If you have any questions concerning this action, you may contact our office via email: usarmy.pentagon.hqda-otig.mbx.saig-zxl@army.mil. Please refer to Case Number 25-001 in the subject of your email.

Sincerely,

A handwritten signature in cursive script that reads "M. Thomas".

Margaret F. Thomas
Deputy Legal Advisor

FW: 1559 to DAIG

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)
To: paxmas2007@yahoo.com
Date: Wednesday, November 29, 2023 at 02:49 PM EST

From: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>
Sent: Wednesday, November 15, 2023 1:09 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: 1559 to DAIG

Case# ZS-23-0084

Mr. Shaun C. Vincent
Inspector General
Office of the Inspector General
U.S. Army Special Operations Command
DSN 239.5350/910.432.5350
FAX: 910.432-6433
EMAIL: shaun.c.vincent.civ@socom.mil
shaun.c.vincent.civ@mail.mil

Controlled by: The Inspector General of the Army (SAIG-ZA)
Controlled by: USASOC Inspector General's Office, AOIG
CUI Category: PRIIG;PRVCY;WHSTL
Distribution/Dissemination Controls: FEDCON
POC: Mr. Shaun Vincent, 910-432-5350

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CUI

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, November 15, 2023 1:08 PM
To: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>
Cc: Kimsey, David B LTC USARMY USSOCOM USASOC (USA) <david.kimsey@socom.mil>
Subject: RE: 1559 to DAIG

Mr. V.

Yes.

They had an Investigator contact me to clarify something that my attorney and I cannot grasp what they want to know. I contacted them and left a message today.

BLUF: We are in talks. I can look for the email and where I sent it if you need that. They are aware of the complaint of BG Lipson adding me as a suspect in my own IG MWPA Complaint (that is what they referenced in their email to me).

May I get the case number for this case please (when you get time). Thank you.

Forbes

From: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>
Sent: Tuesday, November 14, 2023 7:35 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: 1559

Morning SFC Forbes!!!!
I forgot to confirm that you sent this DA1559 to DAIG?
Mr. V

Mr. Shaun C. Vincent
Inspector General
Office of the Inspector General
U.S. Army Special Operations Command
DSN 239.5350/910.432.5350
FAX: 910.432-6433
EMAIL: shaun.c.vincent.civ@socom.mil
shaun.c.vincent.civ@mail.mil

Controlled by: The Inspector General of the Army (SAIG-ZA)
Controlled by: USASOC Inspector General's Office, AOIG
CUI Category: PRIIG;PRVCY;WHSTL
Distribution/Dissemination Controls: FEDCON
POC: Mr. Shaun Vincent, 910-432-5350

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CUI

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Monday, November 6, 2023 2:53 PM
To: Vincent, Shaun C CIV USSOCOM USASOC (USA) <shaun.c.vincent.civ@socom.mil>

Cc: 'paxmas2007@yahoo.com' <paxmas2007@yahoo.com>

Subject: FW:

Mr. V.

Per your RFI (attached). Short of going there and asking, I wrote his name on a post it that day and cannot remember. He had dark hair, about my height, an E-5, sat behind the MAJ on the right side as you go in the Command Suite. If I find the post it or any other reference to him, without going there, I will let you know. Sorry, Sir.

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Wednesday, October 11, 2023 10:10 AM

To: Kimsey, David B LTC USARMY USSOCOM USASOC (USA) <david.kimsey@socom.mil>

Cc: jmb@jmb.bike; paxmas2007@yahoo.com

Subject: FW:

Sir:

Sorry this took so long. Here is the 1559 that addresses the MWPA investigation turned against me in 1SFC.

SFC Forbes

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Sent: Wednesday, October 11, 2023 10:06 AM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject:



smime.p7s
5.3kB

TED BUDD
NORTH CAROLINA

COMMITTEES:
ARMED SERVICES

COMMERCE, SCIENCE,
AND TRANSPORTATION

HEALTH, EDUCATION,
LABOR, AND PENSIONS

SMALL BUSINESS AND
ENTREPRENEURSHIP

United States Senate

WASHINGTON, DC 20510

June 26, 2024

SFC Michael J. Forbes
614 Northampton Road
Fayetteville, NC 28303-5705

Dear SFC Forbes,

My office recently received the enclosed response from the Department of the Army Human Resources Command on your behalf. Please see the enclosed correspondence regarding your case. It is my hope that this information proves helpful to you.

Additionally, my office received correspondence from the Department of the Army Inspector General on your behalf (also enclosed). I will continue to monitor the progress of your case with the Army Inspector General and will contact you upon receipt of new information.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted Budd", written in a cursive style.

Ted Budd
United States Senator

TB/ew

Enclosures



DEPARTMENT OF THE ARMY
U.S. ARMY INSPECTOR GENERAL AGENCY
1700 ARMY PENTAGON
WASHINGTON, DC 20310-1700

June 13, 2024

Whistleblower Reprisal Division

The Honorable Ted Budd
United States Senator
Attention: Eric Wilson
201 North Front Street, Suite 809
Wilmington, NC 28401

Dear Senator Budd:

We received your June 10, 2024, correspondence requesting an update for your constituent's, SFC Michael J. Forbes, allegations of reprisal. The U.S. Army Special Operations Command Inspector General office completed their investigation. The investigation results are under review with Department of the Army Inspector General. We anticipate case closure within the next 60 days, although it could take more or less time.

The point of contact for your case is Melvin Johnson.

Sincerely,

Heather McGrath

Heather R. McGrath
Branch Chief, Whistleblower Division



DEPARTMENT OF THE ARMY
U.S. ARMY HUMAN RESOURCES COMMAND
1600 SPEARHEAD DIVISION AVENUE, DEPARTMENT 300
FORT KNOX, KY 40122-5300

June 17, 2024

The Honorable Ted Budd
United States Senator
201 N. Front Street, Suite 809
Wilmington, NC 28401

Dear Senator Budd,

Thank you for your correspondence on behalf of your constituent, SFC Michael Forbes, requesting an update on his Qualitative Management Program Board.

SFC Forbes was seen by the board and the results have been approved by the Director, Military Personnel Management Office. According to Army policy, HRC is in the process of notifying his chain of command so they can notify him of the results. HRC cannot release the results to anyone not in his chain of command until formal notification is made.

Thank you for your continued support of the US Army.

FINKE.JON.E
RIC.10849999
34
Jon E. Finke
Chief, Operations Management
Division

Digitally signed by
FINKE.JON.ERIC.108499
9934
Date: 2024.06.17
12:59:53 -04'00'

TED BUDD
NORTH CAROLINA

COMMITTEES:
ARMED SERVICES

COMMERCE, SCIENCE,
AND TRANSPORTATION

HEALTH, EDUCATION,
LABOR, AND PENSIONS

SMALL BUSINESS AND
ENTREPRENEURSHIP

United States Senate

WASHINGTON, DC 20510

August 6, 2024

SFC Michael J. Forbes
614 Northampton Road
Fayetteville, NC 28303-5705

Dear SFC Forbes,

In response to my inquiry on your behalf, I have received the enclosed correspondence from the Department of the Army regarding your case.

I truly regret that it is taking so long to resolve this matter. I realize this must be very frustrating for you. I will continue to monitor your case and will contact you upon receipt of new information.

In the meantime, please feel free to contact my office if you have any questions or if I can be of further assistance.

Sincerely,



Ted Budd
United States Senator

TB/ew

Enclosure



DEPARTMENT OF THE ARMY
U.S. ARMY INSPECTOR GENERAL AGENCY
1700 ARMY PENTAGON
WASHINGTON, DC 20310-1700

August 6, 2024

Whistleblower Reprisal Division

The Honorable Ted Budd
United States Senator
Attention: Eric Wilson
201 North Front Street, Suite 809
Wilmington, NC 28401

Dear Senator Budd:

This is our second update to you on the status of our investigation into the reprisal complaint your constituent, Sergeant First Class Michael J. Forbes filed under Title 10, United States Code, Section 1034, "Protected communications: prohibition of retaliatory personnel actions." The case, DIH 23-6161, is still under investigation with United States Army Special Operations Command Inspector's General office. We anticipate case closure within the next 90 days. We will continue to provide you an update every 180 days until the completion of the investigation.

Sincerely,

for 
Leaf S. Hales
Colonel, U.S. Army
Chief, Whistleblower Reprisal Division

EXHIBIT X


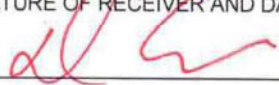
TRANSMITTAL RECORD For use of this form, see AR 25-50; the proponent agency is AASA.		1. SECURITY CLASSIFICATION CUI	2. SHIPMENT NO. N/A Unique
3. TITLE/FILE IDENTIFICATION 20230620 per JAG request (Forbes rebuttal evidence)	4. AS OF DATE (YYYYMMDD) 20230616	5. SHIPMENT DATE (YYYYMMDD) 20230622	
6. AUTHORITY FOR SHIPMENT BG Ferguson (rebuttal option chosen)	7. NUMBER OF RECORDS TRANSMITTED 2 identical CDs		
8. PERSON TO CONTACT (Name and telephone) Mr. James M. Branum, Esq., (405) 494-0562 girightslawyer@gmail.com	9. REPORT CONTROL SYMBOL (AR 25-98) N/A (unique delivery - anticipated one-time only)		
10. SHIPPED FROM SFC Forbes, Michael J. (person)	11. SHIPPED TO Unnamed Organization and Representative of JAG. NAME and Org. HAND-PRINTED HERE in Box 11a. <input checked="" type="checkbox"/> RETURN RECEIPT REQUESTED (When box is checked, sign below and return copy to sender.)		
10a. TYPED NAME AND TITLE SENDER SFC Forbes, Michael J.	11a. TYPED NAME AND TITLE OF RECEIVER SFC David Grimes		
10b. SIGNATURE OF SENDER 	11b. SIGNATURE OF RECEIVER AND DATE (YYYYMMDD)  20230622		
12. TYPE OF MEDIA TRANSMITTED			
<input type="checkbox"/> HARD COPY <input type="checkbox"/> PUNCHED CARDS <input type="checkbox"/> CASSETTES <input checked="" type="checkbox"/> CDs x2 <input type="checkbox"/> MICROFILM <input type="checkbox"/> PHOTO <input type="checkbox"/> FICHE <input checked="" type="checkbox"/> Evidence files (mostly pdfs)			
13. NUMBER OF BOXES (Packages) 1 (one; wax sealed stamped)		14. NUMBER OF ITEMS	
15. METHOD OF SHIPMENT			
<input checked="" type="checkbox"/> COURIER <input type="checkbox"/> FIRST CLASS <input type="checkbox"/> PARCEL POST <input checked="" type="checkbox"/> <input type="checkbox"/> EXPRESS MAIL <input type="checkbox"/> REGISTERED <input checked="" type="checkbox"/> JAG courier <input type="checkbox"/>			
16. SPECIAL INSTRUCTIONS Should it become necessary for any reason, more copies of exact data can be produced at no cost to the requester (limit of 10 to include the initial two included above, until funding put in place by requester, functioning materials provided). Please contact the POC in block 8 above if any other data is required or questions arise if more evidence is available, as this transfer is not inclusive to entire 18 month period of SFC Forbes' tenure at 528th SB S2, or his entire career.			
17. TYPE COMPONENT USED (for magnetically recorded data)			
18. REMARKS			

EXHIBIT Y

DEVELOPMENTAL COUNSELING FORM

For use of this form, see ATP 6-22.1; the proponent agency is TRADOC.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army.
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: The DoD Blanket Routine Uses set forth at the beginning of the Army's compilation of systems or records notices also apply to this system.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI)	Forbes, Michael J.	Rank/Grade	SFC/E7	Date of Counseling	10 JAN 23
Organization	389th MI BN (SO)(A)	Name and Title of Counselor	CSM Prewitt, Demetris A., BN Command Sergeant Major		

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g. Performance/Professional or Event-Oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Performance / Professional Growth and Development

- You were attached to the 389th while being investigated in STB
- This counseling provides my expectations of you while you are here

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

1. You are attached to us ^{DAP} while you are suspended while STB gather the facts and circumstances concerning your situation. Based on the findings and recommendations of your investigation a decision will be made by the commander over your situation.
2. While you are here, place of duty is 389th BN S2, SFC Zorn will be your first line supervisor. You will not work at TF4025 unless someone requests your assistance in which case, you will go there and conduct your duty and immediately return. While you are here, you will mentor our S2 and S2 NCOIC and help get SSG Phyll trained. ^{MF}
3. The Dagger Way is how we do business in the 389th. I don't care how you have done things in the past, how ever long you are here, you will live our values and enforce our standards. (Attachment 1). ^{MF}
4. If and when you address someone, you will respect their time. You will use the minimum words possible and then move out. In my interactions with you, I've mentioned to you on several occasions that you are too long winded and you do not respect the time of leaders and Soldiers. You will be brief in this BN. If I or the TSG or Commander see you having a conversation too long, I will tell you. Cut it and return to your office. ^{This is an order. DAP} ^{SD. SAUER}
5. Being in this BN is your opportunity to work on building back up your professional reputation. Right now it is ruined. Very few people here want to work with you because you are not responsive to coaching, you talk too much and wastes people time, and you have a professional arrogance that is inconsistent with Army character. You build it back by being a quiet SOF professional, adapting to our values and culture, and mentoring and training 2 NCOs and a 1LT. ^{Don't mess}
6. You demonstrate 4 of the 8 traits of a toxic leader (attachment 2). How ever long you are here, we will give you the professional development, coaching, and feedback to improve in these areas.
7. You will be treated with dignity and respect while you are here. If you are not, let your NCO support channel know because that is inconsistent with our values and culture.

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

Plan of Action (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below)

- You will read the Dagger Way so that you can know and enforce our standards and live our values.
- Your NCO Support Channel is SFC Zorn, then SFC Kelley (the HHC 1SG), and then the BN CSM.
- Your chain of command is SFC Zorn, 1LT Lyons, and then MAJ Bellendir.
- You will respect people time by being brief in your conversations.
- Build up your professional reputation here by:
 1. Being a quiet SOF professional (humility)
 2. Adapting to our values and culture,
 3. Mentoring and Training the 389th S2 Team.
- Success for you is that SSG Phyll is trained and able to integrate a new Soldier in the BN S2 on his own.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees/disagrees and provides remarks if appropriate.)

Individual counseled: ☐ I agree ☒ disagree with the information above.

Individual counseled remarks:

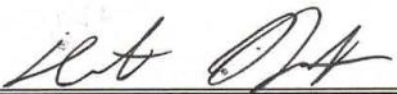
FEEDBACK GETTING ACCUSED OF BEING RECKLESS, SO I WILL HAVE TO PROVIDE THE REASONING FOR MY BEHAVIORS (WHICH WERE PROFESSIONAL) IN A DIFFERENT FORM. I AM AFRAID PEOPLE ARE GOING TO TRY AND DESTROY MY REPUTATION AS A KNOWLEDGEABLE PSM AND MAY REPORT, EVEN SO, I CAN EMERGENCY TACTICS IF I REMAIN I WOULD LIKE TO GO TO SSG COURSE.

Signature of Individual Counseled: 

Date: 10 JAN 23

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.)

- We will try and get you into the SSO course if it is in our authority to send you.

Signature of Counselor: 

Date: 10 JAN 23

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Counselor: _____

Individual Counseled: _____

Date of Assessment: _____

Note: Both the counselor and the individual counseled should retain a record of the counseling.

8 TRAITS OF A TOXIC LEADER



1. Frequent lying or inconsistent expectations
2. Doesn't listen to feedback
3. Arrogance
4. Places importance on hierarchy
5. Discriminates against employees
6. Lacks confidence
7. Incompetent at their job
8. Self-interested

FW: respectful request

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: paxmas2007@yahoo.com

Date: Sunday, June 11, 2023 at 11:05 PM EDT

Cordially,

Michael J. Forbes


528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>

Sent: Wednesday, February 8, 2023 10:02 AM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject: RE: respectful request

SFC F,

No, thank you. I will always respect you and your dedication to duty! You have always given your all with passion for what you do! Please let me know if there is anything I can do.

LTC F

Sent with BlackBerry Work

(www.blackberry.com)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Date: Wednesday, Feb 08, 2023 at 6:57 AM

To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>

Subject: FW: respectful request

Sir

Thank you. I was only sitting there because CPT Korista ordered me to that specific seat for this counseling session.

I enjoyed guiding you in PERSEC and all my additional duties. I always gave you my best advice and would be honored to again.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>

Sent: Tuesday, February 7, 2023 6:05 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject: RE: respectful request

SFC Forbes,

I do now understand completely. I do apologize for that action. Please don't think this was a form of abuse, punishment or dominance because it was not. It will not happen again, To be clear I thought I was also reaching out after I padded you on your back for a hand shack, since when I came in to speak your back was turned. Again, totally understand.

Burton Furlow Jr.

Battalion Commander

Special Troops Battalion

528th Sustainment Brigade (Special Operations) (Airborne)

NIPR: burton.furlow.mil@socom.mil

SIPR: burton.furlow@socom.smil.mil

(W) 910-432-7702 (DSN) 239-7702

BB: 910-882-3031

SVOIP: 239-3066

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Sent: Tuesday, February 7, 2023 3:56 PM

To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>

Subject: respectful request

Sir;

Given what CSM Emekaekwue did to me in front of formation, please do not assume I am comfortable with smacks on the arm/shoulder or handshakes while someone holds my shoulder. In fact, a simple handshake will do. Touching me anywhere other than a handshake is not ok. I do not condone physical touching that provides dominance of one person over another. I was very uncomfortable with you coming into the counseling today, during a flagging counseling by your CO CDR in which you are authenticating, and having you “smack” me as a hello. This is not ok with me. I hope you’ll understand.

SFC Forbes



smime.p7s
6.5kB

FW: this morning

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)
To: paxmas2007@yahoo.com
Date: Sunday, June 11, 2023 at 11:07 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: (910) 929-7078
☎ Staff Office: (910) 908-8787
☎ SIPR: 239-3425
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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

From: Polk, Justin A SSG USARMY USSOCOM USASOC (USA) <justin.a.polk.mil@socom.mil>
Sent: Friday, February 10, 2023 11:14 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: this morning

SFC Forbes,

Appreciate the communication and correction, was meant as an expression of
Esprit De Corp.
I will continue to improve my professionalism.

v/r,

Justin Polk
SSG, USA
Special Security Representative (SSR)
528th Sustainment BDE (SO) (A)
NIPR: justin.a.polk.mil@socom.mil
SIPR: justin.a.polk.mil@socom.smil.mil
DSN: (910) 806-3041
SVOIP: (706) 239-0381

SMO: W0GKAA3
e-mail: taskforce_4025_SSO@socom.mil

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

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
<michael.j.forbes.mil@socom.mil>
Sent: Friday, February 10, 2023 10:59 AM
To: Polk, Justin A SSG USARMY USSOCOM USASOC (USA)
<justin.a.polk.mil@socom.mil>

Subject: this morning

SSG Polk

I do not appreciate your "poke/punch in the shoulder" greeting this morning after our CO (1SG) run. I appreciate your acknowledgment when I expressed this to you. Professionals don't greet that way. A singular handshake or the greeting of the day is fine. Thank you for your understanding.

SFC Forbes



smime.p7s
6.5kB

FW: Phone incident X-4047 today

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: paxmas2007@yahoo.com

Date: Monday, May 1, 2023 at 08:48 AM EDT

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Friday, March 10, 2023 3:06 PM
To: Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil>
Subject: Phone incident X-4047 today

Sir:

The Co. CDR I am assigned to in ASC, CPT Davenport, had her Government Phone in the BDE Classroom during a mandatory ASAP training today. (44 SM present plus 1 instructor)

Upon seeing the phone on her lap I got up walked 5 feet to her, knelt over and whispered, "Ma'am, you can't have that in here." She replied, " but it's a Government Phone." I asked, "Ma'am, do you have a printed ETP." She looked at me inquisitively, so I went on to explain, "It is a piece of paper authorizing you to use that phone in USASOC facilities." She said again, with a look of resentment, "It's a Government Phone." I said, "Ma'am, I understand that but without an ETP on you, you must remove it immediately."

I went back to my seat and as I turned to sit down, I noticed she was glaring at me like I was evil as she was still seated. I left the room to go inform MAJ Weber as he is the XO of the building and I knew he was in. After a brief conversation with him, I came out and while walking back to the classroom, CPT Davenport came out of the Classroom.

She said that I should not have disrespected her. I informed her that I had not (in fact I whispered the entire conversation; Chaplain Devine was 3 feet in front of her and was not aware the conversation occurred when I asked him later).

She made some comment to MAJ Webber and I only heard his response, "He is your Soldier, do your thing."

After the ASAP training was over, she asked me to stay behind, I wanted the BN CDR aware of what occurred so he graciously stood in. She said that I should not have disrespected her by putting my finger in her face. This is utterly absurd. In all my years of service, I would never do that. I didn't even defend myself when CSM Emekaekwue assaulted me and this is regulatory issue not criminal.

She ordered me to discuss lack of dignity and respect under penalty of disobeying a direct order (in front of the BN CDR). I only spoke of the Group PT that has worked out to be an afternoon thing because the LT can't make it and the 4025 people can't make it in the afternoon for unstated reasons. Multiple occasions, I have driven all the way to Hercules field to do PT by myself. I did not mention the lack of dignity and respect in CSM Prewitt's counseling or 12 mile ruck march after block leave (no train up resulted in a Soldier being injured during mile 8).

I am afraid to bring up anything at this point as I am constantly attacked for following regulations and doing so professionally.

She did apologized about having the phone in the building. At no time does she need to apologize to me or anyone else, but exactly like LT Lyons did at the Hercules Gym this morning, you just need to immediately remove it. Note: A staff member of the gym approached LT Lyone and said "Ma'am. You can't have that gym bag in here," LT Lyons, said, "Oh, I will take it to my car right away;" and she did. All the staffer was doing was supporting their Anti-Terrorism Policy (among others). We are all on the same team.

I was later dismissed. I am sure there is more to follow as this unit has a significant phone problem likely stemming from either ignorance of the rules or hubris and my efforts to protect our facilities and information is not appreciated, no matter how quietly or professionally I do it.

I have not and will not report this to the BDE S2 or the ISO. God forbid what happens next if I did.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

☎ NIPR: (910) 908-8788

☎ BB: (910) 929-7078

☎ Staff Office: (910) 908-8787

☎ SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil



smime.p7s
5.3kB

FW: Phone incident X-4047 last Friday

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: paxmas2007@yahoo.com

Date: Monday, March 13, 2023 at 09:02 AM EDT

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Monday, March 13, 2023 9:01 AM

To: Carras, Henry Robert CPT USARMY XVIII ABN CORPS (USA) <henry.r.carras.mil@army.mil>

Subject: FW: Phone incident X-4047 last Friday

FYI:

Wanted to let you know that this occurred Friday at the last event before release.

I am curious about the order to “discuss the dignity and respect” below. Let me know when I can call you.

SFC Forbes

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Friday, March 10, 2023 3:06 PM

To: Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil>

Subject: Phone incident X-4047 today

Sir:

The Co. CDR I am assigned to in ASC, CPT Davenport, had her Government Phone in the BDE Classroom during a mandatory ASAP training today. (44 SM present plus 1 instructor)

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I went back to my seat and as I turned to sit down, I noticed she was glaring at me like I was evil as she was still seated. I left the room to go inform MAJ Weber as he is the XO of the building and I knew he was in. After a brief conversation with him, I came out and while walking back to the classroom, CPT Davenport came out of the Classroom.

She said that I should not have disrespected her. I informed her that I had not (in fact I whispered the entire conversation; Chaplain Devine was 3 feet in front of her and was not aware the conversation occurred when I asked him later).

She made some comment to MAJ Webber and I only heard his response, “He is your Soldier, do your thing.”

After the ASAP training was over, she asked me to stay behind, I wanted the BN CDR aware of what occurred so he graciously stood in. She said that I should not have disrespected her by putting my finger in her face. This is utterly absurd. In all my years of service, I would never do that. I didn't even defend myself when CSM Emekaekwue assaulted me and this is regulatory issue not criminal.

She ordered me to discuss lack of dignity and respect under penalty of disobeying a direct order (in front of the BN CDR). I only spoke of the Group PT that has worked out to be an afternoon thing because the LT can't make it and the 4025 people can't make it in the afternoon for unstated reasons. Multiple occasions, I have driven all the way to Hercules field to do PT by myself. I did not mention the lack of dignity and respect in CSM Prewitt's counseling or 12 mile ruck march after block leave (no train up resulted in a Soldier being injured during mile 8).

I am afraid to bring up anything at this point as I am constantly attacked for following regulations and doing so professionally.

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I was later dismissed. I am sure there is more to follow as this unit has a significant phone problem likely stemming from either ignorance of the rules or hubris and my efforts to protect our facilities and information is not appreciated, no matter how quietly or professionally I do it.

I have not and will not report this to the BDE S2 or the ISO. God forbid what happens next if I did.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),


S2, NCOIC

SMO: W0GKAA6

 NIPR: (910) 908-8788

 BB: (910) 929-7078

 Staff Office: (910) 908-8787

 SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil



smime.p7s
5.3kB

RE: PATIENT CONCERN FORM

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) (michael.j.forbes.mil@socom.mil)

To: michael.j.forbes.mil@socom.mil

Cc: david.r.zinnante.mil@health.mil

Date: Thursday, April 20, 2023 at 04:11 PM EDT

Gentlemen:

Thank you for your timely response to assist me in receiving my BHE records.

I received them this morning. They contained what I needed.

Sir (COL Zinnante):

As a side note:

I would like to commend you on various members of your staff.

The following two WAMC staffers are in Credentials:

Ms. Foster and I had a delightful conversation prior to her getting me exactly where I needed to be with here colleague (next)

Ms. Phair assisted me in understanding her reference to "privileges" and pointed me in the right direction. It is my opinion, she is very knowledgeable in the brief engagement that I had with her.

The following are in different areas:

Ms. Kuntz in the Medical Library is phenomenal. She is researching what Ms. Hamm was unable to locate.

Ms. Hamm (HIPPA), whom I have met twice, I feel has a patient and understanding soul. She will be in receipt of work soon that I will be sending her through the OCR. I believe she has an intuitive understanding of the issues given our conversations.

There was an unnamed (possibly CIV) in the Clinical Research area that I accidentally met (as I was lost on the 6th floor looking for that elusive elevator) that assisted me with some history of the AHRPO. Evidently, it is now named the DHA Office of Human Research Protection. We did not talk much. He inquired who I was but did not offer his name in return. So, I apologize I can give him a compliment and thank you by name.

I would be remiss if I did not mention the sharp and efficient professionalism and follow-up of MAJ Batts (administration?). He understood my matter-of-fact demeanor and moreover the importance of my requests. He followed up though I was not expecting him to due to the confidence I had in our initial phone interation. Excellent Officer 'phone-side manner!'

Saving the best for last; Ms. Logan (Patient Advocacy) has been instrumental (met with her many times) in the support of my efforts (over the past 3 months) to get my BHE documents prior to reaching out to you. She is an example to be held as the epitome of professionalism and dutiful follow-through. If you could find more staff (like the ones above and) like her, I commend you and your organization.

Thank you Sir. And, I have thanked all above, but a kudos from you at your discretion (of course) is warranted as far as I am concerned.

I have a few final things I am waiting for but all is smooth at my level at this time. Thanks again. Great support!

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6

☎ NIPR: (910) 908-8788

☎ BB: (910) 929-7078

☎ Staff Office: (910) 908-8787

☎ SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Sent: Wednesday, April 19, 2023 10:53 AM

To: Batts, Marcel D MAJ USARMY DHA WOMACK AMC (USA) <marcel.d.batts.mil@health.mil>

Subject: RE: PATIENT CONCERN FORM

Sir:

Thank you for the impromptu call yesterday and your understanding that my communication style regarding my struggle to get all of my eCDBHE documents related to the Behavioral Health portion of the evaluation, is one of matter-of-fact resolve to do all that is necessary to procure those documents. Your professionalism with me and time you will spend on this simple issue is appreciated to the utmost.

I look forward to hearing from you. Please do not interpret this email as a request for a call back or an expedite of your efforts. I trust you are working the issue and will wait a reasonable amount of time to reach out. I have been extremely patient to date and will continue to do so until you are finished with all you can do as a Medical insider of WAMC.

Thanks again, Sir.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

☎ NIPR: (910) 908-8788

☎ BB: (910) 929-7078

☎ Staff Office: (910) 908-8787

☎ SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Batts, Marcel D MAJ USARMY DHA WOMACK AMC (USA) <marcel.d.batts.mil@health.mil>

Sent: Tuesday, April 18, 2023 10:31 AM

To: Zinnante, David R COL USARMY MEDCOM WAMC (USA) <david.r.zinnante.mil@health.mil>;

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject: [SOCOM-WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]RE: PATIENT CONCERN FORM

COL Zinnante,

I'll reach out to SFC Forbes.

V/R

Marcel D. Batts

MAJ, MS

Chief, Patient Administration

Central North Carolina Market

Womack Army Medical Center

Office: 910-907-8527

Email: marcel.d.batts.mil@health.mil

REMARKS:

CONFIDENTIALITY NOTICE: This document may contain information covered under

the Privacy Act, 5 USC 522(a), and/or the Health Insurance Portability and Accountability Act (PL104-191) and its various implementing regulations and must be protected in accordance with those provisions. Healthcare information is personal and sensitive and must be treated accordingly. If this correspondence contains healthcare information it is being provided to you after appropriate authorization from the patient or under circumstances that don't require patient authorization. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Re-disclosure without additional patient consent or as permitted by law is prohibited.

Unauthorized re-disclosure or failure to maintain confidentiality subjects you to application of appropriate sanction. If you have received this correspondence in error, please notify the sender at once and destroy any copies you have made.

From: Zinnante, David R COL USARMY MEDCOM WAMC (USA) <david.r.zinnante.mil@health.mil>
Sent: Tuesday, April 18, 2023 7:05 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Batts, Marcel D MAJ USARMY DHA WOMACK AMC (USA) <marcel.d.batts.mil@health.mil>
Subject: RE: PATIENT CONCERN FORM

SFC Forbes – Good morning. I've cc'd MAJ Batts to see if he can point you in the right direction.

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Monday, April 17, 2023 4:21 PM
To: Zinnante, David R COL USARMY MEDCOM WAMC (USA) <david.r.zinnante.mil@health.mil>
Subject: FW: PATIENT CONCERN FORM

Sir:

My name is SFC Forbes. I was in the Patient Advocacy Office many times recently. I have requested my entire BHE medical records multiple times.

I am looking for the documents that I requested of Ms. Hamm below. Are you able to help or clarify where I can get information on both of these documents?

Thank you.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

☎ NIPR: (910) 908-8788

☎ BB: (910) 929-7078

☎ Staff Office: (910) 908-8787

☎ SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Hamm, Terry Lynn CIV USARMY MEDCOM WAMC (USA) <terry.l.hamm2.civ@health.mil>

Sent: Monday, April 17, 2023 3:28 PM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>

Subject: [SOCOM-WARNING: ATTACHMENT(S) MAY CONTAIN MALWARE]RE: PATIENT CONCERN FORM

Good afternoon SFC Forbes,

I'm so sorry I was unable to locate the policy. I'm so sorry I looked through out my folders and could not find it.

I wish I could have helped you.

Mrs. Terry Lynn Hamm

Mrs. Terry Lynn Hamm 😊

Womack Army Medical Center

HIPAA Privacy Officer

Fort Bragg, NC 28310

(w)☎ 910-907-1050/7234

Terry.I.hamm2.civ@health.mil

The happiest people don't have the best of everything,

They just make the best of everything. 😊 😊

REMARKS:

CONFIDENTIALITY NOTICE: This document may contain information covered under the Privacy Act, 5 USC 522(a), and/or the Health Insurance Portability and Accountability Act (PL104-191) and its various implementing regulations and must be protected in accordance with those provisions. Healthcare information

is personal and sensitive and must be treated accordingly. If this correspondence contains healthcare information it is being provided to you after appropriate authorization from the patient or under circumstances that don't require patient authorization. You, the recipient, are obligated to maintain it in a safe, secure and confidential manner. Re-disclosure without additional patient consent or as permitted by law is prohibited.

Unauthorized

re-disclosure or failure to maintain confidentiality subjects you to application of appropriate sanction. If you have received this correspondence

in error, please notify the sender at once and destroy any copies you have made.

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

<michael.j.forbes.mil@socom.mil>

Sent: Friday, April 14, 2023 4:56 PM

To: Hamm, Terry Lynn CIV USARMY MEDCOM WAMC (USA) <terry.l.hamm2.civ@health.mil>
Subject: RE: PATIENT CONCERN FORM

Ma'am:

Have you been able to locate the policy or regulation that governs the internal steps that must be taken prior to a CDR ordering a Soldier to a emergency CDBHE?

Per our conversation, I am also looking for the regulation or policy that governs the conditions that Behavioral Health Professionals or other Medical Leadership can withhold a Behavioral Health report in its entirety to the subject of the behavioral health exam.

Thank you.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: W0GKAA6

☎ NIPR: (910) 908-8788

☎ BB: (910) 929-7078

☎ Staff Office: (910) 908-8787

☎ SIPR: 239-3425

NIPR: michael.j.forbes.mil@socom.mil

SIPR: michael.j.forbes.mil@socom.smil.mil

From: Hamm, Terry Lynn CIV USARMY MEDCOM WAMC (USA) <terry.l.hamm2.civ@health.mil>

Sent: Thursday, April 6, 2023 10:23 AM

To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>;
Forbes, Michael J SFC USARMY 173 ABN BDE (USA) <michael.j.forbes7.mil@army.mil>

Subject: PATIENT CONCERN FORM

Please complete and return to this office.

Mrs. Terry Lynn Hamm

Mrs. Terry Lynn Hamm 😊

Womack Army Medical Center

HIPAA Privacy Officer

Fort Bragg, NC 28310

(w)☎ 910-907-1050/7234

Terry.l.hamm2.civ@health.mil

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They just make the best of everything. 😊 😊

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Unauthorized

re-disclosure or failure to maintain confidentiality subjects you to application of appropriate sanction. If you have received this

correspondence

in error, please notify the sender at once and destroy any copies you have made.



smime.p7s
5.4kB

FYI Another phone incident at X-4047 no action necessary

From: Michael Forbes (paxmas2007@yahoo.com)

To: chase.e.smith.civ@socom.mil

Date: Monday, April 24, 2023 at 07:15 PM EDT

Sir:

I want you and members of your office to know that ANOTHER phone event occurred at X-4047 today.

1) Our S2, 389th PT plan (where I am attached att) was executed at X-4047 today; it was led by SGT Boudreau, the NCOIC of the S2 there.

2) As we began our first exercise I asked SGT Boudreau to move his glasses, keys and other personal belongings to the base of the pillar in the room. It was then that I realized he had a cell phone in the Gym area of X-4047. I informed him to remove it immediately and he responded that he was told it was "ok to have it in the gym." I then asked him "Who told you it was ok?" He replied, "People." Realizing I was not going to get the source(s) of the misinformation, I asked if it was his personal phone; he confirmed it was his personal phone. I repeated that he must remove it immediately and "it can't be in here, and I would appreciate it very much if he would remove it now." He did not have an ETP and upon his returning to the workout, I explained it even further and thanked him for taking it outside (where he laid it immediately outside the garage door).

3) He acted promptly and appropriately.

4) I notified no one else as assistance was not warranted.

That said, "people" believing that this gym is open for PED use may be possible, if USASOC has approved an unprecedented blanket ETP. I doubt it, but it is possible and I have not been notified of it as I do not fill a role that would funnel that information to me. If USASOC has not approved a blanket ETP, there seems to be a tenacious issue with phones in that building to date.

Thought you may want to be informed of this.

I, personally, don't want to go there anymore. Every time I am faced with another phone incident.

SFC Forbes

SGT Boudreau at it again in X-4047

From: Michael Forbes (paxmas2007@yahoo.com)

To: chase.e.smith.civ@socom.mil

Date: Wednesday, April 26, 2023 at 06:23 PM EDT

Sir:

SGT Boudreau brought his phone in the gym at X-4047 AGAIN today.

- 1) Our S2, 389th PT plan (where I am attached att) was executed at X-4047 today; it was led by SGT Boudreau, the NCOIC of the S2 there.
- 2) I noticed his phone in the middle of the fake black grassy area where it was on Monday when I asked him to remove it. I picked it up, notified SPC Davis and SPC Keneda that I was taking it to the XO's office.
- 3) MAJ Weber accepted the phone, I informed him that I had addressed this with SGT Boudreau on Monday and that I would send him to his office to retrieve it and MAJ Weber could address the issue how he wanted. I confirmed with MAJ Weber that they don't have a PED ETP (blanket or otherwise) for the gym: he confirmed that.
- 4) SGT Boudreau had us do planks by the garage door to use his timer on his phone. the first exercise the phone remained outside the boundary of the door. the second exercise it moved inside the facility.
- 5) I got up and removed myself from the situation as I do not feel comfortable being perceived to condone a phone in that gym under any circumstances, AND I am under investigation for counterproductive leadership with multiple people erroneously or maliciously claiming my simple enforcement of USASOC 25-2 is domineering among other things. So,...I removed myself from the situation entirely.
- 6) SGT Boudreau called and texted me tonight to discuss and I informed him that we could discuss this tomorrow with multiple people present and not to stress over it.

That said, SGT Boudreau is ignoring USASOC Policy, whatever MAJ Weber conveyed to him and me an may still believe that this gym is open for PED use as "people" told him.

This seemingly recurrent disease of phones in X-4047 may be endemic. The impetus of this regular recurrence, of course, is out of my hands, as I have suffered enough humiliation from this issue as I attempted to remediate it; that said, I will not stop enforcing this as it is witnessed. Metaphorically, fires still need to be put out, once they're started. It up to someone else to find the arsonists now.

Thought you may want to be informed of this, again.

I, personally, don't want to go there anymore. Every time I am faced with another phone incident. (Statement still true)

SFC Forbes

H Document 27-2 Filed 05/2

Amanda 389th, HHC,1SG Kelly >

to get a lot done

Read 4/24/23

That's good. I'm glad you enjoyed yourself. I'm sure I'll see you around today.

Sun, Apr 30, 7:18 PM

Good evening. Please meet me in my office tomorrow at 0800.

Roger

Mon, May 8, 8:22 AM

Morning first sergeant heading into work soon

Subject

iMessage



(UNCLASSIFIED)

DEVELOPMENTAL COUNSELING FORM

For use of this form, see ATP 6-22.1; the proponent agency is TRADOC.

PRIVACY ACT STATEMENT**AUTHORITY:** 5 USC 301, Departmental Regulations, 10 USC 3013, Secretary of the Army.**PRINCIPAL PURPOSE:** These records are created and maintained to manage the member's Army and Army National Guard service effectively, to document historically a member's military service, and safeguard the rights of the member and the Army.**NOTE:** For additional information, see the System of Records Notice A0600-8-104b AHRC, <https://dpcl.dod.mil/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570051/a0600-8-104b-ahrc/>.**ROUTINE USE(S):** There are no specific routine uses anticipated for this form; however, it may be subject to a number of proper and necessary routine uses identified in the system of records notice specified in the purpose statement above.**DISCLOSURE:** Disclosure is voluntary.**PART I - ADMINISTRATIVE DATA**

Name (Last, First, MI) FORBES, MICHAEL J.	Rank/Grade E-7	Date of Counseling 01-May-2023
Organization HHC, 389th MI BN (SO)(A)	Name and Title of Counselor Kelley, Amanda F. HHC 1SG	

PART II - BACKGROUND INFORMATION**Purpose of Counseling:** (Leader states the reason for the counseling, e.g. Performance/Professional/Event-Oriented counseling, and include the leader's facts and observations prior to the counseling.)Approach: ☐ Non Directive ☐ Combined ☐ DirectiveType of Counseling: ☐ General Form ☐ Professional Growth ☐ Performance ☒ Event Oriented
Events: ☐ Superior Performance ☐ R & I Counseling ☐ Promotion ☐ Crisis ☐ Referral ☐ Transition
☒ Substandard Performance ☐ Adverse Separation

Indicate the iteration of the offense (first, second, third, etc.): _____

Purpose of Counseling:

- o Failure to follow direct orders
- o Counterproductive Leadership

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points Discussion:

Key Point 1 - Failure to follow a direct order:

SFC Forbes, on 10 January 2023, CSM Prewitt pulled you from working at building 40-25 and counseled you on your performance and behavior. On 08 February 2023, CPT Davenport and I sat you down and I gave you very specific guidance and a direct order while working in our S2 shop. You were told to let us know (Company Command Team) if there are issues or things that are not IAW Army Regulations or Policies and we would ensure the appropriate actions were taken. You have failed to bring all issues to CPT Davenport and myself.

Key Point 2 - Specific instance(s) of substandard performance (explain expectations and how the subordinate did not meet standards/expectations):

On 07 April 2023, you went straight to CSM Prewitt about a Soldier "holding the door open" while the SM was waiting for Civilians who were attending a meeting. If the SM was doing something wrong, educate the SM and tell their CoC. You skipped the CDR and the 1SG. On 26 April 2023 during section PT at the BDE gym, you took SGT Boudreaux's personal cell phone to the STB XO while he was using the latrine. You stormed off because he was using his phone to time workout events and did not educate the SM on the situation.

Key Point 3 - Talking down to others, refuses to listen to subordinates, abusing authority, and behaving erratically has caused the following:

You are acting on your own guidance instead of the guidance from the Commander. Soldiers do not receive coaching, mentoring, or constructive feedback from you and are afraid to approach you. Your antagonist behaviors over the past two months are preventing a positive climate and interfere with mission accomplishment and the values of the BN. Soldiers do not feel comfortable working with or around you and your behavior is disrupting the good order and discipline of our Company.

Is subordinate being considered for rehabilitative transfer or adverse actions, including separation?

☐ Yes ☐ No**OTHER INSTRUCTIONS**

This form will be destroyed upon: reassignment (other than rehabilitative transfers), separation at ETS, or upon retirement. For separation requirements and notification of loss of benefits/consequences see local directives and AR 635-200.

(UNCLASSIFIED)

Plan of Action (Outlines actions that the subordinate will do after the counseling session to reach the agreed upon goal(s). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below).

Specific, measurable, achievable, realistic, time-based objectives and milestones.

I am recommending a Letter of Reprimand (LOR) to the Company Commander for failure to follow direct orders and for counterproductive leadership.

You may not be wrong about what you are noticing, but your approach in correcting these issues are wrong (going straight to the BN CSM and STB XO). Moving forward, let the CDR and I know of all issues or concerns and allow us to make corrections needed for our Company.

Implementation start time:

01 May 2023

Assessment date timeframe: (monthly, quarterly, custom):

I will follow up weekly with the SM regarding the status of the recommendation. On 01 June 2023, we will conduct an assessment of this counseling.

Session Closing: (The leader summarizes the key points of the session and checks if the subordinate understands the plan of action. The subordinate agrees / disagrees and provides remarks if appropriate.)

Individual counseled: ☐ I agree ☒ disagree with the information above.

Individual counseled remarks:

INVOKED 5TH AMENDMENT.
I AM IN COMPLIANCE W/ REGULATIONS BY CONDUCTING O.S-THE-FACT CORRECTIONS.
WE HAVE A HUGE PROBLEM COMPLIANT W/ VIOLATION 25-2. THIS IS A RAC LEVEL
EVENTS. IN FACT, CPT DAVENPORT HAD HER GOLF PHONE IN X4047 WITHOUT ETP.
SEC 16 COMMUNICATION REGARDING ALL
EVENTS.

Signature of Individual Counseled:

DATE (YYYYMMDD)

2023 05 01

Leader Responsibilities: (Leader's responsibilities in implementing the plan of action.)

o Ensure the Soldier understands the recommendation stated above and is given time to use resources available to assist the Soldier (i.e TDS, IG, ACS, etc.)

o Respect the privacy of the SM and discuss this matter with those on a need-to-know

Signature of Counselor:

Date (YYYYMMDD)

2023 05 01

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Plan of action goals reached/modified:

Further follow up necessary?

SIGNATURES

Note: Both the counselor and the individual counseled should retain a record of the counseling.

DEVELOPMENTAL COUNSELING FORM

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EVENT. IN FACT, CPT DAVENPORT HAD HER GOLF PHONE IN X4047 WITHOUT ETP.
SEE 16 COMMUNICATION RELAYING ALL EVENTS.

Signature of Individual Counseled:

DATE (YYYYMMDD)

2023 05 01

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o Ensure the Soldier understands the recommendation stated above and is given time to use resources available to assist the Soldier (i.e TDS, IG, ACS, etc.)

o Respect the privacy of the SM and discuss this matter with those on a need-to-know

Signature of Counselor:

Date (YYYYMMDD)

2023 05 01

PART IV - ASSESSMENT OF THE PLAN OF ACTION

Assessment: (Did the plan of action achieve the desired results? This section is completed by both the leader and the individual counseled and provides useful information for follow-up counseling.)

Plan of action goals reached/modified:

The CDR is not doing the LOR. If your behavior continues

You ~~could~~ receive a LOR from the Company CDR.

I HAVE DONE NOTHING WORTHY AND DO NOT INTEND TO BE UNPROFESSIONAL

Further follow up necessary?

IN ANY WAY. THIS LOR WAS REPAIRED. MY BEHAVIOR WAS APPROPRIATE
PER USASOC 25-2 & OTHER REGS. I DISAGREE WITH ANY COMMENTARY
TO THE CONTRARY THAT MY BEHAVIOR WAS UNPROFESSIONAL INAPPROPRIATE
OR BAD IN ANY WAY. WE HAVE A BIG PROBLEM W/ PHONES
& PIGGY BACKING HERE. 31 MAY 2023 MF
-NORMAN FOWERS-

SIGNATURES

Note: Both the counselor and the individual counseled should retain a record of the counseling.

EXHIBIT Z



DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT BRAGG
2175 REILLY ROAD, STOP A
FORT BRAGG, NORTH CAROLINA 28310-5000

March 13, 2023

Freedom of Information Act Office

Mr. Michael J. Forbes
614 Northampton Road
Fayetteville, NC 28303

Dear Mr. Forbes:

This is the response for your request under the Freedom of Information Act (FOIA), (FOIA Case #FA-23-0411).

This office is making an initial release of information from these records for you. Certain information which is exempt from the disclosure provision of FOIA is being withheld. The names, grades, and other personally identifying information of Department of Defense (DOD) personnel are withheld in accordance with FOIA Exemption 6 (5 U.S.C. §§552(b)(6)). FOIA Exemption 6 protects personnel and medical and similar files when the disclosure of such information would constitute a clearly unwarranted invasion of personal privacy.

Additionally, FOIA Exemption 7(C) provides protection for personal information in law enforcement records, note the traditional recognition of the strong privacy interests inherent in law enforcement records, and the logical ramifications of "categorical withholding" of information that identifies third parties in law enforcement records will ordinarily be appropriate under Exemption 7(C).

Please note that all redactions are made as an initial determination only. The final determination regarding the release of this information will be made by the initial Denial Authority, the U.S. Army Crime Records Center.

Subject: Freedom of Information Act (FOIA) Request Number FA-23-0411

If you would like to appeal you may contact the U.S. Army Crime Records Center at the Following address:

U.S. Army Crime Records Center
ATTN: CICR-FP
Russell Knox Building
27130 Telegraph Road
Quantico, VA 22134-0010

The cost of processing your request has been waived. Point of contact Mr. Douglas E. Moore, Directorate of Human Resources (FOIA Officer), at (910) 907-3642, and refer to FOIA Case FA-23-0411.

Sincerely,

A handwritten signature in black ink, appearing to read "Douglas E. Moore", enclosed within a large, loopy oval shape.

DOUGLAS E. MOORE
FOIA/PRIVACY ACT OFFICER

Encls

Date: 28FEB2023

Name: SFC Michael J. Forbes
Company Name: N/A
Complete Address: 614 Northampton Rd.
Fayetteville, NC 28303

Telephone: 910-336-5966
Email Address: paxmas2007@yahoo.com

Freedom of Information Act Office
Directorate of Human Resources
ATTN: AMIM-BGH-AF
2175 Reilly Road, Stop A
Fort Bragg, NC 28310-5000

Email Address: usarmy.bragg.imcom-atlantic.mbx.bragg-foia@mail.mil

7442-27

Dear Sir/Ma'am or whom it may concern:

Under the Freedom of Information Act, I request all documents, including sworn statements, investigation reports (draft and/or final) regarding the 12DEC2022 assault on SFC Forbes, Michael J., by CSM Emekaekwue, Emmanuel, that was reported to PMO on 14DEC2022.

I will accept a sanitized version of the record whereby any non-releasable information such as social security numbers, home address/phone numbers, etc. are removed. I agree to pay all processing costs associated with processing my request. (Not to exceed \$50.)

Sincerely

FORBES.MICHAEL.JE
FFREY.1295918507

Digitally signed by
FORBES.MICHAEL.JEFFREY.12959
18507
Date: 2023.02.28 11:14:36 -05'00'

SFC Michael J. Forbes

**FORT BRAGG
FOIA/PA OFFICE
RECEIVED**

MAR 13 2023

FOIA#
FA- 23-0411

CUI

Raw Data File Report

Case Number: 07442-2022-MPC023

RDF Name: ROI: Assault (Unfounded)

Raw Data File - Tab Summary

Seq. Number	Name	Create Date	Remarks	Closed Date
1	ROI: Assault (Unfounded)	2022/12/14		

Case Narrative: At 0534 hrs, 14 Dec 22, Forbes reported an assault to the Fort Bragg Desk Sergeant. 1-1 (b)(6) was dispatched to the Fort Bragg PMO. Investigation by 1-1 disclosed on 12 Dec 22 at 0600, (b)(6) grabbed Forbes by the shoulder and put him back in formation. Forbes rendered a sworn written statement stating that (b)(6) grabbed him by the shoulder while he was trying to speak to the battalion about not having phones in building X-4047 when (b)(6) grabbed Forbes with both of his hands and placed him back in formation before the flag call went off. (b)(6) was not present to make a statement due to him being on TDY in Washington DC. No injuries were reported on scene. Report was reviewed and further processed by Desk Sergeant (b)(7)(C) (b)(6)

Notifications:

MPI (b)(7)(C) at 0630, 14 Dec 22

CUI

CUI

Raw Data File Report

Case Number: 07442-2022-MPC023

RDF Name: ROI: Assault (Unfounded)

Tab Name: ROI: Assault (Unfounded)

Remarks:

Entity	
Type	Name
Individual	Forbes, Michael Jeffrey; SFC; XXX-XX-7907; Age 54; Male; White; WJTDAA, 528th Sustainment Bde,

Offense		
Offense Description	Offense Address	Entity Involvement
Assault (Unfounded) - [5C2]	New Dawn Drive, Fort Bragg, North Carolina, 28310, United States	

CUI

INVESTIGATOR STATEMENT

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document investigative activity, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION LEC Fort Bragg, NC	2. DATE (YYYYMM/DD) 2022-12-14 (b)(7)(C)	3. TIME 1325 (b)(7)(C)	4. FILE NUMBER 7442-2022-MPC023
5. LAST NAME, FIRST NAME, MIDDLE NAME (b)(7)(C)	6. SSN (min. last 4) (b)(6) (b)(7)(C)	7. GRADE/STATUS (b)(6)	
8. ORGANIZATION Fort Bragg Law Enforcement Center, Fort Bragg, NC 28310			

9. STATEMENT

This statement is intended to clarify and/or elaborate on certain aspects of this investigation not documented elsewhere in any other statement and/or document.

On 14 Dec 22 at 0534 I 1-1 (b)(7)(C) was dispatched to the Fort Bragg LEC in reference to a walk in for assault after the fact. Upon my arrival at 0540 I made contact with a SFC Forbes in the front of the LEC I then got his verbal statement in which he said he believes he was assaulted by his (b)(6). I then took Forbes to the interview room and completed a 1717 with him and started a 2823 in which he stated that (b)(6) assaulted him on 12 Dec 22 at approximately 0600 before flag call while he was trying to push out information to the BN about not having PED's in the building that they work at (X-4047). I then cleared from the LEC after receiving his statement and went to building X-4047 for a follow up to contact (b)(6). Upon arriving at the building at 0923 I made contact with the CQ of the building and they informed me that (b)(6) had left an hour prior for TDY in Washington DC. I then cleared and went to the LEC to start my case at 1004.

(b)(7)(C)

14 Dec 2022

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10. EXHIBIT

11. INITIALS OF PERSON MAKING STATEMENT

(b)(7)(C)

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