United States of America

DEPARTMENT OF THE ARMY

Washington, DC (PLACE) 5 December, 2025 (DATE)

I HEREBY CERTIFY that the attached constitute true and accurate copies of files pertaining to Michael J. Forbes, a former member of the United States Army. Copies of records from the U.S. Army Human Resources Command (HRC), are located at Fort Knox Kentucky and documents from 1st Special Forces Command (1SFC) are located at Fort Bragg, North Carolina and a copy of the Army Military Human Resource record (AMHRR) maintained by the U.S. Army Human Resource Command, at Fort Knox, Kentucky. The original personnel records and copies of other records are in the official temporary custody of the Military Personnel Litigation Branch, Litigation Division, Office of the Judge Advocate General of the Army.

Digitally signed by KOSCHNITZKY.CHRISTOPHER.J[redacted]
Date: 2025.12.05 13:28:24 -05'00'

CHRISTOPHER J. KOSCHNITZKY
Lieutenant Colonel, U.S. Army
Chief, Military Personnel Litigation Branch

I HEREBY CERTIFY that Lieutenant Colonel Christopher J. Koschnitzky, who signed the foregoing certificate, is the Chief, Military Personnel Litigation Branch, Litigation Division, Office of the Judge Advocate General of the Army, and that full faith and credit should be given to his certification.

IN TESTIMONY WHEREOF I, Matthew L. Sannito
The Administrative Assistant to the Secretary of the Army, have hereunto caused the seal of the Department of the Army to be affixed this 5th day of December 2025

By Digitally signed by KRYNICKI.DAVID.JAMES[redacted]
Date: 2025.12.05 13:35:23 -05'00'

DAVID J. KRYNICKI
Colonel, U.S. Army
Chief, Litigation Division

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

MICHAEL J. FORBES, Plaintiff, v. THE UNITED STATES Defendants.	)	Civil Action No. 1:2024-CV-01953

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DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY, NORTH CAROLINA 28310-8500

AOSO-JA

26 November 2024

MEMORANDUM FOR SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO)(A)

SUBJECT: Response to the Article 138 Complaint submitted 25 November 2024

1. This memorandum serves to notify you that your Article 138 Complaint is **denied**.

2. You requested the following relief: Delay the imposition of your scheduled separation from the US Army until the provisions of AR 635-8 are met in its entirety.

3. You were notified via memorandum on 29 May 2024, your involuntary discharge was directed by U.S. Army Human Resources Command (HRC). There was a prescribed procedural due process to request a review provided within the notification memorandum.

4. As HRC directed your involuntary discharge occur not later than 1 December 2024, I do not have the authority to delay your separation.

LAWRENCE G. FERGUSON
Major General, USA
Commanding

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

To: COL Andrew J. Lynch, Brigade Commander, 528th Sustainment Brigade, 1st Special Forces Command (1SFC), Fort Liberty, NC

From: SFC Michael Forbes through James M. Branum, Attorney at Law

Date: November 11, 2024

Subject: Request for redress IAW with UCMJ Article 138

Through legal counsel,[1] SFC Forbes submits this brief (with enclosures) to constitute a request for redress under the provisions of AR 27-10 para. 19-6 and UCMJ Article 138.

1. Identification of Parties

The complainant is SFC Michael J. Forbes, an NCO with nearly 18 years of unblemished service to the US Army, prior to the recent wrongful investigations launched by senior Officers of the Army.

The alleged current wrong (that is the subject matter of this appeal for redress) was committed against SFC Michael J. Forbes was done under COL Andrew J. Lynch, who at the time of the alleged wrong was the brigade commander of SFC Forbes and is ultimately responsible for appropriate due process being given to SFC Forbes.

[1] IAW AR 27-10 para. 19-5 (b).

2. Identification of Wrong

On October 31, 2024, Ms. Ashley Meisenbach, Human Resource Assistant, Military Personnel Division, Directorate of Human Resources, published and emailed order number 305-0280,[2] in violation of the following provisions of AR 635-8:

a. "The coordinator, as designated in accordance with paragraph 1–9, generates a loss roster identifying RA Soldiers 180 days prior to their scheduled separation date and schedules Soldiers to attend the Pre-Separation Services Program, as detailed in paragraph 4–4, **at least 120 days prior to separation date.**" - AR 635-8 para.4-3 (a) (emphasis added)

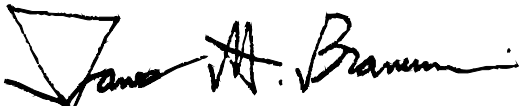
b. "Notify Soldiers of separation and **ensure Soldiers report as required for the Pre-Separation Services Program**. **Provide transportation, if necessary**" - AR 635-8 para. 4-3 (b)(1),

c. "The **transition center issues separation orders** in accordance with AR 600–8–105 **for RA Soldiers who will separate from active duty no later than 60 days before the scheduled separation date**"- AR 365 para. 4-6 (a).

AR 635-8 provides no exception for these legally required time periods for discharge action, hence it is a violation of the regulation for SFC Forbes to be separated prior to the passage of the mandatory 120 days from his completion of the legally required Pre-Separation Services Program.

Conclusion and Request for Redress

As the current command authority over the complainant, the complainant urges you to delay the imposition of his scheduled separation from the US Army until the provisions of AR 635-8 are met in its entirety.



James M. Branum
Attorney at Law

[2] *See* enclosure D.

Enclosures:

A: Certification by SFC Michael J. Forbes

B: "Plaintiff's motion for leave to file surreply" submitted by complainant *pro se* in the US District Court for the Western District of North Carolina, November 7, 2024.

C: Email from Ms. Ashley Meisenbach to SFC Forbes dated 10/31/24

D: Orders 305-0280 dated 10/31/24

E: Email from Ms. Ashley Meisenbach to SFC Forbes dated 10/30/24

Enclosure A

I have read the attached request for redress with enclosures. I certify that it is accurate to the best of my knowledge and that I have authorized my civilian attorney, James M. Branum, to submit it on my behalf.

Dated: November 11, 2024

SFC Michael J. Forbes

Enclosure B

FILED
NOV 07 2024
PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY MCB DEP CLK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

No. 5:24-CV-00176-BO

MICHAEL J. FORBES,
[redacted], *pro se.*

Plaintiff,

v.

THE UNITED STATES ARMY,
Christine E. Wormuth,
Secretary of the Army (SoA)
101 Army Pentagon,
Washington, D.C., 20310

Defendant.

PLAINTIFF'S MOTION FOR LEAVE TO FILE SURREPLY

This 7th day of November, 2024.

1. The Plaintiff, *pro se,* in the above-captioned case, respectfully moves for leave to submit the attached Surreply in response to anticipated arguments made by the Defendant (or hereafter "the Army," when used) in any forthcoming Response to the Plaintiff's Motion to Compel. These claims and arguments had not occurred when the Plaintiff's filed his MOTION TO COMPEL on October 21, 2024, and thus the Plaintiff had not had an opportunity to notify the Court of recent compounding failures of the Army to follow their own regulations and public laws in this case; these actions bring forth more claims.

NEW CLAIMS

2. On October 31, 2024, Ms. Ashley Meisenbach, Human Resource Assistant, Military Personnel Division, Directorate of Human Resources, published and emailed[1] order

[1] *See* Enclosure D01,.

number 305-0280[2] in that prove violations of multiple paragraphs of Army Regulation (AR) 635-8,[3] Ch. 4, Section I; they are namely paragraphs: 4-3, a. and b.; and 4-6, a. In fact, AR 635-200[4] is the governing regulation of Regular Army enlisted separations that clearly states a Commander, having separation authority, must comply with AR 635-8's, and it states this as follows:

> ***Commanders having separation authority directing separation*** *or REFRAD* ***of a Soldier will comply with AR 635–8.*** (emphasis added)[5]

Turning our attention to Order 305-0280's published content, we see the violated three areas of AR 635-8.[6] First, the date of its publication represents 31 (not 60) days prior to the Army's intended separation of the Plaintiff on December 1, 2024 violated AR 635-8, 4-6, a., as stated:

> *The* ***transition center issues separation orders*** *in accordance with AR 600–8–105* ***for RA Soldiers who will separate from active duty no later than 60 days before the scheduled separation date.*** (emphasis added)[7]

[2] *See* Enclosure D02, Order 305-0280 *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- ORDERS, October 31, 2024.

[3] *See* AR 635-8, "Separation Processing and Documents," February 10, 2014, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN38821-AR_635-8-001-WEB-3.pdf

[4] *See* AR 635-200, "Active Duty Enlisted Administrative Separations," June 28, 2021, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN40058-AR_635-200-001-WEB-3.pdf.

[5] Ibid, at 1-21 (a),

[6] *See* AR 635-8, "Separation Processing and Documents," February 10, 2014, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN38821-AR_635-8-001-WEB-3.pdf.

[7] Ibid., at 4-6 (a)

Order 305-0280 for the Plaintiff was issued on October 31, 2024 for a "Date of discharge" of November 30, 2024 (providing 31 days notice, but not the required 60 day requirement).

Next, the order also included the impossible "additional instructions" to the Plaintiff of:

> *IAW Public Law 101-510, Section 1144* ***you must attend a mandatory Preseparation Briefing*** *and complete the DD Form 2648,* ***120 to 180 days prior to separation*** *with Soldier for Life[,]*[8] (emphasis added)

which is an installation coordinator's responsibility to schedule, under 4-3 entitled "Tasks, work centers, and required actions," a., "Installation transition processing coordinator" which is a violation of AR 635-8, para. 4.3(a)., which states:

> *The coordinator, as designated in accordance with paragraph 116, generates a loss roster identifying RA Soldiers 180 days prior to their scheduled separation date* ***and schedules Soldiers to attend the Pre-Separation Services Program, as detailed in paragraph 4–3, at least 120 days prior to separation date. Ensures that the loss roster is distributed to the following agencies: (1) Soldier's company or battalion level human resources element...***[9] (emphasis added)

Lastly (with respect to AR 635-8), civilians schedule and are unable to order a Soldier to report; unit commanders in the Soldier's chain of Command have that authority, hence, are mandated authority for the notification of the Soldier and ensuring they report. Moreover, it is a violation of AR 635-8, 4.3, b. (1) if a unit commander does not perform

[8] *See* Enclosure D02, Order 305-0280 *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- ORDERS, October 31, 2024.

[9] *See* AR 635-8, "Separation Processing and Documents," at 4-3 (a)., February 10, 2014, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN38821-AR_635-8-001-WEB-3.pdf.

their responsibility under 4-3 entitled "Tasks, work centers, and required actions," b. (1) "Unit Commander" that states:

> *Notify Soldiers of separation* ***and ensure Soldiers report as required for the Pre-Separation Services Program. Provide transportation, if necessary.***[10] (emphasis added)

No scheduling notification was received by the Plaintiff from the coordinator or unit commanders. Outside the aforementioned command and/or installation failures is the most glaring conundrum of all; it is the installation's formally written, gas-lit, deflection of a Commander's responsibility to ensure a Soldier report to the pre-separation briefing onto a Soldier in an order that is provided a mere 31 days from separation, yet requires the Soldier to complete a task 89 days prior to receiving the order. It's baffling because it's impossible and likely used to deflect responsibility.[11]

Separately, Ms. Meisenbach's actions bring about more statutory federal questions on behalf of the Defendant. At 3:47 pm on October 31, 2024, Ms. Ashley Meisenbach falsified a fabricated interaction with the Plaintiff (as discussed below) in violation of 18 USC § 1519. This occurred within a 28 hour period; a time frame that included an initial email from her, which made the Plaintiff aware of her, and a follow-up email, that included a worksheet that stated the following:

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[10] Ibid, at 4-3, (b) (1).

[11] "It is a defense to refusal or failure to perform a duty that the accused was, through no fault of the accused, not physically or financially able to perform the duty." – Rule for Court-Martial 916 (f), found in the *Manual For Courts-Martial*, page II-138, *online at:* https://jsc.defense.gov/Portals/99/2024%20MCM%20files/MCM%20(2024%20ed)%20(2024_01_02)%20(adjusted%20bookmarks).pdf?ver=WLZvJg--lbaFtAC5qOM1uA%3d%3d.

MEMBER ELIGIBLE FOR INVOLUNTARY SEPARATION PAY; HOWEVER, MEMBER CHOSE NOT TO COMPLY WITH 10 USC 1174[12]

The Plaintiff had no interaction with her during this timeframe due to a computer network outage that lasted for 4 days at the unit, which he has been attached. The introductory email from Ms. Meisenbach occurred at 1:02 pm, on October 30, 2024, when she emailed the Plaintiff, and two other unknown personnel, the following:

> *I am currently processing SFC Forbes' ETS packet. SFC Forbes is being processed as a QMP, therefore he is eligible for ½ separation pay.* ***It is optional, although if taking the separation pay, he will need to provide me with a DA form7783 (which he will get from the Reserve Component on the 5th floor of the Soldier Support Center.)*** *If you have any further questions, please do not hesitate to ask[,].*[13]

which is contrary to 10 USC § 1174, that states:

> *[a] regular enlisted member of an armed force who is discharged involuntarily or as the result of the denial of the reenlistment of the member and who has completed six or more, but less than 20, years of active service immediately before that discharge is entitled to separation pay computed under subsection (d) unless the Secretary concerned determines that the conditions under which the member is discharged do not warrant payment of such pay*[,]

and 10 USC § 651, that states:

> *(a)* ***Each person who becomes a member of an armed force****, ...shall serve in the armed forces for a total initial period of not less than six years* ***nor more than eight years****, as provided in regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction ... unless such person is sooner discharged under such regulations because of personal hardship. Any part of such service that is not active duty or that is active duty for training shall be performed in a reserve component.* (emphasis added)

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[12] *See* Enclosure D03, CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY Worksheet *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- WORKSHEET, "CONT FOM BLOCK 18" (p.2), October 31, 2024.

[13] *See* Enclosure D04, *email from* Ms. Ashley Meisenbach to the Plaintiff, October 30, 2024.

> *(b)* ***Each person covered by subsection (a)*** *who is not a Reserve, and who is qualified, shall, upon his release from active duty, be transferred to a reserve component to complete the service required by subsection (a).*

The Plaintiff has "complete[d] the service"[14] requirement of 8 years on Active Duty, therefore is not covered by subsection (a), hence, has no Reserve requirement to fulfill. Once the requirement of 10 USC 651 is satisfied, 10 USC 1174 becomes resolute and separation pay is not "optional" as she remarked; any confusion by her email, or falsified commentary on the official worksheet, that the Plaintiff "CHOSE NOT TO COMPLY"[15] with the law, could result in more violations of law that would only serve to severely damage the Plaintiff further than the original claims in this case.

CONCLUSION

The belated nature of the order has contributed to the need for this MOTION because, had the order been published pursuant AR 635-8, these topics would have been included in the Plaintiff's October 21, 2024 MOTION TO COMPEL. Furthermore, the Human Resource Assistant's (Ms. Meisenbach's) mischaracterization of a fictitious response by the Plaintiff is dangerous and can easily contribute more damages than the Plaintiff's original claims, if the Defendant succeeds in unlawfully separating the Plaintiff without his lawful separation pay.

Moreover, the Defendants' rushed separation of the Plaintiff and failures to follow their own regulations is not unknown to our Federal Court System. In this case, the Defendant cannot

[14] *See* 10 USC § 651

[15] *See* Enclosure D03, CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY Worksheet *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- WORKSHEET, "CONT FOM BLOCK 18" (p.2), October 31, 2024.

produce any proof that a "unit commander:… ensure[d] Soldier report[ed] as required for the Pre-Separation Services Program" prior to 120 days of the Defendant's assigned separation date, because the Plaintiff never attended one. In fact, a separate recent Federal Claims Court (FCC) case demonstrates over a decade's worth of damages to an involuntarily separated Soldier due to the rushed regulatory non-compliance of the Defendant's own making. Some excerpts of the FCC's opinion in Reaves v. United States[16] are as follows:

> *Plaintiff argues that the ABCMR's decision was arbitrary and capricious* ***because Plaintiff's separation was rushed*** *and he was not given an opportunity to comply with the Army's body fat standards.* (emphasis added)

It further states:

> *The* ***lack of record evidence****, however,* ***is not a problem of Plaintiff's making****.... **Instead of foisting adverse inferences for the lack of records on Plaintiff, the Army must acknowledge its part in mishandling Plaintiff's separation. In short, the Army failed to follow its own regulations in affording Plaintiff*** *a medical evaluation* ***and in effecting his discharge. Defendant violated Army Regulation*** *600-9* ***first by discharging Plaintiff before he even completed the Army's*** *Weight Control Program* ***and again in failing to perform*** *a medical evaluation* ***at the time of this premature discharge.*** (emphasis added)

This argument used by the court in *Reaves v. United States* could easily be rewritten and applied in this Plaintiff's case as follows:

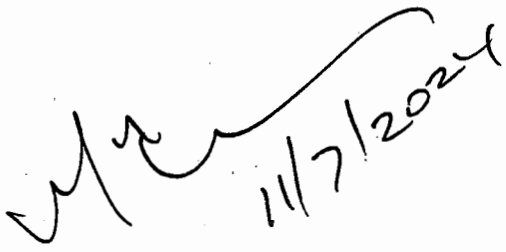
> *'The* ***lack of record evidence, however, is not a problem of Plaintiff's making****.... Instead of foisting adverse* ***and impossible instructions in the orders*** *for the lack of* ***command accountability*** *on Plaintiff, the Army must acknowledge its part in mishandling Plaintiff's separation. In short, the Army failed to follow its own regulations in affording Plaintiff* ***a pre-separation briefing prior to 120 days of separation*** *and in effecting his discharge. Defendant violated Army Regulation* ***635-8*** *first by discharging Plaintiff before he even completed* ***the pre-separation***

[16] *See Reaves v. United States* (Federal Cl. Ct.) No. 14-09c (2016), *attached as* Enclosure D05.

willful indefinite contractual obligation to serve the Army and be in the best position to avoid extreme damages brought by the Defendant while he awaits pending judicial determinations.

This document complies with the page limit and word count of Local Rule 7.2, in that it is 8 pages long and contains 1987 words.

Dated: November 7, 2024



briefing, et al., in that mandatory timeframe*., and again in failing* ***to provide timely orders*** *at the time of this premature discharge.*' (emphasis added)

The Plaintiff was never notified of any scheduled brief, nor ordered to report to any location, at any date or time, to accomplish the mandatory pre-separation brief 120 days before his notified separation date by any unit commander in the Plaintiff's Chain of Command (pursuant to AR 635-8). Upon reading the requirement in his Orders, the Plaintiff researched and determined that he needs all available services completed to avoid imminent bankruptcy should the Defendant's failures to follow regulations, on behalf of his Commanders, are not proactively remediated or are not adjudicated in some venue (either proactively within the Army, which will commence soon, or judicially). The Plaintiff is also concerned that the commentary on the worksheet that Ms. Meisenbach entered, without any interaction from him, could confuse other departments of the Army, which may affect his ability to receive lawful Separation Pay. All of these actions, would likely cause near immediate bankruptcy for the Plaintiff.

Had apropos regulations been followed, the Plaintiff would have received adequate time to be briefed and consider all his options, rather than be subjected to a rushed attempt at an unlawful discharge as he awaits Court interventions. The Plaintiff asks this Court, by any power afforded it, to Compel the Defendant, to follow AR 635-8 and ensure the Plaintiff reports as required to the pre-separation brief and is provided 120 days to accomplish all appropriate briefings (financial, employment training assistance, medical, resume writing, etc.) to prepare for this undeserved and unwanted separation from his

Enclosure C

FW: SFC FORBES, MICHAEL ETS ORDERS

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

To: paxmas2007@yahoo.com

Date: Monday, November 4, 2024 at 12:14 PM EST

From: Meisenbach, Ashley M CIV USARMY USAG (USA) <ashley.m.meisenbach.civ@army.mil>
Sent: Thursday, October 31, 2024 3:47 PM
To: Carter, Bryan T SFC USARMY USSOCOM USASOC (USA) <bryan.t.carter.mil@socom.mil>; JADEN.STEIN.MIL@SOCOM.MIL
Cc: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: SFC FORBES, MICHAEL ETS ORDERS

Good Day,

***** ALL CLEARING MUST BE DONE IN UNIFORM PER AR 670-1, PAR 1-10. PHYSICAL TRAINING GARMENTS ARE *NOT* DUTY UNIFORMS REGARDLESS OF WHAT YOU'RE IN THEM FOR. *****

Attached you will find a copy of:
1) Your ETS orders as a PDF file
2) DD-214 worksheet as a PDF file
3) DD-214 Review sheet as a PDF file
4) DD-214 appointment slip as a PDF file
5) DD-214 Review acknowledgement memo as a PDF file
6) Out-processing appointment scheduling memo as a PDF file
7) Memo from finance for number of leave days sold (Bring to DD214 review)

OUTPROCESSING: EMAIL THE ATTACHED APPOINTMENT REQUEST ALONG WITH YOUR SEPARATION ORDERS AND IPPS-A ABSENCE (NOT DA-31) REQUEST TO usarmy.liberty.usag.mbx.dhr-smd@army.mil TO SCHEDULE YOUR INSTALLATION CLEARING PAPERS BRIEF.

For your orders, ***please read this document carefully!*** They tell you most everything you need to know for separation processing. You should print about 12 copies to start the clearing process.

When you come to the DD-214 signature appointment, ensure that you read the slip and bring any documents needed to make updates or changes to your DD-214 worksheet if applicable. You should bring the following to your DD-214 signature appointment:

1. DD-214 worksheet
2. DD-214 signature appointment slip

3. DD-214 review acknowledgement memo completed and signed by Soldier

The last three places you will clear are:

1) Finance – on the 1th floor. You will need to clear finance either on your ETS date if you are not taking terminal leave; or, the day before your terminal leave starts if you are taking it. Finance is open for that purpose Monday – Friday 1300 to 1600.

2) Go to the Pre-Clearing Station- located on the 1st floor across from the ID card section. They will review your clearing papers and ensure you have cleared everything, then they will give you the red pre-clear stamp on the front your clearing papers.

3) Your Final-Out stamp and pick-up DD-214. ***You will have to be completely cleared from your Unit and Installation to pick-up your DD-214.*** You will receive the IMA stamp (old dragon stamp) and you will sign your DD-214 at that time if you have not already done so. Then, you will receive your DD-214. After you finish, if you are taking leave, you will check out on leave with your unit; otherwise, you are finished.

You will need the following documents when you go to Pre-Clearing Station and Finance. Please make sure that you have these documents with you. Additional copies will not be able to be made.

1. ***Leave form (signed and approved, if taking leave)***
2. ***Perstempo***
3. ***Orders***
4. ***DD-214 worksheet***

IF YOU ARE PARTICIPATING IN THE CSP PROGRAM, YOU CAN NOT COMBINE PTDY WITH SEP LEAVE OR PASSES. YOU MUST RETURN TO FORT LIBERTY TO OUT PROCESS TYPICALLY 14 DAYS PRIOR TO LEAVE OR SEP DATE.

If you intend on or have already signed a Reserve/Guard contract, please send me your DA5691 from your contract immediately so that your orders can be updated. Please DO NOT use your original orders until you have received your updated orders.

Should you have any questions, please contact me.

Thank you!

V/R
Ashley M. Meisenbach
Human Resource Assistant
ashley.m.meisenbach.civ@army.mil
Fort Liberty, NC 28310
How is my customer service.....Say It On ICE:
https://ice.disa.mil/index.cfm?fa=card&sp=92299

smime.p7s
5.3kB

FORT LIBERTY DD-214 REVIEW.pdf
447.4kB

DD-214 REVIEW ACKNOWLEDGMENT MEMO.pdf
959.7kB

OP Appt request.pdf
1.3MB

FINANCE MEMO FOR DAYS LEAVE SOLD.pdf
567.5kB

FORBES- WORKSHEET.pdf
893.6kB

FORBES- DD214 REVIEW APPT.pdf
1.3MB

FORBES- ORDERS.pdf
663.7kB

Enclosure D

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT LIBERTY
2175 ROCK MERRITT AVENUE
FORT LIBERTY NORTH CAROLINA 28310-5000

ORDERS 305-0280 31 October 2024

FORBES, MICHAEL JEFFREY [redacted] SFC 0528 CS HHC HHC SUSTAIN BDE, (WJTDAA), FORT LIBERTY, NC 28310

You are reassigned to the U.S. Army transition point shown for transition processing. After processing, you are discharged from the Component shown. If you are delayed in reporting to the transition point, you still must report to the transition point as soon as possible or as authorized to receive a new effective date of discharge.

Assigned to: FORT LIBERTY TC (W0U3NT) FORT LIBERTY NC 28310-5000
Reporting date: 30 October 2024
Comp: REGULAR
Date of discharge unless changed or rescinded: 30 November 2024

Additional instructions:
a. Soldier is entitled to one-half separation pay IAW 10 USC 1174. b. "Information regarding Out-Processing may be obtained from https://home.army.mil/bragg/index.php/my-fort-liberty/all-services/out-processing-section" c. IAW Public Law 101-510, Section 1144 you must attend a mandatory Preseparation Briefing and complete the DD Form 2648, 120 - 180 days prior to separation with Soldier for Life. d. Storage of household goods, at government expense, is authorized up to 06 months after separation. e. DEPNS: YES(01). f. UPON RECEIPT OF ORDERS REPORT TO THE TRANSITION CENTER, BLDG 4-2843, 2D FLOOR, WING B, BETWEEN THE HOURS OF 0900 - 1100, MONDAY THRU FRIDAY TO SCHEDULE AN APPOINTMENT FOR THE COMPLETION OF YOUR DD FORM 214. g. You must attend a Transportation Briefing given by the Personal Property Shipping Office. Please call 910-396-5212 and 910-396-2163. h. No pay authorized. Member eligible for involuntary separation pay; however, member chose not to comply with 10 USC 1174(e)(1)(A).

FOR ARMY USE
Auth: AR 635-200
HOR: [redacted]
Place EAD or OAD: [redacted]
MDC: 7BE5

FOR ADDITIONAL INFORMATION CONTACT:
ASHLEY M. MEISENBACH ashley.m.meisenbach.civ@army.mil 910-907-0882
SDN: FOR[redacted]PA50280
Format: 501

FOR THE COMMANDER:

****
OFFICIAL
FORT LIBERTY, NC
****
LEONARD (LEON) WYATT
CHIEF, MILITARY PERSONNEL DIVISION

DISTRIBUTION:
SFC FORBES (1)
Cdr 0528 CS HHC HHC SUSTAIN BDE, (WJTDAA) (1)
CDR, 126TH FINANCE (1)

Enclosure E

FW: SFC Forbes ETS packet

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

To: paxmas2007@yahoo.com

Date: Monday, November 4, 2024 at 12:40 PM EST

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, October 31, 2024 9:13 AM
To: paxmas2007@yahoo.com; jmb@jmb.bike
Subject: FW: SFC Forbes ETS packet

From: Meisenbach, Ashley M CIV USARMY USAG (USA) <ashley.m.meisenbach.civ@army.mil>
Sent: Wednesday, October 30, 2024 1:02 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Carter, Bryan T SFC USARMY USSOCOM USASOC (USA) <bryan.t.carter.mil@socom.mil>; Stein, Jaden J SGT USARMY USSOCOM USASOC (USA) <Jaden.Stein@socom.mil>
Subject: SFC Forbes ETS packet

Good afternoon,

I am currently processing SFC Forbes' ETS packet. SFC Forbes is being processed as a QMP, therefore he is eligible for ½ separation pay. It is optional, although if taking the separation pay, he will need to provide me with a DA form 7783 (which he will get from the Reserve Component on the 5th floor of the Soldier Support Center.) If you have any further questions, please do not hesitate to ask.

V/R
Ashley M. Meisenbach
Human Resource Assistant
Military Personnel Division
Directorate of Human Resources
Fort Liberty, NC 28310
How is my customer service.....Say It On ICE:
https://ice.disa.mil/index.cfm?fa=card&sp=92299

smime.p7s
5.3kB

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY, NORTH CAROLINA 28310-8500

AOSO-JA

30 November 2023

MEMORANDUM FOR SFC Michael Forbes

SUBJECT: Response to Request for Redress submitted 24 November 2023

1. This memorandum serves to notify you that your Request for Redress is **denied**.

2. Your request for redress to remove and rescind your permanently filed GOMOR is denied. AR 600-37 para 7-2 provides, an officer who directed the filing in the AMHRR of the GOMOR may request removal if subsequent evidence or findings establish the GOMOR information is untrue/unjust in whole or in part. This requirement has not been met. This decision does not preclude you from submitting an appeal to the DASEB IAW AR 600-37 para 7-2.

3. Your request for redress to rescind and correct your relief for cause NCOER is denied. The appeals process is the primary means of addressing any alleged errors and injustices after they have become a matter of permanent record. The process for submitting an appeal to the ASRB is articulated in AR 623-3 Chapter 4.

LAWRENCE G. FERGUSON
Brigadier General, USA
Commanding

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

To: Deputy Commanding Officer (DCO) of Operations (Ops),
1st Special Forces Command (1SFC), Fort Liberty, NC
From: SFC Michael Forbes through James M. Branum, Attorney at Law
Date: November 24, 2023
Subject: Request for redress IAW with UCMJ Article 138

Through legal counsel,[1] SFC Forbes submits this brief (with attachments) to constitute a request for redress under the provisions of AR 27-10 para. 19-6 and UCMJ Article 138.[2]

1. Identification of Parties

The complainant is SFC Michael J. Forbes, an NCO with nearly 17 years of unblemished service to the US Army, prior to the recent wrongful investigations.

The alleged wrong committed against SFC Michael J. Forbes was by Brigadier General (BG) Lawrence G. Ferguson, who at the time of the alleged wrong was serving as the Deputy Commanding Officer (DCO) of Operations (Ops) for 1st Special Forces Command (1SFC). He has since been promoted, which means the successor commander, is designated as the respondent IAW AR 27-10, para. 19-6 (e).

[1] IAW AR 27-10 para. 19-5 (b).

[2] Please note that the complainant is forced to file a formal complaint under Article 138, that he will be seeking a determination by the GCMCA that other available "channels or procedures" for resolving this issue are not in fact adequate or available, and that the "GCMCA should conduct a full examination as provided in paragraph 19–12, and otherwise treat the complaint as appropriate subject matter for resolution pursuant to Article 138," IAW AR 27-10 para 19-11 (e).

2. Identification of Wrong

The complainant was improperly given a permanently filed GOMOR (the notification of which occurred on August 25, 2023[3]) after previously being subjected to improper investigations[4] and retaliation as a whistleblower.[5]

Conclusion and Request for Redress

The complainant urges you to take action now to prevent further damage to SFC Forbes' career and further harm to the Army. The investigation by COL Brunson was materially flawed and the other investigation is in breach of 10 U.S.C. § 1034.

It is for these reasons that the complainant requests that:

1. The permanently filed GOMOR be removed from the permanent file and rescinded,

2. The Relief for Cause NCOER be rescinded and corrected.



James M. Branum
Attorney at Law

Enclosures:

A: Certification by SFC Michael J. Forbes
B: Summary of Allegations Regarding Improper Investigations, Illegal Retaliation

[3] This date is provided IAW AR 27-10 para. 19-6 (c).

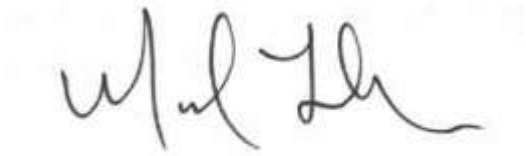
[4] *See* enclosure B for a summarized discussion of these improper investigations and the underlying context behind the improper GOMOR filing.

[5] Please note that an open and ongoing Inspector General (IG) Whistleblower Case, encompassing other aspects of this situation other than only the Whistleblower issue exclusively, per DAIG, has been open for months (case number: ZS-23-0084).

Enclosure A: Certification by SFC Michael J. Forbes

I have read the attached request for redress with enclosures. I certify that it is accurate to the best of my knowledge and that I have authorized my civilian attorney, James M. Branum, to submit it on my behalf.

Dated: November 24, 2023



SFC Michael J. Forbes

Enclosure B: Summary of Allegations Regarding Improper Investigations, Illegal Retaliation

1. COL Tavi Brunson violated or used undue Command Influence that caused others to support his violation of multiple Public Laws[6], Army Regulations and Directives[7], Unit Policies,[8] and Constitutional provisions[9] after he acted on flawed professional advice from Subject Matter Experts (SMEs) in duty-bound positions that required them to provide him with lawful guidance.

2. MAJ Racaza did the following:

    a. She severely strayed from the standards set by her state professional licensing agency, the Arizona Board of Psychologist Examiners (BOPE), including several areas of the code of conduct[10] and multiple specific principles and provisions[11] of the code.
    b. She advised, coordinated, facilitated and/or was aware that these Behavioral Health Assessments (BHAs) failed to provide appropriate protections to affected Soldiers potentially or actively under her Professional care per the Womack Army Medical Center (WAMC) Patient Bill of Rights (PBoR).[12]

3. During a 5-day period, beginning 28NOV2022, COL Brunson illegally mandated not one (BDE sponsored), but two (Army Sponsored), Behavioral Health Assessments (BHA)s to unlawfully gather and store[13] unauthorized personally identifiable,[14] Psychological data[15], without proper

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[6] 10 U.S.C. § 1034 (MWPA), 18 U.S.C. § 208 (Conflict of Interest), 45 C.F.R § 160.103 defines Protected Health Information (PHI), while 45 C.F.R. § 46 (Basic HHS Policy) and 32 C.F.R. § 219 (Common Rule DoD), defines the Protection of Human Subjects.

[7] AR 15-6 (Due Process), AR 25-22 (Privacy/ Civil Rights), AR 380-5 (INFOSEC), & AR 380-67 (PERSEC)

[8] DoDD 6490.04 (eCDBHE) and 1SFC/USASOC 25-2 (PEDs)

[9] 4th and 5th Amendments to our Constitution

[10] Arizona BOPE has adopted the APA (American Psychological Associations) code of Principles. *See* APA 2.0 (Competence); APA 3.0 (Human Relations); APA 4.0 (Privacy & Confidentiality); APA 5.0 (Advertising & Other Public Statements; APA 8.0 (Research & Publication); and APA 9.0 (Assessment).

[11] Arizona BOPE has adopted the APA (American Psychological Associations) code of Principles. *See* APA CoC Principles 1.02, 1.03; 2.01, 2.03 & 2.04; APA 3.04, 3.05, 3.06, 3.08, 3.10 & 3.11; 4.01, 4.02, 4.05 & 4.07; 5.01, 5.03 & 5.06; 8.01, 8.02, 8.04 & 8.08; 9.01, 9.03, and 9.04.

[12] All data and evidence supporting this document and the associated legal brief were provided to the command in the myriad documents provided as part of the complainant's GOMOR and RFC rebuttal packet provided on 16JUN2023.

[13] In violation of 45 C.F.R. § 46, 32 C.F.R. § 219, and AR 25-22

[14] 45 C.F.R § 160.103, and AR 25-22

[15] In violation of 45 C.F.R. § 46 and 32 C.F.R. § 219

prior informed consent.[16] This data would be stored (*Smartabase*) indefinitely and used by the COL's or the Army's licensed Medical Providers via undisclosed metrics for the subjective private assessments, determinations, recommendations and/or potential follow-on treatment plans. After the complainant sought to gather the needed informed consent information (the scope and statutory support of the BDE sponsored assessment), he was falsely accused of being "angry" by the BDE Psychologist.

4. The complainant also attempted to identify the same scope and statutory support for the second (Army sponsored) assessment and was 'internally-outed-for-asking' at multiple echelons even though this was a lawful request.

5. Subsequently, the complainant was assaulted by one of COL Brunson's BN CSMs while he was attempting to prevent the prohibited use of PEDs in our classified facilities[17] in support of the same, second (Army sponsored) assessment.

6. After reporting the assault to his Congressman, 1SFC IG, and the Fort Bragg Military Police Office (MPO), the complainant was:

    a. removed from his BDE S2 NCOIC position,
    b. clandestinely investigated (without due process)[18],
    c. ordered to a corrupt emergency Command Directed Behavioral Health Evaluation (eCDBHE),[19]
    d. erroneously[20] found guilty of Disrespecting the Psychologist[21] and counterproductive leadership,
    e. provided with an unsubstantiated Relief for Cause (RFC; to be appealed), and
    f. provided with a (GOMOR; by the 1SFC OPs DCO), which, illegally, culminated in the complainant being clandestinely added to his own Military Whistleblower Protection Act (MWPA) complaints' investigation, (which is another violation of law that resides solely at the 1SFC echelon).[22]

7. MAJ Rhea Racaza, never provided to the complainant the requested informed consent advisement (for the first BHA) which was both mandated by law[23] and required by her binding professional

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[16] In violation of 45 C.F.R. § 46, 32 C.F.R. § 219, AR 25-22 and APA Principles 3.10, 8.02, 8.05

[17] 1SFC/USASOC 25-2

[18] AR 15-6

[19] In violation of 18 U.S.C. § 208, AR 25-22, DoDD 6490.04, and APA Principles 3.05, 3.06 & 3.08

[20] AR 15-6

[21] UCMJ Article 89.

[22] 10 U.S.C. § 1034

[23] In violation of 45 C.F.R. § 46, and 32 C.F.R. § 219

standards.[24] Doing this divested her of the protections afforded in Article 89 of the UCMJ as she "departed substantially from the required standards appropriate [her] rank or position." Subsequently, she personally "recommend[ed]" the complainant to an unnecessary, after-hours, and corrupted[25] eCDBHE.

8. COL Brunson used Administrative actions and preliminary inquiries because he lacks substantive, material evidence to pursue non-judicial punishment as the complainant would have immediately demanded a trial by court-martial in front of an impartial panel of members to defend himself with the substantial material prima facie evidence of his and his subordinates wrongdoing, which would have been provided in the discovery process of any UCMJ judicial proceeding.

9. The above actions have resulted in the complainant being considered for the Qualitative Management Program (QMP), which could result in his being involuntarily separated from service (similar to a discharge) all without a fair opportunity or due process to defend his career.[26]

10. The complainant is 55 years old and does not have the work years available for him to earn another pension, which is why he would welcome the scrutiny of his professionalism over the course of his career in any fair venue, as he would not jeopardize his pension over anything that was immaterial; but rather will defend it using every civil tool available to him. The complainant did this job well and should not be receiving a Relief for Cause (RFC) Non-Commissioned Officer Evaluation Report, nor the General Officer Memorandum of Reprimand (GOMOR) that was permanently filed in his records. This all happened because the complainant sought to exercise his rights to make an informed decision under the law regarding his health information, and for actually performing the appointed duties that were previously ordered by COL Brunson.

11. To defend his career from these administrative actions, after having no fair venue during two clandestine investigations to defend himself and expose the violations of my BDE CDR and his staff, the complainant has complained to the following in chronological order:

    a. the 1SFC IG;
    b. Hon. Congressman Richard Hudson's Office;
    c. the Military Police Office (MPO);
    d. the USASOC IG;
    e. the Army Human Research Protection Office;
    f. Defense Health Agency (DHA);
    g. WAMC Director, Ombudsman and Patient Advocacy Offices;
    h. the DAIG;
    i. Federal Bureau of Investigation (FBI);
    j. Multiple members of the Senate Armed Services Committee.

---

[24] APA Principles 3.10, 8.02, 8.05

[25] In violation of 18 U.S.C. § 208, AR 25-22 and APA Principles 3.05, 3.06 & 3.08

[26] AR 15-6

k. Notably, the complainant's wife reached out to the Secretary of the Army, Ms. Wormuth, as well.

12. The complainant intended to contact, in an order of deadline precedence (not inferred herein), the following:

a. the AZ BOPE for adjudication of MAJ Racaza's actions;
b. NCOER Appeal for its removal;
c. HRC for cover letter to Senior NCO Board packet;
d. the QMP Board;
e. Army Board for Correction of Military Records (ABCMR);
f. any necessary judicial venues;
g. Office of the Judge Advocates General (OTJAG); and,
h. any Government oversight committee or legitimate news, or research organizations to expose military administrative issues in this case.

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY NORTH CAROLINA 28310-8509

AOSO-JA

AUG 10 2023

MEMORANDUM FOR Commander, United States Army Human Resources Command, ATTN: Army Soldier Records Branch (AHRC-PDR-R), 1600 Spearhead Division Avenue, DEPT 420, Fort Knox, Kentucky 40121-5402

SUBJECT: General Officer Memorandum of Reprimand (GOMOR) Filing Determination – SFC Michael Forbes, Headquarters and Headquarters Company, 528th Special Troops Battalion (Special Operations) (Airborne), 528th Sustainment Brigade (Special Operations) (Airborne), Fort Liberty, North Carolina 28310-8509

I have reviewed the enclosures and direct that the GOMOR pertaining to SFC Michael Forbes, Headquarters and Headquarters Company, 528th Special Troops Battalion (Special Operations) (Airborne), 528th Sustainment Brigade (Special Operations) (Airborne), Fort Liberty, North Carolina 28310-8509, be filed in his Army Military Human Resource Record.

LAWRENCE G. FERGUSON
Brigadier General, USA
Commanding

5 Encls
1. COC Recs
2. Ack and Rebuttal Matters
3. GOMOR
4. Supporting Documents
5. Flag/STP

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

16 June 2023

MEMORANDUM FOR Record

SUBJECT: SFC Forbes, Michael J. rebuttal of 2LT Tolston findings and evidence

The following brief is submitted by James M. Branum, legal counsel for SFC Forbes as a rebuttal of the 15-6 investigation findings and evidence submitted by 2LT Tolston, as well as the recommendation of a GOMOR and the contemplation of a relief for cause.

Introduction

Any objective reader of the findings and evidence submitted by 2LT Tolston would have reason to be concerned, however, the reality is very different than the distorted picture painted by this report of a deeply flawed investigation conducted by a junior officer.[1]

This problematic investigation resulted in many pages of sworn statements and MFR's (see enclosure A for a detailed discussion of these documents by SFC Forbes and enclosure B for a detailed investigation timeline), but this brief will focus its response to the two central justifications made in the recommendation for a GOMOR, as well the significant errors in the investigation itself.

1. SFC Forbes did not engage in disrespectful communication with MAJ Racaza

As outlined by SFC Forbes in his statement (see exhibit 1), SFC Forbes spoke in a respectful manner with MAJ Racaza about his bona fide concerns about medical privacy. He treated her as a professional because she was one, and he rightfully expected her to fulfill her duty under both Army regulations[2] and the licensing rules of her jurisdiction (Arizona)[3] to provide the

[1] In my almost 17 years of practicing in the area of military law, I do not recall ever seeing a 2LT being given such a challenging AR 15-6 investigation to complete.

[2] *See* DoDI 5400.11 part 5.1 (a)(3) (ref. A). *Also see* DOD Patients Bill of Rights at DoDI 6000.14 (ref. C), and *see* 32 CFR 219 § 219.116 (ref. E).

[3] According to the Ariz. Admin. Code § 4-26-301(online at https://casetext.com/regulation/arizona-administrative-code/title-4-professions-and-occupations/chapter-26-board-of-psychologist-examiners/article-3-regulation/section-r4-26-301-rules-of-professional-conduct), the APA's "Ethical Principles of Psychologists and Code of Conduct" are binding on Arizona psychologists. This includes Rule 3.10 (online at https://www.apa.org/ethics/code) which provides that "When psychologists conduct research or provide assessment, therapy, counseling, or consulting services in person or via electronic

information needed for him to be able to make appropriate decisions about his privacy rights under the law. Unfortunately, this is not what happened, and MAJ Racaza chose to engage with SFC Forbes in a disrespectful and unprofessional manner.[4] As such, she effectively divested her status as a superior officer and was no longer protected by the provisions of UCMJ article 89.[5] As explained in the US Army's *Military Judges Benchbook*:

> *(When an officer) under all the circumstances departs significantly from the required standards of an officer and a (gentleman)(gentlewoman) appropriate for that officer's rank and position under similar circumstances is considered to have abandoned that rank and position."*[6]

The veracity of SFC Forbes' interaction with MAJ Racaza are also backed by his long history of conducting himself professionally and respectfully, as shown by several of the character reference letters, including that by CW4(R) Dane A. Bergeron,[7] who said:

> *SFC Forbes possesses excellent communication skills (both written and verbal), allowing him to effectively interact with all levels of personnel in the Chain of Command.*

This picture of SFC Forbes is also consistent with what is said in this excerpt from his most recent NCOER dated August 31, 2022:[8]

---

transmission or other forms of communication, they obtain the informed consent of the individual or individuals using language that is reasonably understandable to that person or persons except when conducting such activities without consent is mandated by law or governmental regulation or as otherwise provided in this Ethics Code. . ."

[4] For SFC Forbes' account of this interaction, s*ee* enclosure A.

[5] *See generally* Milhizer, Major Eurge R. "The Divestiture Defense and United States v. Collier" *The Army Lawyer* (March 1990; DA-PAM 27-50-207), online at: https://bit.ly/460vuf.

[6] DA PAM 27-9 at 1090.

[7] *See* enclosure C.

[8] This NCOER, as well as his previous ones can be found in the exhibits, in the folder entitled "CRL-Character reference letters"

From Part IV Section C (Comments):

** fully supported Army SHARP, EO, and MRT programs*
** model of the Army values; promoted these values with others and exemplified the highest standards of personal conduct both on and off duty*

2. SFC Forbes did not engage in "counterproductive or toxic leadership behaviors within brigade or battalion S2 sections."

The findings of the IO with regard to allegations of counterproductive and toxic leadership are based on weak and conflicting evidence, much of it based on hearsay, repeated rumors, and unsubstantiated opinions.

A different picture than the one painted by the IO, can be found by examining the past NCOER's (see attachments), as well as the testimony of those who have worked with SFC Forbes (see attached character reference letters). Here is one important except, from the letter by CSM Aubrey L. Crenshaw[9]:

> *To date, I have known SFC Forbes for the past eleven years through military positions held and through continued mentorship. I can personally attest to his intelligence, fortitude and professionalism. Others and I can confirm his exceptional qualities and potential as a leader, trainer and motivator. I have witnessed firsthand his growth in both military knowledge and experience, and as a person.*

SFC Forbes has a strong record of being a true leader, one who will speak the truth when it needs to be spoken, but also one who sees the potential of junior enlisted troops and helps them to get on track to get promoted and succeed in their MOS. [10]

Also worth noting are these remarks from SFC Forbes' most recent NCOER, dated August 31, 2022:

From part III, section j (Comments):

** stellar performance, dedication, and commitment to excellence during the rating period; finds most efficient and effective means to remain in regulatory compliance*

[9] *See* enclosure C.

[10] For evidence of this, *see* the NCOER's, as well as exhibit A.

** earned staff's respect with solid guidance, eagerness to learn other sections' functions, and interoperability; steadfast in protection of command team's decision-making process and reducing risk*

From Part V section b (Senior Rater Comments)[11]:

SFC Forbes is a top 15% NCO with tremendous potential to excel. SFC Forbes' ably served as both OIC and NCOIC of the BDE S2 Section and revitalized our physical security programs; his performance validates his exceptional potential at the next level. Send to Master Leaders Couse and promote to Master Sergeant ahead of peers.

3. SFC Forbes was subjected to a flawed and deficient investigation.

There have been several significant issues related to the process that SFC Forbes has been subjected to, including:

a. The failure of the IO to call all relevant witnesses (and to either provide sworn statements from all she interviewed) resulted in an inaccurate/distorted judgment of SFC Forbes.

In the sworn statement by 1SG Morgan (exhibit 4), there were several individuals listed by 1SG Morgan as relevant witnesses, however, it does not appear that the IO interviewed these people. The names provided by 1SG Morgan were: COL Brunson (BDE CDR), LTC Sanchez (BDE XO), CSM Vargas (BDE CSM), LTC Hamman, C. (former BDE XO), and MAJ Collins, M. (former BDE XO).

Also, according to the Findings memo by the IO (pages 5-6), the IO interviewed several witnesses for which she provided no sworn statements or summarized testimony by memorandum. These interviewees were: MAJ CH Rivera, 1LT Lyons, and Mrs. Margaret Lindquist. It is not clear why the IO chose to not provide some kind of MFR for these interviews, given her obligation to "

[11] The senior rater was COL Brunson.

b. The reliance of the IO on summarized statements rather than on sworn statements, resulted in an inaccurate/distorted judgment of SFC Forbes.

The IO in this investigation made frequent use of MFR's to summarize testimony. While this is permitted under the regulations, it is important to note that the stated intent of this permission is to primarily accommodate witnesses who are testifying telephonically.[12]

While the use of sworn statements is not required for an AR 15-6 investigation (unless otherwise required under the appointment orders), the use of MFR's in place of sworn statements (by MAJ Weber[13], LTC Furlow[14], and SFC Meredith[15]) does raise serious questions about whether this testimony should be treated with the same level of deference as one would otherwise provide to testimony done by way of an oath.

c. The decision of the IO to make use of unreliable, irrelevant and immaterial evidence, resulted in an inaccurate/distorted judgment of SFC Forbes.

In reviewing the totality of the evidence provided in the AR 15-6 investigation, a few themes keep recurring through multiple witness statements, including the use of generalizations and opinions (often by personnel who have not established on the record the factors that substantiate those opinions), the frequent use of hearsay and more generalized gossip, and the use of irrelevant but negative information.

According to the *Investigating Officers Guide*, AR 15-6 investigations are not bound by the MRE (Military Rules of Evidence), but there are still some limitations on appropriate evidence, most notably:

> *The information must be relevant and material to the matter or matters under investigation. Information not meeting this standard must not be included in the investigation.*[16]

Unfortunately, the IO in this case made extensive use of information that was irrelevant and immaterial, including remarks by witnesses about SFC Forbes' opinions on topics including race,

[12] *See Investigating Officers Guide*, (C-3)(c)(1), of App. C of AR 15-6.

[13] *See* exhibit 12.

[14] *See* exhibit 14.

[15] *See* exhibit 15.

[16] AR 15-6, App. C, (C-3)(g)(1).

ethnicity, sexual orientation, and gender,[17] all topics that were outside the scope of the matters of the investigation.

d. The failure of the IO to recognize that many of the allegations made against SFC Forbes, are made by personnel who have an obvious conflict of interest.

The IO failed to note in her report that SFC Forbes has a pending whistleblower reprisal case with IG against multiple RMO's (responsible management officials), as well as the fact that SFC Forbes had previously accused CSM Emekaekwue of a physical assault against him. This failure to recognize a potential conflict of interest of these two witnesses calls into question the objectivity of the investigation.

The IO also failed to note that MAJ Racaza violated the ethical rules of her practice by engaging in a conflict of interest by way of multiple relationships, in that she: (1) wrongfully accused SFC Forbes of disrespectful communication, (2) ordered an involuntary eCDBHE of SFC Forbes, and (3) testified against SFC Forbes in the AR 15-6 investigation.[18]

Conclusion

The evidence provided by SFC Forbes shows clearly that the allegations made against him are without merit. He did not engage in disrespectful or unprofessional communications with MAJ Racaza, and his leadership approach has been positive in nature, and is in no way toxic or counterproductive.

SFC Forbes has, however, been subject to illegal reprisals and retribution, which has unfortunately tainted the AR 15-6 investigation held against him.

It is for these reasons that you are urged to: (1) withdraw the recommendation of a GOMOR, (2) remove the flawed AR 15-6 proceedings from the record, (3) drop the relief for cause action, and (4) transfer SFC Forbes to another unit where he will not continue to be targeted.

[17] As discussed in exhibit 1, SFC Forbes did not make these statements.

[18] As discussed above, psychologists licensed by the state of Arizona are bound by the APA's "Ethical Principles of Psychologists and Code of Conduct" (online at https://www.apa.org/ethics/code). The relevant provisions are rules 3.05 and 3.06.

SUBJECT: SFC Forbes, Michael J. rebuttal of 2LT Tolston findings and evidence



James M. Branum
Attorney at Law

Enclosures:

A: Memorandum addressing select portions of the statements and other documents provided by the AR 15-6 investigation.
B: Timeline of AR 15-6 Investigation
C: Character Reference Letters

Exhibits:

These are all found in the zip file provided electronically but are also available via CD.

DEPARTMENT OF THE ARMY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MI 16-June-2012

MEMORANDUM FOR RECORD

SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Introduction:
This memorandum is written for a simple but important purpose: to defend my reputation and career from a coordinated onslaught of wrongful personnel actions (including repeated counseling and graduated reprimand recommendations), culminating in a GOMOR being delivered by BG Ferguson.

This memorandum will be addressing each of the sworn statements and memoranda for record that were provided to me as the result of the AR 15-6 investigation. While this memorandum was drafted by myself, it will refer to me in the third person for the sake of consistency

These repeated attempts to justify an ill-intended prolonged investigation of a Soldier that was dutifully and professionally performing duties that his BDE CDR assigned him to perform should be used to modify existing regulations and authorities. This simple situation could have been remediated with appropriate actions at various stages throughout this document by CDRs at any echelon and the lack thereof can easily be assessed as a failure to act by responsible leaders.

I have had to lodge multiple complaints resulting in investigations that the BDE CDR may have no visibility of; I have identified other organizations that may have a vested or oversight interests in these events as well. Unfortunately, at nearly 6 months, my wife reached a frustration level that inspired her to write to Secretary of the Army, the Honorable Christine E. Wormuth (See “01-COL Brunson” folder) on 20230524. She did this because she saw her husband lose a position that he loves, one that he worked his whole Military career to be knowledgeable about to positively impact.

This situation, arguably, began on 20231130 with MAJ Racaza’s actions as she unjustifiably followed me upstairs to report me to the BDE CDR while ignoring her responsibility to follow Public Law, Regulations and the APA CoC as it related to the ad hoc SDI event. This led, due to no fault of myself, into what you are about to read. When a similar endeavor, the USASOC sponsored HPW rollout order, immediately followed, I knew better than to ask any 528th SB Special Staff for any information pertaining to making an ‘informed consent’ decision and attempted to get the information on my own. Those efforts resulted in being unjustly removed from my

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

NCOIC position and put under intense undue scrutiny at every echelon of two BNs over the last six months under the leadership and culture of COL Tavi Brunson.

The following responses/explanations are made for the witness statements and other supporting documents of the AR 15-6 investigation. Due to the lack of sufficient time to respond to all of the allegations, this memorandum should be understood as being a non-comprehensive response.

Notably, MAJ CH Rivera was interviewed by the IO but no SS or MFR by 2LT Tolston was produced, yet he is mentioned in other hearsay remarks in evidence as having seen SFC Forbes before speaking with MAJ Racaza. I did not meet with or see anyone other than MAJ Racaza until after was ordered to report to COL Brunson's office at the behest of MAJ Racaza; I met with MAJ CH Rivera later that day. Even though the IO MFRs should be excluded, I will address as many of the identifiable issues as I have time to respond.

Also please note: CPT Lowrie and SFC Meredith are not licensed mental health professionals and their purported diagnoses of "a lack of emotional fitness" and a "mental break," respectively, regarding me, are moot. Moreover, these statements coupled with MAJ Racaza's behaviors suggest a probative value into whether anyone was 'coached' to provide these highly charged opinions to the IO. Notably, CPT Lowrie is pursuing a PhD in Psychology and working with, MAJ Racaza on her dissertation questions.

ALL HIGHLIGHTS ARE QUOTED STATEMENTS PROVIDED TO IG

Exhibit A
MAJ Racaza Sworn Statement (20230119)

Summary: This is an impugned witness. See Exhibit H Folder of PMO the criminal assault that SFC Forbes submitted to the Fort Bragg PMO. MAJ Racaza should not have been allowed to submit evidence against SFC Forbes as it provides significant probative value in a different venue, which is likely the reason the BDE CDR recommended a GOMOR instead of UCMJ action (See the accompanying Investigation Timeline memo to identify the multiple actions that MAJ Racaza should have either, not acted until she fulfilled her Lawful and Principled responsibilities and, thereby, divested her authority as an Officer in the United States Army). Moreover, after violating this, MAJ Racaza further impugned herself (as seen in Exhibit E, CPT Korista's SS) when she recommended SFC Forbes after she had complained about him at least twice prior to an investigation in which she was a prominent and sole Officer that COL Brunson alleged SFC Forbes disrespected.

A week after that, MAJ Racaza exacerbated her impugned status by then recommending SFC Forbes (an unwitting suspect of the investigation) for an eCDBHE through the newly replaced (on BDE order, see Exhibit E, "para 7_Q4 eCDBHE" folder, 3x orders dated 20221220 & 20230117) authority of CPT Korista. If the outcome of what SFC Forbes deems a "unwarranted fishing expedition" had been, even remotely, negative (it was not, see Exhibit A, "WAMC" folder) it would have been used against him in the open investigation and could have affected SFC fit-for-duty status.

Having been a 14-year unblemished, licensed professional of FINRA prior to his joining the Army (See "10-CRL/BIO & CIV Resume" folder), SFC Forbes fully understands the most important professional act MAJ Racaza failed to accomplish, given her prior complaints about SFC Forbes. Her lack of recusing herself of anything pertaining to SFC Forbes' eCDBHE and his mental health is troubling. She could have easily contacted another Psychologist on Fort Bragg to objectively assess any concerns in this situation of which she was centrally involved. Instead, she went 'all-in' and committed serious violations of what the APA CoC calls, "Conflict[-]of[-]Interest" and "Multiple Relationships" (See Exhibit A, "AZ BOPE" folder, "APA 3.0 Human Relations…3.05 and 3.06).

Yet, one day after SFC Forbes' questionably ordered (by CPT Korista) eCDBHE evaluation, which was conducted by Mr. Lanier, at WAMC, MAJ Racaza quadrupled down in her likely narrow-minded or shortsighted and predetermined opinion of SFC Forbes that occurred within the less than 1-minute discourse with SFC Forbes on 20221130. MAJ Racaza decided to participate ***as a witness*** in the investigation (See Exhibit A); this was an investigation she already had a hand in starting on 20230112. MAJ Racaza's motive is probative and may have been due to his favorable 3822 results and her need for him to be counterproductive or suffer from a diagnosed personality disorder to explain away her violations of Public Law, Regulations, Office of Management and Budget Memorandum (pertaining to 3rd Party Applications) and the APA CoC. She attempted to get an outside opinion that would align with hers and failed.

The reasons for her failure of a commonly used concept of 'recusal' or avoidance of a perceived 'conflict-of-interest' among licensed professionals will be reported to the Arizona Board of Psychologist Examiners (AZ BOPE) for consideration and possible adjudication following the resolution of this GOMOR rebuttal. In fact, I was, and would be still be, prepared to request a General Court Martial, as I feel the rules of evidence and oversight of his rights and due process in that venue would afford me the opportunity of transparently presenting the evidence provided herein.

The APA's Code of Conduct (APA CoC) was adopted by the (AZ BOPE). Please reference the "Exhibit A, AZ BOPE" folder to find all (highlighted) violations that will be argued in front of this licensing body. Informed consent, an ad hoc event ombudsman and a privacy assessment are some of the items that will be addressed regarding the

SDI 2.0 event that she promoted through the BDE CDR. At no time, during SFC Forbes' failed (less than one minute) request-for-information (RFI) attempt, did he disrespect MAJ Racaza or "[angrily]" demand information; he simply wanted the information and she should have known, through her education and professional licensure, that his reasons "Why?" were irrelevant to her lawful obligation to answer them. She was bound by Public Law, Regulation and APA CoC to answer his two queries. She did not answer either of them then (20221130) and did not answer them up and through the culmination of the event on 20221202. SFC Forbes was relieved to not be included in this Command Directed Behavioral Health Data Gathering event that produced PII identifiable reports back "to the Sponsor" and MAJ Racaza. SFC Forbes has no confidence in MAJ Racaza's competency or professionalism after the ~1 minute exchange and her misperceptions associated of SFC Forbes 'anger' that she reported to the BDE CDR. SFC Forbes had professional exchanges with the BDE CDR over this issue and considered it closed immediately after the exchanges.

SFC Forbes will not be able to address many of the false statements and hearsay of unidentified persons contained in the MAJ Racaza's SS and does not concede or agree with MAJ Racaza's allegations of disrespect or counterproductive leadership behaviors.

SFC Forbes addresses her rendition of SGT Aldeguer's SS, which she was not a party to, or witness of, in Exhibit B narrative. Also, refer to the attached CD or zip-file provided by SFC Forbes (integral part of this rebuttal) for an email exchange between SFC Forbes and COL Brunson (see "01-COL Brunson" folder, email dated 20221201), wherein he documented a communication to COL Brunson; the email pertained to the discussion with MAJ Racaza on 20221130 that following his 'called-on-the-carpet' meeting in the BDE CDR's office, pertaining to MAJ Racaza misperceptions. SFC Forbes included detailed reasoning for asking his questions of her; he simply wanted to be afforded 'informed consent' (per Public Law and Regulation) prior to his participation in the ad hoc SDI data-gathering (and shared) behavior health oriented program. COL Brunson's codified (in the email) response was to state, "I will respect your request and excuse you." He immediately replied again and stated, "P.S. For the record, I read it all twice."

SFC Forbes has never removed or threatened to remove anyone's building access or suspend anyone's clearance without CDR recommendation and/or INSCOM direction in his entire 11+ year career as a highly successful (see all NCOERs in folder entitled "NCOERs)."As the NCOIC and BDE appointed Primary Personnel Security Manager (PSM), the only requirement SFC Forbes enforced was the incentive for Soldiers to fully in-process prior to receiving building access via the CAC Card readers on X-4047. He enforced this to justify the granting of access in DISS. People would go to SSG Meredith to in-process to circumvent this requirement and get access without appropriate training and access notification to DCSA, formerly known as DoD CAF (Please see the detailed issues with how SSG/SFC Meredith executed the S2 Programs

prior to SFC Forbes' arrival in Exhibit N narrative). These are issues MAJ Racaza would not be privy to in her official capacity: and her commentary, opinions, or assessments about these internal S2 issues would have been based only on hearsay, making them effectively moot.

Exhibit B
SGT Aldequer Sworn Statement (20230119)

Summary: SFC Forbes met with MAJ Racaza. Interestingly, SGT Aldeguer stated, "Chaplain Rivera saw him walk in and he called MAJ Racaza to answer his questions." This indicates coaching from someone; he is attesting to events of MAJ CH Rivera, down the hall and out of sight.

This Soldier is a direct subordinate to MAJ Racaza. Given her violations of Public Law, Army Regulation and the APA CoC (CoC issues will be adjudicated in a proper venue). It is in MAJ Racaza's interest to attempt to find corroboration of SFC Forbes as counterproductive or suffering from a diagnosed personality disorder, where none exists to divert any attention from her bad actions (or lack of lawful fulfillment of Public Law, Regulations and APA CoC). This case is a clear fabrication of this witness and there is no testimony to support it. Even if this discussion had occurred, as all of SFC Forbes Character Reference Letters (CRLs) (See "10-CRL" folder) indicate, he never has walked into anyone's office and begun demanding things; because it is not professional.

Furthermore, SFC Forbes would never comment on someone's "English." SFC Forbes was never the subject of an EO complaint related to this event because it did not occur.

Exhibit C
1SG Morgan Sworn Statement (20230120)

Summary: See narrative below. Not enough time to summarize.

para 1 - "2021 Motor pool Incident w/ CPT Valdez:" SFC Forbes created a SS pertaining to the 20210723 discussion as it was a catalyst to later issues with CPT Korista and 1SG Morgan. Separately, SFC Forbes dutifully had motor-pool personnel secure a GSA 2-drawer safe that he observed on the parking surface (outside) near the fence-line of the motor-pool; he immediately wrote an impromptu MFR (see Exhibit C folder), notified the S4 to attempt to identify the owner, and documented the situation. Contradicting 1SG Morgan's own SS is his own evidence submission of the corresponding DA 4856, dated 20210727, which noted in the closeout of the DA 4856 that "SM has not had any problems since the 27 July counseling session."

Interestingly, this close out occurred a couple of days before an investigation was launched against SFC Forbes, lodged erroneously by an unknown and likely

overzealous CDR, due to an overreaction by MSG Kazmierski, Sean that his IOTV went missing (see Exhibit C., “para 5” folder and narrative in this section para 5 for more on this topic).

para 2: - “HHC Supply Issues at S2 HRH:” SFC Forbes signed both initial counseling memoranda from both CPT Mansour and CPT Korista (see Exhibit C, “para 2” folder); statements to the contrary are false. Please see “para 1” evidence and SFC Forbes SS to appreciate the major issues in how equipment was inspected, documented, and accounted for in HHC, STB under both Company CDRS. SFC Forbes did not add to the CD 1 ½ years of monthly signed sub-hand receipt documents in his meticulously kept sub-hand receipt hard-copy binder, but he is willing to provide his records to anyone that needs to see or have them. Notably, on 20210720, SFC Forbes suggested and encouraged CPT Mansour to have a document with the Sub Hand Receipt Holder’s signature on it.

para 3: - “Conflicts with BDE Staff Leadership/Platoon Sergeant:” Please see the following paragraph, the first paragraph of “para 7” below and Exhibit M. “example” (x2) interactions therein and elsewhere throughout the entirety of this document, for reference evidence that refutes this allegation. SFC has a good memory but does not recall, nor did he document the conversation with MSG Burgos as it was inconsequential; it was one-of-many conversations he had with the BDE S3 NCOIC (MSG Burgos). They are S3 Operations cell after all. Notably, the lack of specificity on the part of 1SG Morgan does not help SFC Forbes recall the conversation either. The PSG issue can be summed up in the myriad exchanges both SFC Surorodriguez and SFC Forbes could print off; SFC Forbes decided that refuting this is self-evident and only selected examples that easily counter any allegation he did not want to communicate with the PSGs. The examples in Exhibit C, email dated 20220629 and 20220831 refutes any lack of communication on SFC Forbes’ part outside the norm. The only issue SFC Forbes ever verbalized was the difficulty in responding to after-hours texts (See Exhibit C, email dated 20220629) and SFC Suro indicated that it was not an issue; after-hours texts have since been discouraged in the unit.

There were minor conflicts, but not with BDE Staff. As this memorandum is rife with examples of CPT Korista and CPT Mansours questionable leadership decisions that are compounded by the lack of an HHD UIC on the MTOE, this email is yet another example. CPT Korista publicized to all on the “to:” and “cc:” lines of the email that SFC Forbes’ Soldier (PFC Scheffing) was on a list of Solders entitled “Failure to Train.” Moreover,it included threats of Personnel Actions or “future consequences” if the Soldiers repeatedly miss training. PFC Scheffing was a good and dutiful Soldier on Staff Duty, but everyone, other than the PSG (SFC Surorodriguez), SSG Meredith, SFC Markle (S1) and SFC Forbes were made aware that he was otherwise duty bound NOT to attend. This was never remediated by CPT Korista and SFC Forbes did not see this

as material to bring up at that time, given CPT Korista's reactions to Senior NCO guidance in the past.

para 4 – "Interactions with Company Staff:" This refers to the same allegations in CPT Korista's SS (para 2., c.). This is simply not true. This was yet another last minute tasking that CPT Korista and 1SG Morgan would pick Soldiers by name and SFC Forbes simply went down to inquire what the urgency was and upon learning this was a relatively short event and it had to do with the issue that CSM Vargas was intimately familiar with (she garnered some Garrison attention for standing up for our Soldiers in a bold way; SFC Forbes admires her for it) and had eventually received national press attention. SFC Forbes, he left and went back to work upstairs.

para 5 – "Abusive and Dishonest Behaviors:" This is a fabrication. See redacted Investigation report SFC Forbes received via FOIA and LTC Furlow DA 4856 of Forbes in reference to the outcome.

para 6 – "Inappropriate/Racist Statments:" This is categorically absurd. SFC Forbes has been married to his wife, Sabrina, a proud Native American of Lumbee heritage, for nearly 8 years. In fact, he is the only Caucasian family member in his wife's extended family (including both her foster and biological families). The family is approximately 60% Native American and 40% Black. This is untrue and just another instance of witnesses attempting to repeatedly use hearsay and inflammatory statements in the hopes to bolster an untrue statement.

para 7 – "Interactions with Officers:" MAJ Johnson, S1 OIC, 528th SB provided unsolicited feedback when SFC Forbes owed the unit $20, the remaining balance on two clothing items being sold ISO the BDE Ball. After 3 months of excluded from working with colleagues whom he had a working relationship with, he provided her the following feedback and reflection, "You are a professional and I miss working with you. I love working with professionals." MAJ Johnson responded, "Good morning and thank you SFC Forbes. I'm glad for your support. Thank you!, you have always rendered the same courtesy to me, always cordial and professional." MAJ Johnson never talked-down to SFC Forbes and always took his guidance seriously. SFC Forbes has always viewed the S1 shop as one of the only professional offices at BDE, STB and HHC (under UIC: WJTDAA) along with the BDE S3 under MAJ Lester 's leadership though he never expressed that to anyone until we worked on this writing. In fact, SFC Forbes feels that MAJ Lester was the epitome of professionalism due to comments made to SFC Forbes of "Sergeant Forbes, you do not have to schedule a meeting to quickly discuss anything, You are the S2 in my opinion and I will provide you the same courtesy I would provide any other OIC here. Just come and knock, if I can't meet right then I will tell you."

Moreover, MAJ Lester worked with SFC Forbes to get the Primary Physical Security Officer named in the S3 after a vibrant and positive email (See Exhibit F, email dated 20220331) and verbal exchanges over the course of several weeks. SFC Forbes, had not gotten approval for an attached SPO Analyst yet, the Command had tasked SFC Forbes with the TSCIF approval SFC Forbes idea was to support and train SFC Riley for a year and then MAJ Lester would find another Soldier in the S3 or elsewhere

para 8 – "Overall:" All repeated allegations have been addressed above and SFC Forbes does not agree with any of 1SG Morgan's opinions, conclusions, generalizations, hearsay allegations of unspecific events, or characterizations of how the units leadership "condoned" any inferred counterproductive behaviors; they simply didn't occur as perceived, embellished and/or purported. After all he has an excellent recorded history of his leadership of the BDE S2 Section as NCOIC and acting OIC over an 18-month period (See "CRL/NCOERs)", during which 1SG Morgan's commentary resides.

Exhibit D
CPT Lowrie Sworn Statement (20230124)

Summary: CPT Lowrie's SS pertaining to the 2 months (17OCT – 19DEC not three months) contained opinions, allegations, and fabrications of the following:

1) a counterproductive messaging and approach (opinion),
2) "my way or no way" attitude (discussed below),
3) "he may be an incompetent leader" (fabrication),
4) "… he is indecisive and lack[s] the ability to control his emotional center (non-psychologist opinion),"
5) "…[he] does not provide timely guidance," (fabrication)
6) "…but [he] often create[s] a frenzied, chaotic and hostile workplace (opinion),
7) "He engaged in self-serving behaviors…. For example, there was not a proper hand-off [of] duties and responsibilities, when I went through on-boarding," (fabrication) and
8) "I wasn't cc'd on some emails especially the emails he sent to 1SFC and USASOC."

It is recommended that you peruse all evidence that has been provided as examples of the level his professionalism and knowledgeable enforcement and management of S2 Programs over the years. SFC Forbes has embodied and earned the comments through performance of 18-months of work depicted in two NCOERs by his Supervisor, the XO, 528th SB. It is an absurdity for CPT Lowrie to feel competent enough to allege any level of incompetence on behalf of SFC Forbes especially given she can't begin to purport that she understands the unit, SO, or SFC Forbes enough to make such significant claims in a 2-month period. Moreover, it was not a full 2 months either; she

had a car accident upon arrival that had her out of the office for a week with injuries and car repair logistical decisions. Then she put in for another week of leave during this period as well. Other issues can be explained by the fact that ***she could not act in the capacity of a PSM*** until all training was completed and she was named as such on signed appointment orders and they were on file at USASOC.

SFC Forbes does not want to belabor the Initial Counseling (See Exhibit D, "0) Initial Counseling" folder) that CPT Lowrie provided him but it is worth mentioning that portions of the document contained items that lacked any forethought. She instructed SFC Forbes as if: 1) he were a lower enlisted Soldier "(…responsible for preparing and submitting intelligence reports)," 2) he was a youngster "(Get a hobby,...)" or, 3) he had not supported SOF units spanning a proud 12+year career by recommending "H2F" the conventional version of instead of USASOC funded HPW. Most notably, she also instructed SFC Forbes, "This is a Special Operations assignment, so you will be working with people who think and operate differently…." SFC Forbes doesn't believe she has SOF experience, however he gave her the benefit of the doubt. SFC Forbes is vigilant in knowing his Soldiers (See 2x Solder CRLs in "CLR" folder); it seems in the first month of the 2 months we worked together, before this presented counseling, she did not demonstrate any knowledge of his life or work. Earning trust is difficult as any leader can profess, so I offered to edit and revise her counseling so she could focus on DISS training, which she had not informed me was not complete yet. I wanted to save her some time.

Notably, as of 20221202, SFC Forbes was thrilled with LTC Furlow's selection of CPT Lowrie (See Exhibit D, "0) something changed in CPT Lowrie" folder).

Point 1): "counterproductive/destructive leadership" - Please see NCOERS (See "10-CRL/NCOERs" folder) and read entire document for SFC Forbes answer to this generalization. SFC Forbes reacts appropriately to unique situations and denies this generalization.

Point 2): "my way or no way" - CPT Lowrie submitted her SS on 20230124 and PFC Scheffing submitted his 24 hours later on 20230125. The "my[his] way, no way" is very similar yet in fact inaccurate. See PFC Scheffing "Summary:" of Exhibit G below for the actual statement SFC Forbes has made to many Soldiers he has trained over the years.

Another problem with the investigation shows up in the order of investigating a known starting list of witnesses. COL Brunson named CPT Lowrie and PFC Scheffing on 2LT Tolston's appointment memorandum. Given that PFC Sheffing and SSG Henkel (not named originally) both work for CPT Lowrie, it would have been prudent and professional to interview the lower enlisted subordinates first to minimize any suggestion of coercion by a supervisor or incentive to please from a subordinate.

Notably, it was the newly and quickly promoted SSG Henkel who took SFC Forbes NCOIC position and they dissolved the BN position and moved him to the BDE office.

Point 3): "incompetent" - Based on the two month (not three as she stated) period of working with SFC Forbes, CPT Lowrie stated, "Based on my working relationship with SFC Forbes he may be an incompetent team leader because he has adequate cognitive abilities but lack[s] the emotional fitness to be support[ive] and lead his team." After setting aside the fact that CPT Lowrie was presented with SFC Forbes recent NCOERs upon her arrival, this comment is flatly absurd; CPT Lowrie is just unaware because she wasn't there for the 18 months SFC Forbes fulfilled an O-3 level Officer's (CPT's) position. Had she taken the time, she could have inquired about the 'bullet' in his NCOER for the period ending 20220226, which read, ""received 100% 'commendable' rating within 7 months for all S2 PSM programs after inheriting a shop that functioned at 60% (See Exhibit N, "State of the S2" folder, "ppt" dated 0210527, and "10-NCOERs" folder, NCOER dated 20220226)." Please refer to Exhibit N narrative below for more detailed explanation of the "State of the S2" SFC Forbes inherited from SSG Meredith, SFC Kristich and CPT Simkins.

It is SFC Forbes' opinion that CPT Lowrie was attempting to do too much too soon upon her arrival at 528th SB; evidently, she was trying to make a good impression with LTC Sanchez, the DCO and her new supervisor, all while also having been in a car accident upon arriving, and attempting to take leave for household issues (goods and setup). SFC Forbes did his best to insulate her and allow her to focus on her newfound obligations, household priorities, training, and emergencies. In contrast, when SFC Forbes took over in March 2021, he did not have these significant issues and did not PCS from overseas, so he fully expected that he would be doing most of the 'heavy lifting' for a little while in support of CPT Lowrie.

Upon taking over in 2021, SFC Forbes immediately began gathering data points of inefficiencies or failed S2 Programs as he had resurrected a BN S2 Shop at 3/3 SFG when he was a SPC. Therefore, he immediately began training for his new DISS account and created a prioritied tracker he used for every new S2 in the BDE from that day forward (see Exhibit D, "para 7)" folder, file dated 20210512). While in training, he excitedly explained his hasty approach to some glaring and serious issues to LTC Hamman, the DCO; he explained that he wanted to focus on his initial training requirements and quickly be put on orders. and get approval for his DISS account from the USASOC DISS Account Manager quickly (Mr. Vance Noland). Upon the DCO's querying, "Why?" He said, "So I can immediately begin fixing some of the identified and material faults he was finding daily the S2 section." INDUSEC was the issue that carried the most risk, in his professional opinion, as CTRs were working in the building, with access in DISS (that prior S2 personnel granted) but with no DD-254 on file (critical fail item) and sometimes with incomplete S2 personnel files (no NdAs or TS attestation forms properly signed, witnessed on one sheet of paper in each file) or no S2 personnel

file in the office at all! LTC Hamman appreciated his hasty assessment, his short-term plan, and encouraged SFC Forbes to "Hurry up!" LTC Hamman wanted SFC Forbes' complete assessment of the entire S2 Section. SFC Forbes sent him the read ahead on his complete assessment to include recent manning movements that SFC Forbes did not agree with but was facing resistance from the de-facto Senior 35F manning NCO, CSM Prewitt, 389th MI BN, and the STB CSM, CSM Kline.

CPT Lowrie did not fully support SFC Forbes with at least two of the recently emerging significant issues he requested her support to remediate. They were:

1) SSG Hess, the primary PSM, 112th SIG BN, refusing to own or service TSSC Soldiers (~130 pax) in DISS due to a SOCOM Directive and,

CPT Lowrie was notified of 112th's complete failure of a SAV on 20220505 (See Exhibit G, "Example of Conflict SSG Hess" folder ppt and SAV out-brief, both dated 20220714) and that the 112th PSM, SSG Hess' flatly refusing to comply with DCoS memorandum (See Exhibit G, "Example of Conflict SSG Hess, DAMI CD dated 20211015) mandated and communicated by the USASOC G22 Chief of Personnel Security Management (See Exhibit G, "Example of Conflict SSG Hess" emails dated 20221210. Other examples of her failing reasonably address SFC Forbes concerns and attempting to inhibit his enforcement efforts can be seen throughout this rebuttal packet, e.g. PED prohibition, recommendations to Command of reportable incidents, 112th refusal to conduct DISS Ownership, verbally counseling SFC Forbes not to conduct on-the-spot corrections (See "02 LTC Sanchez," email dated 20221208).

2) CPT Dambeck stonewalling of Soldier specific UCMJ and administrative actions tracker to support the impending INSCOM PSAP Program pilot program.

The only legacy unit issue that SFC Forbes feels CPT Lowrie verbally supported (albeit begrudgingly) upon her arrival was the request for the BDE SJA to begin having biweekly meetings to share UCMJ and administrative actions with S2 personnel. This has always been a regulatory necessity per AR 380-67 but became more important with the impending rollout of the INSCOM PSAP Program that relies on a synchronized BDE Staff Team approach (see evidence in Exhibit D "3)" folder, file dated 20211028). Essentially, SFC Forbes requested a tracker of what Soldier Personnel Actions CPT Dambeck was working in the BDE to compare to SFC Forbes' S2 Reportable Incident (formerly Derogatory Report) tracker, IET better support the BN PSMs and BN Command Teams. He responded that he couldn't because he has "Attorney/Client Privilege." Immediately alarmed by that response SFC Forbes spent his weekend researching the multiple JAG regulations to understand if this concept applied or whether he would have to try to reason with him. CPT Dambeck's assertion of

> "Attorney/Client Privilege" had never been encountered by SFC Forbes in his experience. His research yielded enough information that SFC Forbes deemed that and email was the only way to address this complex ruse. It got rectified, with no help from CPT Lowrie (that she ever indicated). The email he sent to CPT Dambeck while cc'ing LTC Sanchez and CPT Lowrie (See Exhibit D, "3, email dated 20221115) folder, email dated 20221115) was a professional success and spurred a series of permanently scheduled biweekly JAG/S2 sync meetings (See Exhibit D, "3, calendar acceptance dated 20221201) with the BDE SJA. SFC Forbes'had NEVER encountered that with any of the SJA Officers he ever worked with. Please refer to any of his 15 NCOERs to get a better picture of SFC Forbes competence than CPT Lowrie's 2-month old assessment that is a brash, incorrect, and incomplete at best.

Point 4): "frenzied" CPT Lowrie evidently wants to become an organizational Psychologist (see scheduled meeting CPT Lowrie allowed SFC Forbes access to) and would like to have a follow-up meeting with MAJ Racaza to this end. Respecting CPT Lowrie's goal and evident tertiary relationship with MAJ Racaza, SFC Forbes would appreciate if she would keep her unlicensed mental health opinions private (whether they come from an aspiring student's perspective, a book, some other unlicensed source, or MAJ Racaza for that matter), and not discuss his mental health with MAJ Racaza due to her divestiture of MAJ Racaza's authority by violating Public Law, Regulation and multiple principals of the APA CoC in her 20221130 ~60-second interaction. Another reason for this requirement is that SFC Forbes would not consent to any treatment or assessment by this licensed Psychologist as he has questions regarding her knowledge base and her ability to abide by the law, constitution, and the "do no harm" principle, which is commonplace understanding in all medical fields. He feels he controls his emotional center very well for many reasons that this forum is inappropriate to discuss. Moreover, the evidence he has provided throughout this rebuttal indicates decisiveness and more importantly successful implementation of remediation plans and improvements to his assigned duties, Section, and overall, the protection of all Soldiers at every echelon of his unit (528th SB).

Point 5): "…[he] does not provide timely guidance." SFC Forbes was constantly communicating ongoing and impromptu issues immediately upon CPT Lowrie's arrival, though he did attempt to insulate her so she could focus on the onerous training on the excel sheet (See Exhibit D, "para 7)" files dated 2021012) that SFC Forbes prioritized the training and created an excel tracker to ease the confusion with the USASOC training plan. This was his first act upon his installation as acting S2 OIC while he was conducting the same training himself. This USASOC G22 training is extensive and time-consuming and historically has taken S2 personnel a focused and diligent approach to accomplish in a few weeks. Other examples of his timely guidance were the emails notifying her he put up "posted security reminders" that morning per USASOC 25-2 on 20221207, prior to her arrival to work. A second example (of many more) was on

20221213 at 1010, ~1 ½ hours after he neglected to cc her on his advice in which he indicated that the STB CDR "may want to investigate the posting of PICs depicting phones on the Internet," (See Exhibit D, "5) timely guidance" folder, picture dated 20221209) which is in violation of USASOC 25-2. This claim is untrue and this this document should be completely consumed to get an accurate assessment of SFC Forbes work ethic and his 'flat-comms' approach.

Point 6): Regarding her statement, "create a frenzied, chaotic and unhealthy workplace," CPT Lowrie realized quickly upon her arrival, just how intense the optempo of 528th was. Her new unit was very busy and commented as such multiple times. At no time did SFC Forbes create an unhealthy workplace. In fact, he did everything he could to protect his Soldiers from highly questionable orders from many sources while attempting to run a BDE level S2 Sections and all of his appointed duties (See SFC Surorodriquez commentary herein, appointed duties in Exhibit D, "03-ADOs" folder and the complaint to 1SFC that was investigated by MAJ Chustek of 1SFC located in Exhibit D, "6)" folder).

Point 7): CPT Lowrie stated, "…there was not a proper hand-off [of] duties and responsibilities." Please see the evidence in the appropriate folder (on provided CD). SFC Forbes has evidence of coordinating the approval and scheduling of CPT Lowrie's TS read-on no less than 3 weeks prior to her arrival. Furthermore, he provided her with a personally designed (by SFC Forbes when he arrived and completed the extensive training) excel spreadsheet (See Exhibit D, "7)" folder, excel sheet dated 20221031) that provided all tasks in a prioritized order for efficiency.

Point 8): - "I was cc'd on some emails but not all" SFC Forbes cannot be expected to be perfect, as no one can be. That said, SFC Forbes did his best to balance what CPT Lowrie needed to be involved in vs her training requirements to get her DISS account. She was in fact learning a new unit and he has an extensive library of emails he cc'd her on over their 2-months working together.

Exhibit E
CPT Korista Sworn Statement (20230125)

Summary: CPT Korista is a central figure in this situation. Had he not spread his misinformation of his incorrect perception of the exemption of "Gyms" in USASOC 25-2 to all echelons of Command and even some Soldiers, a whole string of bad decisions and actions could have been averted and good decisions enacted instead; both follow:

1) He would not have ripped down SFC "posted security reminders,"
2) CSM Emekaekwue would have supported SFC Forbes National Security message to STB BN on 20221212,
3) The sweep would not have occurred,

4) The pics of phones on Facebook could have been removed with some professional verbal retraining,
5) A internal policy could have written by both the S2 and S6 and signed by BDE CDR for appropriate venues for Family and HPW events to allow phones,
6) SFC Forbes would still be in the BDE NCOIC slot to support his BDE CDR with his in-depth experience and insights,
7) Massive assets would not have been expended to unwittingly investigate to entrap SFC Forbes or gather evidence on him to deflect others bad actions,
8) An eCDBHE would not have been requested,
9) MAJ Racaza would not be intended to be named as the subject of an AZ BOPE complaint,
10) Falsifications would not have been needed to disparage a good and dutiful Soldier,
11) The temptation to violate laws and regulations through entrapment ploys (such as DA 4856 recommendations for LOR and GOMOR presented) would have been unnecessary (Note: agreeing to the counseling was an open investigation 'pitfall')
12) The BDE CDR would not have had to poorly navigate this corrupted situation because the decisions and guidance he received would not have occurred, and,
13) The BG would not have been bothered to adjudicate this rebuttal (note, may not be an inclusive list).

MAJ Racaza and CPT Korista provided the bad actions and likely bad guidance or perceptions that were the catalysts to a spiraling situation that has only grown, to date. All events were either driven by or connected to a prior event until the Commander decided to 'attack the person because they could not win the issue.' All of this to protect bad actors and cover the unit's reputation.

para 3_Q2., a.: SFC Forbes recalls this very differently. He keeps meticulous records and went to HHC Ops to request a copy of his training because he was being tasked by Co. Leadership to do it again only 6 months later. He asked SPC Terry for a copy of it and CPT Korista appeared out of SFC Yoder's office on the way to his makeshift "battle-room" (he commandeered the HHC conference room for a second office upon taking Command) and asked me, "Why I needed it? Is someone giving you a problem?" SFC Forbes replied, "Oh no, Sir. You know me. I always want my own copy for my 'love-me' book." He commented he can easily get it and send it to me. He did. His subsequent recollection of events is false. Please see Exhibit E, "para_3., a." folder, both files dated 20221208. SFC Forbes was never counseled verbally or otherwise and no mention was made in his email communication referenced in the prior sentence.

para 4_Q2b: SFC Forbes would never disparage people like this (See "CRL" & "CRL/NCOERs" respectively. He has NEVER been scrutinized and/or investigated in his entire 30+years of Professional work in the Army or as a licensed Financial

Professional, nor in his extensive Educational work. SFC Forbes was never the subject of an EO complaint related to this event, even though, if it occurred so blatantly as CPT Korista purported in writing (no less), any one of the 100 Soldiers present of all ranks (he indicated) down to a PVT could have easily lodged a complaint with our in-house EO representative. This would have launched an investigation. Why didn't that happen; because this is an embellishment and augmented statement differing in scope and content from what SFC Forbes did ask. SFC Forbes simply asked, "Will there be a schedule of any type if a Soldiers spouse is concerned about their Soldier showering with a member of the opposite sex?" CPT Korista's inaccurate and embellished recounting of what SFC Forbes did say is unbecoming of an officer under Article 133 of the Uniform Code of Military Justice.

para 5., Q2c: SFC Forbes has not experienced the level of success in the U.S. Army that he has by walking into anyone's work area and demanding anything. This claim by CPT Korista is another inflammatory and false allegation that not only wasn't documented contemporaneously, but also, was designed to bolster other unsubstantiated or uncorroborated opinions, perceptions, and/or generalizations located throughout this evidence. SFC Forbes prides himself in acting like an NCO as his CRL's, NCOERs, and awards show.

para 7: Notably, on 20230125, CPT Korista blatantly fabricated a meeting SFC Forbes had with MG Angle, in his SS with 2LT Tolston, likely, in an attempt to bolster the justification of the eCDBHE (See Exhibit Q and Exhibit A narratives, and this document in its entirety, for more information on the eCDBHE and how it fits in the overall situation) he ordered SFC Forbes to participate in, and filled out FB Form 1462-E to accomplish. This meeting was requested but never occurred and is consistent with other documented fabrications and embellishments of his (See Exhibit E, "para 4_Q2b)" throughout this rebuttal. To date, SFC Forbes has never met with MG Angle.

para 8: - "SFC Forbes should never be trusted with leading Soldiers ever again, in any form or fashion. He has total disregard for dignity and respect." SFC Forbes, out of a self-developed, longstanding strong sense of confident humility, would prefer to let his track record coupled with Supervisors, Colleagues and Subordinates answer this hateful, unsubstantiated and counterproductive, absolutist opinion (see "10-CRL" & "NCOERs" folder for professional assessments and direct, recalled observations).

para 9: - "His erratic behaviors and actions, in addition to his counterproductive outbursts …degrade the BDE's morale…and…poses a threat to the security of all those who work in the BDE." This is false (See "10-CLR/NCOERs" folder). This entire document serves as rebuttal to the "counterproductive" portion of his statement. CPT Korista may feel this way resulting from his unprofessional demeanor witnessed through his decisions and actions leading up to SFC Forbes' investigation.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

On 20221209, SFC Forbes asked to meet with MAJ Weber in SFC Forbes' office (208d, X-4047) to "keep this topic at the lowest level." MAJ Weber agreed. As SFC Forbes had done previously with the "skulls on the wall" and the Clean Sweep en masse "grass cutting incident" issues with LTC Furlow, SFC Forbes did not wish to codify the information in an email. SFC Forbes understood that CPT Korista was still learning how to lead in his relatively newfound role as Company CDR; after all, SFC Forbes has seen CPTs grow and learn many times in his 16+year career. In that meeting SFC Forbes discussed with the STB BN XO and CPT Korista's supervisor, MAJ Weber, the following 3 items: 1) SFC Forbes was the BDE appointed INFOSEC Officer, 2) excerpts from USASOC 25-2 (namely Ch. 10-3., c. then Ch 9 and Table 9-1), and 3) video evidence of CPT Korista ripping down all of SFC Forbes "posted security reminders" (re: PEDs prohibited on premises) on the morning of 20221208 (the morning of the BN holiday party). His actions, within 27 hours of his retaliatory action, resulted in 2 phones being found during a Wireless Detection Scan (WDS commonly called a "sweep)" on 20221209 (See Exhibit E, "counterproductive" folder, file dated 20221209) and arguably 2-4 phones depicted in a holiday party picture (See Exhibit E, "counterproductive" folder, files dated 20221209) of the BN classroom, located in X-4047. This picture was uploaded by someone other than the PAO on the morning of 20221209; the PAO, SSG Baker, Amanda, informed SFC Forbes on 20221212 at 0910 (after SFC Forbes was assaulted by CSM Emekaekwue at 0615) that she was on leave on 20221209 and "[she] did not post that picture" (See WDS in Exhibit E, para 9, "Overall 2)." SFC Forbes requested the XO's guidance on whose responsibility it should be to put the "posted security reminders," back up; SFC Forbes did not feel it was fair (or emanated a sense of dignity and respect) if he were ordered to put the signs back up for CPT Korista to rip them down again.

SFC Forbes is convinced that CPT Korista was disregarding his guidance and destroying his prevention efforts due to a CPT Korista's misreading or misunderstanding USASOC Policy 25-2. Regardless, SFC Forbes attempted to remediate this on many occasions but was unable to get CPT Korista to view him as a Subject Matter Expert (SME). After being assaulted by the CSM, SFC Forbes decided to request a concurrence confirmation from USASOC G6; he received it on 20221216 (See Exhibit E, para 9, "Overall 2" email dated 20221216).

Given the gravity of the situation as seen by the following attempts to minimize, thwart and obfuscate SFC Forbes PED prohibition prevention efforts that began as verbal discussions, and graduated into debates (see Exhibit M, email dated 20221212 and Exhibit H, "PEDs" email dated 20221206 & 2022212 "counseling form)," destroyed work (See Exhibit E., "counterproductive) 2x videos dated 20221208)," and ultimately in SFC Forbes being assaulted and humiliated in front of the entire BN.

SFC Forbes reported CSM Emekaekwue's assault 2 days later (See Exhibit H, "impugned witness" SS dated 20221214). This assault made many in the BN formation

outwardly laugh. SFC Forbes will never forget that morning. No leader of the STB or BDE HQ Command, at any echelon, ever professionally addressed the event with SFC Forbes to the date of this submission. CPT Korista's lack of adherence to regulation, or his not understanding it fully while he disregarded a seasoned PSM and INFOSEC Officer, was a central catalyst to the mistreatment of SFC Forbes. Moreover, it was indicative of bad behavior SFC Forbes came to expect from CPT Korista, yet he consistently attempted to professionally keep it within the unit and inspire interest in BN mentorship of him. It is for these reasons that any recommendation to revoke his clearance by CPT Korista should be met with the greatest of skepticism; he has proven he does not understand DCSA and USASOC will likely view SFC Forbes National Security Prevention efforts as dutiful and integral to his appointed duties.

Exhibit F
SGT Henkel Sworn Statement (20230125)

Summary: SPC/SGT/SSG Henkel is correct that "[he] experienced a lot of missed deadlines." While he worked at in the BDE S2 office, he would be assigned tasks by SFC Forbes and soon, disappear. One example was when SFC Forbes asked SPC Henkel to audit the files with SPC Farmer. This task takes an entire day for two people. Soon after SFC Forbes found him in the HHC OPs area sitting on a couch talking with SGT Rhodes. After receiving excuses, SFC Forbes went back upstairs and completed the task with SPC Farmer. This would happen on multiple occasions but SFC Forbes was working with SPC Henkel and he was improving rapidly. In fact, SFC Forbes found himself comfortable enough to sponsor and assist SPC Henkel to the Promotion Board and he was successful. SFC Forbes does not take credit where it is not due and would like to state that SPC Henkel worked hard for that Promotion. SFC Forbes provided him with his large box full of training notecards and worked with him but SPC Henkel's desire to be promoted was incredibly high.

CSM Kline had promised SGT Rhodes that he would serve as the BN S2 PSM for only one year; the CSM and SFC Forbes did not agree on this as the duties are intricate and it takes a minimum of 6 months to become, even remotely, to become fully functional. If every PSM did this the BDE S2 would be in a constant state of turnover and training. That said, SGT Rhodes went on leave for two weeks prior to coming back to the unit for 2 weeks and then being reassigned back to 389th MI BN. SGT Henkel and I decided he was ready to take the BN. PFC Scheffing had only been with us for a few months. Soon after SGT Rhodes left, SGT Henkel walked into SFC Forbes office (208d, X-4047) and verbally lobbied for an Request for Support RFS to take PFC Scheffing down to the BN to help him, "fix the mess that SGT Rhodes left me." SFC Forbes expressed to him that SFC Forbes was in the middle of training him and he had a list of things to do for the BDE. Moreover, SFC Forbes knew that the 2-week overlap of SGT Henkel and SGT Rhodes was "the perfect storm of an opportunity" for him to have "SGT Rhodes help you fix his mess." After a long discussion, SGT Henkel sulked out of the office.

SFC Forbes missed the email from SGT Henkel and found out that SGT Henkel went to LTC Furlow to get his leave approved instead of the BN S2/3 leadership or even the XO. SGT Henkel put in for leave for the same weeks SGT Rhodes was going to be back for 2 weeks thereby not gaining the help he said he so badly needed. SFC Forbes checked his emails and found Exhibit F email dated 20220519 and later went to see LTC Furlow. When SFC Forbes described the RFS that SGT Henkel wanted to LTC Furlow and his reasoning for not supporting it (the impact to BDE manning and PFC Scheffing's training) LTC Furlow apologized to SFC Forbes. He said, "Sergeant Forbes, Henkel didn't say anything to me about an RFS. He wanted to go church hunting with his fiancée. Had I known I would have spoken to his leadership." SFC Forbes told him we will provide normal support to SGT Henkel for the near term and, "Sir, this is a teachable moment." SFC Forbes asked one final question, "Do you normally approve leave, Sir?" He replied, "No, he came to me upset and I wanted to help him out." This was not the only time that SGT Henkel performed a 'working mom against dad' strategy to get his way. It was known throughout BDE and some staff leadership.

para 2.: SFC Forbes never yelled at SPC Henkel. Other allegations, in the form of generalizations, opinions, hearsay and mostly fabrications are dealt with below and throughout this document. Once SGT Henkel expressed an interest in becoming a BN asset, SFC was supportive as he felt he taught him all that SGT Henkel was willing to learn from him. SFC Forbes treated STB BN personnel the same way as the other two battalions; SGT Henkel did not need access to our offices, the non-standard physical security CAC card certificate computer or our BDE safe. In fact, SFC Forbes found an unused one-drawer safe and gave it the SGT Henkel for his S2 (only) use; he was very thankful that day. Furthermore, the CAC card reader (as discussed under Exhibit N.) it was the only "carrot" BDE had to incentivize Soldiers to ensure they brought back a completed in-processing packet; everyone wanted access through the doors in the rear of the building because they were the most direct route to the X-4047 parking area. This naturally segues into the Physical Security issues that SGT Henkel mentions.

para 3: SFC Forbes had begun to notice that SGT Henkel had been adopting SSG Meredith's disregard for our unit SOP and give Soldiers access immediately after handing them an in-processing packet. SFC Forbes retains his belief that this was the right answer so that the personnel files did not fall into the "State of the S2" also discussed in Exhibit N. Note: there was only one password for "the cameras" and SGT Henkel had it. SFC Forbes put in another one so that BDE S2 personnel could be tracked when they got on the system as BN and BDE both shared space in X-4047. It was the only way to attempt to identify issues, at a later date, if any arose regarding the granting of physical access to shared space; after all, we had sensitive areas, a motor pool and even a "drug locker" in X-4047 Later, SFC Forbes intended to have each one for each S2 PSM for the same reasons. SFC Forbes never yelled at SPC/SGT Henkel.

para 4: SFC Forbes had a lot of Additional Duties (See "10-CRL/ADOs" folder). This folder does not have the BDE Motorcycle Mentor Additional Duty that required his planning, route reconnaissance, CONOP routing and approval, marketing, tracking of BDE riders and sitting in on quarterly Safety Council meetings.

SFC Forbes' professional, doctrinal, and philosophical disagreement with SGT Henkel's beliefs regarding Physical Security place in the war-fighting functions was understood by the former BDE S3, MAJ Lester and SFC Forbes would refer him to para 7 of Exhibit C above (and see Exhibit F email dated 20220331) for the same defendable argument again. That said, SFC Forbes has been a part of, and executed, inspections for this unit and multiple units in the past, never once withholding keys; they need to be audited after to complete the inspection. The fact remains that the spare set of keys in our safe likely needed to get downstairs, which implied the inspected unit must coordinate with the keeper of the keys (in this case BDE S2). Regardless of the oversight, SFC Forbes set aside his schedule and took the keys downstairs to be audited as PFC Scheffing was unavailable to accommodate this event. The safe was found for SGT Henkel immediately following this event as the spare keys should be at the BN level anyway. SFC Forbes yelled at no one; this is a fabrication. In fact, SFC Forbes helped with the audit.

para 5: SFC Forbes was never counseled for being late. In fact, SSG Meredith and I had an agreement and we constantly communicated to remediate any coverage issues. More details are located in Exhibit N, para 1 c.,(1) below for details.

para 6: SFC Forbes believe SSG Henkel means the 'Shang-Chi' movie and he and his wife loved the movie. They both loved 'Eternals' as well and have it on disc. SFC Forbes has never been racist and is not racist (See Exhibit C para 6 for more detailed explanation. SFC Forbes denies any assertion of inference that he is a Homosexual-phobic individual. The BDE CDR removed SFC Forbes from the BDE S2 NCOIC position due to similar fabricated allegations and authorized an investigation with SFC Forbes as the subject. SSG Henkel's allegations are simply the falsifications, opinions and generalizations of a Soldier that did not take direction well and got promoted quickly and is now, due to the BDE CDR relying on fabrications like these, the BDE S2 NCOIC. SFC Forbes hopes he is successful, not only at this unit, but also over the long-term, in life.

Exhibit G
PFC Scheffing Sworn Statement (20230125)

Summary: PFC Scheffing is highly intelligent and a hard worker due to his desire to successfully complete missions. He is young and new to a professional workplace so I can understand his willingness to regurgitate the "his way or no way" comment that CPT Lowrie quoted in her sworn statement of "my way or no way" the day before PFC

Scheffing produced his sworn statement. The actual quote that I have used for years is "There is only one best way to do anything in life. Our job, as a team, is to always seek [strive, search] for it. We may never find it but the result will be closer than the 'more than one way to skin a cat' approach." I have brought many of the trackers and SOPs from my 11-plus years of PSM experience and as a BDE NCOIC did, with varying levels of success, improve almost every aspect of the state of S2 operations throughout 528th footprint by using these premade (by me) tools. I was met with resistance, for example, SSG Hess flatly refused, via emails to follow the TMT Tasker due to the Army DCoS and the responsibilities inherent in its adoption.

SFC Forbes enjoyed working with PFC Scheffing and feels he has a great future ahead of him, given his work ethic and intelligence. SFC Forbes always sought to protect PFC Scheffing in this unit.

Note: PFC Scheffing is not a Psychologist either so any decline he noticed is irrelevant and should not be considered (See Exhibit E, "para7_Q4 eCDBHE" folder, "infamous missing 10 pages" dated 20230420)

Exhibit H
CSM Emekaekwue Sworn Statement

Summary: This is an impugned witness. See Exhibit H Folder of PMO the criminal assault that SFC Forbes submitted to the Fort Bragg PMO (See Exhibit H, "impugned witness" SS dated 20221214). CSM Emekaekwue should not have been allowed to submit evidence against SFC Forbes as it provides significant probative value in a different venue, which is likely the reason the BDE CDR recommended a GOMOR instead of UCMJ action. In fact, SFC Forbes was, and would be still, prepared to request a General Court Martial. He feels the rules of evidence and oversight of his rights and due process in that venue would afford him the opportunity of transparently present the evidence provided here.

SFC Forbes had not been relieved from any position (See NCOER folder) as CSM Emekaekwue purports, especially GSB, 3/3 SFG where he served with then MSG Emekaekwue and knew him only to see him. CSM Emekaekwue was likely swayed by others to think the premature rollout of the USASOC HPW Program (See "01-COL Brunson" email dated 20221218), with its QR codes, intent to use PEDs in the X-4047 gym, historical use of IPADs in the BDE Classroom, and lackluster support to enforce USASOC 25-2 (See Exhibit E, para 9, "Overall 2" email dated 20221216), led him to commit his crime in front of the BN Formation on20221212. He humiliated SFC Forbes in front of everyone and now seeks to defame his character to deflect his bad decisions and actions. Regarding the aforementioned HPW Program, SFC Forbes, upon viewing 20221218 email (the email exchange referenced as 20221218 immediately above), immediately got in his POV, drove to the local office of the Hon. Richard Hudson and

filed a congressional complaint; he feared his discovery having been sent down to other members of STB, 528th SB, namely CPT Forte and 1SG Morgan, would result in a negative Personnel Action from the BDE CDR. After all, the email from the USASOC HPW Director, LTC Webb, showed that all inferences and statements on the unsigned 528th SB OPORD, which was distributed by S3, indicated that all references to purported support of the order at echelon, were inaccurate. Notably, one of the recipients of LTC Webb's email was COL Brunson's POC that was spearheading the premature 528th SB HPW rollout, CPT Forte, of the Surgeon's Cell (a part of 528th SB Special Staff). It turns out, ~3 hours later that, his fears were realized. He was removed from his position as the 528th SB, S2, NCOIC, as retaliation for the OPORD discovery that was communicated to Soldiers within the unit, and possibly also as reprisal (adjudication will occur in separate effort).

Please refer to "01-COL Brunson" Article 138 Redress memorandum, dated 20230331 and COL Brunson's response to it, dated 20230411, for more information about the HPW program and SFC Forbes requests to decline COL Brunson's order to participate in the HPW Program and to "withdraw the unlawful order" for other unit members to be unlawfully ordered to participate.

Exhibit I
2LT Tolston's CPT Lowrie MFR (20230222, S:20230413)

Summary: See Exhibit D and Exhibit N for any applicable commentary regarding the optempo of 528th SB. SFC Forbes is smart but yet struggled with the inflammatory nature of the dual metaphors contained within this augmented and questionable addition of the IOs characterization of CPT Lowrie's comments. Clarification, like that asked for in Exhiibit 1 is needed to respond appropriately. Otherwise, please consider SFC Forbes' assumption that this may be an attempt to address how SFC Forbes deals with the number of normal S2 Programs coupled with Additional Duties and Extraneous Duties (not typically S2 function, e.g. Passports in S1 at echelons above and Physical Security in S3 at echelons above) embedded in 528th SB's training plan and operations schedule.

Exhibit J
2LT Tolston's PFC Scheffing MFR (20230222, S:20230413)

Summary: Some of this was redundant. SFC Forbes addressed the "out to get him" comment in Exhibit M and in the "Investigation Timeline MFR that accompanies SFC Forbes Legal brief from his counsel and this document.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Exhibit K
2LT Tolston's MAJ Weber MFR (20230222, S:20230413)

Summary: Please see portions of Exhibit D "point3)" referencing reportable activities and Exhibit E, "para 9" narratives above for rebuttal of MAJ Weber's MFR. SFC Forbes flatly rejects the complete contents of this MFR's characterization made by 2LT Tolston and notes MAJ Weber's unwillingness and or lack of confidence in his views to go 'on the record.' That said, SFC Forbes has never "gone after" anyone. The content is refuted throughout this entire document.

Exhibit L
2LT Tolston's CSM Emekaekwue's MFR (20230222, S:20230413)

Summary: For SFC Forbes rebuttal of this Exhibit, please see Exhibit H above and Exhibit O below and all references to CSM Emekaekwue found throughout this document. He is another central figure that this investigation was designed in an effort to deflect attention from his bad decisions and actions, found throughout this document.

Exhibit M
2LT Tolston's LTC Furlow MFR (20230222, S:20230413)

Summary of para 1. a.: This paragraph of 2LT Tolston's characterization of LTC Furlow's comments is full of uncorroborated opinions made by the BN CDR and, though opinions are less credible, these generalizations can be refuted with SFC Forbes' detailed and documented perspective found within this entire document.

Sentence 1: "By the book when it fits him." SFC Forbes has this similar perspective WRT LTC Furlow and his CSM as seen in the email exchange (See Exhibit M., "1) dated 20221102) evidence that SFC Forbes presents. On at least 3 occasions prior to the 20221102 SFC Forbes had impromptu conversations about the Soldiers in the subject line ('Soldier X' hereafter referred), that SFC Forbes redacted for use in this rebuttal. LTC Furlow asked each time, in one fashion or another, if they "had to put in a derogatory report" (now called a reportable activity) on Soldier X's prior criminal incident in 2012 that was uncovered in an internal 15-6. SFC Forbes answered "Yes" in every instance and, as he always does, explained why. This never seemed good enough as the issue kept resurfacing instead of them engaging their BN PSM, SGT Henkel to simply process the paperwork. Notably, SFC Forbes learned during the third Solder X discussion, in late October, that LTC Furlow had been informed by an unnamed SJA that the statute of limitations had passed and no action would be taken. SFC Forbes explained to him that that is correct; no action would be taken from a legal standpoint, but that has absolutely no bearing on how INSCOM or DCSA views it. They still want to know the details because it represents the "whole person" concept that they use to periodically adjudicate Soldier's clearance eligibility; moreover, they are going to want to

know why the Soldier did not report it for over a decade! SFC Forbes walked away still feeling like his expert opinion on the matter, as a seasoned PSM and the BDE S2 NCOIC, was ignored and not what LTC Furlow wanted to hear. This perception was confirmed in the email referenced above, where CSM Emekaekwue at 1410, on 2022102, repeated the same legal argument regarding Soldier X's 2012 incident was discovered through INSCOM's CE/CV program that feeds the PSAP report cards.

Coincidentally, SFC Forbes had debunked this legal argument directly to the LTC Furlow just days prior to INSCOM finding out about the 2012 incident. Most significantly, INSCOM's email sent at 1244 to SFC Forbes was also forwarded a second time to the BN Command team and SGT Henkel at 1326 as a reminder and offer to help. The entire BN Command Team and SGT Henkel had been informed what needed to occur, in detail, by both SFC Forbes and an INSCOM professional, no less.

Yet, CSM Emekaekwue, the BN CSM, still seemingly was trying to rationalize and believe what he wanted to, instead of the truth. Evidently, he wanted to make a point about it too! He addressed an email to SFC Forbes (who merely offered to help) that contained the following paraphrased summation, 'It's too old, what do you need from us?' A BN CSM and CDR should, at least minimally, understand the reporting requirements that pertain to clearance adjudications, and ask the BDE NCOIC vs. their assigned BN S2, SGT Henkel was curious. Later, after SFC Forbes went down to their office and went over this again with both of them; SGT Henkel begrudgingly put in the second 5248-R on Soldier X.

This is indicative of this unit, on a BDE cultural level. Soldiers in this unit just refused to believe the truth regardless of communicated regulatory support for it, and like a child, would ask you 5 different ways the same question hoping to get a different response or, at the very least, get one they wanted to hear. This is of paramount concern in this unit under this leadership. With the impending rollout of the Personnel Security Accountability Program (PSAP), which will begin to send 'report cards' to BN CDRs and above IOT document trends and scrutinize their performance, it becomes more important. CDRs will be expected to fulfill their non-transferable (per AR 380-67) obligation to report every incident is defined by the published and publicized 13 adjudicative guidelines; eventually they will be held accountable, which is necessary. INSCOM was likely frustrated in repeated incidents going unreported and underreported events that would show up during scheduled Periodic Reviews over the last few decades under the old system of Clearance adjudication.

They likely decided to build PSAP as an eventual enforcement tool to eradicate the prevalent misconception CDRs have that they can "decide" if and when to report a reportable incident. SFC Forbes was firmly committed to preparing his CDRs, whether it was appreciated or not; they needed to understand why they should be, as LTC Furlow cited in his SS on SFC Forbes, "willing to change…" and not be "hard-headed and

resistant to change." SFC Forbes was patiently exemplifying a competent and visionary professional by leaning forward on this to ensure our unit and its CDRs had the best possible initial performance, which should be pragmatically understood as, **in THEIR best interest**!

SFC Forbes has always supported Army Regulations, unit policies, Public Law and licensing boards to the best of his ability and achieved high success; he is even more effective when he receives the implicit and required regulatory support from leaders. Unfortunately, that was not the case at 528th SB; COL Brunson's cultivated culture espoused dignity and respect, but did not emulate it through the actions of Soldiers under his leadership. That said, SFC Forbes did the right thing, did his best, and got better every day: he didn't just read it and believe it, he LIVED it.

While a licensed 'wall-street' professional, SFC Forbes enjoyed a lucrative and unblemished 14 year Financial Services career because of his determined attention-to-detail. The Financial Industry Regulatory Authority (FINRA) BrokerCheck website is https://brokercheck.finra.org/ (records are removed from the website after 10 years) and phone number is 1 (800) 289-9999; SFC Forbes former CRD # of 2338630.

Sentence 3: "…he often thinks people are trying to undermine his actions." SFC Forbes does more than think this; he believes it because of the following non-inclusive list of examples that follow:

Example 1) CPT Korista had undermined SFC Forbes time by needlessly deciding to activate the Alternate SI Inspector (SFC Forbes) for a monthly SI Inventory (See Exhibit M "4 & 5)", email dated 20220708).

Example 2) CPT Mansour and CPT Korista undermined SFC Forbes' authority, which was granted by them via order, to be the SHR holder for HQ20 (S2 JLTV). See SFC Forbes' SS dated 20220207 which describes and codifies what SFC Forbes witnessed and experienced with the lackluster adherence of equipment accountability regulations and policies

Example 3) CPT Korista did undermine SFC Forbes as seen in the camera footage of CPT Korista going through the entire BDE HQ building (X-4047) and destroying 1 ½ hours of SFC Forbes' work (Exhibit E, 3) folder, "undermine his actions" videos x2 dated 20221208) to satisfy CSM Emekaekwue's repeated in-office questioning on 20221206 (see Exhibit H, "PEDs") to notify the BDE CDR of the institutionalization of PEDs in the building by HPW personnel in a BDE CDR mandated meeting "(01-COL Brunson, HPW" folder) for 389th personnel on 20221205. Notably, SFC Forbes was acting in his BDE Capacity of BDE INFOSEC OFFICER appointed IAW AR 380-5, Ch. 1-9. A., and Ch. 1-11. The following paragraphs are from SFC Forbes USASOC WBR submissions.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Exhibit N
2LT Tolston's SFC Meredith MFR (20230222, S:20230413)

Summary: First, SFC Forbes has never suffered a "mental break" and SFC Meredith is incapable to make such a career-ending diagnosis. His statement is inflammatory and only serves to undermine SFC Forbes while assisting a coordinated effort to disparage SFC Forbes as he methodically addresses the following: His…

1) being misperceived by a licensed Psychologist and subsequently, lied about,
2) being called into the BDE CDR's office to "die on this hill"
3) having his work destroyed by a Company CDR,
4) being assaulted and humiliated in front of a BN Formation,
5) being removed from his successful work in as BDE S2 NCOIC position,
6) being unwittingly investigated for "disrespect/Officer" & toxic leadership,
7) being ordered to eCDBHE while an unwitting subject of an investigation,
8) being flagged but it not being implemented as leverage
9) having 1SFC misinform a Congressman that SFC Forbes "was not assaulted,"
10) having 1SFC not address privacy, 3rd Party Apps, and informed consent issues
11) being rebuked in 4 of 5 attempts to get DA 3822 from WAMC for 3 months,
12) being recommended for a LOR in a blatant reprisal attempt
13) being recommended for a GOMOR in another blatant reprisal attempt
14) being given a GOMOR
15) having to address myriad hidden allegations found in GOMOR rebuttal

SFC Forbes is resilient and will not stop pursuing justice until it manifests itself in any form. He has not suffered any mental break, even during all of the listed items above.

SFC Forbes disagrees with SFC Meredith's opinion that he is counterproductive; it is false. SFC Forbes would like to highlight an endemic pattern of behavior by SSG/SFC Meridiith within our BDE S2 that SFC noticed within weeks. His attitude and level of detail can be seen by starting with his simple statements made. In para 1, b., (1), of 2LT Tolston's characterization of SFC Meredith' alleged statement, was the statement, "[He] was the BDE S2 NCOIC before SFC Forbes. SFC Meredith gave SFC Forbes the wheel." There are a few falsifications in these two statements listed as follows:

1) SSG Kristich was the NCOIC until she ETS'd as seen in her signature block on the last email she sent to me on my birthday (See Exhibit N, "para 1, b., (1). Folder, emails dated 20210412 and 20210416), which clearly reads "S2 NCOIC." SFC Forbes gave up trying to find any evidence that SFC Meredith was the NCOIC of the BDE S2. This was false also.
2) SFC did an examination of the operations of the S2 at LTC Hamman's request (discussed below in "para 1, b., (1) ''State of the S2.)" This

> metaphorical comment infers that the wheel was attached to the car and the car was functional. Though it is true, a "wheel" was handed over by SSG Kristich, and arguably later even CPT Simkins, it is false that it was handed by SSG Meredith. Moreover, the "wheel" was broken and missing the car! SFC Forbes inherited a broken automobile as you will learn below. SFC Forbes had to rebuild the car and SFC Forbes rebuilt it, with reluctant but informative help from SSG Meredith, good work from SPC Henkel and diligence from SPC Farmer, within 7 months. This is merely another falsification within the testimony and MFRs provided by SFC Meredith or 2LT Tolston.

para 1, b., (1): SSG, now SFC, Meredith, Joseph R. and SSG Kristich, Tara A. ran the S2 Section supporting COL Summers, Michael G. prior to SFC Forbes' arrival with CPT Simkins, Erik N. My tertiary initial observation upon arrival was that the 2 SSGs ran the shop as I found CPT Simkins sleeping in his office on multiple occasions and was informed had some issues in the unit that were handled informally by giving him extra duties (like PAO).

SFC Forbes quickly learned that Personnel Security files were incomplete, access was being granted as soon as a Soldier was handed an in-processing packet and walked out of the office, and the Industrial Security Program was the "bane of [SSG Kristich's] existence. SFC Forbes' education and experience translated these procedural issues as straightforward, but intricate and time-consuming, challenges. Identifying procedural inefficiencies, after all, is one of the inherent capabilities that must be achieved to earn a Masters of Business Administration, and one of the first steps when taking over an operation of any size. This is why SFC Forbes proactively built a product for LTC Hamman entitled "State of the S2" (See Exhibit D, "3) incompetent)." He did this because the S2 section was in some state of failure in many programs and he wanted a product to present to the DCO (LTC Hamman, we had no XO ATT) and SSG Meredith so open dialogue without judgment could occur to fix the problems as fast as possible. SFC Forbes was able to lead a begrudged SSG Meredith and inexperienced SPC Henkel to earn the following bullet in an NCOER for the period ending 20220226, that stated, "received 100% 'commendable' rating within 7 months for all S2 PSM program after inheriting shop that functioned at 60% (See Exhibit D, "Incompetent" folder, NCOER dated 20220226). SFC Forbes customized an old training tracker for the unit, customized the in-processing packets to accommodate Soldiers, Contractors (CTRs) and Civilians, alike and implemented many other efficient SOPs to accomplish this feat.

As much as SFC Forbes attempted to get SFC Meredith to stop providing access to Soldiers after handing them an in-processing packet, SFC Forbes would constantly have people walking in with partially filled-out packed weeks and months after arrival. Upon CPT Lowrie's arrival, he requested that SFC Meredith go to 112th to fix the state it

had fallen into after SSG Rivera's ETS. SFC Forbes' request was denied. SFC Forbes never disturbed the fact that SFC Meredith was in an un-slotted billet as SFC Forbes felt the MTOE was too small for a BDE echelon S2 Section and there was not much he could do to affect that; he welcomed the extra body even though SFC Meredith regularly argued cutting corners on SOPs that he helped write.

As an example of this lackluster follow-through displayed by SFC Meredith, I would like to feature a formal document (112th WAAR report from a follow-up inspection on 20220810, after the SAV conducted by SFC Forbes on 20220714). I encourage you to compare the two documents. SFC Meredith not only, did not emphasize a DCoS mandate of DISS ownership as SFC Forbes had done, but moreover, failed to simply give the reader an idea of what programs were commendable, satisfactory, or unsatisfactory. This is a representative example of why SFC Meredith likely would not swear under oath that SFC Forbes "would make it a point that the faults of the unit were on SFC Meredith" but instead levied the allegation through 2LT Tolston. SFC Forbes would argue that it was no small feat to restore the BDE S2 Section to a fully operational support effort supporting Soldiers all over the globe. In order to accomplish these results, SFC Forbes said to SSG/SFC Meredith and SPC/SGT Henkel many times, "You can't be walking every office in the building every day, talking to people for hours, and get your to your goals as many do."

para 1, b., (2):SGT Lopez, STB BN S3 Soldier, came into SFC Forbes office (208d, X-4047) and interrupted him while he was on a phone call. SFC Forbes motioned and whispered to him that he was on an important call. SGT Lopez would not stop telling SFC Forbes that he "needed an immediate answer to the email that SFC Forbes received." SFC Forbes had to interrupt his call by letting the colleague know he would call them right back. SFC Forbes informed SFT Lopez that he had not been in his email yet that morning and will reply. SGT Lopez was adamant that SFC Forbes had the email. SFC Forbes learned that this situation was being escalated due to SGT Lopez feelings of pressure because the names were late for a tasking detail's planning. SFC Forbes attempted to explain that SGT Lopez should not interrupt phone calls, but SGT Lopez ignored that guidance and demanded to have PFC Scheffing (it could have been any STB Soldier, of any rank, see Exhibit N, para 1, b., (2) folder). SFC Forbes said he would review the tasker and email him back. SGT Lopez became agitated and verbally raised his voice in his next demand, citing, "S3 needs to know!" SFC Forbes asked him to leave his office. SSG/SFC Meredith agreed with SFC Forbes that SGT Lopez was "out-of line."

para 1. b., (3): The counseling forms SFC Meredith speaks of here are dealt with elsewhere in this rebuttal. SFC Forbes denies his opinion regarding SFC Forbes' meeting behavior and no counseling forms have ever been presented regarding any issue inside any meeting during his tenure as BDE S2 NCOIC.

para 1, c., (1): "Workplace was not productive." SFC Forbes would like to reference SSG Meredith's draft NCOER and PCS award of an MSM, both signed and submitted by SFC Forbes (See Exhibit N, "para 1, c., (1)" folder, files dated 20220822 and 20221027. Also refer to SFC Forbes NCOERs to determine the credibility of SFC Meredith's statement. SFC Forbes vehemently disagrees with this statement as the improvement of the S2 Programs and the accomplishments therein are clearly delineated. Notably, SSG/SFC Meredith would be in the office at 0800 and leave every day at 1300 for regularly scheduled appointments for his son and 1500 on every other day. SFC Forbes would stay late regularly. SFC Forbes approved of this to support SSG/SFC Forbes family and it worked well for coverage for the entire workday.

"People would not talk to SFC Forbes" Certain Soldiers were likely encouraged (by other Soldiers) to engage SSG/SFC Meredith and preferred to work with him for in-processing, not because SFC Forbes was counterproductive, but SFC Forbes would enforce the incentive to complete the in-processing prior to granting access to the building; SSG/SFC Meredith would not. He would hand them the in-processing packet and immediately escort them to the PAO office computer and put the credentials to X-4047 on the Soldier's CaC card. This was many Soldier's first impression of SFC Forbes and his reputation was that of a professional and dutiful regulation-abiding Soldier (See "10-CRL/NCOERs" folder): he has been a law-abiding citizen his entire life.

para 1, d., (1): Please see Exhibit N summary above.

Exhibit O
CSM Emekaekwue DA 4856 to SFC Forbes (20221212)

Summary: SFC Forbes disagreed with this and CSM Emekaekwue acknowledged his protected communication. Not enough time to summarize but refer to this witness above. This is an impugned witness and this document was presented immediately after this CSM committed a crime against SFC Forbes IET deflect his criminal action and is now being used as some justification in an ill-intended investigation.

Exhibit P
1SG Morgan DA 4856 to SFC Forbes (20210727)

Summary: Please see Exhibit C, para 1 for narrative and evidence.

Exhibit Q
CPT Korista's SIR email ordering SFC Forbes to eCDBHE (20230118)

Summary: This documented proof of MAJ Racaza's violation of APA CoC Principles of "Conflict-of-Interest and Multiple Relationships will be adjudicated in a multiple separate venues. SFC Forbes is challenging the timing and intent CPT Korista's decision, based

on “a reasonable person’s judgment,” and contends that CPT Korista ordering SFC Forbes to an after-work-hours eCDBHE was ill-intended and an attempt to procure evidence of a Personality Disorder that does not exist. SFC Forbes believes that CPT Korista simply did not view SFC Forbes positively as he may have felt that SFC Forbes was challenging his authority when in reality SFC Forbes was only attempting to protect the Company CDR, and CDRs at all echelons, from undue negative scrutiny stemming from CPT Korista’s questionable decisions and the treatment of subordinates. It is for these reasons that SFC Forbes never formally complained about CPT Korista until him until the horrible experience of being needlessly sent to an emergency room, having his clothes removed and inventoried, and being told that he could have a phone cord to charge his dead phone IET keep his extremely upset wife calm at home. It is for these reasons, SFC Forbes yet again recommends that CPT Korista’s decisions in his official capacity and Company Commander of HHC, STB, 528th SB require further in-depth scrutiny; unfortunately, this is a formal recommendation given that it is being made in a formal rebuttal of an unjustified GOMOR SFC Forbes denies but recently and only, acknowledged receipt of. COL Brunson and MAJ Racaza’s (and anyone else in this email testimony) should receive the same in-depth scrutiny and policies modified so that the eCDBHE is used for support of Soldiers and not a ‘weaponized,’ evidence-seeking tool as it has been here.

The eCDBHE that CPT Korista ordered SFC Forbes to participate in could have been done in an hour, if it had been done earlier that day (with an available Psychologist other than the biased and unprofessional MAJ Racaza) and SFC Forbes would have been afforded the opportunity to interact with IG as regulations and policies indicate. As it stands he frantically only got to leave a voice mail that evening. This level of planned coordination of the time and place (which was different than the day before) to have SFC Forbes forced to be in an emergency room for 9 hours was unnecessary and unwarranted; moreover, it is indicative of a sense of malice for SFC Forbes’ well-being, which is contrary to the Army's intent to remove the negative stigma of BH engagements. It was also contrary to CPT Korista's stated interest in a performing “Safety Check” out of concern (which is a probable falsehood). A non-inclusive chronological list of events pertaining to that needless and horrendous evening, which shows the likely ill-intended use of an SIR event (that SFC Forbes will never forget), follows (for the remainder of this section - Exhibit Q):

On 20230118 (1645), a meeting was opened by HHC, CO CDR, CPT Korista, as he asked, “How are you feeling?” SFC Forbes responded, “I am fine. How are you?” SMs also present were 1SG Morgan, 1LT Jennes, CPT Devine, CPT Lowrie (at the beginning), MSG Grix (at the end). During this meeting CPT Korista repeated that he wanted SFC Forbes to receive a “Safety Check.” Near the end of the conversation SFC Forbes expressed that a CDBHE cannot be used as retaliation or reprisal. He repeated, again, to SFC Forbes, that he was ordering him to a “Safety Check.” CPT Korista finally

stated, “I am ordering you to go to the emergency room to be checked out because I have noticed erratic behavior.” SFC Forbes agreed to go with MSG Grix to WAMC.

On 20230118 (~1809), SFC Forbes left voicemail with 1SFC IG (after hours) stating that he was being ordered to an emergency CDBHE due to no Psychological professionals being available after hours. He further stated, that he was told that some Psychologist from 1SFC (unknown individual; SFC Forbes didn’t meet any medical professionals there) said something to someone in my unit that caused CPT Korista to decide to perform what he deemed was “a Safety Check,” but what he finally admitted was an emergency CDBHE. 1SFC IG likely has the recorded voicemail SFC Forbes left with the appropriate time stamp.

On 20220118 (1843), SFC Forbes was admitted to WAMC’s emergency room for an eCDBHE. The wrist band provided stated 1743, likely due to DST, as SFC Forbes called his wife, Sabrina, at 1819 while MSG Grix (FN?) was driving SFC Forbes to WAMC.

On 20220119 (~0311) SFC Forbes had been released: he was diagnosed with “Stress.” He was driven back to his vehicle in X-4047 parking area by MSG Michaux circa 0330 and went home to his, still awake and upset, wife.

The next day, after getting a partial copy of the medical record pertaining to this incident, SFC discovered a document; FB 1462-E. It is a mandatory form that must be completed prior to a Soldier’s “assessment.” Mr. Lanier told CPT Korista in his report contained in the ‘infamous’ 10 pages missing from his records requests, that took SFC Forbes 5 requests over 3 months (and having to ultimately engage WAMC Director) to procure, that a FB 1462-E was required. Mr. Lanier further clarified this in his report by writing, “SM initially arrived without FB 1462 but one was completed by the [C]ommander on instruction of this provider and this document was reviewed prior to assessment.” CPT Korista must not have known the document was mandatory. If this weren’t enough to show how the eCDBHE was ‘weaponized,’ SFC Forbes can clearly see CPT Korista’s intent was ill-intended as block 10 of FB 1462-E states, “Your future plans for dealing with this soldier are:” He replied with two bullets: “- Making sure the Soldier receives adequate care for his paranoia and erratic behavior” and, “-Remove him from USASOC/levels of responsibility” (See Exhibit Q, “symptoms not corroborated” document dated 2023018).

SFC Forbes did an exhaustive write-up for another venue on the ‘shot-gun-blast’ approach CPT Korista used in filling out the 1462-E in the emergency room that evening (circa 2330), however, SFC Forbes left it out of this rebuttal due to the overwhelming amount of evidence already documented and submitted of CPT Korista’s ill-intended order. Needless to say, the 1462-E was largely false, with much of it refuted by Mr. Lanier, except SFC Forbes diagnosed [occupational] “Stress.” Ultimately, was released

from WAMC with nutritional and lifestyle guidance paperwork (similar to a pamphlet). Notably, CPT Korista indicated on the FB Form 1462-E that SFC Forbes was the subject of disciplinary actions, by stating: "15-6 Inv; 12JAN23; Counter-productive leadership; on-going," on the form.

Exhibit R
BDE Town Hall Comments (20221212)

Summary: These statements appear to be written by the same person and it is troubling that this is the evidence that COL Brunson verbally notified SFC Forbes he would "report to 389th on 20230119 and he intended to order the investigation into "someone who is being disruptive" in his unit. SFC Forbes believed he was investigating CPT Korista or CSM Emekaekwue based on their behaviors with respect to thwarting SFC Forbes attempts to fulfill his BDE appointed duties of Primary INFOSEC Officer. SFC Forbes denies all allegations of "yelling" and "blowing up" and has never in his 16+year career created or participated in a hostile work environment. In fact, he has a history of standing up for persecuted and abused Soldiers wherever and whenever he witnesses it. He does remediate issues for reasons and has always communicated his reasoning with his colleagues at every echelon, as the contents of this entire documents supports with actual evidentiary support provided.

Exhibit S
2LT Tolston's Questions to SFC Forbes (20230221, S:20230413)

Summary: These questions were vague and clarification was requested in SFC Forbes answer. Also, it is troubling that the IO had no further witness interviews from 20230209 thru 20230221 and SFC Forbes could have been afforded this time to perform what he is attempting to do in this rebuttal; defend his reputation, and career from these allegations, opinions, generalization, hearsay, and falsifications. SFC Forbes is convinced this is a biased, incomplete, inaccurate, and unreliable examination of the allegations levied against him by Leaders and Subordinates in an organization whose CDR created an environment and culture conducive to ignoring policies and not accepting SFC Forbes regulatory-based guidance in this SOF support unit.

Point of Contact information is moot as formal lines of communcations via the presentation of the GOMOR in question already exist.

FORBES.MICHAEL.JEFFREY.[redacted]
Digitally signed by FORBES.MICHAEL.JEFFREY[redacted]
Date: 2023.06.16 15:27:38 -04'00'

MICHAEL J. FORBES
SFC, USA
Former NCOIC, BDE S2 & Mentor

D E P A R T M E N T O F T H E A R M Y
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MI 16-June-2012

MEMORANDUM FOR RECORD

SUBJECT: SFC Forbes, Michael J. Timeline of AR 15-6 Investigation

The following timeline (prepared by the SFC Forbes) is accurate and complete to the best of his knowledge:

2LT Tolston Findings and Recommendations (20230222, signed 20230413)
Investigation Timeline

Summary: This investigation, with its procedural flaws and surprising choice of a 2LT to conduct an investigation of a Senior NCO, reinforces why a post-command CPT or higher should have been selected instead. The IO had 42 days to investigate; the IO gathered evidence on only 10 of those allotted days, with the bulk of the IOs data gathering occurred between 20230119 that was included in the findings.

It is extremely troubling that after conducting interviews and reviewing SS evidence, the IO spent massive amounts of time generating MFRs to augment her witnesses' SSs and waited until one day before her extension deadline to ask questions of SFC Forbes (the Subject). He requested, under the advice of CPT Carras', his suspect rights Legal Assistance Lawyer, to review the request with his representation. SFC Forbes responded on 20230223 (one day after the IO deadline), which may indicate the IO did not consider SFC Forbes' answer. Notably, he requested clarification of the vague questions concerning the counterproductive leader charge in his answer to the IO. He received no response, likely due to the deadline that had already passed for another extension request. This is highly unorthodox and did not provide SFC Forbes the opportunity to due process to refute the allegations with the IO in the time provided by COL Brunson.

Further flaws are as follows:

1) The investigation IO's findings and recommendations memo and all supplemental MFRs were dated 22FEB2023 but not signed by 2LT Tolston until 13APR2023, but then were modified by the BDE CDR on 20230420; and modified again on 20230522 to add back the disrespect charge.
2) The IO was in possession of evidentiary allegations for months, even after the she requested an extension; the evidentiary allegations of multiple events were not brought forth to SFC Forbes to address during the investigation, thereby forcing these matters to be refuted in rebuttal of a General Officer Memorandum

of Reprimand (GOMOR) because of an incomplete assessment by the IO. This is a highly unorthodox IO procedure and cumbersome for the rebuttal of a Personnel Action such as a GOMOR.

3) Unit Psychologist (MAJ Racaza) complained about SFC Forbes on 30NOV2022 to the BDE CDR, SFC Forbes addressed this incident with a replied email from the BDE CDR; SFC Forbes understood the issue as resolved when released from the mandate to participate in the SDI event in that email exchange - See Reprisal Catalyst Events & Timeline Folder (20221201 email 1of2; 2of2 is identical with the COL indicating he read it twice) for this exchange.
4) MAJ Racaza brought the same 30NOV2022 complaint at an unknown time (circa 6 weeks later), which was at least part of the reason for the appointment of the IO for an investigation on 12JAN2023 that SFC Forbes was the unwitting subject of, as MAJ Racaza was the named Officer that SFC Forbes allegedly disrespected in the IO appointment order; MAJ Racaza then submitted a sworn statement against SFC Forbes on 19JAN2023 for the same 30NOV2023 discussion in the same investigation she was a catalyst for.
5) The BDE CDR influenced the assignment of SFC Forbes back to STB to be ordered by CPT Korista to be escorted to an eCDBHE while he was an unwitting subject of 2LT Tolston's investigation.
6) The only documented report of MAJ Racaza's is her 3rd complaint of the 30NOV2022 discussion, which was in the form of a sworn statement provided to the IO on the day of SFC Forbes' release from WAMC emergency room and only ***after*** a "fit-for-duty" result from the eCDBHE that MAJ Racaza provided the regulatory basis for CPT Korista to order the unwitting SFC Forbes to participate in. Would MAJ Racaza still have created the sworn statement if the diagnosis result from the eCDBHE was more severe? We will never know.
7) SFC Forbes was not flagged by CPT Korista, or anyone, until 07FEB2023 at which time he became a witting subject; furthermore, the flag was not entered into IPPS-A through HRC until he received his GOMOR on 01JUN2023. The motivation for this failure to follow Army Regulations could be explained as leverage for SFC Forbes to remain silent regarding the further pursuit of the evidentiary truth associated with CSM Emekaekwue's assaulting him, MAJ Racaza's multiple complaints about the same discussion on 30NOV2022, MAJ Racaza's conflict of interest and multiple violations of the APA Code of Conduct in her recommendation to have SFC Forbes ordered to eCDBHE. Moreover, MAJ Racaza violated many APA Code of Conduct Principles in her solicitation and implementation of the Strengths Deployment Inventory through COL Brunson. This ultimately resulted in COL Brunson's clandestine investigation of SFC Forbes, via this poorly executed investigation that denied SFC Forbes the opportunity to persuade the IO through testimony of alleged wrongs.
8) Notably, SFC Forbes documented the situation the same day (on 30NOV2022) whereas the only recorded documentation of MAJ Racaza's allegations occurred

after the investigation began (over 6 weeks later) and post-eCDBHE mundane result findings.

9) The IO used a disputed allegation as evidence in her findings by stating "I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza…. This can be supported by MAJ Racaza[']s statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letting her explain or answer any questions."
10) The investigation is predominated by generalizations, uncorroborated opinions, hearsay, falsifications and the aforementioned ill-intent by leaders of the unit.

The Investigation began on 12JAN2023;

- **20220112 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220113 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220114 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220115 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220116 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230117 (0607) CPT Lowrie texted me that CPT Korista wanted to meet with us both at 1330.
- **20230117 (1500) Legal meeting with CPT Dycus[, 95th CA BDE and IO]**
- 20230117 (1330) SFC Forbes met with CPT Lowrie and CPT Korista and was dismissed by CPT Korista for being "assigned to 389th MI BN" at 1340.
- **20230117 (1500) LEGAL MEETING WITH CPT DYCUS (95th CA BDE).**
- 20230117 (1554) BDE directed move to "Revoke" SFC Forbes assignment to 389th MI BN via a BDE directed Personnel Action on 20221220.
- 20230117 (1555) BDE directed move to "Attach" SFC Forbes to 389th MI BN via a BDE directed Personnel Action thereby assigned him back under the authority of CPT Korista the Company CDR, HHC, STB, 528th SB.
- 20230117 (~1600) CPT Davenport, Company CDR, HHC, 389th MI BN, 528th SB, calls SFC Forbes into her office while CPT Korista was on the phone with her and notified SFC Forbes to be at CPT Korista's office on 20230118 at 1600.
- **20220118 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230118 (~1000) SFC Forbes travels to 1SFC for in-person request open-door with MG Angle. He was persuaded to meet with CSM Munter on 20230119 at 0900.
- 20230118 (1600) SFC Forbes arrives with CPT Devine, 389th Chaplain, at SFC Forbes request. He nearly immediately asked to attend a mental health "Safety Check" at WAMC. SFC Forbes immediately notified CPT Korista that he had no suicidal or homicidal ideations, and was not suffering from any symptoms of a Personality Disorder. These are the only three reasons a CDBHE can be ordered and then only after a Psychology consult. SFC Forbes continued to refuse the repeated attempts to get him to attend the "Safety Check" voluntarily. Finally, in

front of all present, CPT Korista admitted he was ordering SFC Forbes to an eCDBHE. SFC then, and only then, complied with the order. Notably, SFC Forbes is still an unwitting subject of a BDE level investigation at this time.

- 20230118 (1743) SFC Forbes is admitted to the emergency room with armband emplaced. During this event SFC Forbes was ordered to strip, put on a hospital gown, watch a medical worker inventory the contents of his uniform and was not allowed a charging cord to continue to attempt to keep his wife calm. His wife, who was extremely angry about this, got no sleep that night and commented during a telephonic meeting, "They were trying to piss him off" and later said, "They are hunting him."
- 20230119 (~0318) SFC Forbes is released with "No duty limitations" and, "No follow-up needed" by Mr. Brian Lanier, a Behavioral Health Provider at WAMC. This can be seen in the DA Form 3822, which took 3 months (20230420) and 5 requests for SFC Forbes to receive a copy. The form indicates a billable diagnosis code of R45.89 with the words, "OTHER SYMPTOMS AND SIGNS INVOLVING EMOTIONAL STATE" noted. This document is in the Exhibit E folder (para 4.). Further clarification can be found on page 18 of 71 of SFC Forbes medical records associated with this incident, where Dr. Christopher Anderson, the Emergency Room Physician, wrote under "Diagnosis," which reads "Stress;" all of this was after being screened for "Depression" and "Substance Misuse." This was a 9.5 hours ordeal that, if held earlier in the day could have lasted 50 minutes (the amount of time the assessment did last with Dr. Anderson) with an unbiased (other than MAJ Racaza) Psychologist or Clinical Social Worker during normal business hours. No evidence was procured to support the investigation during this heavy-handed order by CPT Korista that was recommended by MAJ Racaza.
- **20230119 (1245) Witness meeting with MAJ Racaza [and IO.]**
- 20230119 (1252) MAJ Racaza provides the first on-record written statement that my client has to date of the 30NOV2022 communication wherein my client lawfully and professionally requested the "scope and statutory support" of the SDI event that MAJ Racaza was lawfully obligated to answer.
- **20230119 (1350) Witness meeting with SGT Aldeguer [and IO.]**
- **20230120 (1100) Witness meeting with 1SG Morgan [and IO.]**
- **20230120 (1400) Witness meeting with MAJ CH Rivera [and IO.]**
- **20230120 Extension request**
- **20230121 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230122 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230123 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230124 (1450) Witness meeting with CPT Lowrie [and IO.]**
- **20230124 Extension request approved**
- **20230125 (1000) Witness meeting with MAJ Weber [and IO.]**
- **20230125 (1100) Witness meeting with CPT Korista [and IO.]**

- **20230125 (1400) Witness meeting with PFC Scheffing [and IO.]**
- **20230126 (1400) Witness meeting with CSM Emekaekwue [and IO.]**
- **20230127 (1030) Witness meeting with LTC Furlow [and IO.]**
- **20230127 (1200) Witness meeting with 1LT Lyons [and IO.]**
- **20230127 (1400) Witness meeting with LTC Furlow [and IO.]**
- **20230128 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230129 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230130 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230131 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230201 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230202 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230203 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230204 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230205 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230206 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230207 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230207 CPT Korista provide SFC Forbes with a counseling and flag. Flag is not submitted to IPPS-A (HRC) until circa 20230601.
- **20220208 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220209 Witness meeting with Mrs. Margarret Lindquist over phone**
- **20220210 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220211 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220212 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220213 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220214 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220215 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220216 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220217 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220218 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220219 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220220 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230221 (1600) M[FR] for accused sent to CPT Carras**. 2LT Tolston notifies SFC Forbes of suspect questions for the investigation. Questions about counterproductive leadership are vague (See Exhibit S).
- **20220522 2LT TOLSTON's INVESTIGATION ENDS PER THE EXTENSION GRANTED BY COL BRUNSON. ALL MEMOS ARE BACKDATED TO THIS DATE. SHE DID NOT INCLUDE SFC FORBES' RESPONSE ON 20230523 THAT CAME IN AFTER REQUESTED ATTORNEY CONSULT AND DID NOT CLARIFY THE QUESTION TO PROVIDE ANY FIDELITY ON THE EMBEDED ALLEGATIONS AGAINST HIM.**

- 20230223 SFC Forbes responds to 2LT Tolston questions and requests clarification regarding counterproductive leadership question vagueness. He gets none (See Exhibit 1).
- 2020420 SFC Forbes finally receives missing 10 pages of medical records refuting all of CPT Koristas alleged symptoms but “stress” and thievery (which is refuted elsewhere) that he indicated on FB 1462-E.
- 20230501 SFC Forbes is presented with a DA 4856 from 1SG Kelley, Amanda, HHC, 389th MI BN wherein she notifies him she is recommending him to the Company CDR, CPT Davenport, Hollis, HHC, 389th MI BN for “Failure to follow direct orders” and ”counterproductive leadership.” SFC Forbes disagreed with the counseling as he is not guilty of those allegations. Again, the event did not produce any evidence for the still open and modifiable investigation as seen by COL Brunson’s memo dated 20230522 wherein he provided a “Clarification of Approved findings dated 20 April 2023.”
- 20230511 SFC Forbes is presented with a DA 4856 from CPT Davenport that notified him that the “BDE Commander has recommended that you receive a …GOMOR.” SFC Forbes disagreed with the counseling as he feels this is unwarranted and he has professionally enforced regulations. Again, the event did not produce any evidence for the still open and modifiable investigation as seen by COL Brunson’s memo dated 20230522 wherein he provided a “Clarification of Approved findings dated 20 April 2023.”
- 20230601 SFC Forbes receives a GOMOR from BG Ferguson (DCO, 1SFC), a Military Protection Order (MPO) from CPT Korista and a DA 4856 from CPT Lowrie wherein she is contemplating writing a Relief for Cause NCOER. Notably, CPT Lowrie has only worked with him for 2 months and he has not been anything but a 389th Mentor since being assigned to 389th MI BN on 20221220, which is an unofficial and unheard of role for a Senior NCO.

FORBES.MICHAEL.J EFFREY. [redacted]
Digitally signed by FORBES.MICHAEL.JEFFREY. [redacted]
Date: 2023.06.16 15:10:43 -04'00'

MICHAEL J. FORBES
SFC, USA
Former NCOIC, BDE S2 & Mentor

ENCLOSURE C

Character Reference Letters

DEPARTMENT OF THE ARMY
U.S. ARMY COMMAND AND GENERAL STAFF COLLEGE
100 STIMSON AVENUE
FORT LEAVENWORTH, KANSAS 66027-2301

REPLY TO
ATTENTION OF:

ATZL-LSK June 11, 2015

TO WHOM IT MAY CONCERN

SUBJECT: Character Letter for Michael J. Forbes, SFC.

1. During the period from January 2012 through June 2014 I served as the S2 NCOIC for 3rd Special Forces Group, 3rd Battalion. In that position, I was responsible for the health and welfare of Michael J. Forbes, Staff Sergeant at the time. I also served as the Group Support Company Commander/1SG on Assumption of Command orders for over 18 months, still having Michael Forbes under the same chain of command. It is with great pleasure for me to write this character letter for SFC Forbes, Michael J. To date, I have known SFC Forbes for the past eleven years through military positions held and through continued mentorship. I can personally attest to his intelligence, fortitude, and professionalism. Others and I can confirm his exceptional qualities and potential as a leader, trainer, and motivator. I have witnessed firsthand his growth in both military knowledge and experience, and as a person.

2. I wanted to make sure that on this day, at this time, this letter would serve its purpose, by briefly highlighting a great Soldier and a great person. There is no document that could ever be produced to summarize or cover all the things that Michael J. Forbes has done to help, lead, guide and protect others throughout his Army career. Regardless of what this letter is used for, whether soon or 50 years from now, reading this document will never sum it up. You would have to get to know Michael J. Forbes for yourself to understand and appreciate his attributes. Forbes joined the Army at an older age than most, however that has never been an excuse to why he couldn't accomplish the task at hand nor go the extra mile. I have always known Michael Forbes to perform in an exceptional manner and he continues to possess the breadth and depth of knowledge seldom seen in Non-Commissioned Officers. He has the natural ability to express complicated and technical information clearly and concisely. His patience and compassion will serve him well and guarantee his continued success as a Senior Leader.

3. I joined the Army in 1994, currently still serving with almost 30 years of service. I have seen and worked with many enlisted personnel of all ranks, however I have never met or worked with anyone like SFC Forbes. I noticed great desire to be a professional, a leader, a mentor, even a great follower when needed in Forbes and that fire has never died. He is a by the book type of person, which is great and much needed in the profession of Military Intelligence. During the many years, months, days, hours spent alongside Michael Forbes, I never had a problem with him being by the book, this was a requirement from me to him. His work ethic spoke for itself. We never had an investigation, we never mishandled classifieds, we always got commendable during personnel security and physical security inspections, we trained others in the proper techniques of personnel and physical security and they too, benefited from the mentorship provided and I owe this to SFC Forbes.

4. SFC Forbes made my job and life easy as his NCOIC, but he also taught me a lot. Depending on the situation, I had to learn different communication techniques, I had to develop a higher level of compassion and empathy. These qualities would serve me best later in my career as a Command Sergeant Major. This is why I mention this, Michael Forbes did not show signs of weakness, he stood steadfast, excepted responsibility, and showed many Soldiers in the unit what it meant to be resilient. Not once did I have to worry about his physical, spiritual, or mental fitness, because he was a total Soldier that took pride in his unit and himself. Forbes was going through some emotional times, having to endure a separation and divorce, but he never faltered, never failed me, never lied; never missed work unless it was prior planned, never looked for or considered handouts, never looked for an excuse, and never compromised his integrity as a Soldier. I stand here today as a testament to his perseverance. I will tell you this, if given the chance as a CSM in the United States Army, I would hand pick SFC Michael Forbes to work for me right now.

5. SFC Michael J. Forbes is loyal, honest, dedicated, and continuously wants to be a great leader to Soldiers and his community. Allow this Soldier the opportunity to continue to provide structured leadership and leader development to all that encounter him. I am convinced that SFC Forbes will be successful in any endeavor he attempts. To be honest he has shown more potential in becoming a great leader than other promoted Sergeant First Classes and other senior enlisted personnel that I have met throughout the 29 plus years I have been in the Army. Anyone not wanting this person, this man, this Soldier, this Senior Non-Commissioned Officer on his or her team frankly is foolish and know nothing about what denotes or classifies a great Soldier, a leader, nor an Intelligence Professional. It is hard to find someone that will always tell you the truth, whether good or bad, but you will always get that from SFC Michael J. Forbes. I will always be grateful for his help in making me a better leader and I'm proud that we have one another as mentors.

6. Point of Contact for this memorandum is CSM Aubrey L. Crenshaw at aubrey.l.crenshaw.mil@army.mil or by cell phone at [redacted]

AUBREY L. CRENSHAW
CSM, USA
CGSC Instructor

Dane A. Bergeron

[redacted] • daneb@scpdc.org

June 10, 2023

To Whom It May Concern,

I have known SFC Michael Forbes in various capacities for 15 years. I was the Targeting Officer and Personnel Recovery Director for CJSOTF-A, 2007-2008. SFC Forbes was my lead Intelligence Analyst for both of my positions. SFC Forbes' dedication to duty, integrity, and outstanding attention to detail directly eliminated numerous High-Value Targets (HVTs).

SFC Forbes possesses excellent communication skills (both written and verbal), allowing him to effectively interact with all levels of personnel in the Chain of Command.

SFC Forbes is one of the finest soldiers I served with throughout my 30-year career. He has been a tremendous asset to The United States Army and The United States of America.

POC for this letter is Dane A. Bergeron, [redacted]

Respectfully,



Dane A. Bergeron
CW4(R), SF
Chairman Republican Executive Committee
Beauregard Parish, La.

CC: Senator John Kennedy, La
Senator Bill Cassidy, La
Senator Tom Cotton, Ar
Congressman Steve Scalise, La
Congressman Mike Johnson, La
Congressman Clay Higgins, La

June 8, 2023

BG Ferguson, Lawrence G.
Deputy Commanding General
2929 Desert Storm Dr.
Fort Bragg, NC 28310

SFC(R) Bleyl, Donald
[redacted]

Sir:

My name is SFC(R) Bleyl, Donald, and I am writing to you on behalf of SFC Forbes, Michael J. He recently informed me that he received a GOMOR and explained his situation. After hearing that news, I felt I needed to write to you and present to you a different picture, the real picture, of who SFC Forbes really is, and what he stands for. I was honestly surprised to hear this news, as everything I know of SFC Forbes was, and is, only of the utmost professionalism.

I first met SFC Forbes in 2010 when we were both in 3rd BN, 3rd SFG (A). I was an 18C assigned to ODA 3322, and he was assigned to the BN S2 Section. I remember him being the only person that worked in the S2 Section at that time. He was always there, usually staying late, and working on off days, and was always willing to help, no matter how much work he had to get done. Everyone knew that "Forbes" was organized, professional, and unit first! He was always there for anyone or anything that needed to be done.

In 2012, I had some legal issues that affected my TS clearance, and it ended up being flagged. After all that was cleared, I needed assistance with getting my clearance straightened out. I was so confused and unsure of what to do, so I went to his office for help. SFC Forbes stopped what he was doing, and without judgement said, "I got you," and quickly retrieved a single sheet of paper that had the words "wish list" on it. He began circling and crossing things off this paper while he quickly asked questions of me. Within two minutes I left his office and could hear him feverishly typing away again. He could have simply just told me the basic steps of what to do, but instead, over the course of a couple of days, he walked me through step by step, making sure I understood all that needed to be done. He told me what to do, what kind of letter I needed to write, all the way down to the detail of checking my structure and content of my letters. He gave me the legal reasons for doing so, and how to do them in order to succeed the right way. He took extra time to ensure that I would have the best chance to successfully retain my clearance. He was and still is extremely competent in his job. He was a Wall Street Advisor for 14 years prior to his enlistment, and that should say a lot about his character. He voluntarily gave up a successful career to give his time and life for his country, and his fellow Soldiers. He has been nothing but a great influence and friend to me over the years. I have also seen him at countless charity events supporting the Special Forces Association, participating in charity motorcycle rides, being Santa Claus on several occasions, and just giving his own personal time. The first time he met my little girls, he even sent them home with some special souvenirs that he had collected from his personal travels. SFC Forbes has such a giving heart, and

he is always willing and excited to support whatever the greater cause is, whether it's Gold Star Families or Toys for Tots.

When I was nearing retirement, I went to see him to check on my situation after everything regarding my legal issue was dropped. He sat down at his computer and notified me that my clearance was good. He began talking me through a series of questions (I have seen him do this repeatedly with others). All of them had to do with my career or service. Upon mentioning the TAP Program, he abruptly asked me, "How many months do you have until you get out?" I replied it was about 18. He sat down and looked me up again and looked for my renewal window. He told me to put a date 30 days prior to the earliest renewal request date on my calendar and he would ensure we put in for my PPR. He wanted to do this so that I could have some coverage in the civilian world to have a better chance for professional employment. Even after I had been out for years, I called him, and he helped me by getting me phone numbers to get in touch with DoD CAF to restart another review process for a potential employer. I retired in May 2015. Now I have a new home here in SC with my wife and children, a great job, and still an active DOD clearance, thanks to SFC Forbes' dedication to his profession.

Sir, SFC Forbes has never wavered in his commitment to doing the right thing. He stands for justice and would sacrifice himself (figuratively or literally) for any one of us. He is one of the most competent Soldiers and people I know. I would gladly and proudly serve with him again. He is an asset to his unit, and to the United States Army. Please reconsider your decision on this GOMOR. From what he has told me, and I completely trust him, there may be some bigger issues in his unit that are falling on him without reason, and that is unfair. He has, and will always do the right thing, even under pressure. Please feel free to contact me if you have any questions.

Respectfully,



Donald Bleyl SFC(R)
Robert Bosch LLC
Mechanical Engineer
[redacted]
bleyld@gmail.com

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQURTERS BATTALION
82ND AIRBORNE DIVISION
FORT LIBERTY, NORTH CAROLINA 28310

AFVC-HBN-CO 11 June 2023

MEMORANDUM FOR Commander BG Ferguson,

SUBJECT: Letter of Character for SFC Michael J. Forbes

1. The purpose of this memorandum is to speak to the character of SFC Michael Forbes. Thank you for the opportunity to address my personal experience as one of his former Soldiers. I would like to address how much this leader has positively contributed to my career, my personal success as a leader, and how he remains a mentor of mine in our United States Army.

2. SFC Forbes and I worked together for approximately two years while I was assigned to HHC, 3/3 SFG (SO) (A). He was my S2 NCOIC and provided oversight to my assigned duties. SFC Forbes personally mentored and coached me on my duties and assisted me on many personal and professional issues, which prepared me to later assist my Soldiers and colleagues during my time as a leader of Soldiers. SFC Forbes' in-depth understanding of Army Policy, Regulations and procedures has helped me become a knowledgeable leader while deployed and/or serving in subsequent assignments. I still remain in contact with him as he continues to coach and mentor me as a peer, serving as the 82nd Division, Counterintellignce Coordinating Authority, which is at the G2/G2X Division Intelligence Architecture. Though SFC Forbes does not consult me in operational matters in relation to Counterintelligence, he is a supurb resource in leading/training soldiers, mentoring/coaching peers, and guiding Senior Leaders at any echelon. He is excellent at providing and/or researching Policy and Regulation references that many times change Commanders and OICs decision-making process. He is the epitome of a professional guide; he does not tell people what they want to hear or participate in group-think.

3. SFC Forbes is everything a leader, junior leader or Soldier should aspire to be. He LIVES the Army Values. Some could say, he fully represents these values. His coaching and mentorship, has guided me through the following processes: he was instrumental to my retention in my MOS back in 2015 (see below); he has coached and mentored me from a SGT to SFC (pinning me during a recent promotion ceremony last year); he has mentored me to pursue my BA in Criminal Justice, MS in Criminal Justice and MBA in Project Management; and he has continued to be my point of contact for regulatory guidance and personal development now and in the future.

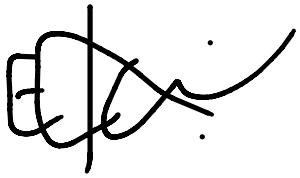
4. Back when I was an Buck Sergeant, then SSG, Forbes became the sole reason I continue to serve in the MOS, of my choosing, today. It was due to his intervention and tough words, behind the HHC, 3/3 SFG building, that I realized what kind of man SFC Forbes was. I was in a situation where counterproductive mid-level leaders had convinced our BN Commander that I should go back to the Infantry. A group of SSGs and SFCs created MFRs they presented, embellished, and falsified to the BN Commander without notifying me. Subsequently, I was given a first reading for a reassignment. I immediately contacted my Congressman and discussed my situation with SSG Forbes periodically.

5. On the morning of the day, of my third reading of my pending reassignment to an 11B, I decided to reach out to SSG Forbes again. Carrying my binder of extremely organized evidence, I went to the S2 Office and asked him to speak with me out back. He and I, both, knew I was being pushed out of my MOS by a corrupted process. I said to him, “I don’t know what to do. Congress is taking their time. Its all right here!” I will never forget this; he sternly said, “I have told you two times now, Congress takes forever. IG can stop this! They can put it on hold until you get due process. Now either you take that book to them (pointing to their office through the trees) or go be an Infantryman, again. You must decide and, it seems, you need to do it right now.” He was right. He gave me their number on a post-it and I was at IG in an hour. Everything stopped. The meeting with the BN Commander was cancelled and two weeks later I was reassigned to 525th MI BDE.

6. Thanks to SSG Forbes’ blunt encouragement in getting me to contact IG, someone stopped the process. It hadn’t occurred to me they could even help; SSG Forbes’ insight in how the Army works helped me preserve my chosen career and is the reason I remain in the Army today.

7. When SFC Forbes shared with me what is going on with him right now, I felt compelled to write this letter on his behalf. I believe he should not receive a GOMOR or a Relief for Cause NCOER and that something or someone else is out of place. Please consider my character assessment of this great leader. The US Army would be greatly impacted without leaders such as SFC Forbes.

8. Point of contact for this memorandum is the undersigned at eric.l.salinis.mil@army.mil or [redacted]



ERIC L SALINIS
SFC, USA
Senior Counterintelligence Sergeant

OFFICE OF THE UNITED STATES REPRESENTATIVE
MILITARY COMMITTEE
NORTH ATLANTIC TREATY ORGANIZATION
PSC 81, BOX 300
APO AE 09724

USDELMC-SLD 10 June 2023

MEMORANDUM FOR ALL REVIEWING AUTHORITIES

SUBJECT: Character Statement for SFC Michael J. Forbes

1. My name is SSG Valerie M. Hughes. I have served as a Security Representative with the United States Military Delegation to NATO since July 2022. I worked with SFC Michael J. Forbes from September 2016 to June 2017 when he was a SSG and I was a SPC in Delta Company, 54th Brigade Engineer Battalion (Airborne), 173rd Infantry Brigade Combat Team (Airborne). During this time, he was assigned as my squad leader.

2. As a junior enlisted service member, SFC Forbes was critical in the development of myself and my peers, as a Soldier and future leaders in the military. He exhibited humility, knowledge, decisiveness and courage; characteristics that he reinforced in his leadership style. The following events displayed his characteristics.

3. After arriving to the unit and observing our behaviors for about a month, SSG Forbes held a squad meeting under the BDE flagpole. During this meeting, he explained that we were a team and that he would not tolerate us talking bad about each other. If he found out about it, then he would bring everyone together to resolve the issue. From that moment on, I no longer saw my teammates as annoying and I put my negative feelings aside so that our team could accomplish its mission. During this meeting he also explained his Soldier development method, a three-strike progression. SSG Forbes placed an importance on Soldier development by establishing a working environment where mistakes were encouraged as long as Soldiers were able to learn from their mistakes and no one was injured. When a mistake was made, he would walk Soldiers through critical thinking to determine a different resolution for the future. He followed through on his method and consequently the squad had excellent meetings where individual's mistakes were discussed openly and we worked together to become a team. In one example, I recall one of our Soldiers lacked the discipline to show up on time. SSG Forbes addressed her individually the first time, then addressed her, with her team leader, the second time that she was late. The third time she was late, SSG Forbes addressed the squad and how we needed to work together to help our peer be on time. The team leader took responsibility for her lateness and SSG Forbes allowed the individual one more chance. In the end, the Soldier was no longer late so SSG Forbes counseled her to let her know that she would have her strikes reset to zero. His process allowed for mistakes, remediation and, more importantly, recovery.

4. SSG Forbes discovered that our PSG had abused his authority and violated the civil rights of many Soldiers by coercing Soldiers to allow him to search their phones prior to SSG Forbes' arrival to the unit. Later, SSG Forbes noticed that the same PSG was counterproductively targeting two of SSG Forbes' assigned Soldiers. SSG Forbes immediately intervened, but soon after, the attention of the PSG turned to SSG Forbes. I believe SSG Forbes' intent was to deflect

the abuse from the Soldiers. All I know is that this turned into an IG complaint and the two Soldiers were removed from platoon while the PSG was reassigned to a BDE manning position.

5. SSG Forbes also created an environment where he taught us to be humble and encourage suggestions from everyone, regardless of rank. Even as a SSG, with about 9 years of experience in the military, he believed it was normal for PV2s to have good ideas. SSG Forbes had no issue implementing the idea of a PV2 instead of his own. By doing this, he also taught Soldiers how to bring forth a different idea or how to bring forth problems if there were any.

6. Despite the good and bad times that our platoon experienced, SSG Forbes wanted to improve the platoon's cohesion and esprit de corps. He was able to accomplish this by inviting all platoon members to his house on a regular basis. He made an effort to have birthday parties every two months for everyone that was celebrating a birthday. For the Soldiers this was a meaningful gesture because most Soldiers were single and in a small overseas community. They did not have anyone to celebrate a birthday with.

7. I highlighted these lessens to you because these are ones that I emulate as a SSG. I have maintained contact with SFC Forbes since I left the unit in 2018 because I know that I can rely on him as a mentor for my development as a Soldier and Leader. I can rely on SFC Forbes because he always cared about me and my peers. He got to know us as individuals because he was concerned about our well-being. I still rely on him and what he taught me to this day, which is almost five years after working together. SFC Forbes is an effective leader and should be supported to continue developing Soldiers. If provided the opportunity, I would work with SFC Forbes in any capacity.

8. This character letter does not reflect the views of my unit. Please contact me if you have any questions or concerns. I can be reached at valerie.m.hughes4.mil@army.mil or DSN: 314-597-9433.

Valerie M. Hughes

VALERIE M. HUGHES
SSG, USA
US Military Delegation to NATO

June 8, 2023

BG Ferguson, Lawrence G.
Deputy Commanding General
2929 Desert Storm Dr.
Fort Bragg, NC 28310

Armijo, Anthony J., MSG(R), 18Z
[redacted]

Sir:

I am writing this letter you for SFC Forbes, Michael J. He called me and explained his current situation and your decision to present him with a General Officer Memorandum of Reprimand (GOMOR). You may be getting some misinformation from those who seek your fulfillment of this GOMOR. I have worked with, now SFC, Forbes from 2009 to 2012 at both the 3rd Special Forces Group (Airborne) (SFG-A) HHD and at 3/3SFG when he worked in the S2 Section as a Personnel Security representative. You must be aware of SFC Forbes characteristics; he is a very unique person.

I first met SFC Forbes in 2009 when we were both in HHC 3SFG (SO) (A). I was asked to take over by CSM Peters as the NCOIC of the Group S2 Section (intelligence production and personnel security) because the incumbent was abruptly removed. After a changeover and enough time to assess the section, I realized that these Soldiers were divided into factions due to the hands-off leadership style of my predecessor. Also, SPC Forbes and two female NCOs were being informally targeted with extra work, details, and disparaging comments behind closed doors. I devised a plan to destroy the wall that had been created between the Soldiers and get them to begin to trust each other and, hopefully, cohesively work together. I held rank-graduating meetings (from the highest NCO rank to all lower-enlisted) where I was open and candid about what I learned had occurred to SPC Forbes and the two female NCOs prior to my taking over. I wanted complete transparency between my Soldiers prior to our upcoming OEF XIII deployment, which was necessary if we were going to have any chance to become a team. We began doing everything as a team from our Physical and Army training, to our tasked intelligence production. I believe we began functioning as a unit prior to deployment.

During OEF XIII as the Combined Joint Special Operations Task Force-Afghanistan (CJSOTF-A) J2 SGM, I sent, then SPC, Forbes to Special Operations Task Force-East (SOTF-E) to support their Intelligence efforts. Regardless of all he had been through in Garrison with prior leadership, he remained positive. In fact, SOTF-E, which was run by 19th SFG, quickly repurposed him to be the Battle NCOIC's direct assistant. He worked on the JOC floor and supported current OPS via multiple roles; he did everything from: TIC documentation, UAV liaison, and CONOP de-confliction work with the S35, to name a few. The most significant thing I remember about SPC Forbes and OEF XIII was that within two weeks of being reassigned back (mid-deployment) to CJSOTF-A, he produced an impactful intelligence product about Aqtash Valley in Konduz Province. SPC Forbes' initial assessment of his newly assigned duty responsibility of covering RC North, resulted in an order from the CJSOTF-A Commander (CDR), COL Benton, to provide weekly updates on the topic. SPC Forbes had identified a key trend that had been

missed for over 6 weeks; a Warlord had autonomously begun standing up militias without uttering a word in the Shura and, significantly, without any US Army assistance. When asked by the CJSOTF-A CDR, "Why do you believe this so strongly?" SGT Forbes responded, "Sir, I don't believe anyone read [the Warlords] Bio, that I found. It's very clear what his motivation is and mannerism in the [three letter agency] document. It was thorough." Given we were in the 3rd or 4th rendition of renaming our partnering militia recruitment and training efforts, SPC Forbes identified within two weeks one of the most important developments in RC North. Weeks later he was asked to Brief his accurate growth predictions of the militia groups to COL Buldoc, the in-coming CJSOTF-A commander, via a VTC. He was the only lower enlisted SME in the room and enhanced CJSOTF-A intelligence reputation in theater. SPC Forbes is dynamic and well spoken.

During OEF XVII, as the SOTF-E Operations SGM, now SGT, Forbes who was the NCOIC of our night-shift operations for 3 months was selected to go forward and support AOB 3330 in RC East, Afghanistan. During this time SGT Forbes spear-headed a Comprehensive (FUSION) All-Source Intelligence Presentation for the AOB CDR. This product was designed to be 'evergreen' with independent updates from the usual intelligence sources and the more unusual sources, like Civil Affairs, Psychological Operations and Information Operations on our in-theater shared-drive. This product shaped the AOB CDR's Village Stability Operational (VSO) Plan recommendations to the SOTF-E CDR that were later approved and implemented. Due to this product's success, the AOB commander asked him for another one in a different area in his AO. SGT Forbes believed that the FUSION concept should be standardized whereas each intelligence discipline updates it regularly, because he showed it can be done via phone and email. All of this was before the online collaboration tools we have today.

Sir, SFC Forbes is not a typical out-of-high-school Soldier; he never has been, nor will ever be. He is highly intelligent, insightful, dutiful, and he brings tons of life and work experience with him in every daily engagement he has. He joined at 38 years of age and has been older than every CDR (except possibly his first one formerly COL HAAS). He has always enjoyed open-door access to every BN CDR as a long-time Personnel Security Manager. He never gave any of them bad guidance because he double checks his work. It is for these reasons that SPC/SGT/SSG Forbes was always assigned to the HHC, 3SFG S2 Section. In fact, he worked in the office and for years was only provided 1 Soldier over 8 years at 3rd BN. They got 2 Soldiers for the price of 1 with him; they exploited his work ethic and intelligence after he single handedly rebuilt what he inherited. It took him 9 months to consolidate, sort, retain relevant/destroy outdated Personnel Security Files in 3 separate BN locations. He did this while he set up trackers and SOPs that made the shop run unlike it ever had and likely ever has since. I have remained in contact with him since I left 3SFG and later retired from the Army.

Please rescind this GOMOR, Sir. I know SFC Forbes, I know he is rebutting this GOMOR and the investigation that underpins it. I can assure you, he would not argue a losing point. He would concede if he was wrong; he is a true professional! Please feel free to contact me if you need more examples, my phone number is below.

Respectfully,

Anthony J. Armijo SGM(R), 18Z
[redacted]
armijoa910@gmail.com

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

MAY 30 2023

AOSO-JA

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

SUBJECT: General Officer Memorandum of Reprimand

1. You are hereby reprimanded for being disrespectful in language and deportment towards a Field Grade officer and for engaging in counterproductive leadership. On 30 November 2022, you were disrespectful in language and deportment during a conversation with a senior commissioned officer, by raising your voice at her and talking over her. Also, during your time as Brigade S2 NCOIC, you engaged in counterproductive leadership by being quick to anger, erratic, disrespectful, and by failing to take accountability for your mistakes.

2. Your behavior in these matters demonstrates a complete lack of judgment and responsibility. You have discredited yourself, the 1st Special Forces Command (Airborne), and the United States Army. Your conduct constitutes a serious departure from the high standards of integrity and professionalism expected of a Soldier in this command. Your behavior in this matter cannot, and will not, be tolerated, and it forces me to seriously reconsider your suitability for continued service as a Soldier in the United States Army.

3. This reprimand is administrative in nature and is not imposed as punishment under the Uniform Code of Military Justice. I have enclosed the information upon which I based this reprimand. You are advised that in accordance with Army Regulation 600-37, paragraph 3-5b, I am considering whether to direct this reprimand be filed permanently in your Army Military Human Resource Record. You will immediately acknowledge receipt of this reprimand in writing. You may submit a written rebuttal to this reprimand and should include any other documents or statements you would like me to consider. You have seven (7) days to submit any matters you wish me to consider through your chain of command. Prior to making my filing decision, I will consider any matters you submit in extenuation, mitigation, or rebuttal. I will notify you in writing of the final filing decision.

LAWRENCE G. FERGUSON
Brigadier General, USA
Deputy Commanding General

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BUILDING X-4047 NEW DAWN DRIVE
FORT BRAGG NORTH CAROLINA 28310-8500

AOSC-JA

S: 7 February 2023
12 January 2023

MEMORANDUM FOR 2LT Miriam Tolston, 112th Signal Battalion (Special Operations) (Airborne), 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310-8500

SUBJECT: Appointment as Investigating Officer

1. **Appointment.** You are hereby appointed as an Investigating Officer (IO) pursuant to Army Regulation (AR) 15-6, *Procedures for Administrative Investigations and Boards of Officers*, to conduct an investigation into allegations of disrespect toward a superior commissioned officer and counterproductive leadership regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO)(A).

2. **Instructions.** The purpose of an AR 15-6 investigation is to elicit facts. Your investigation should explore any issues or deficiencies with policy, procedures, resources, doctrine, training, and leadership that might have contributed to this incident.

a. Your responsibilities as an IO take precedence over all other military duties. You have 15 duty days from the date you receive this appointment memorandum to submit your completed investigation to your legal advisor. Coordinate any requests for extensions through your legal advisor.

b. Consult with your legal advisor before making substantive efforts regarding your investigation. CPT Suzanne Dycus, Brigade Judge Advocate, is your legal advisor, and can be reached at [redacted] or [redacted]

c. Read the relevant portions of AR 15-6, AR 600-100, ADP 6-22, Article 89 UCMJ, and any other applicable authorities prior to beginning your investigation.

d. At a minimum, you should interview MAJ Rhea Racaza, MAJ CH Alvaro Rivera, 1SG Larry Morgan, CPT Patrina Lowrie, PFC Matthew Scheffing, SFC Michael Forbes, and any other relevant witnesses in order to address the following questions and issues:

(1) On or about 30 November 2022, did SFC Michael Forbes engage in disrespectful behavior toward MAJ Rhea Racaza? If so, what are the specific facts and circumstances?

(2) Has SFC Michael Forbes engaged in counterproductive or toxic leadership behaviors within brigade or battalion S2 sections as discussed in AR 600-100, Chapter 1-11d and ADP 6-22? If so, what are the specific facts and circumstances?

e. If something happens that could cause me to consider enlarging, restricting, terminating, or otherwise modifying your investigation, you should immediately report this to me through your legal advisor.

3. **Conduct of the Investigation.** You are to conduct this investigation using the general guidance and procedures outlined in AR 15-6, Chapters 3 and 5.

a. To the extent possible, witness statements will be written and sworn on a DA Form 2823. Do not collect social security numbers. You have the authority to administer oaths pursuant to Article 136, UCMJ. If it is impracticable to obtain a written and/or sworn statement from a witness, you will attest to the accuracy of the statement in whatever form it appears in your report.

b. No U.S. military or civilian witnesses can be ordered to provide information that may incriminate them. If you come to suspect a person may have engaged in criminal conduct, consult with your legal advisor. Under no circumstances should you attempt to elicit any incriminating information from a witness without first advising that person of his/her rights under Article 31, UCMJ, or the Fifth Amendment of the U.S. Constitution, as appropriate. Document your rights advisement and witness waivers of their rights on a DA Form 3881, Rights Warning Procedure/Waiver Certificate.

c. Should you determine in the context of your investigation that a Soldier's status has changed from favorable to unfavorable, as defined in AR 600-8-2, *Suspension of Favorable Personnel Actions*, you must notify me through your legal advisor.

4. **Report of Investigation.** Use a DA Form 1574-1, Report of Proceedings by Investigating Officer, and attach all required enclosures and exhibits.

a. Findings. A finding is a clear and concise statement of fact that can be readily deduced from exhibits in the record. For each potential instance of misconduct, you will reach a finding of "substantiated" or "unsubstantiated." Misconduct is "substantiated" if you find it to be true by a preponderance of the evidence, which means 51% or "more likely than not." Cite the exhibits that support your findings. If evidence conflicts, make a finding as to which evidence is more credible and why you believe it to be so.

b. Recommendations. Based on your findings, make recommendations as to what changes, if any, are needed in terms of policy, procedures, resources, doctrine, training, and leadership to avoid incidents of this nature in the future. Also, if appropriate, make recommendations of administrative or punitive action consistent with your findings. Each recommendation will cite to the finding that supports it, and should comport with the guidance in AR 15-6, paragraph 3-11.

AOSC-JA
SUBJECT: Appointment as Investigating Officer

c. Assembly. Your completed investigation will include, in the following order:

(1) This memorandum of appointment;

(2) A completed DA Form 1574-1;

(3) A memorandum with your findings and recommendations;

(4) A detailed chronology of the daily actions you took during your investigation;

(5) A list of the witnesses you interviewed;

(6) An index of the attached exhibits;

(7) All exhibits, labeled and numbered, including the ERB/ORB of any Soldier flagged pursuant to your investigation;

(8) A tabbed/indexed hard copy of the complete investigation. Do not use document protectors; and

(9) A scanned copy of the complete investigation.

5. POC for this memorandum is CPT Suzanne Dycus, 95th Civil Affairs Brigade Judge Advocate, and can be reached at [redacted] or [redacted]

TAVI N. BRUNSON
COL, LG
Commanding

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER

Note. Completed forms may contain personally identifiable information and require handling as set forth in AR 340-21.
For use of this form, see AR 15-6; the proponent agency is OTJAG.

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

SECTION I - APPOINTMENT

Appointed by COL Tavi Brunson
(Appointing authority)

on 20230112 *(Date)* *(Attach enclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

SECTION II - TIMELINE

1. The *(investigation)* commenced at FORT BRAGG, NORTH CAROLINA *(Place)* at 0900 *(Time)*
on 20230117 *(Date)*

2. The *(investigating officer)* finished gathering/hearing evidence a 1600 *(Time)* on 20230221 *(Date)* and completed findings and recommendations at 2330 *(Time)* on 20230222 *(Date)*

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES	YES	NO[1/]	NA[2/]
1. Enclosures *(para 3-13, AR 15-6)* Are the following enclosed and numbered consecutively with Roman numerals: *(Attached in order listed)*			
a. The memorandum of appointment?	☒	☐	
b. All other written communications to or from the appointing authority?	☒	☐	☐
c. Privacy Act Statements *(Certificate, if statement provided orally)?*	☐	☐	☒
d. Explanation by the investigating officer of any unusual delays, difficulties, irregularities, or other problems encountered *(e.g., absence of material witnesses)?*	☐	☐	☒
e. Any other significant papers *(other than evidence)* relating to administrative aspects of the investigation?	☐	☐	☒
f. An Executive Summary, Index of Exhibits, Chronology of the Investigation and lists of all persons interviewed and evidence gathered. *(Complex, serious and/or high profile cases)?*	☒	☐	☐
2. Exhibits *(para 3-14, AR 15-6)*			
a. Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report?	☒	☐	☐
b. Is an index of all exhibits offered to or considered by investigating officer attached before the first exhibit?	☒	☐	☐
c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	☒	☐	☐
d. Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated?	☒	☐	☐
e. Are descriptions or diagrams included of locations visited by the investigating officer *(Appendix C-3, AR 15-6)?*	☐	☐	☒
f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded?	☒	☐	☐

FOOTNOTES: *1/ Explain all negative answers on an attached sheet.*
2/ Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation.

SECTION IV - FINDINGS *(para 3-10, AR 15-6)*

The *(investigating officer)*, having carefully considered the evidence, finds: *[Each paragraph should be one conclusion based on the evidence gathered during the investigation. These findings should provide answers to each question posed by the appointing authority in the appointment memorandum. The evidence that supports each finding must be cited.]*

See Findings and Recommendations

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

In view of the above findings, the *(investigating officer)* recommends: *[Each paragraph should be one recommendation based on the findings in Section IV. Address what actions, if any, should be taken with regard to the individuals involved, the unit leadership, and any steps that can be taken to prevent the occurrence in the future. Recommendations do not need to be adverse or punitive. For example, the investigation results can be used as a training tool.]*

See Findings and Recommendations

SECTION VI - AUTHENTICATION *(para 3-15, AR 15-6)*

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE.

2LT MIRRIAM TOLSTON
(Investigating Officer)

SECTION VII - ACTION BY APPOVING AUTHORITY *(para 2-8, AR 15-6)*

The findings and recommendations of the *(investigating officer)* are:

a) Approved.

b) Approved with the following modifications:

(1) The following findings of fact are added/deleted:

(2) The following findings of fact are modified as follows:

I approve the finding as it relates to counter productive leadership, but disapprove the finding of harassment.

(3) The following recommendations are added/deleted:

(4) The following recommendations are modified as follows:

(5) The action recommended in recommendation _____ has been accomplished by _____

(6) Recommendation(s) _____ is not appropriate for action by this command: however, a copy of this investigation is being furnished to _____ for such action as deemed appropriate.

c) Disapproved.

d) The report is (incomplete), (ambiguous), (erroneous) and/or (specify deficiency) with respect to _____

It is, therefore, hereby returned to the IO for corrective action as follows _____

BRUNSON.TAVI.NIGEL.[redacted]
Digitally signed by BRUNSON.TAVI.NIGEL.[redacted]
Date: 2023.04.20 10:20:26 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

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] Digitally signed by BRUNSON.TAVI.NIGEL.[redacted] Date: 2023.05.22 15:44:53 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR COMMANDER Colonel Tavi N. Brunson, 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310-8500

SUBJECT: Findings and Recommendations for Army Regulation (AR) 15-6 Investigation into SFC Michael Forbes for Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership

1. BACKGROUND. On 12 January 2023, you appointed me as an investigating officer (IO) pursuant to AR 15-6. The purpose of this investigation was to determine the facts and circumstances surrounding the allegations of disrespect towards a senior commissioned officer and counterproductive leadership regarding SFC Michael Forbes, Headquarters and Headquarters Company (HHC), 528th Sustainment Brigade (Special Operations) (Airborne) (528th SB (SO) (A)).

2. SUMMARY. SFC Michel Forbes engaged in disrespectful behavior towards MAJ Racaza on 30 November 2022 and displayed traits of counterproductive leadership within the BDE S2 section. The recommendation for the findings is to consider appropriate adverse administrative action.

3. OVERVIEW. Over the course of the investigation multiple witnesses were revealed after interviewing the main witnesses. This caused a delay which called for an extension in the investigation. When scheduling the meeting with the accused, I was informed that a lawyer has previously been appointed for other current investigations. The appointed lawyer requested to review the questions for the accused, which delayed the process. After the review of the questions, the appointed lawyer stated the accused will answer the questions in writing through a Sworn Statement. The timeline for the investigation can be found in Enclosure IV.

4. SUMMARY OF RELEVANT & MATERIAL FACTS.

a. On 30 November 2022 SFC Forbes engaged in disrespectful behavior towards MAJ Rena Racaza after walking into SGT Aldeguer's office asking for information about SDI 2.0. CH Rivera saw him walk-in, and he called MAJ Racaza to answer his questions SFC Forbes proceeded to follow MAJ Racaza to her office (See Exhibit B. (SGT Aldeguer DA 2823)). SFC Forbes demanded aggressively that MAJ Racaza provide him with information. When MAJ Racaza asked SFC Forbes what exact information he needed, SFC Forbes became more angry and verbally aggressive by demanding information, but would not let MAJ Recaza speak. At that time SFC Forbes threatened to call USASOC JAG and continued to demand MAJ Racaza provide him

with regulations or policies on what right the BDE CDR must request his participation in the staff development training. SFC Forbes accused MAJ Racaza of making him do a behavior health evaluation and when [MAJ Racaza] attempted to clarify SFC Forbes cut MAJ Racaza off and would not let [her] explain or answer any questions." (See Exhibit A. (MAJ Racaza DA 2823)).

b. SFC Forbes engaged in counterproductive leadership within the BDE S2 section by being too aggressive, engaging in self-serving and erratic behaviors that would lessen the productivity of the BDE S2 section. At times SFC Forbes' my way, or no way attitude towards the team have compromised the overall organizational effectiveness and it has affected the good order and discipline of the units culture. (See Exhibit D. (CPT Lowrie DA 2823), Exhibit F. (SGT Henkel DA 2823), and Exhibit G. (PFC Scheffing DA 2823)). Based on individuals working relationship with SFC Forbes, he may be an incompetent team leader, he has adequate cognitive capabilities but lack the emotional fitness to be supportive and lead his team. SFC Forbes cannot make sound decisions on time, is indecisive, and lacks the ability to control his emotional center. All these interactions have been observed while SFC Forbes has been the BDE S2 NCOIC (See Exhibit D. (CPT Lowrie DA 2823) and Exhibit N. (SFC Meredith MFR)).

c. SFC Forbes has displayed counterproductive leadership within the BDE S2 section by pointing out the lack of productivity in the shop or something not being done that was requested by the command team, he was quick to blame whoever was not in the room. He was never wrong in his opinion. In terms of his temper, SFC Forbes was quick to anger about everything and would yell in the shop about whoever he had encountered that day. There was never a day he wasn't angry about someone (See Exhibit F. (SGT Henkel DA 2823)).

5. FINDINGS.

a. On or about 30 November 2022, did SFC Michael Forbes engage in disrespectful behavior toward MAJ Rhea Racaza? If so, what are the specifics and circumstances?

(1) I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza. He raised his voice to a superior officer, would not let her speak, made her feel unsafe in the workplace with his unwelcome behaviors. These actions violated Army Regulation 600-20. Given the nature of the interaction he specifically infringes upon military discipline in regard to lacking respect for properly constituted authority and embracing professionalism with regards to the army ethic. This can be supported by MAJ Racazas statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letting her

explain or answer any questions (See Exhibit A. (MAJ Racaza DA 2823) and Exhibit B. (SGT Aldeguer DA 2823).

???WHO?

b. Has SFC Michael Forbes engaged in counterproductive or toxic leadership behaviors within brigade or battalion S2 sections as discussed in AR 600-100, Chapter 1-11d and ADP 6-22? If so, what are the specific facts and circumstances?

(1) I find that SFC Forbes leadership style falls under counterproductive leadership listed out in Army Doctrine Publication 6-22. As shown above in the facts SFC Forbes demonstrated counterproductive leadership qualities such as Self-serving behaviors, Erratic behaviors, and Leadership incompetence (See Exhibit D. (CPT Lowrie DA 2823), Exhibit F. (SGT Henkel DA 2823), Exhibit G. (PFC Scheffing DA 2823), Exhibit J. (PFC Scheffing MFR), Exhibit N. (SFC Meredith MFR), Exhibit R. (BDE Town Hall Comments)).

NO FACTS

(2) I find that SFC Forbes leadership style falls under counterproductive leadership Army Regulation 600-100, Chapter 1-11, a referenced above in section 3 paragraph f. As stated in the facts, SFC Forbes displays many behaviors as a counterproductive leader such as blaming others, poor self-control (loses temper), unjustness, showing little or no respect, talking down to others, and behaving erratically [Exhibit D. (CPT Lowrie DA 2823), Exhibit F. (SGT Henkel DA 2823), Exhibit G. (PFC Scheffing DA 2823), Exhibit J. (PFC Scheffing MFR), Exhibit N. (SFC Meredith MFR), Exhibit R. (BDE Town Hall Comments)).

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

a. You consider taking adverse administrative action against SFC Forbes.

b. You consider removing SFC Forbes from the BDE S2 NCOIC position and move him into a position that is not a direct leadership role.

c. You consider a Relief for Cause NCOER for SFC Forbes.

d. You consider suspending or revoking his security clearance and access to programs.

7. The point of contact for this memorandum is the undersigned at 910-432-1143 or mirriam.g.tolston.mil@socom.mil.

AOSC-SIG-BC
SUBJECT: Findings and Recommendations for Army Regulation (AR) 15-6 Investigation Regarding Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership Regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO) (A).

TOLSTON.MIRRIAM.GERMAINE.[redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE.[redacted] Date: 2023.04.13 09:26:23 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

5 Encl
I. Appointment Memorandum
II. DA Form 1547-1
III. Findings and Recommendations Memorandum
IV. Chronology of Events
V. Table of Contents
VI. Extension

Exhibits

1. DA 2823 Sworn Statement, SFC Forbes
2. Exhibit A. (MAJ Racaza DA 2823)
3. Exhibit B. (SGT Aldeguer DA 2823)
4. Exhibit C. (1SG Morgan DA 2823)
5. Exhibit D. (CPT Lowrie DA 2823)
6. Exhibit E. (CPT Korista DA 2823)
7. Exhibit F. (SGT Henkel DA 2823)
8. Exhibit G. (PFC Scheffing DA 2823)
9. Exhibit H. (CSM E Emekaekwee DA 2823)
10. Exhibit I. (CPT Lowrie MFR)
11. Exhibit J. (PFC Scheffing MFR)
12. Exhibit K. (MAJ Weber MFR)
13. Exhibit L. (CSM Emekaekwee MFR)
14. Exhibit M. (LTC Furlow MFR)
15. Exhibit N. (SFC Meredith MFR)
16. Exhibit O. (CSM Emekawkwee 4856)
17. Exhibit P. (1SG Morgan 4856)
18. Exhibit Q. (CPT Korista SIR Email)
19. Exhibit R. (BDE Town Hall Comments)
20. Exhibit S. (Questions for the accused MFR)
21. Exhibit T. (SFC Forbes' STP)

SIGNED 13 APR 2023 BACKDATED TO 2/22/23

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

INV STARTED DAY AFTER ECOBHE

AOSC-SIG-BC

22 February 2023

MEMORANDUM FOR COMMANDER Colonel Tavi N. Brunson, 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310-8500.

SUBJECT: Army Regulation (AR) 15-6 Investigation Regarding Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership Regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO) (A).

1. This memorandum details my investigative plan during the abovementioned AR 15-6 investigation, with suspense date of 22 February 2023.

2. Chronology.

Date/Time	Event
12JAN23	**Description**
0900	Appointed as IO
17JAN23	
1500	Legal meeting with CPT Dycus
19JAN23	
1245	Witness meeting with MAJ Racaza
1350	Witness meeting with SGT Aldeguer
20JAN23	
1100	Witness meeting with 1SG Morgan
1400	Witness meeting with MAJ CH Rivera
	Extension request
24JAN23	
1450	Witness meeting with CPT Lowrie
	Extension request Approved
25JAN23	
1000	Witness meeting with MAJ Weber
1100	Witness meeting with CPT Korista
1400	Witness meeting with PFC Scheffing
26JAN23	
1400	Witness meeting with CSM Emekaeakwee
27JAN23	
1030	Witness meeting with LTC Furlow

NO S. STATE.

AOSC-SIG-BC
SUBJECT: Army Regulation (AR) 15-6 Investigation Chronology Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership Regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO) (A)

1200	Witness meeting with 1LT Lyons
1400	Witness meeting with SFC Meredith on Teams
09FEB23	
1245	Witness meeting with Mrs. Margaret Lindquist over phone
21FEB23	
1600	MRF for accused sent to CPT Carras

No S. STATE.

No S. STATE.

3. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.GERM AINE.[redacted]

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

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DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS)(AIRBORNE)
H-3531 9TH INFANTRY STREET (STOP A)
FORT BRAGG, NORTH CAROLINA 28310-8500

AOSO-JA

24 January 2023

MEMORANDUM FOR Investigating Officer (IO), 15-6 Investigation regarding SFC Michael Forbes

SUBJECT: Extension request

1. I have reviewed the request for extension submitted by the IO.

2. I hereby **approve** the extension request and direct the IO to complete this investigation and submit a copy to the appointed legal advisor NLT 22 February 2023. Any further requests for extension must be submitted to me, through the Brigade Judge Advocate, for approval.

3. The point of contact for this memorandum is CPT Rudolph Dambeck, Brigade Judge Advocate, at 910-908-8863 or Rudolph.p.dambeck.mil@socom.mil.

Digitally signed by BRUNSON.TAVI.NIGEL.[redacted]
Date: 2023.01.24 14:53:27 -05'00'

TAVI N. BRUNSON
COL, LG
Commanding

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions

DISCLOSURE: Disclosure of your SSN and other information is voluntary

AFTER 2/22/23

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Ft. Bragg, NC	20230223	1345	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Forbes, Michael J.	[redacted]	E-7

8. ORGANIZATION OR ADDRESS

528th Sustainment Brigade Special Operations (SO) Airborne (A), 4047 New Dawn Drive, Ft. Bragg, NC 28310

9. I, Michael J. Forbes, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

2LT Tolston: This Sworn Statement pertains to the Investigating Officer's (2LT Tolston, Mirriam G.) Memorandum For Record, dated 21FEB23, in which she asked 2 questions ("Question 1" had 3 sub-questions and "Question 2" had 2 sub-questions. Their respective answers, follow the enumeration provided, are as follows:

Q1: No.

Q1a: Yes, that date is correct. The time for the interaction can be easily identified by contacting 1SFC IG office; I left a follow-up call to prior interactions on their voicemail after MAJ Racaza and I spoke. I had begun a series of communications with them prior to 0925 on 30NOV22 regarding my serious concerns about the mandated directive for my, and all Section BDE Staff's, participation in the 3rd party corporate relationship involved in PII-identifiable, behavioral, data-gathering in the Strengths Deployment Inventory (SDI) announced as "voluntary" when MAJ Racaza initially brought it up at the end of the BDE CDR's 'Scrub' meeting on 280930RNOV2022. In fact, during our discussion, IG encouraged me to attempt to get more information from the source.

Q1b: 301100RNOV22 (exact time unk; 1SFC has voicemail immediately following MAJ Racaza's accusation and deflection to answer my scope and statutory support questions). I went to MAJ Racaza's office and requested the scope and regulatory basis of the mandatory nature of the SDI 2.0. During this communication MAJ Racaza repeatedly asked me, "Why do you want to know?" Initially, I stated, "I am curious about the makeup of the assessment." Later, I stated, "The other day you said it was voluntary but yesterday the BDE CDR made in mandatory in an email. So I want to understand why?" She kept asking me "Why?," evidently looking for some different answer. I then said, "Ma'am if you can't provide anything, that is ok. I can google it." She then accused me of being "angry" and I, witnessing her aggressive verbal accusation and demeanor, I immediately attempted to diffuse the situation by saying, "Ma'am, it's ok, its ok (she had thrown papers back in a box), I am sorry I asked. Just pretend I never did." I began to leave. MAJ Racaza followed me up the stairs and as I went straight down the hall to my office as MAJ Racaza took a right and marched directly into the Command Suite. I immediately called IG to let them know what was occurring and requested a meeting ASAP. Note: To date, MAJ Racaza has not provided any information regarding my questions.

Q1c: No. We were alone in her small office. She was digging through a box in the corner behind her desk.

IO DIDN'T USE

Q2: No.

Q2a: Professional; I do my best to follow regulations / provide truthful guidance to protect CDRs, supervisors, peers & Soldiers.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF ____ TAKEN AT ____ DATED ____"

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

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STATEMENT OF Michael J. Forbes TAKEN AT Fort Bragg, NC DATED 20230223

9 STATEMENT *(Continued)*

Q2b: Not applicable. I don't understand what witnesses you want to view a leadership style that spans two excellent NCOERs while I was BDE NCOIC and Acting OIC. Clarification is needed.

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Beverly A. Dennie
Beverly A. Dennie
XVIII Airborne Legal Asst. Office
ORGANIZATION OR ADDRESS

Justin Eggn
XVIII ABN Corps
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of February 2023 at Fort Bragg, NC

(Signature of Person Administering Oath)

Mia Heredia, SSG Paralegal
(Typed Name of Person Administering Oath)

Title 10 USC 1044a
(Authority To Administer Oaths)

OFFICE OF THE STAFF JUDGE ADVOCATE NOTARIAL PROVIDED SEAL TITLE 10 USC 1044a XVIII ABN CORPS & FORT BRAGG

INITIALS OF PERSON MAKING STATEMENT

Mia Heredia PAGE 2 OF 2 PAGES

SSG, US ARMY
JUDGE ADVOCATE
PURSUANT TO 10 USC 1044a
COMMISSION INDEFINITE

DA FORM 2823, NOV 2006

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SWORN STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
528th SB	20230119	1252	

5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS
Racaza, Rhea, Lynn		O4/AD

8 ORGANIZATION OR ADDRESS
X4047 New Dam Dr.

9 I, Rhea Racaza, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1. On 30NOV22 approximately 1345, CPT Ses was sperky in an agitated manner to my NCO, SGT Aldegver CH Rivera indicated to me that SGT Aldgver may need assistance so I ~~pem~~ entered the office SGT Aldgvert SFC Forbes was occupying. After offering to help SFC Forbes followed me into my office + demanded, aggressively that I provide him w/ information when I tried to ask SFC Forbes what exact information he needed, he became more angry + aggressive. At that time SFC Forbes also threatend to call USASOC JAG on myself + demanded I provide him with regulations or policy on what right the BDE CSM has to request his participation in the Staff Development Day. He accused me of making him do a behavioral evaluation and when I attempted to clarify he cut me off. He would not let me explain or answer my questions nor ~~let~~ instead continued to demand information + accuse me. I felt threatened and had to take a step back from SFC Forbes + in attempt to deescalated, asked if he was mad at me. He responded by yelling multiples "So you're not going to help me?" and then stormed out of my office. MP/NCO witnessed the event.

NEED MET

NOT RECEIVED

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	JD	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF____ TAKEN AT ____ DATED ____

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL [illegible] OF THIS FORM.

STATEMENT OF Rhea Racaza TAKEN AT 125 [illegible] 20230119

9 STATEMENT (Continued)

BECAUSE UNTRUE

2. I have heard multiple accounts from [illegible]ms of SFC Forbes's unprofessionalism but have not witnessed one apart from my personal experience. To note I am the psych doc so I cannot share other ppl. personal experiences without consent.

One experience that my NCO, SGT Aldgever, had with SFC Forbes was when SFC Forbes became visibly angry with my NCO because My NCO wasn't understanding something SFC Forbes was saying. SFC Forbes became visibly angry (red, shaking) and [illegible] "am I not speaking English??" to my NCO, [illegible] second language is English. Our unit MFLCs were witnesses to the unprofessional interaction.

NO 3. CHANGE?

3. There are numerous incidents in which SFC Forbes has not only treated others with disrespect, but he has acted in a ways that consistently demeans others. He makes people feel ~~ashamed~~ ashamed, embarrassed, scared. He has actively contributed ~~to a~~ and created a toxic/counterproductive work environment. I personally do not feel safe physically when he is around and fear he will retaliate against people who raise concerns against him. I was initially fearful of making any statements due to his security access & privileges. He has been allowed to act in ways where he is unaccountable for his behaviors and can bully people through his hostility and aggression.

INITIALS OF PERSON MAKING STATEMENT JFB

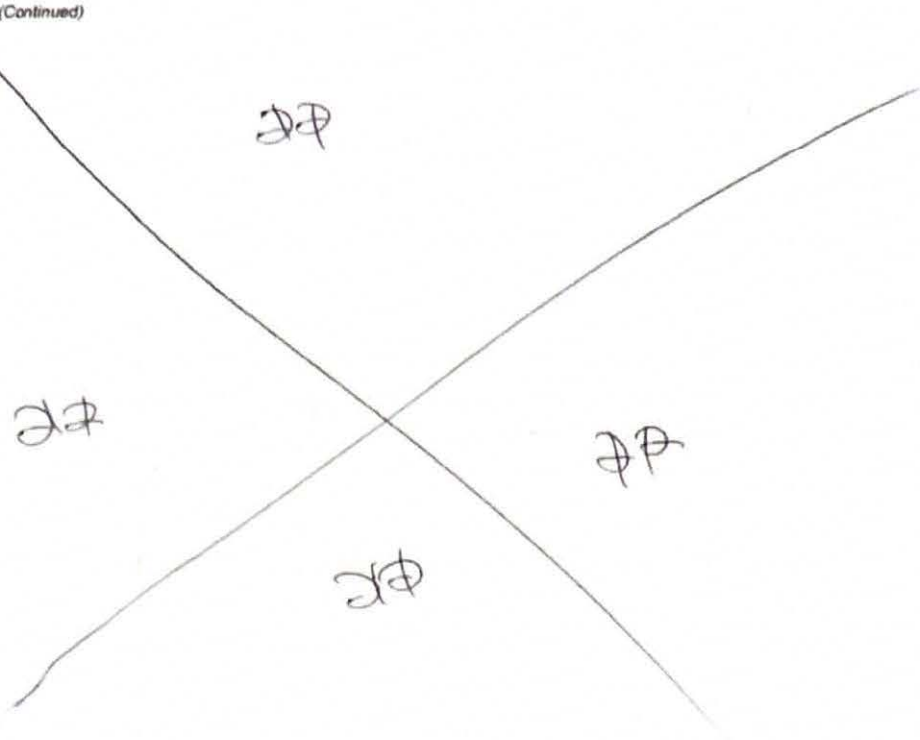
PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD LC v1 01ES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*



AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES

2LT Talsten, Miriam

ORGANIZATION OR ADDRESS

112TH SIG BDE

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of January, 2023 at 528TH SB

(Signature of Person Administering Oath)

William Talsten

(Typed Name of Person Administering Oath)

UCMJ, ART. 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

BBB

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1 01ES

NEVER SPOKE W/

SWORN STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SB	20230119	1350	
5. LAST NAME, FIRST NAME, MIDDLE NAME	**6. SSN**		**7. GRADE/STATUS**
Aldegher, Jomari Miguel			E-5 / Active

8. ORGANIZATION OR ADDRESS: X4047 New Dawn Dr Fort Bragg, NC

CONVENIENT

NO S. STATE

9. I, Jomari Miguel Aldegher, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

SFC Forbes walked into my office asking for information about SDI 2.0. CHAPLAIN Rivera sent him walk-in and he called MAJ Racaza to answer his questions as I am not too familiar with details of SDI. He proceeded to follow MAJ Racaza to her office and then asked her to give him all the details about SDI. He was visibly agitated at this point and Maj Racaza asked him if there is any specific information he wants to know. He said he wants to know everything because he is preparing to go to Legal or JAG.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	JA	

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3

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Jomari Aldeguer TAKEN AT 1350 DATED 19 Jan 2023

9 STATEMENT (Continued)

He cut off MAJ Racaza from explaining multiple times and he said MAJ Racaza can't help him and he stormed out.

Around February of 2022 I helped out our 2 MILC's and financial counselor in-process S2. When I walked in SFC Forber immediately looked upset with me. He told me that he is tired of the people in this unit not in-processing "2" correctly and asked me if I in-processed the "2" I didn't know what "2" meant so I asked if he would say it again. He then said "2" am I not speaking English?" After that he said that I can be the "poster child" for people that didn't in process S2. I infact in processed S2 and provided all my certs that same day. He still had me sign documents that I signed previously

INITIALS OF PERSON MAKING STATEMENT JA

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF Jomari Aldeguer TAKEN AT 1350 DATED 19 Jan 2023

9. STATEMENT (Continued)

because he couldn't find my paperwork. I am not accusing him but he seems to be the type of person that would retaliate against people who he thinks have wronged him. I am worried not just for myself but for everyone that works in this building.

Nothing Follows

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES

2LT Tolson, Miriam

ORGANIZATION OR ADDRESS

112th SIG BN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of January 2023 at 528th SIB

(Signature of Person Administering Oath)

Miriam Tolson

(Typed Name of Person Administering Oath)

UCMJ, ART. 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

BBB

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

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DISCLOSURE:	Disclosure of your SSN and other information is voluntary

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
BLDG 4047, HHC BDE CP	20230120	1141	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
MORGAN, LARRY D., JR.		E8/AD

8. ORGANIZATION OR ADDRESS
HHC, 528TH SUSTAINMENT BRIGADE (SO) (A)

9. I, Larry Morgan, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

2021 Motor pool Incident w/CPT Valdez

SFC Forbes openly disrespected CPT Valdez in my presence by being condescending, using an aggressive tone, and belittling him in front of numerous Soldiers and NCOs, and the HHC Command Team. I pulled SFC Forbes to the side and informed him his behavior was unacceptable, I also counseled him via 4856 (2021). I spoke to SGM [redacted] CSM at the time of the incident). **Witnesses** - CPT Ellis Valdez, CPT Eric Mansour, SSG Richard GarnerSp[redacted]

HHC Supply Issues as the S2 HRH

Over the course of his time as the Brigade S2 NCOIC, it has been reported by both of my Supply Sergeants, SSG Alberto Garcia and SSG Tiera Plummer, that SFC Forbes had refused to sign for his property, Commander's Counseling statements, and perform duties associated with being the HRH. SFC Forbes attempted to use his rank to "punk" my supply sergeants and interpreted regulatory guidance, SOPs, policy letters to fit his narrative/insisting on it being his way. **Witnesses**: SSG Garcia, SSG Plummer, SGT Truman, PFC Hall

Conflicts with Brigade Staff Leadership/Platoon Sergeant

I personally witnessed SFC Forbes act erratic and condescending to MSG Burgos during a joint meeting with SFC Forbes, MSG Burgos, and myself. SFC Forbes would not accept responsibility for his behavior and actions, deflecting responsibility. Over the course of the conversation, SFC Forbes, while "speaking freely" would use that as an excuse to continue being condescending towards MSG Burgos and used an aggressive tone. SFC Forbes has consistently been difficult for Platoon Sergeants to gain accountability and assist with taskings. SFC Forbes refused to be contacted on his personal phone and would often be unreachable on his government cellphone. **Platoon Sergeants**: MSG Morris and SFC Suro. **Witnesses**: MSG Burgos, MSG Morris, SFC Suro

Interactions with Company Staff

I was informed by my Operations Team (SFC Yoder and SGT Venturino) that SFC Forbes "exploded" on SPC Terry in reference to a barracks/tasking issue. SPC Terry is an administrative clerk that is temporarily assigned to HHC (parachute rigger) and has nothing to do with barracks or taskings. SFC Forbes has often resulted in aggressive mannerisms when he did not get his way. **Witnesses**: CPT Korista, 1LT Richard, SFC Yoder, SGT Venturino, SPC Terry

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	Page 1 of 3
	[redacted] LM	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT _____ DATED _____

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DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD AEM v1.04ES

15 W: 55:

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Larry Morgan TAKEN AT BLDG 4047, HHC BDE CP DATED 20230120

9 STATEMENT *(Continued)*

LTC F. 4856

Abusive and Dishonest Behaviors - Stealing Body Armor

In 2021, MSG Kazmierski (BDE S3 NCOIC) noticed his IOTV went missing from his office in the BDE S3. MSG Kazmierski pulled the security footage for the building and reported his saw SFC Forbes enter the BDE S3 office and exit the office with his body armor in hand. It was also reported that SFC Forbes took the body armor and left the building with it and did not return with it. MSG Kazmierski went to the BDE SJA team - CPT Kiker and SSG (now 2LT) Gagne to report this act. The BDE SJA team reported this information to the HHC Command Team (CPT Mansour and myself). We reported this to the BN CMD and were informed an investigation would be launched. MSG Kazmierski reported he spoke with SFC Forbes about the incident, MSG Kazmierski stated that SFC Forbes' response was "he was securing it to prevent theft." To my knowledge the BDE Commander was notified but we were not informed of the disposition, other than SFC Forbes returned the body armor to MSG Kazmierski.

Inappropriate/Racist Statements

It was reported to me by MAJ Racaza that SFC Forbes made inappropriate statements to SGT Aldeguer about how he was speaking, ridiculing/belittling his ability to speak English, while aggressively confronting MAJ Racaza. **Witnesses**: MAJ Racaza, SGT Aldeguer

Interaction with Officers

I have spoken extensively with the Battalion XOs - MAJ Baccinelli, MAJ Mauger, and MAJ Weber about SFC Forbes' behavior, creating conflicts in the company with subordinates, peers, and superiors. In response to his actions and behavior, I have spoken to other officers within HHC to inquire about their personal interactions with SFC Forbes. Many of them mentioned they did not want to come forward due to the risk of SFC Forbes retaliating in some fashion: affecting their security clearance or access to all the offices in the building. SFC Forbes has stated on numerous occasions that he does not need the command to act with regards to reporting derogatory information "DEROGs" into the "system.

NEED HAP.

Overall

I have seen on numerous occasions SFC Forbes be condescending towards Officers, CPT Mansour, CPT Korista, CPT Valdez, CPT Allison Crider, and towards me. SFC Forbes attempts to use an extensive vocabulary and eccentric expressions to mask his toxic behavior, albeit easily spotted, it has generally been accepted within the Brigade. Although I have made on-the-spot corrections, counseled the SM, and reported issues through the Chain of Command and his supervisors (LTC Hamman and MAJ Collins), SFC Forbes' erratic behavior is generally accepted/ignored by the organization. This is evident by SFC Forbes reporting to 389th MI BN in October of 2020 and quickly being reassigned to the Brigade S2 in XX of 2020, to work in a Staff Sergeant position (verifiable in FMSWEB), one rank down.

389TH NCOER

Additional Personnel I think should be interviewed

COL Brunson - BDE CDR

LTC Sanchez - BDE XO

CSM Vargas - BDE CSM

LTC Hamman, Christopher - former BDE XO (Supervisor)

MAJ Collins, Mark - former BDE XO (Supervisor)

INITIALS OF PERSON MAKING STATEMENT LM

DA FORM 2823, NOV 2006

APD AEM v1 04ES

4

STATEMENT OF Larry Morgan TAKEN AT BLDG 4047, HHC BDE CP DATED 20230120

AFFIDAVIT

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

MORGAN.LARRY.DALE.JR [redacted]
(Signature of Person Making Statement)

WITNESSES:

2LT Tolsen, Morgan

ORGANIZATION OR ADDRESS

112th STB BN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of January 2023 at BLDG 4047, HHC BDE CP

(Signature of Person Administering Oath)

Tolsen Morgan
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT LM

DA FORM 2823, NOV 2006

APD AEM v1.04ES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN)

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Throckmorton Library	20230124	1448	
5. LAST NAME, FIRST NAME, MIDDLE NAME	**6. SSN**		**7. GRADE/STATUS**
Lowrie, Pamina A			O-3/RA
8. ORGANIZATION OR ADDRESS			
528th SB(-)(A)			

9. I, Lowrie, Pamina, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

PAL

~~Aft~~ I have worked with SFC Forbes for ~~t~~hree months and during that time, he has been an avid avocater for doing the right thing and upholding ~~the~~ regulatory policies and guidelines for our personal security program. But, his approach, messaging, and delivery can be viewed or received as being too aggressive, domineering and counterproductive in terms of perceived destructive leadership within the unit. That means, at ~~times~~ his ~~style~~ PAL my way, or no way! attitude towards the team have compromised the overall organizational effectiveness and it has affected the good order and discipline of the units culture. Based on my working relationship with SFC Forbes, he may be an (1)

YES

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
	PAL	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF____ TAKEN AT ____ DATED ____

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

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD LC v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF CPT Lowrie, Patrina TAKEN AT Throckmorton Library DATED 20230124

9 STATEMENT (Continued)

incompent team leader because he has adequate cognitive ~~ent~~ capabilities, but lack the emotional fitness to be ~~a~~ support ~~part~~ and lead his team. He also cannot make sound decisions on time because he so passionate about "doing what is right," but at the same time he is indecisive and ~~of~~ fear. lack the ability to control his emotional center. (2) He is interpersonally skilled and intellectually sound, but does not provide timely guidance. He's also energetic and consumed by need to for unit accomplishment and success, but of ~~anti~~ PAL ~~provide~~ PAL create a frenzied, chaotic, and unhealthy workplace climate. He's capable of producing short term results, but can appear to be intemperate, distrusting, and arrogant. (3) ~~Self~~ PAL He also engaged in self-serving behaviors such as displaying arrogance lacking concern or empathy for others, and insisting on having his way. For example, there was not a proper hand-off duties and responsibilities when I went through onboarding. Unfortunately, information was not shared because of ~~reason~~ PAL (1) him not wanting to hand-off responsibity (2) ~~I~~ I ~~was trained through~~ PAL had to conduct personnel security training and the most important training that was required for me

INITIALS OF PERSON MAKING STATEMENT PAL

PAGE 2 OF 4 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01.00

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF CPT Lowrie, Patrina Throckmorton DATED 20230124

9. STATEMENT (Continued)

me to gain access to ETCETC was not included in the Library list of training he provided to me. This may have been an oversight, but a big one at that because I didnt get right list of training until — Jan 23, when I met Ms. Carmen McKinney (USASOC, personnel Security Hierarchy Manager). (3) Majority of the email correspondence for the BDE S2 section was handled by SFC Forbes; I was cc'd on some emails, but not all especially the emails he sent to the BNs, ISFC and USASOC. Overall, this senior NCO has been influencing his will instead of leading the organization. his delivery was poor, but that means he can still develop and learn from his experience as the BDE S2 NCOIC. He has been consistent with being technically correct, but there are always better ways to deliver, so that it doesnt offend others or disrupt the good order and discipline of the Unit.

Nothing Follows

INITIALS OF PERSON MAKING STATEMENT PAL

PAGE 3 OF 4 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF CPT Lowrie, Patrina TAKEN AT Throckmorton Library DATED 20230124.

9. STATEMENT (Continued)

//NOTHING FOLLOWS//

//NOTHING FOLLOWS//

AFFIDAVIT

I, CPT Lowrie, Patrina HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Patrina Lowrie
(Signature of Person Making Statement)

WITNESSES:

2LT Tolston, Miriam
112th SIG BN (SO)(A)

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of January 2023 at Throckmorton Library

(Signature of Person Administering Oath)

Tolston, Miriam
(Typed Name of Person Administering Oath)

UCMJ, ART. 136
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT PAL

PAGE 1 OF 4 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Hagy Hall, Bldg X-4047 New Dawn Drive	20230125	1100	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Korista, David, Kirk	[redacted]	O-3, Commanding

8. ORGANIZATION OR ADDRESS

HHC, 528th Sustainment Brigade (SO) (A), Hagy Hall, Bldg X-4047 New Dawn Drive, Fort Bragg, NC

9. I, David Kirk Korista, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Question 1: I have no first-hand knowledge of alleged disrespect from SFC Forbes to MAJ Racaza.

Question 2: I have witnessed, first-hand, counter productive leadership traits and actions conducted by SFC Forbes.

a. On or about 06 December 2022, I observed SFC Forbes unprofessionally admonishing both SGT Nathan Venturino and SPC Austin Terry, who both work in my Company Training room. SFC Forbes was aggressively and angrily asking these two Junior Soldiers [illegible] about why he was expected to attend an annual Company Training event, the Mask Confidence training event. I told SFC Forbes to immediately conduct himself as an NCO, and talk to me or 1SG if he had questions pertaining to mandatory training events.

b. In April or May of 2022, CPT Cadman Kiker, BJA, was conducting an informational brief to the BDE CMD Team, BN CMD Teams and all CO CMD Teams prior to the BDE Quarterly Training Brief. CPT Kiker's informational brief detailed the Army's new policies regarding Soldiers going through a Medical Gender Transition. I and every Commander in the Brigade's CoC personally witnessed SFC Forbes ask, "Are you expecting me to share bathrooms and take showers with people like this?" His tone was one of degradation and disgust, and not in keeping with the dignity and respect that all Service Members, regardless of gender, are entitled.

c. In the Summer of 2022, in the midst of a major barracks overhaul/move for my unit, one of my Soldiers, PFC Matthew Scheffing, was directed by myself, the 1SG, and the Company Barracks Manager, SGT Venturino, to go to his barracks room and stand-by for a CMD and Garrison-directed walk-thru. After PFC Scheffing left work for the barracks, SFC Forbes walked into my office, demanding why I was tasking his Soldier last minute. I informed SFC Forbes to the importance of the barracks move for our Soldiers, and why PFC Scheffing was needed on that particular day. I also told SFC Forbes to "act like an NCO" and to never again act towards me or any of my Soldiers in this aggressive and erratic nature.

Question 3: I have not personally SFC Forbes acting disrespectfully towards other Commissioned Officers, but on numerous occasions, I personally had to remind SFC Forbes to stop speaking unprofessionally, stop cursing, and to stop his aggressive behavior towards my NCOs and Soldiers.

Question 4: On the evening of 18 January 2023, SFC Forbes was Command-Directed to Behavioral Health by me, following a string of concerning and alarming behaviors that SFC Forbes exhibited in an Open Door meeting with MG Angle, 1SFC(A) CG. I was alerted to this incident between SFC Forbes, MG Angle, and MG Angle's staff o/a 1600 on 18 January, and ordered SFC Forbes to ride with a higher-ranking escort, MSG Grix, 389th MI BN, out of concern for his mental well-being and safety. SFC Forbes was ordered three times and refused all three times, only finally going with MSG Grix to the WAMC ER once the Fort Bragg Military Police arrived and were prepared to insure that SFC Forbes received a Behavioral Health Evaluation.

Overall, my concern regarding SFC Forbes is two-fold:

1. SFC Forbes has consistently displayed a pattern of bullying, degradation, disrespect, and unprofessionalism for the entirety of the two years that I have known him, and should never be trusted with leading Soldiers ever again, in any form or fashion. He has a total disregard for dignity and respect.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	Page 1 of 3
	DK	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____"

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

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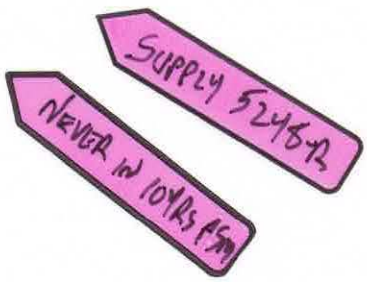
USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

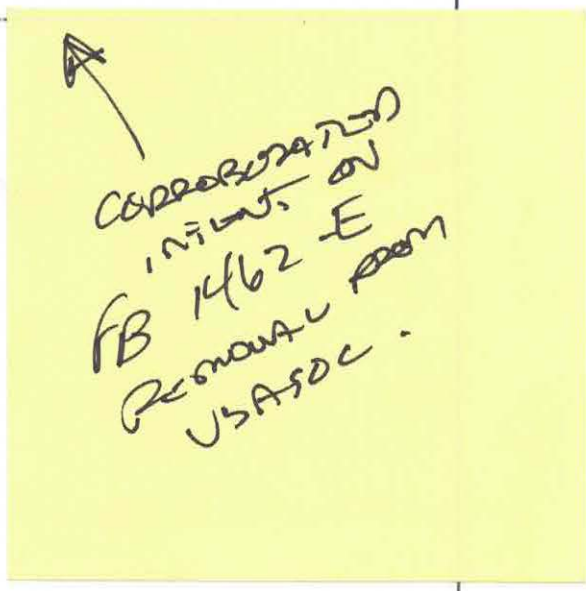
STATEMENT OF David Kirk Korista TAKEN AT Hagy Hall, Bldg X-4047 New Dawn Drive DATED 20230125

9 STATEMENT *(Continued)*

2. SFC Forbes has access to TS-SCI, manages the Brigade's Information Security, Physical Security, and Operational Security programs. He is also the Brigade's "Reportable Activities" (Derog) NCOIC/manager. His erratic behaviors and actions, in addition to his counter productive outbursts, not only degrade the Brigade's morale, but also could pose a threat to the security of all those who work in the Brigade. I am concerned that his continued access to these programs and Sensitive information poses a threat to the unit, 1SFC(A), USASOC, and the US Army. SFC Forbes has used his access to the Reportable Activities- Derog/ continuous vetting program to exact what could be interpreted as retribution and retaliatory in nature. His access and level of responsibility must be immediately revoked/ lowered.

----------NOTHING FOLLOWS----------





INITIALS OF PERSON MAKING STATEMENT DK

DA FORM 2823, NOV 2006

APD AEM v1.04ES

STATEMENT OF David Kirk Korista TAKEN AT Hagy Hall, Bldg X-4047 New Dawn Drive DATED 20230125

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES

1LT Kaitlin Jennes

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Jan 2023 at Hagy Hall, Bldg X-4047 New Dawn Drive

(Signature of Person Administering Oath)

Kaitlin Jennes

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT DK

DA FORM 2823, NOV 2006

APD AEM v1.04ES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
X-4047 New Dawn Dr. Fort Bragg, NC 29314	20230125	1150	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Henkel, Eric, Christopher		E-5

8. ORGANIZATION OR ADDRESS
528th Sustainment Brigade

9. I, SGT Henkel, Eric, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The following are experiences I have had with SFC Forbes, Michael since I became his subordinate AUG 2021:

During my time with SFC Forbes, I experienced a lot of missed deadlines. The BDE S2 would be asked to complete a task and it would be pushed off to either me or SFC Meredith to complete. Every time we would try to add something to the calendar to complete, SFC Forbes would get loud with me and yell saying he did not have time to get anything done.

SFC Forbes was quick to anger about everything and would yell in the shop about whoever he encountered that day. There was never a day he wasn't angry about someone. In November 2021, I asked SFC Forbes not to speak to me the way he spoke to me and his response was "I'm not yelling. That is just the way I am". He would proceed to make back handed comments to other people about how he could not talk to me because I was sensitive.

Once I left BDE S2 and moved down to the BN, SFC Forbes continued to take my ability to do my job. He changed the master code on all the doors. I needed the master code to do my job for the BN Command team. He also took my ability to give other Soldiers access to the building and to look at the cameras, which is a part of my job for the BN. I could not complete my task and when I requested that BDE help give these soldiers access, he would yell and say I was trying to get out of working.

SFC Forbes did everything in his power to push away any additional duties. Arms rooms inspections are a big part of S2 since I have been in the Army. Since SFC Forbes got here, he would argue that we should not be doing it. He even held the keys to the arms room hostage. He would not let SSG Rhodes, the STB BN S2 at the time, have them. In doing this he stopped the arms room from being able to complete an inspection to try to get our ammo license back. This was a major issue because 528th was having to request other units to hold our ammo for us until the keys were signed to another individual. SPC Munro was a soldier in OPs who was the armorer. He sent an e-mail to SFC Forbes requesting the keys be brought down for the inspection. SFC Forbes proceeded to walk downstairs and yell at SPC Munro because he said "back in my day, no SPC would tell a SFC what to do. How dare he talk to me that way".

Anytime SFC Forbes was talked to about the lack of productivity in the shop or something not being done that was requested from the command team, he was quick to blame whoever was not in the room. He was never in the wrong in his opinion. He would even go out of his way to try to get the commander, CPT Korista, to take away my requested leave that was approved. SFC Forbes once called SSG Meredith just to talk bad about me and SSG Rhodes, while SSG Rhodes was in the car. SFC Forbes proceeded to say that me and SSG Rhodes were not good at our job.

SFC Forbes was always late to work. While he worked here at 528th, it was expected not to see him until 0930 at the earliest. Sometimes he would not get in until closer to 1030.

SFC Forbes made multiple comments in the office that made me and others uncomfortable. He once said "I wanted to take my wife to see a marvel movie. I hated Shung Chi, they are just trying to push Asian narrative like the rest of the world.". A couple weeks later he said "I took my wife to see The Eternals. It was really good until that gay scene.". It was the way he said these things that made it so uncomfortable.

Overall I felt uncomfortable and demeaned by SFC Forbes. Majority of days I left dreading coming back and I was always stressed I did something wrong. Because of SFC Forbes I had to get appointments with Behavioral Health to figure out how to cope with the environment I worked in.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	Page 1 of 3
	HENKEL.ERIC.CHRISTOPHER [redacted] EH	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF____ TAKEN AT ____ DATED ____"

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

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WANTED OWN CODE FOR LOCKS FOR MY PROTECTION. MASTER WAS STILL THERE

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SGT Henkel, Eric TAKEN AT X-4047 New Dawn Dr. Fort Bragg, NC 29314 DATED 20230125

9 STATEMENT *(Continued)*

----------Nothing Follows----------

INITIALS OF PERSON MAKING STATEMENT EH

DA FORM 2823, NOV 2006

APD AEM v1.04ES

7

STATEMENT OF SGT Henkel, Eric TAKEN AT X-4047 New Dawn Dr. Fort Bragg, NC 29314 DATED 20230125

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

2LT Miriam Tolstun
42nd SFG BN

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of January, 2023 at X-4047 New Dawn Dr. Fort Bragg, NC 29314

(Signature of Person Administering Oath)

Miriam Tolstun
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT EH

DA FORM 2823, NOV 2006

APD AEM v1.04ES

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DISCLOSURE:	Disclosure of your SSN and other information is voluntary

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SUS BDE	20230125	1445	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Scheffing, Matthew, Joseph		E-3/RA

8. ORGANIZATION OR ADDRESS
X-4047 New Dawn Drive Fort Bragg NC, 28310

9. I, Matthew Joseph Scheffing, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1) I was not present for the event, but I did hear information about it.

2) Self-serving behaviors: his way or no way, or you did I successfully but its no the best was and you should only do it that way (usually that was the way he created). Losing temper on almost a daily occurrence at minor things, There could have been a better was to come off about a subject but was always brash. Having a very strong distrust-fullness in the fellow workers in the 528th footprint.

3)In front of me no.

4)I noticed a decline in how he was acting is was slow at first but increased after the event with MAJ Racazza. he Seemed to get agitated more quickly also seemed that is was hard for him to maintain composure when taking.

-nothing follows---------- RE 30, CIV. RIGHTS VIOL. ASSAULTED, WEAPONIZED, DESTROYED, ETC.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	Page 1 of 3
	SCHEFFING.MATTHEW.JOSEP [redacted] MS	

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STATEMENT OF Matthew Joseph Scheffing TAKEN AT 528th SUS BDE DATED 20230125

9 STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT MS

DA FORM 2823, NOV 2006

APD AEM v1 04ES

STATEMENT OF Matthew Joseph Scheffing TAKEN AT 528th SUS BDE DATED 20230125

AFFIDAVIT

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

Matthew Scheffing
(Signature of Person Making Statement)

WITNESSES:

2LT Miriam Tolstyn
112th SFG BN
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of January 2023 at 528th SUS BDE

(Signature of Person Administering Oath)

Miriam Tolstyn
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT MS

DA FORM 2823, NOV 2006

APD AEM v1 04ES

CRIMINAL ASSAULT

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:	Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN)
PRINCIPAL PURPOSE:	To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents
ROUTINE USES:	Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE:	Disclosure of your SSN and other information is voluntary

1 LOCATION	2 DATE (YYYYMMDD)	3 TIME	4 FILE NUMBER
~~EMETAEWUE, EMMANUEL A~~	20230126	1435	

5 LAST NAME, FIRST NAME, MIDDLE NAME	6 SSN	7 GRADE/STATUS
EMETAEWUE, EMMANUEL A		E9

8 ORGANIZATION OR ADDRESS
STB, 528th SB

9 I, EMMANUEL A. EMETAEWUE, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH

1. I was not there when this event occured.

2. I have not witnessed him display counterproductive behaviors, but I have heard of instances where he displayed counterproductive behaviors.

3. NO, I have not witnessed, but I have heard multiple instances from NCOs & Officers

4. I have observed him to be overly aggressive at times when communicating his opinions. Others have informed me of instances of counterproductive outbursts. In one instance, SGT Lopez informed me on how SFC Forbes yelled at him and kicked him out of his office for simply informing him about a Taster.

5. Having known SFC Forbes for many years, I can attest that his patterns of exhibiting counterproductive behaviors are well known among those that know him.

GSB NCOER

10 EXHIBIT	11 INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	EEA	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF____ TAKEN AT ____ DATED ____

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

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD LC v1 01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF EMMANUEL A. EMEKAEKPERE TAKEN AT 1436 DATED 26 JAN 23

9 STATEMENT *(Continued)*

NOTHING FOLLOWS

EEA

EEA EEA

EEA

INITIALS OF PERSON MAKING STATEMENT EEA

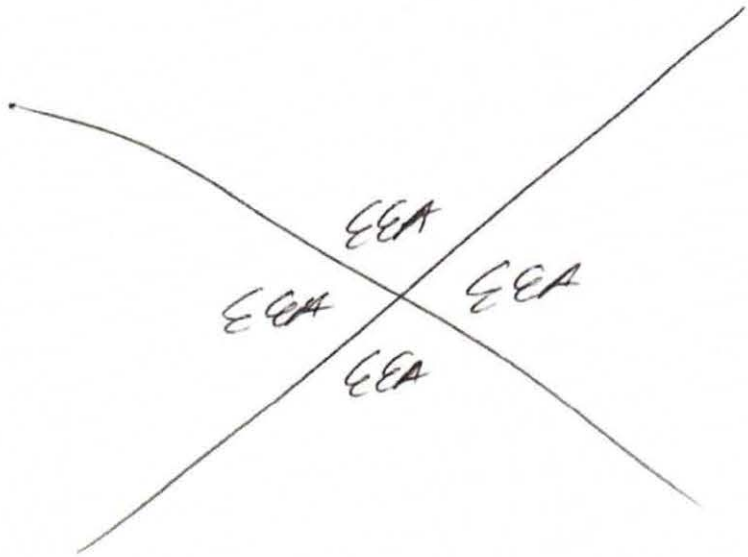
PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF EMMANUEL A. EMEKAEKWUE TAKEN AT 1436 DATED 26 JAN 23

9. STATEMENT (Continued)



AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

2LT Miriam Tolstes
112TH SFG BDE

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of January 2023 at STB SCIF SCB

(Signature of Person Administering Oath)

Miriam Tolstes
(Typed Name of Person Administering Oath)

UCMJ, ART. 136
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT EEA

PAGE 1 OF 1 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC

22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: CPT Lowrie.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented in CPT Lowrie's sworn statement.

a. CPT Lowie approaches SFC Forbes with a team mentality. She describes his reaction to everyday events as "a house on fire but the match is not yet lit" or if the house is on fire, the fire is contained to the basement giving rescuers time to remedy the situation.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.GERMAINE.[redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE.[redacted] Date: 2023.04.13 09:42:11 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

INFLAMATORY OPINION

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statements: PFC Scheffing.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented in those PFC Scheffing's sworn statement.

a. PFC Scheffing knows that SFC Forbes gets rallied up very quickly. In conversation, SFC Forbes has stated that he is aware of how he comes off but he is old and set in his ways. In his own words "you can't teach an old dog new tricks".

b. In terms of counterproductive leadership he exhibits losing his temper, being disrespectful, self-serving behaviors, and blaming others and distrustful. PFC Scheffing has experienced SFC Forbes stating "you did the right thing but it wasn't done the way I would do it therefore it was wrong" and expressing his "my way or the highway mentality."

c. PFC Scheffing noted that SFC Forbes would often say "they are out to get me" where "they" refers to the command team or others in the BDE.

KORISTA YES

d. Overall PFC Scheffing states SFC Forbes extremely short fuse could be observed every day. PFC Scheffing would often become uncomfortable with how SFC Forbes would address people. Additionally, PFC Scheffing described his work environment as "dark" and stated that he didn't want to come into work. After the incident with MAJ Racaza, PFC Scheffing noticed a major decline in SFC Forbes mental health, but was unsure how to address it.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.GERMAINE.[redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE.[redacted] Date: 2023.04.13 09:41:25 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC

22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: MAJ Weber.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented because MAJ Weber did not write a sworn statement. The individual did not want to write or sign a official Sworn Statement.

a. SFC Forbes is just a loud person. When he speaks he can seem vindictive. Many people think his personality is very particular and difficult to work with. Many individuals say it is easiest to avoid him.

b. He throws doctrine at problems and will use that information to go after individuals. He will not care about something but then will all of a sudden be very passionate about certain situations or events. When he becomes passionate he can go about implementing things in the wrong way.

c. When people need information for the S2 section, they used to go to SFC Meredith but once he left individuals had to go to SFC Forbes with issues related to security and SFC Forbes was not able to perform or handle the pressure.

d. He is a weird guy and seems to be in his own world. He thinks he is smarter than everyone else in the room.

e. He feels like people (specifically command teams) are coming after him. When this happens he builds a packet to blackmail them with. He makes minor issues into large issues. Has a rough personality.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.G ERMAINE.[redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE.[redacted] Date: 2023.04.13 10:01:11 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC

22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information *not Captured in Witnesses' Sworn Statements: CSM Emekawkwee.*

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented in those witnesses' sworn statements.

2. Information that I believe relevant, but not included in the CSM Emekawkwees' sworn statement.

a. SFC Forbes can come off as aggressive, but he is just passionate about his point of view. To others his style of communication can be confrontational or come off as harassment.

b. SFC Forbes became passionate about implementing USASOC Policy 25-2 which prohibits personal electronic devices (PEDs) in buildings. His way of implementing this policy came across as harassment and was counterproductive in the workplace. An individual came forward to CSM Emekawkwee and stated they felt as if they couldn't work. CSM Emekawkwee counseled SFC Forbes stating that his actions were causing individuals to become uncomfortable in the workplace. SFC Forbes disagreed with the information in the counseling and informed CSM E that he "will comply with the plan of action, but will consult IG"

c. CSM E stated that in a previous unit SFC Forbes displayed the same actions as he is now. CSM Emekawkwee stated that his previous CSM relived SFC Forbes of his position in the unit and his ability to be part of USASOC.

3. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.GER.MAINE.[redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE.[redacted] Date: 2023.04.13 10:01:54 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

ASOC-SIG-BC

22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: LTC Furlow.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented because LTC Furlow did not write a sworn statement. The individual did not want to write or sign a official Sworn Statement.

a. SFC Forbes is by the books when it fits him. He will be respectful when it comes to rank. He projects his voice and he often thinks people are trying to undermine his actions, but he will overexerted actions and statements. He often is not willing to accept change. He is hard headed and resistant to change

PSAP CHANGES

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.GERMAINE [redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE [redacted] Date: 2023.04.13 10:02:40 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: SFC Meredith.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented because SFC Meredith did not write a sworn statement.

a. On or about 30 November 2022, did SFC Michael Forbes engage in disrespectful behavior toward MAJ Rhea Racaza? If so, what are the specific facts and circumstances?

(1) SFC Meredith was not there at the time for the altercation. He saw the aftermath of the situation. SFC Meredith knew stuff was erupting and left following the return of SFC Forbes.

b. Has SFC Michael Forbes engaged in counterproductive or toxic leadership behaviors within brigade or battalion S2 sections as discussed in AR 600-100, Chapter 1-11d and ADP 6-22? If so, what are the specific facts and circumstances?

(1) Yes. SFC Meredith was the BDE S2 NCOIC before SFC Forbes. SFC Meredith gave SFC Forbes the wheel. SFC Forbes would make it a point that the faults of the unit were on SFC Meredith. SFC Forbes would barrage SFC Meredith and others. SFC Forbes would discuss how the shop was under his responsibility and no responsibilities could fall on SFC Meredith anymore. SFC Forbes would say bad things about BN S2 sections. SFC Forbes would have several mood swings and erratic behaviors throughout the day.

(2) One example of SFC Forbes' erratic behaviors is when SGT Lopez came to discuss an email with SFC Forbes. The conversation became very disrespectful very quickly to the point where there was almost a physical altercation. This is an instance where SFC Forbes would become agitated over something miniscule. In the last three months of SFC Meredith working with SFC Forbes, the blow ups became more until the culminating event with MAJ Racaza.

(3) In his opinion SFC Forbes uses the comment that he is supporting the BDE commander's initiatives. He will be super aggressive in meetings. He does not see it

AOSC-JA
SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: SFC Meredith.

that way. They have had counseling's about this situation. More on the backend. Would be disrespectful on the back end. Last six months was the fall off the cliff land.

c. Is the workplace productive with SFC Forbes as the BDE S2 NCOIC?

(1) Workplace was not productive. They kept most thing off his radar. Took him a month the build off a tracking mechanism. They did not involve him in work unless he absolutely had to be. People would not talk to SFC Forbes, if SFC Meredith was not there then they would leave and come back later because others would do anything to not work with SFC Forbes.

d. Overall comments about SFC Forbes.

(1) Overall I think between stress and personal issues SFC Forbes is no longer fit to handle the stressors of the Army. To officers, he is always at the cusp of being disrespectful. To peers, he will die on a mountain to support what he believes is right, but will also take things too far. Something happened in the last six months that caused a mental break. He is failing to adapt. He is older in age and is unable to communicate with people. He is set in his ways and unwilling to change them. SFC Forbes is not a bad person but something happened and he has gone too far.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.G ERMAINE.[redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE.[redacted] Date: 2023.04.13 10:03:22 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

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 of records notices also apply to this system.
DISCLOSURE:	Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name *(Last, First, MI)*	Rank/Grade	Date of Counseling
FORBES, MICHAEL J	SFC/E7	12 December 2022

Organization	Name and Title of Counselor
STB, 528th SB	CSM Emekaekwue, Emmanuel

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.)*

Event Oriented Implementation of USASOC Policy 25-2

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

- Thank you for taking the initiative to get the battalion in compliance with USASOC Policy 25-2
- Going forward, follow all directions from your OIC, CPT Lowrie, on how to implement the plan of action to get us to full compliance with USASOC Policy 25-2
- In the event that you notice someone out of compliance, report them to your OIC. Do not confront them

000142

OTHER INSTRUCTIONS

This form will be destroyed upon: reassignment *(other than rehabilitative transfers)*, separation at ETS, or upon retirement. For separation requirements

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)*

- Immediately get with your OIC for further guidance on the way forward on compliance of USASOC Policy 25-2

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:

AS AN ARMOR PSG WHO CAN REPORT ISSUES IN BATTALION'S WHICH THE BRIGADE CMD AUTHORITY USES DISCRETION IN HOW A BSM CAN REPORT WITHOUT CONFLICT. I DON'T SEE SAFE. NEVER HAD A DOCU UNFAVORABLE, I DON'T SEE BY SOME DUTY HOLE TOMY TO ZONE PUBLIC. THIS DOES NOT ALLOW THE BRIGADE JUDICIAL SCREENING PROCESS [illegible]

Signature of Individual Counseled: _____ Date: 12 DEC 22

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

I will continue to monitor SM's compliance with this counseling

-SM states that he will comply with the plan of action, but will consult IG as soon as possible.

Signature of Counselor: _____ Date: 12 DEC 22

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.

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 of records notices also apply to this system.
DISCLOSURE:	Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name *(Last, First, MI)*	Rank/Grade	Date of Counseling
FORBES, MICHAEL JEFFREY	SFC/E7	27 July 2021

Organization	Name and Title of Counselor
HHC, 528th Special Troops Battalion (SO) (A)	1SG Larry Morgan - Company First Sergeant

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.)*

Event Oriented Counseling - Inform SM of perceived behavior (counterproductive leadership traits)

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

On 23 July 2021, CPT Mansour and myself were down in the 528th STB Motorpool checking on operations. When we stopped by the Shop Office, you were present with SSG Grafton and CPT Valdez, working to dispatch vehicles for the upcoming Brigade exercise. At the conclusion of your business, your comments to CPT Valdez had a condescending and disrespectful tone. I followed you out of the office and briefly relayed to you watch the way you talk to Commissioned Officers and how your comments were preceived by me. In addition, it has been brought to my attention that you have acted similarly to several Commissioned Officers since your arrival to the unit. I am concerned about your attitude and commentary towards your superiors and how the perception of insubordinate behavior can have across the enterprise.

Verbal remarks of contempt are bold comments that are rude and insulting directly to a Noncommissioned, Warrant, or Commissioned Officer. Obviously, being disrespectful can be shared a variety of methods through words or acts that are rude, indifferent, insolence (silent) and impertinence towards the officer and within his/her sight and hearing.

According to ADP 6-22, the Army defines Counterproductive leadership as the demonstration of leader behaviors that violate one or more of the Army's core leader competencies or Army Values, preventing a climate conducive to mission accomplishment. Counterproductive leadership is incompatible with Army leadership doctrine and Army Values (see attachment).

As a Senior Noncommissioned Officer, you set an example within the organization and it is imperative that you remain professional when conducting business as a representative of the Brigade Commander/principle Brigade staff member. You are in a highly visible position and the eyes of your superiors, peers, and subordinates will be on you at all times, it is important to set the example as a leader.

Pursuant to AR 635-200, this constitutes a formal counseling session concerning your noted deficiencies. If this conduct continues, action may be initiated to involuntarily separate you from the service under AR 635-200, Chapter 5, 13, 14. If you receive a General Under Honorable Conditions Discharge or an Uncharacteristic Discharge, you will be disqualified from reenlisting into the service for some period of time, and you will be ineligible for many veterans benefits. Regardless of the type of discharge that you may receive it may have serious consequences affecting civilian, veterans benefits, or future service.

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)*

SM will review:

ADP 6-22 - Army Leadership and the Profession (July 2019), Chapter 2 - Character

ADP 6-22 - Army Leadership and the Profession (July 2019), Chapter 8 - Counterproductive Leadership

TC 7-22.7 - The Noncommissioned Officer Guide (January 2020), Chapter 7 - Officer and NCO Relationships

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 WAS NOT DISRESPECTFUL; ONLY FACTUAL! I WAS NOT ABLE TO GET A 2062 FOR MY VEHICLE (HQ20) DUE TO IT BEING IN THE PROCESS OF BEING DISPATCHED WITH MY SIGNATURE. I FOUND THAT OUT AT THIS TIME OF THIS DISCUSSION. THE KEYS TO HQ20 (WHICH I AM SIGNED FOR) ARE CURRENTLY, AS OF THE TIME OF THIS COUNSELING UNDER THE CONTROL OF MSG BURGOS AND IN THE CVP HOLDER OF THE TRUCK. BII IS AT RISK OF BEING LOST

Signature of Individual Counseled: [signature] Date: 27 JUL 21

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

I will follow up with SM and discuss the information he reviewed from the above listed references.

Signature of Counselor: [signature] Date: 27 JUL 21

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.)*

- SM has not had any problems since the 27 July Counseling session

Counselor: JOE MORGAN [signature] Individual Counseled: [signature] Date of Assessment: 7 OCT 21

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

Tolston, Mirriam G 2LT USARMY USSOCOM USASOC (USA)

From: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA)
Sent: Friday, January 20, 2023 11:44 AM
To: Tolston, Mirriam G 2LT USARMY USSOCOM USASOC (USA)
Subject: FW: SIR- 18JAN23 SFC Forbes to WAMC ER
Signed By: larry.d.morgan4.mil@mail.mil

v/r
1SG Larry Morgan
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
Office: (910) 432-4194
Email: larry.morgan.mil@socom.mil

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Wednesday, January 18, 2023 6:48 PM
To: 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>; Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Cc: Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Racaza, Rhea L MAJ USARMY USSOCOM USASOC (USA) <rhea.racaza@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>
Subject: SIR- 18JAN23 SFC Forbes to WAMC ER

Sir and CSM-

Who: SFC Michael J. Forbes, 35F, BDE S2 NCOIC
What: Exhibited alarming mental symptoms/behaviors at 1SFC(A) which was subsequently relayed thru CoC. Initially, SFC Forbes refused to conduct a Safety Check with WAMC ER, which was the recommendation provided by the BDE BH. After 2 hours of discussion, SFC Forbes was convinced to go voluntarily to WAMC ER, escorted by MSG Grix, 389th MI BN. FBNC Garrison MPs were dispatched as a precautionary measure, and the WAMC BH "Pit Boss" was alerted to the arrival of MSG Grix and SFC Forbes at 1835L.
When: approximately 1600L-1820L, 18JAN23
Where: Hagy Hall, Bldg X-4047, New Dawn Drive, FBNC
Additional Information: SFC Forbes appeared to his Company CMD Team to be in a state mental distress, although SFC Forbes denied being suicidal or desiring to hurt others. After consultation with the BDE Psych, MAJ Racaza, it was determined that the safest course of action was to escort SFC Forbes to WAMC ER for a routine Safety Check. SFC Forbes refused to comply, and instead detailed aloud all the wrong doings committed against him by the CoC, and what/who he was going to talk to about it. He discussed speaking with CSM Munter tomorrow morning at 0900, and seemed most distressed about what he called an "assault and battery" committed against him by CSM Emekaekwue. CHAP Devine, MSG Grix, 1LT Jennes, and 1SG Morgan all witnessed the interactions between CPT Korista and SFC Forbes. No physical altercations transpired.

MTF as the SM receives his Safety Check.

No - See 3822

ORDERED

FB 1462-E

PMO Report

GO HEADHUNTERS!

Very Respectfully,

DK

David Korista
CPT, CM
Commander
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
NVOIP: 910.432.4194
Blackberry: 910.929.0117
Personal Cell: [redacted]
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.mil@socom.smil.mil

No read

SFC Forbes has made multiple soldiers weary as of recent. He has not only yelled at them for things that make no sense.

SFC Forbes is creating a toxic hostile work place for blocking up or ~~throwing~~ rude to JR. Soldiers and NCOs.

Same H/R

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC

21 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Questions for the accused.

1. This memorandum documents the questions for the accused that will be asked during the interview.

2. Question 1. On or about 30 November 2022 did you engage in disrespectful behavior towards MAJ Rhea Racaza?

a. Is 30 November 2022 the correct date of the interaction? What is the approximate time of the interaction?

b. If so what are the facts and circumstances surrounding that interaction?

c. Do you know of any other witnesses to the interaction?

3. Question 2. Have you engaged in counterproductive or toxic leadership behaviors within the brigade or battalion S2 section as discussed in AR 600-10, chapter 1-11d and ADP 6-22?

a. How would you describe your leadership style?

b. Do you know of any other witnesses to the interaction?

4. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.G ERMAINE. [redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE. [redacted] Date: 2023.04.13 10:04:25 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

Basic Data

AC

SRC(P)

MRC



Job Code(PMOS) 25F NO INSIGNIA

SQI(PMOS)

SI(PMOS)

Date Of Birth

Birth Country

Country of Citizenship

Gender M

Ethnicity

Height

Weight

Religion

Marital Status

# of Dependents (Spouse/Children)

Home Address

Deployable

Readiness

MRC Code	MRC	Current Assgt Eff	
MRC Reason		YMAV Date	
MRC Reason Start Date		TEMP End Date	
PHA Expire Date		MADP Date	
PULHES		Time	
Security Clearance Type			
Clearance Effective Date			
Investigation Type			
Investigation Status			
Investigation Status Date			

Restriction	Code	Begin Date	End Date
—	—	—	—

Skills

0 Self-Professed

Professional Licenses		Professional Certifications		Training Courses (Self-Professed)				Languages (Self-Professed)			
License	Expiration Date	Certification	Certified Date	Language	Listening	Reading	Speaking	Language	Listening	Reading	Speaking
—	—	—	—	—	—	—	—	—	—	—	—

ATTRIBUTES (Self-Professed)

Attribute	Rating	Date
—	—	—

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20[illegible]			20[illegible]	20[illegible]	20[illegible]	20[illegible]	20[illegible]		

Career Mapping



Experience

0 Self-Professed

Short Tours
Long Tours
DNDs
DUIs
CBT
O N
R S
Dwell Start
Dwell Duration

MILITARY EXPERIENCE / DEPLOYMENTS / SPECIAL DUTIES

Asgt	From	#Months	UIC	Organization	Station	Location	Command	Duty Title	MOS
Projected	[illegible]	6	[illegible]	—	[illegible]	[illegible]	[illegible]	[illegible]	25F
Current	20230104	1	[illegible]	—	[illegible]	NC	SP	[illegible]	25F
1st Prev	20211015	23	[illegible]	—	[illegible]	NC	[illegible]	STANDARD EXCESS	99999
2nd Prev	[illegible]	5	[illegible]	—	Invalid Location - Placeholder	VA	SP	[illegible]	25F
3rd Prev	[illegible]	36	[illegible]	—	[illegible]	[illegible]	[illegible]	[illegible]	25F
4th Prev	[illegible]	3	[illegible]	—	[illegible]	[illegible]	[illegible]	[illegible]	25F

See STP online for additional 25 rows.

CIVILIAN WORK EXPERIENCE (Self-Professed)

Employment	Job Title	Start Date	End Date	Duration
—	—	—	—	—

ADDITIONAL DUTIES (Self-Professed)

Duty Title	Start Date	End Date
—	—	—

Knowledge

0 Self-Professed

EDUCATION | TRAINING COURSES (Self-Professed) | MILITARY EDUCATION

Degree	School	Location	Level	Graduation Date	Title	Year
MASTER OF BUSINESS ADMINISTRATION	[illegible]	[illegible]	[illegible]	[illegible]	—	—
BACHELOR OF SCIENCE	[illegible]	[illegible]	[illegible]	[illegible]		

Course Title	Code	Start	End	Duration	CMDT List
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	

See ST online for additional 3 rows.

HOBBIES / INTERESTS (Self-Professed) | SELF-STUDY (Self-Professed)

Hobby / Interest	Genre	Proficiency	Date
—	—	—	—

Self Study	Genre	Proficiency	Date
—	—	—	—

Basic Data

- AC
- SFQPY
- MRC2



Sub Code(PVS): FEP NO INSIGNIA
SUB(PVS): 3 PRS
S(/S):
Date of Birth:
Birth Country: USA
Country of Citizenship: USA
Gender: M
Ethnicity: Others
Height: 5
Weight: 175
Religion: CATHC
Marital Status: Married
# of Dependents (duits/Children): 1(C)
Home Address:

Deployable

Cultural Experience & Proficiency

0 Self-Professed

Date	mation	Type	Duration
—	—	—	—

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)

Station	City	State
—	—	—

COUNTRY PREFERENCES (SELF-PROFESSED)

Country	Rank
—	—

DUTY PREFERENCES (SELF-PROFESSED)

Duty Name	Date Entered
—	—

NOORS NTSES (S- OF SSF)

Endorsement	Endorser
—	—

RS (EOTD SSON NTSES S- OF SS)

Assignment
—

LATE SUMPS (S- OF SSF)

Date	Category	Description
—	—	—

ACCESSIONS DATA

Current N
End Current Assignment
Commissioning Year
Type of Original Aut
Mo/Days Mos
egular
Non-reg
Current Stability ath

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
D FO M 7 ID MA 1 536MWG IUN 1 OCT 25	20220916	SM SHOOTP
ony Physical Fitness Test	20191202	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
—	—	—

PERSONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
—	—	—

FAMILY GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
—	—	—

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
—	—	—	—

ANNEX B, (S2 Intelligence and Security) 112th Signal Battalion ICI WAAR

1. **Summary**: 112th Signal Battalion Intelligence and Security functional area inspection was conducted on 10 August 2022. 14 functional areas were inspected; 1 area received commendable, 3 areas received satisfactory, and 7 areas received a needs improvement rating. The written after action reviews (WAARs) comments are listed below:

Total # of Areas	Commendable	Satisfactory	Needs Improvement	Not Inspected
14	1	3	7	3

2. Inspector Comments:

a. **Functional Area**: Personnel Security (PERSEC)

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** While inspecting unit's PERSEC Program, it was determined many administrative actions were being overlooked and not accounted for, whether to save time or being untrained in their duties. PERSEC is the foundation of the S2's administrative programs as it controls all clearances and actions that take place within the Command.

(3) **Issues:** The major issues identified reside within the accountability and reporting fields of PERSEC. Foreign travel brief acknowledgments must be maintained for 5 years, regardless of tenure of SM, and there must be a method of tracking in/out process of SM's. Verification of all personnel assigned to 112th in DISS is required by Army regulation.

(4) **Recommendations**: Utilization of the PERSTAT as an oversight mechanism to ensure all personnel assigned are not only tracked in DISS but in/out processing of S2 is the best TTP to date within 528th Sustainment Brigade. The utilization of established trackers and TMT taskers should remedy most critical and "no-go's."

b. **Functional Area**: Information Security (INFOSEC)

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** While inspecting unit's INFOSEC Program, growing concerns were met as many of the Army required trainings and mechanisms were not in place. Although USASOC has it's on policies and directives, Army regulation 350-1 and 380-5 lay the groundwork for annual training guidance.

(3) **Issues:** The major issues identified include the oversight and completion of all 350-1 security training, to include additional certs via USASOC 350-1. Additionally, SF 700, 701 and 702s are not used, nor posted with the last dated one being from 2020. Finally, the correct SM, based on rank and position, were unable to produce appointment orders which led to inability to receive correct training from USASOC G2

(4) **Recommendations**: Continue to enforce the taskers, which were in place during the time of the inspection, and emphasize the importance of 350-1 training in red cycle. Common TTP used would be to set aside a week during red to cycle in which S2 can ensure all trainings are completed and provide the adequate support to the unit without the need for TMT taskers. Additionally, the SF 700-702's are an individual responsibility and can easily be conducted prior to COB with staff duty reinforcing the checks.

c. **Functional Area**: Industrial Security (INDUSEC)

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** While inspecting the unit's INDUSEC Program, it was determined that a program has not been in place or updated since the last ICI's guidance was given. The revolving door of contractors on 112th's footprint makes INDUSEC not only important to the program itself, but could lead to other Security problems if not re-instituted and maintained.

(3) **Issues:** The major issues identified include not evidence of a functional program, whether SOP or paperwork. During the inspection, the current S2 personnel was briefed and the INDUSEC program was shown.

(4) **Recommendations**: BDE S2 will assist in providing all the necessary SOP and paperwork to ensure the BN program mirrors the redone functioning BDE program. Additionally, the COR or subsequent personnel should ensure all contractors in-process with the S2 prior to receiving any creditionals to work on the footprint.

d. **Functional Area**: TARP

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** While inspecting the unit's TARP Program, it was determined that a program was satisfactory and in line with the checklist's provided..

(3) **Issues:** Lack of verifiable training, especially as per regulation, all SM deploying must receive a TARP briefing.

(4) **Recommendations**: Continue to request TARP support from 389th CI section and add TARP to the SRP checklist in yellow cycle.

e. **Functional Area**: Intelligence Oversight (IO)

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** At the time of the inspection, 112th's IO program was ran by the Brigade S2. This oversight was due to the lack of an intelligence mission and the changing of personnel in the BN S2.

(3) **Issues:** NSTR

(4) **Recommendations**: The BDE S2 will begin to provide all paperwork and documentation to begin the program within the BN S2. The program itself should remain within the BDE's program however, the BN S2 oversight would ensure proper coverage across the footprint and be the primary lead for any IO concerns within 112th.

f. **Functional Area**: Crime Prevention

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** The BN crime prevention program was rated as Satisfactory and within standards of the ICI checklists.

(3) **Issues:** NSTR

(4) **Recommendations**: Continue to emphasize training at the lowest levels and providing MFR's of completed training to the appropriate officials. The basic requirements for trainings can be completed during in-processing and then with a safety brief given by the CMD team as Crime prevention is the CDR's program.

g. **Functional Area**: Non-standard Physical Security (NS-PHYSEC)

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** The BN Non-Standard Physical Security program were not prepared for inspection. The S2/S3 Section, which is responsible for these programs, was in flux and did not have any of the required paperwork or on additional duty orders for these programs. However, a walkthrough was conducted by the inspector and BN S2 to provide guidance.

(3) **Issues:** No SOP or program seemed to be in place even though badges and cameras were being used. The maintenance of the badge machine, computer, and cameras were unknown with many levels of security being inoperable.

(4) **Recommendations**: Continue with the movement of the program in the S3 channels to ensure proper maintenance and accountability of equipment is instituted. Acknowledging the funding concerns for equipment, additional precautions should be emplaced to provide coverage until funding is secured. The BDE S3 should be the main POC for actions and assistance.

h. **Functional Area**: Physical Security (PHYSEC)

(1) **Inspector's name/phone number**: SFC Meredith, Joseph / 910-908-8790

(2) **Discussion:** The Physical Security program were not prepared for inspection. The S2/S3 Section, which is responsible for these programs, was in flux and did not have any of the required paperwork or on additional duty orders for these programs. However, a walkthrough was conducted by the inspector and BN S2 to provide guidance. To highlight, the arms room was also inspected and remains the best arms room in the Brigade.

(3) **Issues:** No SOP or program seemed to be in place. The footprint had multiple access points unsecured and all vehicles were unlocked and easily accessible. Additionally, there was no documentation or oversight of which SMs had access to which areas. Even though there is no hard keys for most doors, all codes should be signed for or in a tracking mechanism to deter theft.

(4) **Recommendations**: Continue with the movement of the program in the S3 channels to ensure proper maintenance and accountability of equipment is instituted. Acknowledging the funding concerns for equipment, additional precautions should be emplaced to provide coverage until funding is secured. A BN wide reset should likely occur as the summer PCS cycle has concluded. This would allow the program managers the reassurance that only authorized personnel have access to doors. The BDE S3 should be the main POC for actions and assistance.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

THE DIRECTOR

June 25, 2010

M-10-23

MEMORANDUM FOR THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Peter R. Orszag
Director

SUBJECT: Guidance for Agency Use of Third-Party Websites and Applications

This Memorandum requires Federal agencies to take specific steps to protect individual privacy whenever they use third-party websites and applications to engage with the public.

In the *Memorandum on Transparency and Open Government*, issued on January 21, 2009, the President called for the establishment of "a system of transparency, public participation, and collaboration."[1] The President emphasized that "[k]nowledge is widely dispersed in society, and public officials benefit from having access to that dispersed knowledge." Following the President's memorandum, the Office of Management and Budget (OMB) issued the *Open Government Directive*, which required a series of concrete steps to implement the system of transparency, participation, and collaboration.[2]

On April 7, 2010, OMB issued several guidance documents responding to the *Open Government Directive*. One such guidance — the most relevant to this Memorandum — is *Social Media, Web-Based Interactive Technologies, and the Paperwork Reduction Act*.[3] That memorandum focuses on the requirements of the Paperwork Reduction Act (PRA)[4] in connection with social media and web-based interactive technologies; it explains that without triggering the PRA, agencies may use such media and technologies to promote open government in many ways.

[1] President Barack Obama, Memorandum on Transparency and Open Government (Jan. 21, 2009), *available at* http://www.gpoaccess.gov/presdocs/2009/DCPD200900010.pdf

[2] OMB Memorandum M-10-06, *Open Government Directive* (Dec. 8, 2009), *available at* http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-06.pdf

[3] *Available at* http://www.whitehouse.gov/omb/assets/inforeg/SocialMediaGuidance_04072010.pdf

[4] 44 U.S.C. § 3501.

Like the April 7, 2010 guidance and OMB's *Guidance for Online Use of Web Measurement and Customization Technologies*,[5] this Memorandum recognizes that open government increasingly relies on Federal agency uses of new technologies, such as social media networks and web 2.0 applications. Such uses offer important opportunities for promoting the goals of transparency, public participation, and collaboration. However, increased use of these technologies also requires greater vigilance by Federal agencies to protect individual privacy.

The purpose of this Memorandum is to help Federal agencies to protect privacy, consistent with law, whenever they use web-based technologies to increase openness in government. As explained below, the Memorandum builds on OMB's existing guidance; it calls for transparent privacy policies, individual notice, and a careful analysis of the privacy implications whenever Federal agencies choose to use third-party technologies to engage with the public.[6]

1. Scope.

This Memorandum applies to any Federal agency use of third-party websites or applications to engage with the public for the purpose of implementing the principles of the *Open Government Directive*.[7] The guidance also applies when an agency relies on a contractor (or other non-Federal entity) to operate a third-party website or application to engage with the public on the agency's behalf. Whenever an agency uses web measurement and customization technologies, the agency should refer to OMB's memorandum providing *Guidance for Online Use of Web Measurement and Customization Technologies*.

2. Existing Requirements.

Compliance with Existing Requirements. Agencies are reminded of their obligation to comply with applicable privacy laws (including the Privacy Act of 1974[8]) and OMB guidance, as well as to consult established privacy principles.[9] In addition, agencies should coordinate with their Senior Agency Official for Privacy (SAOP).

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[5] OMB Memorandum M-10-22, *Guidance for Online Use of Web Measurement and Customization Technologies* (June 25, 2010), *available at* http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-22.pdf

[6] Definitions are provided in the Appendix to this Memorandum.

[7] This guidance does not apply to internal agency activities (such as on intranets, applications, or interactions that do not involve the public) or to activities that are part of authorized law enforcement, national security, or intelligence activities.

[8] 5 U.S.C. § 552a.

[9] Since 1973, a series of government reports — both general and agency-specific — have established Fair Information Practices that set forth many accepted principles of information privacy. *See, e.g.*, U.S. Dep't of Health, Educ., and Welfare, Secretary's Advisory Committee on Automated Personal Data Systems, *Records, Computers, and the Rights of Citizens* (1973), *available at* http://aspe.hhs.gov/DATACNCL/1973privacy/tocprefacemembers.htm

Modifications to Existing Guidance. This Memorandum modifies the following OMB memoranda:

- OMB Memorandum M-03-22, *OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002*

- OMB Memorandum M-99-18, *Privacy Policies on Federal Web Sites*

3. General Requirements.

Subject to the requirements set forth below, agencies may use third-party websites and applications to engage openly with the public. These websites and applications offer new tools that will help people to connect with their government, promoting the goals of transparency, participation, and collaboration. At the same time, agencies should comply with the requirements in this Memorandum to ensure that privacy is fully protected.

Agencies should also provide individuals with alternatives to third-party websites and applications. People should be able to obtain comparable information and services through an agency's official website or other official means. For example, members of the public should be able to learn about the agency's activities and to communicate with the agency without having to join a third-party social media website. In addition, if an agency uses a third-party service to solicit feedback, the agency should provide an alternative government email address where users can also send feedback.

When using a third-party website or application, agencies should adhere to the following general requirements:

a. **Third-Party Privacy Policies**. Before an agency uses any third-party website or application to engage with the public, the agency should examine the third party's privacy policy to evaluate the risks and determine whether the website or application is appropriate for the agency's use. In addition, the agency should monitor any changes to the third party's privacy policy and periodically reassess the risks.

b. **External Links.** If an agency posts a link that leads to a third-party website or any other location that is not part of an official government domain, the agency should provide an alert to the visitor, such as a statement adjacent to the link or a "pop-up," explaining that visitors are being directed to a nongovernment website that may have different privacy policies from those of the agency's official website.

c. **Embedded Applications.** If an agency incorporates or embeds a third-party application on its website or any other official government domain, the agency should take the necessary steps to disclose the third party's involvement and describe the agency's activities in its Privacy Policy, as specified in this Memorandum.

d. **Agency Branding.** In general, when an agency uses a third-party website or application that is not part of an official government domain, the agency should apply appropriate branding to distinguish the agency's activities from those of nongovernment actors. For example, to the extent practicable, an agency should add its seal or emblem to its profile page on a social media website to indicate that it is an official agency presence.

e. **Information Collection.** If information is collected through an agency's use of a third-party website or application, the agency should collect only the information "necessary for the proper performance of agency functions and which has practical utility."[10] If personally identifiable information (PII) is collected, the agency should collect only the minimum necessary to accomplish a purpose required by statute, regulation, or executive order.

4. Requirements for Privacy Assessment and Public Notice.

a. **Privacy Impact Assessments (PIAs).** While OMB Memorandum M-03-22[11] provides broad guidance on the PIA process, an agency's use of third-party websites and applications raises new questions. For that reason, OMB is modifying its existing guidance to require an adapted PIA, described below, for an agency's use of such websites and applications.

The adapted PIA is required whenever an agency's use of a third-party website or application makes PII available to the agency. Each adapted PIA should be tailored to address the specific functions of the website or application, but adapted PIAs need not be more elaborate than the agency's other PIAs. In general, each PIA should be posted on the agency's official website.

The PIA should describe:

i. the specific purpose of the agency's use of the third-party website or application;

ii. any PII that is likely to become available to the agency through public use of the third-party website or application;

iii. the agency's intended or expected use of PII;

iv. with whom the agency will share PII;

[10] OMB Circular A-130, *available at* http://www.whitehouse.gov/omb/Circulars_a130_a130trans4/

[11] OMB Memorandum M-03-22, *OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002* (Sept. 26, 2003), *available at* http://www.whitehouse.gov/omb/memoranda_m03-22/

v. whether and how the agency will maintain PII, and for how long;

vi. how the agency will secure PII that it uses or maintains;

vii. what other privacy risks exist and how the agency will mitigate those risks; and

viii. whether the agency's activities will create or modify a "system of records" under the Privacy Act.[12]

In general, an agency's use of a third-party website or application should be covered in a single, separate PIA. However, an agency may prepare one PIA to cover multiple websites or applications that are functionally comparable, as long as the agency's practices are substantially similar across each website and application. If an agency's use of a website or application raises distinct privacy risks, the agency should prepare a PIA that is exclusive to that website or application.

An agency should work with its SAOP to determine how many PIAs are needed, to identify when updates to PIAs are necessary, and to ensure full compliance with OMB policies. OMB is available to provide further guidance on the PIA process and to direct agencies to model PIAs and other resources that may be useful.

b. **Agency Privacy Policies.** OMB Memoranda M-99-18[13] and M-03-22 establish requirements for agency Privacy Policies. Agencies should continue to comply with existing guidance and should also update their Privacy Policy to describe their use of third-party websites and applications, including:

i. the specific purpose of the agency's use of the third-party websites or applications;

ii. how the agency will use PII that becomes available through the use of the third-party websites or applications;

iii. who at the agency will have access to PII;

iv. with whom PII will be shared outside the agency;

v. whether and how the agency will maintain PII, and for how long;

vi. how the agency will secure PII that it uses or maintains; and

[12] *See* 5 U.S.C. § 552a(5).

[13] OMB Memorandum M-99-18, *Privacy Policies on Federal Web Sites* (June 2, 1999), *available at* http://www.whitehouse.gov/omb/memoranda_m99-18/

vii. what other privacy risks exist and how the agency will mitigate those risks.

An agency should also, when feasible, provide links to the relevant privacy policies of the third-party websites and applications being used.

c. **Agency Privacy Notices.** To the extent feasible, an agency should post a Privacy Notice, described below, on the third-party website or application itself. The Privacy Notice should:

i. explain that the website or application is not a government website or application, that it is controlled or operated by a third party, and that the agency's Privacy Policy does not apply to the third party;

ii. indicate whether and how the agency will maintain, use, or share PII that becomes available through the use of the third-party website or application;

iii. explain that by using the website or application to communicate with the agency, individuals may be providing nongovernment third parties access to PII;

iv. direct individuals to the agency's official website; and

v. direct individuals to the agency's Privacy Policy as described above.

An agency should take all practical steps to ensure that its Privacy Notice is conspicuous, salient, clearly labeled, written in plain language, and prominently displayed at all locations where the public might make PII available to the agency.

5. Role of the Senior Agency Official for Privacy (SAOP).

When agencies are evaluating whether to use third-party websites or applications, they should consult with their SAOP. OMB Memorandum M-05-08 provides that an agency's SAOP shall have a "central policy-making role" and shall have "overall responsibility and accountability for ensuring the agency's implementation of information privacy protections."[14] Agencies should confer with their SAOP at the earliest possible stage of their planning process, and consult with the SAOP through implementation and post-implementation review.

[14] OMB Memorandum M-05-08, *Designation of Senior Agency Officials for Privacy* (Feb. 11, 2005), available at http://www.whitehouse.gov/omb/assets/omb/memoranda/fy2005/m05-08.pdf

6. OMB Assistance.

When additional assistance is needed, an agency is encouraged to consult the appropriate Office of Information and Regulatory Affairs (OIRA) desk officer for clarification and guidance. For questions specifically about this Memorandum, agencies may contact OMB at privacy-oira@omb.eop.gov.

Appendix

Definitions

Third-party websites or applications. The term "third-party websites or applications" refers to web-based technologies that are not exclusively operated or controlled by a government entity, or web-based technologies that involve significant participation of a nongovernment entity. Often these technologies are located on a ".com" website or other location that is not part of an official government domain.[15] However, third-party applications can also be embedded or incorporated on an agency's official website.

Personally Identifiable Information (PII). The term "PII," as defined in OMB Memorandum M-07-16[16] refers to information that can be used to distinguish or trace an individual's identity, either alone or when combined with other personal or identifying information that is linked or linkable to a specific individual. The definition of PII is not anchored to any single category of information or technology. Rather, it requires a case-by-case assessment of the specific risk that an individual can be identified. In performing this assessment, it is important for an agency to recognize that non-PII can become PII whenever additional information is made publicly available — in any medium and from any source — that, when combined with other available information, could be used to identify an individual.

Make PII Available. The term "make PII available" includes any agency action that causes PII to become available or accessible to the agency, whether or not the agency solicits or collects it. In general, an individual can make PII available to an agency when he or she provides, submits, communicates, links, posts, or associates PII while using the website or application. "Associate" can include activities commonly referred to as "friend-ing," "following," "liking," joining a "group," becoming a "fan," and comparable functions.

Privacy Impact Assessment (PIA). The term "PIA," which is now subject to the modifications in this Memorandum, was defined in OMB Memorandum M-03-22[17] as:

> [A]n analysis of how information is handled: (i) to ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy, (ii) to determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system, and (iii) to examine and evaluate

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[15] *See* OMB Memorandum M-05-04, *Policies for Federal Agency Public Websites* (Dec. 17, 2004) (identifying ".gov," ".mil," and "Fed.us" as appropriate government domains), *available at* http://www.whitehouse.gov/OMB/memoranda/fy2005/m05-04.pdf

[16] OMB Memorandum M-07-16, *Safeguarding Against and Responding to the Breach of Personally Identifiable Information* (May 22, 2007), *available at* http://www.whitehouse.gov/OMB/memoranda/fy2007/m07-16.pdf

[17] OMB Memorandum M-03-22, *OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002* (Sept. 26, 2003), *available at* http://www.whitehouse.gov/omb/memoranda_m03-22/

protections and alternative processes for handling information to mitigate potential privacy risks.

Privacy Policy. The term "Privacy Policy" is described in OMB Memorandum M-99-18,[18] and is further explained in OMB Memorandum M-03-22. When the term is used in this Memorandum, it refers to a single, centrally located statement that is accessible from an agency's official homepage. The Privacy Policy should be a consolidated explanation of the agency's general privacy-related practices that pertain to its official website and its other online activities.

Privacy Notice. While a Privacy Policy is a statement about an agency's general practices, the term "Privacy Notice" refers to a brief description of how the agency's Privacy Policy will apply in a specific situation. Because the Privacy Notice should serve to notify individuals before they engage with an agency, a Privacy Notice should be provided on the specific webpage or application where individuals have the opportunity to make PII available to the agency.

[18] OMB Memorandum M-99-18, *Privacy Policies on Federal Web Sites* (June 2, 1999), *available at* http://www.whitehouse.gov/omb/memoranda_m99-18/

05373690

NCO EVALUATION REPORT

For use of this form, see AR 623-3; the proponent agency is DCS, G-1

FOR OFFICIAL USE ONLY (FOUO)
SEE PRIVACY ACT STATEMENT
IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J.	[redacted]	SGT ( )	20100201	35F2P

f.1. UNIT CRG. STATION ZIP CODE OR APO, MAJOR COMMAND	f.2. STATUS CODE	g. REASON FOR SUBMISSION
HSC, 3D BN, 3D SFG (A), FT, BRAGG, NC 28310 USASOC		02 Annual

h. PERIOD COVERED FROM (YEAR MONTH DAY)	h. PERIOD COVERED THRU (YEAR MONTH DAY)	i. RATED MONTHS	j. NON-RATED CODES	k. NO. OF ENCL	l. RATED NCO'S EMAIL ADDRESS (.gov or .mil)	m. UIC	n. CMD CODE	o. PSB CODE
20100201	20110131	12			michael.j.forbes@us.army.mil	WHQND0	SP	UA17

PART II - AUTHENTICATION

a. NAME OF RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
FIGUEROA, HAROLD	[redacted]	FIGUEROAGUTIERREZ.HAROLD [redacted]	20110217

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	RATER'S AKO EMAIL ADDRESS (.gov or .mil)
SFC	35F4S	HSC, 3D BN, 3D SFG (A)	BN S-2 NCOIC	harold.figueroagutierrez@us.army.mil

b. NAME OF SENIOR RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
BOURQUE, BRIAN J.	[redacted]	BOURQUE.BRIAN.J. [redacted]	20110222

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	SENIOR RATER S AKO EMAIL ADDRESS (.gov or .mil)
CPT	MI	HSC, 3D BN, 3D SFG (A)	BN S-2	brian.bourque1@us.army.mil

c. NAME OF REVIEWER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
LONG, JAMES E.	[redacted]	LONG.JAMES.ERIC. [redacted]	20110224

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	REVIEWER'S AKO EMAIL ADDRESS (.gov or .mil)
MAJ	SF	3D BN, 3D SFG (A)	BN XO	james.e.long@us.army.mil

d. [X] CONCUR WITH RATER AND SENIOR RATER EVALUATIONS [ ] NONCONCUR WITH RATER AND/OR SENIOR RATER EVAL (See attached comments)

e. RATED NCO: I understand my signature does not constitute agreement or disagreement with the evaluations of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials in Part II, the duty description to include the counseling dates in Part III, and the APFT and height/weight entries in Part IVc are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

SIGNATURE	DATE (YYYYMMDD)
FORBES.MICHAEL.JEFFREY [redacted]	20110411

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
Intelligence Sergeant	35F2P

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities and dollars)

Serves as an Intelligence Sergeant for Combined Joint Special Operations Task Force-Afghanistan (CJSOTF-A) and Special Operations Task Force-East (SOTF-E) All Source Production Section (ASPS); responsible for providing timely and accurate combat intelligence support to the SOTF-E Commander and staff, 16 Operational Detachments-Alpha (ODA) and 4 Operational Detachments-Bravo (ODB); provided daily intelligence in support of combat operations for SOTF-E; maintained constant communications with national level assets/organizations, especially in support of the impromptu needs of Soldiers engaged in troops-in-contact (TIC) events.

d. AREAS OF SPECIAL EMPHASIS

Operation ENDURING FREEDOM XV; SOTF-East INTSUM; OEF-XV Relief In Place/Transfer Of Authority (RIP/TOA) BN S-2 NCOIC; BN Liaison with National Air and Space Intelligence Center (NASIC); OEF-XVII Pre-Mission Training (PMT) BN S-2 NCOIC.

e. APPOINTED DUTIES

f. COUNSELING DATES	INITIAL	LATER	LATER	LATER
	20100205	20100503	20100802	20101101

PART IV - ARMY VALUES/ATTRIBUTES/SKILLS/ACTIONS (Rater)

a. ARMY VALUES. Check either "YES" or "NO". (Bullet Comments are mandatory. Substantive bullet comments are required for "NO" entries.)

V A L U E S
Loyalty
Duty
Respect
Selfless-Service
Honor
Integrity
Personal Courage

	YES	NO
1. LOYALTY: Bears true faith and allegiance to the U. S. Constitution, the Army, the unit, and other Soldiers.	X	
2. DUTY: Fulfills their obligations.	X	
3. RESPECT/EO/EEO: Treats people as they should be treated.	X	
4. SELFLESS-SERVICE: Puts the welfare of the nation, the Army, and subordinates before their own.	X	
5. HONOR: Lives up to all the Army values.	X	
6. INTEGRITY: Does what is right - legally and morally.	X	
7. PERSONAL COURAGE: Faces fear, danger, or adversity (physical and moral).	X	

Bullet comments:

o consistently performs duties and taskings to superior standard

o disregards personal well-being to accomplish the mission and ensure safety of others

o continually exhibited the highest standards of loyalty, integrity, and personal behavior

RATED NCO'S NAME (Last, First, Middle Initial)	SSN	THRU DATE
+ FORBES, MICHAEL J.	[redacted]	20110131 +

PART IV (Rater) - VALUES/NCO RESPONSIBILITIES

Bullet comments are mandatory. Supportive bullet comments are required for "EXCELLENCE" or "NEEDS IMPROVEMENT."

b. COMPETENCE
- o Duty proficiency; MOS competency
- o Technical & tactical; knowledge, skills, and abilities
- o Sound judgment
- o Seeking self-improvement; always learning
- o Accomplishing tasks to the fullest capacity; committed to excellence

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o filled over 300 requests for information (RFI) providing actionable intelligence to SOTF-East staff, ODAs, coalition and local forces in support of combat operations
- o fused over 10 intelligence sources into targeting packets used in combat operations, which directly resulted in the capture or detainment of 30 High-Value Individuals
- o created and maintained an accurate intelligence reporting database of all Coalition partners operating in RC-N; greatly increasing SOTF-E staff situational awareness

c. PHYSICAL FITNESS & MILITARY BEARING

APFT PASS 20100803 | HEIGHT/WEIGHT 67 / 165 YES

- o Mental and physical toughness
- o Endurance and stamina to go the distance
- o Displaying confidence and enthusiasm; looks like a Soldier

EXCELLENCE (Exceeds std) [ ] | SUCCESS (Meets std) [X] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o sustained a rigorous personal physical fitness program despite working countless hours during combat operations ISO OEF-XV
- o maintained the highest personal standard; set the example for the entire section
- o demonstrated excellent stamina, endurance, and military-bearing at all times

d. LEADERSHIP
- o Mission first
- o Genuine concern for Soldiers
- o Instilling the spirit to achieve and win
- o Setting the example; Be, Know, Do

EXCELLENCE (Exceeds std) [ ] | SUCCESS (Meets std) [X] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o hand-selected as the BN Intelligence NCOIC during PMT exercise; praised for his unparalleled knowledge and professionalism by staff and ODAs
- o disseminated threat reporting throughout SOTF-East AO; ensured subordinate, adjacent, and higher units were appraised of current battlefield dynamics
- o led investment education for SOTF-East personnel and staff during combat deployment; motivated Soldiers to make sound financial and investment decisions

e. TRAINING
- o Individual and team
- o Mission focused; performance oriented
- o Teaching Soldiers how; common tasks, duty-related skills
- o Sharing knowledge and experience to fight, survive and win

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o produced three PMT Staff-Mission-In-Briefs (SMIBs) for ODAs and staff without assistance; ensured combat readiness was maintained in preparation for OEF-XVII
- o trained and mentored a 21-Soldier Intelligence Fusion Cell (IFC) on the use of multiple analytical tools, enhancing the knowledge and production of the section
- o shared knowledge and insight willingly; continually sought out by peers and subordinates because of his vast intelligence, experience and knowledge

f. RESPONSIBILITY & ACCOUNTABILITY
- o Care and maintenance of equipment/facilities
- o Soldier and equipment safety
- o Conservation of supplies and funds
- o Encouraging Soldiers to learn and grow
- o Responsible for good, bad, right & wrong

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o maintained 100% accountability of over 3,000 classified documents consisting of International (ISAF) Intelligence Data that had been collected over 3 years in RC North
- o performed a key role in the intelligence analysis, quality control, and briefing of the Operation Orders for four Special Forces ODAs operating in Northern Afghanistan
- o encouraged young Soldiers to pursue civilian education making the Soldier competitive for promotion within the Army and for life in the civilian sector

PART V - OVERALL PERFORMANCE AND POTENTIAL

a. RATER. Overall potential for promotion and/or service in positions of greater responsibility.

AMONG THE BEST [X] | FULLY CAPABLE [ ] | MARGINAL [ ]

b. RATER. List 3 positions in which the rated NCO could best serve the Army at his/her current or next higher grade.

ASPS NCOIC

AIT Instructor

Senior Strategic Analyst

e. SENIOR RATER BULLET COMMENTS
- o promote ahead of peers
- o send to ALC next available class
- o highly dedicated NCO with limitless potential who will succeed in any position
- o continue to challenge this motivated NCO with increased responsibility

c. SENIOR RATER. Overall performance + [X] 1 2 3 Successful | [ ] 4 Fair | [ ] 5 Poor

d. SENIOR RATER. Overall potential for promotion and/or service in positions of greater responsibility. [X] 1 2 3 Superior | [ ] 4 Fair | [ ] 5 Poor

NCO EVALUATION REPORT

For use of this form, see AR 623-3 ; the proponent agency is DCS, G-1.

FOR OFFICIAL USE ONLY (FOUO)
SEE PRIVACY ACT STATEMENT
IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL J.	[redacted]	SGT ( )	20100201	35F2S

f.1. UNIT	ORG.	STATION	ZIP CODE OR APO,	MAJOR COMMAND	f.2. STATUS CODE	g. REASON FOR SUBMISSION
HSC, 3RD BN,	3RD SFG(A),	FT. BRAGG, NC	28310	USASOC		02 Annual

h. PERIOD COVERED FROM (YEAR MONTH DAY)	h. PERIOD COVERED THRU (YEAR MONTH DAY)	i. RATED MONTHS	j. NON-RATED CODES	k. NO. OF ENCL	l. RATED NCO'S EMAIL ADDRESS (.gov or .mil)	m. UIC	n. CMD CODE	o. PSB CODE
20110201	20120131	12			michael.j.forbes@us.army.mil	WHQND0	SP	UA17

PART II - AUTHENTICATION

a. NAME OF RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
FRANKS II, DONALD B.	[redacted]	FRANKS.DONALD.BOOKER.II [redacted]	20120425

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	RATER'S AKO EMAIL ADDRESS (.gov. or .mil)
SSG	35F3S/MI	HSC, 3RD BN, 3RD SFG(A)	BN ASPS NCOIC	donald.franks2@us.army.mil

b. NAME OF SENIOR RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
MAUDLIN, RORY O.	[redacted]	MAUDLIN.RORY.OSCAR [redacted]	20120425

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	SENIOR RATER S AKO EMAIL ADDRESS (.gov. or .mil)
SFC	35P4S/MI	HSC, 3RD BN, 3RD SFG(A)	BN MID NCOIC	rory.maudlin@us.army.mil

c. NAME OF REVIEWER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
BOURQUE, BRIAN	[redacted]	BOURQUE.BRIAN.J [redacted]	20120425

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	REVIEWER'S AKO EMAIL ADDRESS (.gov. or .mil)
CPT	MI	HSC, 3RD BN, 3RD SFG(A)	BN S2	brian.bourque1@us.army.mil

d. [X] CONCUR WITH RATER AND SENIOR RATER EVALUATIONS [ ] NONCONCUR WITH RATER AND/OR SENIOR RATER EVAL *(See attached comments)*

e. RATED NCO: I understand my signature does not constitute agreement or disagreement with the evaluations of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials in Part II, the duty description to include the counseling dates in Part III, and the APFT and height/weight entries in Part IVc are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

SIGNATURE	DATE (YYYYMMDD)
FORBES.MICHAEL.JEFFREY [redacted]	20120425

PART III - DUTY DESCRIPTION *(Rater)*

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
Intelligence Sergeant	35F2S

c. DAILY DUTIES AND SCOPE *(To include, as appropriate, people, equipment, facilities and dollars)*

Serves as an Intelligence Sergeant for a CENTCOM/Central Asian States Aligned (CASA) oriented Special Forces Battalion All Source Production Section (ASPS); responsible for providing timely and accurate All Source Intelligence, Surveillance, Reconnisance (ISR) to the SOTF-E Commander and staff, 16 Operational Detachments-Alpha (ODA) and 4 Operational Detachments-Bravo (ODB); provided daily Geospatial Intelligence in support of combat operations for SOTF-E; maintained constant communications with national level assets/organizations, especially in support of the impromptu needs of Soldiers engaged in troops-in-contact (TIC) events.

d. AREAS OF SPECIAL EMPHASIS

Operation ENDURING FREEDOM- XVII (OEF- XVII) All Source Intelligence Analyst; BN Liason with National Air and Space Intelligence Center (NASIC) (OEF XVII)

e. APPOINTED DUTIES

SOTF-East ASPS Night NCOIC (OEF XVII); Intelligence Analyst for Advanced Operation Base (AOB) 3330 (OEF XVII)

f. COUNSELING DATES	INITIAL	LATER	LATER	LATER
	20110206	20110501	20110801	20111101

PART IV - ARMY VALUES/ATTRIBUTES/SKILLS/ACTIONS *(Rater)*

a. ARMY VALUES. Check either "YES" or "NO". *(Bullet Comments are mandatory. Substantive bullet comments are required for "NO" entries.)*	YES	NO
1. LOYALTY: Bears true faith and allegiance to the U. S. Constitution, the Army, the unit, and other Soldiers.	X	
2. DUTY: Fulfills their obligations.	X	
3. RESPECT/EO/EEO: Treats people as they should be treated.	X	
4. SELFLESS-SERVICE: Puts the welfare of the nation, the Army, and subordinates before their own.	X	
5. HONOR: Lives up to all the Army values.	X	
6. INTEGRITY: Does what is right - legally and morally.	X	
7. PERSONAL COURAGE: Faces fear, danger, or adversity *(physical and moral)*.	X	

V — Loyalty, Duty, Respect, Selfless-Service
A
L
U
E
S — Honor, Integrity, Personal Courage

Bullet comments

o stands behind principles; outwardly determined

o committed to mission accomplishment

o fully supported EO/EEO

RATED NCO'S NAME (Last, First, Middle Initial)	SSN	THRU DATE
FORBES, MICHAEL J.	[redacted]	20120131

PART IV (Rater) - VALUES/NCO RESPONSIBILITIES

Bullet comments are mandatory.
Substantive bullet comments are required for "EXCELLENCE" or "NEEDS IMPROVEMENT."

b. COMPETENCE
- o Duty proficiency; MOS competency
- o Technical & tactical; knowledge, skills, and abilities
- o Sound judgment
- o Seeking self-improvement; always learning
- o Accomplishing tasks to the fullest capacity; committed to excellence

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o oversaw 1000 Requests For Information (RFI) providing actionable intelligence to SOTF-East staff, ODAs, Coalition and local forces in support of combat operations
- o selected over peers to perform in SSG position; served as the Night ASPS NCOIC during OEF XVII
- o meticulously constructed doctrinally sound Intelligence Fusion products that directly support AOB 3330 and team's operations

c. PHYSICAL FITNESS & MILITARY BEARING

APFT PASS 20110620 | HEIGHT/WEIGHT 67 / 160 YES

- o Mental and physical toughness
- o Endurance and stamina to go the distance
- o Displaying confidence and enthusiasm; looks like a Soldier

EXCELLENCE (Exceeds std) [ ] | SUCCESS (Meets std) [X] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o passed APFT while deployed to OEF XVII
- o exuded overwhelming confidence and mental strength
- o strong will to win

d. LEADERSHIP
- o Mission first
- o Genuine concern for Soldiers
- o Instilling the spirit to achieve and win
- o Setting the example; Be, Know, Do

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o tirelessly forged crucial working relationships with multiple unconventional units and national level agencies significantly enhancing the intelligence section
- o displayed a genuine concern for Soldiers; motivated his Soldiers to perform to the best of their ability
- o demonstrated sincere care for soldiers by inspiring and developing performance through counseling

e. TRAINING
- o Individual and team
- o Mission focused; performance oriented
- o Teaching Soldiers how; common tasks, duty-related skills
- o Sharing knowledge and experience to fight, survive and win

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o successfully trained 4 subordinates on All Source Intelligence skill levels at least one skill level above his own
- o had an extensive knowledge base from previous deployments and did not hesitate to highlight lessons learned
- o conducted a 40 hr course on financial investment and protection attended by multiple soldiers and civilians of the AOB and BSO

f. RESPONSIBILITY & ACCOUNTABILITY
- o Care and maintenance of equipment/facilities
- o Soldier and equipment safety
- o Conservation of supplies and funds
- o Encouraging Soldiers to learn and grow
- o Responsible for good, bad, right & wrong

EXCELLENCE (Exceeds std) [X] | SUCCESS (Meets std) [ ] | NEEDS IMPROVEMENT (Some) [ ] (Much) [ ]

- o maintained 100% accountability and maintenance of over $500,000 worth of facilities and equipment
- o maintained 100% accountability of over 10,000 classified Intelligence reports and data storage devices resulting in zero loss or compromise while deployed to OEF XVII
- o ensured all equipment was on hand and serviceable

PART V - OVERALL PERFORMANCE AND POTENTIAL

a. RATER. Overall potential for promotion and/or service in positions of greater responsibility.

AMONG THE BEST [X] | FULLY CAPABLE [ ] | MARGINAL [ ]

b. RATER. List 3 positions in which the rated NCO could best serve the Army at his/her current or next higher grade.

- Special Strategic Intelligence Analyst
- AIT Instructor
- Drill Sergeant

e. SENIOR RATER BULLET COMMENTS
- o promote with peers
- o send to ALC when possible
- o potential to be an excellent analyst in a strategic unit
- o one of the most technically proficient analysts

c. SENIOR RATER. Overall performance: [X] 1 2 3 Successful | [ ] 4 Fair | [ ] 5 Poor

d. SENIOR RATER. Overall potential for promotion and/or service in positions of greater responsibility: [X] 1 2 3 Superior | [ ] 4 Fair | [ ] 5 Poor

NCOER EVALUATION REPORT

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

FOR OFFICIAL USE ONLY (FOUO) SEE PRIVACY ACT STATEMENT IN AR 623-3.

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL J.	[redacted]	SSG ( )	20121101	35F3S00YY

f.1. UNIT ORG. STATION ZIP CODE OR APO,	MAJOR COMMAND	f.2. STATUS CODE	g. REASON FOR SUBMISSION
HSC, 3D BN, 3D SFG(A), FORT BRAGG, NC 28310	USASOC		02 Annual

h. PERIOD COVERED FROM (YEAR MONTH DAY)	h. PERIOD COVERED THRU (YEAR MONTH DAY)	i. RATED MONTHS	j. NON-RATED CODES	k. NO. OF ENCL	l. RATED NCO'S EMAIL ADDRESS (.gov or .mil)	m. UIC	n. CMD CODE	o. PSB CODE
20120201	20130131	12			michael.j.forbes@us.army.mil	WHQNT0	SP	UA17

PART II - AUTHENTICATION

a. NAME OF RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
FIGUEROA, HAROLD	[redacted]	FIGUEROAGUTIERREZ.HAROLD.[redacted]	20130312

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	RATER'S AKO EMAIL ADDRESS (.gov. or .mil)
SFC	35F4S	HSC, 3RD BN, 3D SFG(A)	SENIOR INTEL SGT	harold.figueroagutierrez@us.army.

b. NAME OF SENIOR RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
CRENSHAW, AUBREY L.	[redacted]	CRENSHAW.AUBREY.LEWIS.JR[redacted]	20130312

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	SENIOR RATER S AKO EMAIL ADDRESS (.gov. or .mil)
MSG	35X	HSC, 3RD BN, 3D SFG(A)	CHIEF INTELL SGT	aubrey.crenshaw@us.army.mil

c. NAME OF REVIEWER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
HENRY, RICARDO	[redacted]	HENRY.RICARDO.JR.[redacted]	20130313

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	REVIEWER'S AKO EMAIL ADDRESS (.gov. or .mil)
CPT	35D	HSC, 3RD BN, 3RD SFG(A)	S2 OIC	ricardo.henry@us.army.mil

d. [✓] CONCUR WITH RATER AND SENIOR RATER EVALUATIONS [ ] NONCONCUR WITH RATER AND/OR SENIOR RATER EVAL *(See attached comments)*

e. RATED NCO: I understand my signature does not constitute agreement or disagreement with the evaluations of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials in Part II, the duty description to include the counseling dates in Part III, and the APFT and height/weight entries in Part IVc are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

SIGNATURE	DATE (YYYYMMDD)
FORBES.MICHAEL.JEFFREY.[redacted]	20130313

PART III - DUTY DESCRIPTION *(Rater)*

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	35F3S

c. DAILY DUTIES AND SCOPE *(To include, as appropriate, people, equipment, facilities and dollars)*

Serves as the Intelligence Sergeant for 3rd BN, 3rd Special Forces Group (A) during garrison activities; Noncommissioned Officer in Charge of a S2 Administrative Section supporting a 440-Soldier Special Forces Battalion with a USCENTCOM area of responsibility; serves as the advisor to battalion leadership on Physical Security Operations, doctrine and training; maintain's accountability and oversight of clearances, passports; responsible for the maintenance of motorcycle riders database, policies and personnel; plans, coordinates, and conducts unit level personnel, operational, and physical security inspections.

d. AREAS OF SPECIAL EMPHASIS

Operation Enduring Freedom (OEF) XX ; Pre Mission Training (PMT) White Cell NCOIC; Staff Assistance Visit (SAV); Command Inspection Program (CIP).

e. APPOINTED DUTIES

BN Security Manager; Physical Security NCO; Personal Security NCO; Key Control Officer; Motorcycle Safety Officer.

f. COUNSELING DATES	INITIAL	LATER	LATER	LATER
	20120302	20120604	20120904	20121206

PART IV - ARMY VALUES/ATTRIBUTES/SKILLS/ACTIONS *(Rater)*

a. ARMY VALUES. Check either "YES" or "NO". *(Bullet Comments are mandatory. Substantive bullet comments are required for "NO" entries.)*

V A L U E S
Loyalty
Duty
Respect
Selfless-Service
Honor
Integrity
Personal Courage

	YES	NO
1. LOYALTY: Bears true faith and allegiance to the U. S. Constitution, the Army, the unit, and other Soldiers.	✓	
2. DUTY: Fulfills their obligations.	✓	
3. RESPECT/EO/EEO: Treats people as they should be treated.	✓	
4. SELFLESS-SERVICE: Puts the welfare of the nation, the Army, and subordinates before their own.	✓	
5. HONOR: Lives up to all the Army values.	✓	
6. INTEGRITY: Does what is right - legally and morally.	✓	
7. PERSONAL COURAGE: Faces fear, danger, or adversity *(physical and moral)*.	✓	

Bullet comments

o disregards personal well being to accomplish the mission and ensure safety of others

o performs exceptionally well under pressure and without supervision

o highly dedicated to the traditions, values, reputation and mission success of the US Army

RATED NCO'S NAME (Last, First, Middle Initial)	SSN	THRU DATE
FORBES, MICHAEL J.	[redacted]	20130131

PART IV *(Rater)* - VALUES/NCO RESPONSIBILITIES

Bullet comments are mandatory.
Substantive bullet comments are required for "EXCELLENCE" or "NEEDS IMPROVEMENT."

b. COMPETENCE
- o Duty proficiency; MOS competency
- o Technical & tactical; knowledge, skills, and abilities
- o Sound judgment
- o Seeking self-improvement; always learning
- o Accomplishing tasks to the fullest capacity; committed to excellence

EXCELLENCE *(Exceeds std)* ☑ | SUCCESS *(Meets std)* ☐ | NEEDS IMPROVEMENT *(Some)* ☐ *(Much)* ☐

- o developed, planned, and coordinated the PMT scenario, training over 200 Soldiers on real world intelligence vignettes; commended by battalion leadership and staff
- o achieved commendable rating on four out of five post command inspections; received accolades by inspectors as the best battalion in 3rd group
- o established and implemented a comprehensive database tracking system with over 65 motorcycle rider certifications, documents, and USASOC motorcycle safety policies

c. PHYSICAL FITNESS & MILITARY BEARING

APFT PASS 20120626 | HEIGHT/WEIGHT 67 / 169 YES

- o Mental and physical toughness
- o Endurance and stamina to go the distance
- o Displaying confidence and enthusiasm; looks like a Soldier

EXCELLENCE *(Exceeds std)* ☑ | SUCCESS *(Meets std)* ☐ | NEEDS IMPROVEMENT *(Some)* ☐ *(Much)* ☐

- o scored a 285 on last APFT, receiving the Army Physical Fitness Badge
- o exhibited superb confidence and infectious enthusiasm with every task without regard to level of difficulty
- o motivated others to succeed through steadfast bearing and mental toughness

d. LEADERSHIP
- o Mission first
- o Genuine concern for Soldiers
- o Instilling the spirit to achieve and win
- o Setting the example; Be, Know, Do

EXCELLENCE *(Exceeds std)* ☐ | SUCCESS *(Meets std)* ☑ | NEEDS IMPROVEMENT *(Some)* ☐ *(Much)* ☐

- o hand-selected by the Alpha company SGM above five senior NCOs to serve as white cell NCOIC during PMT; performed his duties flawlessly
- o led four Soldiers to achieve and exceed the demanding standards of intelligence analysis expected in a tactical level environment during garrison operations
- o corrected deficiencies within the S2 ADMIN section immediately upon assuming responsibilities, greatly improving the productivity and quality control in the section

e. TRAINING
- o Individual and team
- o Mission focused; performance oriented
- o Teaching Soldiers how; common tasks, duty-related skills
- o Sharing knowledge and experience to fight, survive and win

EXCELLENCE *(Exceeds std)* ☐ | SUCCESS *(Meets std)* ☑ | NEEDS IMPROVEMENT *(Some)* ☐ *(Much)* ☐

- o trained and mentored four Soldiers on intelligence operations during PMT rotation; results were evident by the BN Commander's praise for the teams production
- o taught and guided four armors during SAV on the new post CIP inspection checklist guidelines; resulted in arms rooms receiving commendable ratings
- o fostered a positive work environment by unselfishly sharing insight and knowledge during critical training events with seniors, peers, and subordinates

f. RESPONSIBILITY & ACCOUNTABILITY
- o Care and maintenance of equipment/facilities
- o Soldier and equipment safety
- o Conservation of supplies and funds
- o Encouraging Soldiers to learn and grow
- o Responsible for good, bad, right & wrong

EXCELLENCE *(Exceeds std)* ☑ | SUCCESS *(Meets std)* ☐ | NEEDS IMPROVEMENT *(Some)* ☐ *(Much)* ☐

- o enforced strict adherence to command policy as the BN Motorcycle Safety Officer by educating and developing safety measures with no reported incidents in 365 days
- o maintained 100% accountability of over 440 clearances, passports and personnel folders, most of which was classified Secret
- o safeguarded classified documents, files, and electronic information, resulting in no security violations or compromise to classified information

PART V - OVERALL PERFORMANCE AND POTENTIAL

a. RATER. Overall potential for promotion and/or service in positions of greater responsibility.

AMONG THE BEST ☑ | FULLY CAPABLE ☐ | MARGINAL ▣

b. RATER. List 3 positions in which the rated NCO could best serve the Army at his/her current or next higher grade.

ASPS NCOIC

AIT Instructor

SSO

e. SENIOR RATER BULLET COMMENTS
- o promoted to Staff Sergeant during rating period
- o send to Advance Leaders Course now
- o unlimited potential, an excellent NCO able to perform well above his duties assigned
- o outstanding professional, continue to put in challenging and demanding intelligence positions

c. SENIOR RATER. Overall performance: ☑ 1 2 3 Successful | ☐ 4 Fair | ☐ 5 Poor

d. SENIOR RATER. Overall potential for promotion and/or service in positions of greater responsibility: ☑ 1 2 3 Superior | ☐ 4 Fair | ☐ 5 Poor

NCO EVALUATION REPORT

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

FOR OFFICIAL USE ONLY (FOUO) when filled in. PRIVACY ACT STATEMENT IN AR 623-3.

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL J.	[redacted]	SSG ( )	20121101	35F3P

f.1. UNIT ORG. STATION ZIP CODE OR APO, MAJOR COMMAND	f.2. STATUS CODE	g. REASON FOR SUBMISSION
HSC, 3D BN, 3D SGF(A), FORT BRAGG, NC 28310 USASOC		02 Annual

h. PERIOD COVERED FROM (YEAR MONTH DAY)	h. PERIOD COVERED THRU (YEAR MONTH DAY)	i. RATED MONTHS	j. NON-RATED CODES	k. NO. OF ENCL	l. RATED NCO'S EMAIL ADDRESS (.gov or .mil)	m. UIC	n. CMD CODE	o. PSB CODE
20130201	20140131	12			michael.j.forbes@us.army.mil	WHQNT0	SP	UA17

PART II - AUTHENTICATION

a. NAME OF RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
CRENSHAW, AUBREY L.	[redacted]	CRENSHAW.AUBREY.LEWIS.JR [redacted]	20140207

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	RATER'S AKO EMAIL ADDRESS (.gov. or .mil)
MSG	35XS	HSC, 3RD BN, 3D SFG(A)	CHIEF INTELL SGT	aubrey.crenshaw@us.army.mil

b. NAME OF SENIOR RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
HENRY, RICARDO	[redacted]	HENRY.RICARDO.JR. [redacted]	20140207

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	SENIOR RATER S AKO EMAIL ADDRESS (.gov. or .mil)
CPT	35D	HSC, 3RD BN, 3D SFG(A)	S2 OIC	ricardo.henry@us.army.mil

c. NAME OF REVIEWER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
WHITFIELD, NATHAN S.	[redacted]	WHITFIELD.NATHAN.SEYMORE. [redacted]	20140219

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	REVIEWER'S AKO EMAIL ADDRESS (.gov. or .mil)
MAJ	18A	3RD BN, 3D SFG(A)	S3 OIC	nathan.s.whitfield@us.army.mil

d. [✓] CONCUR WITH RATER AND SENIOR RATER EVALUATIONS [ ] NONCONCUR WITH RATER AND/OR SENIOR RATER EVAL *(See attached comments)*

e. RATED NCO: I understand my signature does not constitute agreement or disagreement with the evaluations of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials in Part II, the duty description to include the counseling dates in Part III, and the APFT and height/weight entries in Part IVc are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

SIGNATURE	DATE (YYYYMMDD)
FORBES.MICHAEL.JEFFREY. [redacted]	20140220

PART III - DUTY DESCRIPTION *(Rater)*

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	35F3S

c. DAILY DUTIES AND SCOPE *(To include, as appropriate, people, equipment, facilities and dollars)*

Serves as the Intelligence Sergeant for 3rd BN, 3rd Special Forces Group(A) during garrison activities; Noncommissioned Officer in Charge of a S2 Administrative Section supporting a 440-Soldier Special Forces Battalion with a USCENTCOM area of responsibility; serves as the advisor to battalion leadership on Physical Security Operations, doctrine and training; maintain's accountability and oversight of clearances and passports; responsible for the maintenance of motorcycle riders database, policies, and personnel; plans, coordinates, and conducts unit level personnel, operational, and physical security inspections.

d. AREAS OF SPECIAL EMPHASIS

Operation Enduring Freedom (OEF) XX; Rear-Detachment (Rear D); Classified Storage; Department of Defense Consolidated Adjudication Facility (DOD CAF); Advance Leaders Course; Motorcycle Safety; Redeployment, Recovery, and Refit (R3)

e. APPOINTED DUTIES

BN Security Manager; Physical Security NCO; Personnel Security NCO; Key Control Officer; Motorcycle Safety Officer

f. COUNSELING DATES	INITIAL	LATER	LATER	LATER
		20130215	20130605	20131120

PART IV - ARMY VALUES/ATTRIBUTES/SKILLS/ACTIONS *(Rater)*

a. ARMY VALUES. Check either "YES" or "NO". *(Bullet Comments are mandatory. Substantive bullet comments are required for "NO" entries.)*

V — Loyalty
A — Duty
L — Respect
U — Selfless-Service
E — Honor
S — Integrity, Personal Courage

	YES	NO
1. LOYALTY: Bears true faith and allegiance to the U. S. Constitution, the Army, the unit, and other Soldiers.	✓	
2. DUTY: Fulfills their obligations.	✓	
3. RESPECT/EO/EEO: Treats people as they should be treated.	✓	
4. SELFLESS-SERVICE: Puts the welfare of the nation, the Army, and subordinates before their own.	✓	
5. HONOR: Lives up to all the Army values.	✓	
6. INTEGRITY: Does what is right - legally and morally.	✓	
7. PERSONAL COURAGE: Faces fear, danger, or adversity *(physical and moral)*.	✓	

Bullet comments

o places dedication and commitment to the goals and mission of the Army and nation above personal welfare

o sets and lives by the highest professional standards expected from an NCO

o continuously looks for ways to improve Soldiers and himself

RATED NCO'S NAME (Last, First, Middle Initial): FORBES, MICHAEL J. | SSN: [redacted] | THRU DATE: 20140131

PART IV (Rater) - VALUES/NCO RESPONSIBILITIES

Bullet comments are mandatory. Substantive bullet comments are required for "EXCELLENCE" or "NEEDS IMPROVEMENT."

b. COMPETENCE
- o Duty proficiency; MOS competency
- o Technical & tactical; knowledge, skills, and abilities
- o Sound judgment
- o Seeking self-improvement; always learning
- o Accomplishing tasks to the fullest capacity; committed to excellence

EXCELLENCE (Exceeds std) ☑ | SUCCESS (Meets std) ☐ | NEEDS IMPROVEMENT (Some) ☐ (Much) ☐

o completed the Advanced Leaders Course; spearheaded the class project that won the Commandant's Award for Best Project on Steganography

o coordinated and assisted in the redeployment of 3D Battalion, 3D SFG(A); updated clearances, passports, and S2 related paperwork for over 400 Soldiers

o selected by the S-3 SGM to coordinate all safety and intelligence training for R3; contributed to overall mission success and trained hundreds of Soldiers

c. PHYSICAL FITNESS & MILITARY BEARING

APFT PASS 20130720 | HEIGHT/WEIGHT 67 / 169 YES

- o Mental and physical toughness
- o Endurance and stamina to go the distance
- o Displaying confidence and enthusiasm; looks like a Soldier

EXCELLENCE (Exceeds std) ☐ | SUCCESS (Meets std) ☑ | NEEDS IMPROVEMENT (Some) ☐ (Much) ☐

o scored a 270 on last APFT; superb representative of the Army

o demonstrated an exceptional level of personal fitness; maintained impeccable military bearing and appearance

o projected self confidence and mental toughness that motivated others

d. LEADERSHIP
- o Mission first
- o Genuine concern for Soldiers
- o Instilling the spirit to achieve and win
- o Setting the example; Be, Know, Do

EXCELLENCE (Exceeds std) ☐ | SUCCESS (Meets std) ☑ | NEEDS IMPROVEMENT (Some) ☐ (Much) ☐

o selected to fill the critical position of S2 NCOIC during Rear-D operations; performed leadership duties for five months with exceptional results

o procured 2-drawer safes for 18 ODAs and 3 ODBs, enhancing the BN's classified storage capacity over 100% and satisfied an enduring mission critical requirement

o established a workplace and overall climate that fosters dignity and respect for all members in the section and unit

e. TRAINING
- o Individual and team
- o Mission focused; performance oriented
- o Teaching Soldiers how; common tasks, duty-related skills
- o Sharing knowledge and experience to fight, survive and win

EXCELLENCE (Exceeds std) ☑ | SUCCESS (Meets std) ☐ | NEEDS IMPROVEMENT (Some) ☐ (Much) ☐

o designed and delivered customized Motorcycle Safety training for over 200 Soldiers; resulted in zero accidents across the BN durning FY 13

o trained and assisted 12 Soldiers in writing complex rebuttals sent to the DOD CAF; ensured SM's maintained valid clearances and were mission capable

o spent considerable time and effort training one alternate Personnel Security Manager, allowing the S2 section to be robust

f. RESPONSIBILITY & ACCOUNTABILITY
- o Care and maintenance of equipment/facilities
- o Soldier and equipment safety
- o Conservation of supplies and funds
- o Encouraging Soldiers to learn and grow
- o Responsible for good, bad, right & wrong

EXCELLENCE (Exceeds std) ☑ | SUCCESS (Meets std) ☐ | NEEDS IMPROVEMENT (Some) ☐ (Much) ☐

o maintained 100% accountability of $100,000 worth of intelligence and tactical equipment with no loss

o enforced standards and regulations as the security manager; resulted in the unit having over "365 days" of accident free and no related accidents

o sustained a 95% operational readiness rate while in support of 3rd BN, 3rd SFG(A) forward deployed to OEF XX

PART V - OVERALL PERFORMANCE AND POTENTIAL

a. RATER. Overall potential for promotion and/or service in positions of greater responsibility.

AMONG THE BEST ☑ | FULLY CAPABLE ☐ | MARGINAL ☐

b. RATER. List 3 positions in which the rated NCO could best serve the Army at his/her current or next higher grade.

ASPS NCOIC

AIT Instructor

Recruiter

e. SENIOR RATER BULLET COMMENTS

o promote to Sergeant First Class with peers

o send to Battle Staff immediately

o unlimited potential; continue to challenge this NCO with increased responsibility

o outstanding performance from an extremely versatile and dependable NCO

c. SENIOR RATER. Overall performance: 1 2 ☑ 3 Successful | 4 Fair | 5 Poor

d. SENIOR RATER. Overall potential for promotion and/or service in positions of greater responsibility: 1 ☑ 2 3 Superior | 4 Fair | 5 Poor

NCO EVALUATION REPORT

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

FOR OFFICIAL USE ONLY (FOUO) WHEN FILLED OUT
PRIVACY ACT STATEMENT IN AR 623-3.

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL J.	[redacted]	SSG ( )	20121101	35F3S

f.1. UNIT ORG. STATION ZIP CODE OR APO, MAJOR COMMAND	f.2. STATUS CODE	g. REASON FOR SUBMISSION
HHD, 3D BN, 3D SFG (A), FORT BRAGG, NC 28310 USASOC		02 Annual

h. PERIOD COVERED FROM (YEAR MONTH DAY)	h. PERIOD COVERED THRU (YEAR MONTH DAY)	i. RATED MONTHS	j. NON-RATED CODES	k. NO. OF ENCL	l. RATED NCO'S EMAIL ADDRESS (.gov or .mil)	m. UIC	n. CMD CODE	o. PSB CODE
20140201	20150131	8	Q		michael.j.forbes@us.army.mil	WQHNT0	SP	UA17

PART II - AUTHENTICATION

a. NAME OF RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
KIRBY, AARON T.	[redacted]	KIRBY.AARON.THOMAS [redacted]	20150323

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	RATER'S AKO EMAIL ADDRESS (.gov. or .mil)
SFC	35F4S	HHD, 3D BN, 3D SFG (A)	CHIEF INTEL SGT	aaron.kirby@us.army.mil

b. NAME OF SENIOR RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
YOON, DOUGLAS S.	[redacted]	YOON.DOUGLAS.SUNGKWON [redacted]	20150323

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	SENIOR RATER S AKO EMAIL ADDRESS (.gov. or .mil)
CPT	MI	HHD, 3D BN, 3D SFG (A)	BATTALION S2	douglas.yoon@us.army.mil

c. NAME OF REVIEWER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
NOVY, LEE C.	[redacted]	NOVY.LEE.CEDRIC. [redacted]	20150323

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	REVIEWER'S AKO EMAIL ADDRESS (.gov. or .mil)
MAJ	SF	HHD, 3D BN, 3D SFG (A)	BATTALION S3	lee.c.novy@us.army.mil

d. ☑ CONCUR WITH RATER AND SENIOR RATER EVALUATIONS ☐ NONCONCUR WITH RATER AND/OR SENIOR RATER EVAL (See attached comments)

e. RATED NCO: I understand my signature does not constitute agreement or disagreement with the evaluations of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials in Part II, the duty description to include the counseling dates in Part III, and the APFT and height/weight entries in Part IVc are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

SIGNATURE

DATE (YYYYMMDD)

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	35F3S

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities and dollars)

Serves as the Intelligence Sergeant for a 450 Soldier Special Forces Battalion during garrison activities and while forward deployed to Operation ENDURING FREEDOM; Noncommissioned Officer in Charge of a S2 administrative section with a USCENTCOM area of responsibility; serves as the advisor to the battalion leadership on Physical Security operations, doctrine, and training; maintains accountability and oversight of security clearances and passports; responsible for the maintence of motorcycle riders database, policies, and personnel; plans, cordinates, and conducts unit level personnel, operational, and physical security inspections.

d. AREAS OF SPECIAL EMPHASIS

Operation ENDURING FREEDOM (OEF) XXIII; Pre Mission Training (PMT); Command Inspection Program (CIP); Foreign Disclosure Officer (FDO) Course.

e. APPOINTED DUTIES

Physical Security (PHYSEC) NCO; Personnel Security (PERSEC) NCO; Motorcycle Safety Officer; Special Operations Task Force -Afgahanistan (SOTF-A) Foreign Disclosure Representitive (FDR) and Special Security Representitive (SSR).

f. COUNSELING DATES	INITIAL	LATER	LATER	LATER
	20140829	20141129		

PART IV - ARMY VALUES/ATTRIBUTES/SKILLS/ACTIONS (Rater)

a. ARMY VALUES. Check either "YES" or "NO". (Bullet Comments are mandatory. Substantive bullet comments are required for "NO" entries.)

V A L U E S
Loyalty
Duty
Respect
Selfless-Service
Honor
Integrity
Personal Courage

	YES	NO
1. LOYALTY: Bears true faith and allegiance to the U. S. Constitution, the Army, the unit, and other Soldiers.	✓	
2. DUTY: Fulfills their obligations.	✓	
3. RESPECT/EO/EEO: Treats people as they should be treated.	✓	
4. SELFLESS-SERVICE: Puts the welfare of the nation, the Army, and subordinates before their own.	✓	
5. HONOR: Lives up to all the Army values.	✓	
6. INTEGRITY: Does what is right - legally and morally.	✓	
7. PERSONAL COURAGE: Faces fear, danger, or adversity (physical and moral).	✓	

Bullet comments

o unwaivering loyalty to the unit and the Army

o integrity beyond reproach

o treats subordinates with respect

RATED NCO'S NAME (Last, First, Middle Initial): FORBES, MICHAEL J. | SSN: [redacted] | THRU DATE: 20150131

PART IV (Rater) - VALUES/NCO RESPONSIBILITIES

Bullet comments are mandatory. Substantive bullet comments are required for "EXCELLENCE" or "NEEDS IMPROVEMENT."

b. COMPETENCE o Duty proficiency; MOS competency o Technical & tactical; knowledge, skills, and abilities o Sound judgment o Seeking self-improvement; always learning o Accomplishing tasks to the fullest capacity; committed to excellence EXCELLENCE (Exceeds std) ☐ SUCCESS (Meets std) ☑ NEEDS IMPROVEMENT (Some) ☐ (Much) ☐	o received commendable ratings in PERSEC and PHYSEC CIP evaluations which ensured 100% compliance with regulatory guidance o created a tracking mechanism for all aspects of S2 administrative actions and Army directed training requirements; aided subordinate units to track delinquencies o selected as the primary analyst in charge of intelligence support to Forward Logistical Element-Tactical; ensured route analysis was timely and accurate
c. PHYSICAL FITNESS & MILITARY BEARING o Mental and physical toughness o Endurance and stamina to go the distance o Displaying confidence and enthusiasm; looks like a Soldier EXCELLENCE (Exceeds std) ☐ SUCCESS (Meets std) ☑ NEEDS IMPROVEMENT (Some) ☐ (Much) ☐	APFT PASS 20140905 | HEIGHT/WEIGHT 66 / 169 YES o scored 256 on the APFT; maintained USASOC standard of at least 80 points in each event o maintained confidence when faced with long hours and tight deadlines during OEF while providing support to combat operations
d. LEADERSHIP o Mission first o Genuine concern for Soldiers o Instilling the spirit to achieve and win o Setting the example; Be, Know, Do EXCELLENCE (Exceeds std) ☐ SUCCESS (Meets std) ☐ NEEDS IMPROVEMENT (Some) ☑ (Much) ☐	o displayed a lack of leadership; received numerous performance counselings during the rating period and recommended for non-judicial punishment twice o mentored one subordinate to complete PMT and serve as the battalion's alternate PHYSEC/PERSEC NCO o demanded subordinate adhered to all EO and SHARP guidance which resulted in zero incidents during rating period
e. TRAINING o Individual and team o Mission focused; performance oriented o Teaching Soldiers how; common tasks, duty-related skills o Sharing knowledge and experience to fight, survive and win EXCELLENCE (Exceeds std) ☐ SUCCESS (Meets std) ☑ NEEDS IMPROVEMENT (Some) ☐ (Much) ☐	o completed the 40 hour FDO course in preparation for upcoming OEF deployment which enhanced the BN's capability to disseminate information to foreign partners o led a team of 14 Soldiers through a 40 hour Combat Lifesaver Course, resulting in a 100% completion rate with one Soldier receiving best in class honors o increased classification awareness and reduced the risk of spillage by presenting an informational brief to seven intelligence Soldiers and civilians in SOTF-A
f. RESPONSIBILITY & ACCOUNTABILITY o Care and maintenance of equipment/facilities o Soldier and equipment safety o Conservation of supplies and funds o Encouraging Soldiers to learn and grow o Responsible for good, bad, right & wrong EXCELLENCE (Exceeds std) ☐ SUCCESS (Meets std) ☑ NEEDS IMPROVEMENT (Some) ☐ (Much) ☐	o vetted and certified over 180 operations and intelligence products as the SOTF-A FDR which enabled the sharing of information with partnered NATO SOF units o enforced safety standards for 60 motorcycle riders which resulted in zero accidents or casualties in the BN for 12 months o served as the SOTF-A SSR for three months accounting for all five Sensitive Compartmented Information Facilities in Afghanistan with zero compromise

PART V - OVERALL PERFORMANCE AND POTENTIAL

a. RATER. Overall potential for promotion and/or service in positions of greater responsibility.

AMONG THE BEST ☐ FULLY CAPABLE ☑ MARGINAL ☐

b. RATER. List 3 positions in which the rated NCO could best serve the Army at his/her current or next higher grade.

Intelligence Sergeant

Observer Controller

AIT Instructor

e. SENIOR RATER BULLET COMMENTS

o continue to mentor leadership traits; promote to SFC if slots are available

o send to Senior Leader Course to further develop him as a Senior NCO

o exceptional performance while conducting PERSEC and PHYSEC duties

o displays potential for continued growth as an analyst

c. SENIOR RATER. Overall performance: 1 2 ☑ 3 Successful ☐ 4 Fair ☐ 5 Poor

d. SENIOR RATER. Overall potential for promotion and/or service in positions of greater responsibility: 1 2 ☑ 3 Superior ☐ 4 Fair ☐ 5 Poor

NCO EVALUATION REPORT

For use of this form, see AR 623-3 ; the proponent agency is DCS, G-1.

FOR OFFICIAL USE ONLY (FOUO) SEE PRIVACY ACT STATEMENT IN AR 623-3.

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL J.	[redacted]	SSG ( )	20121101	35F3S

f.1 UNIT ORG. STATION ZIP CODE OR APO, MAJOR COMMAND	f.2 STATUS CODE	g. REASON FOR SUBMISSION
HHD, 3D BN, 3D SFG(A) FORT BRAGG, NC 28310 USASOC		03 | Change of Rater

h. PERIOD COVERED FROM (YEAR MONTH DAY)	h. PERIOD COVERED THRU (YEAR MONTH DAY)	i. RATED MONTHS	j. NON-RATED CODES	k. NO. OF ENCL	l. RATED NCO'S EMAIL ADDRESS (.gov or .mil)	m. UIC	n. CMD CODE	o. PSB CODE
20150325	20151030	7			michael.j.forbes.mil@mail.mil	WHQNT0	SP	UA17

PART II - AUTHENTICATION

a. NAME OF RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
EGER, KRISTIAN C.	[redacted]	EGER.KRISTIAN.CARSON.1102865387	20160120

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	RATER'S EMAIL ADDRESS (.gov or .mil)
SSG	35F	HHD 3D BN, 3D SFG(A)	BN S2 NCOIC	kristian.c.eger.mil@mail.mil

b. NAME OF SENIOR RATER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
JONES, NATHAN C.	[redacted]	JONES.NATHAN.C.1294122040	20160120

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
CPT	MI	HHD 3D BN, 3D SFG(A)	BN S2	nathan.c.jones1.mil@mail.mil

c. NAME OF REVIEWER (Last, First, Middle Initial)	SSN	SIGNATURE	DATE (YYYYMMDD)
JONES, SHANE R.	[redacted]	JONES.SHANE.R.1183730777	20160120

RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	REVIEWER'S EMAIL ADDRESS (.gov or .mil)
MAJ	SF	HHD 3D BN, 3D SFG(A)	BN XO	shane.r.jones.mil@mail.mil

d. [X] CONCUR WITH RATER AND SENIOR RATER EVALUATIONS [ ] NONCONCUR WITH RATER AND/OR SENIOR RATER EVAL *(See attached comments)*

e. RATED NCO: I understand my signature does not constitute agreement or disagreement with the evaluations of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials in Part II, the duty description to include the counseling dates in Part III, and the APFT and height/weight entries in Part IVc are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

SIGNATURE: FORBES.MICHAEL.JEFFREY.[redacted]

DATE (YYYYMMDD): 20160208

PART III - DUTY DESCRIPTION *(Rater)*

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	35F3S

c. DAILY DUTIES AND SCOPE *(To include, as appropriate, people, equipment, facilities and dollars)*

Serves as an Intelligence Sergeant supporting a 535-Soldier Special Forces (SF) Battalion with a AFRICOM area of responsibility; serves as an advisor to Battalion leadership on Personnel, Physical and Information Security Operations, as well as the Intelligence Oversight, doctrine, and training; processes documentation for clearances, passports, derogatory reports, access badges, courier orders, and annual security training certifications, and maintains accountability/oversight of these categories through a 10k plus records database; plans, coordinates and conducts unit level personnel, physical and information security inspections.

d. AREAS OF SPECIAL EMPHASIS

Inspector General (IG) Inspection; Fort Bragg Post Physical Security (PS) Inspection; Staff Assisted Visit (SAV); Sergeants' Time Training (STT); Post-Deployment OEF XXIII/RSM I Recovery, Refit, and Reintegration (R3).

e. APPOINTED DUTIES

Assistant BN Security Manager; Physical Security NCO; Personnel Security (PERSEC) NCO; Information Security (INFOSEC) NCO; Intelligence Oversight (IO) NCO; BN Key Control Officer; BN Senior Motorcycle Safety Officer.

f. COUNSELING DATES	INITIAL	LATER	LATER	LATER
	20151002			

PART IV - ARMY VALUES/ATTRIBUTES/SKILLS/ACTIONS *(Rater)*

a. ARMY VALUES. Check either "YES" or "NO". *(Bullet Comments are mandatory. Substantive bullet comments are required for "NO" entries.)*	YES	NO
1. LOYALTY: Bears true faith and allegiance to the U. S. Constitution, the Army, the unit, and other Soldiers.	X	
2. DUTY: Fulfills their obligations.	X	
3. RESPECT/EO/EEO: Treats people as they should be treated.	X	
4. SELFLESS-SERVICE: Puts the welfare of the nation, the Army, and subordinates before their own.	X	
5. HONOR: Lives up to all the Army values.	X	
6. INTEGRITY: Does what is right - legally and morally.	X	
7. PERSONAL COURAGE: Faces fear, danger, or adversity *(physical and moral)*.	X	

V — Loyalty, Duty, Respect, Selfless-Service
A
L
U
E
S — Honor, Integrity, Personal Courage

Bullet comments

o dedicated NCO who consistently focuses on mission accomplishment with superior results

o has the courage to stand up for his soldiers and himself

o faced demanding challenges with conviction and high sense of professionalism

RATED NCO'S NAME (Last, First, Middle Initial)	SSN	THRU DATE
FORBES, MICHAEL J.	[redacted]	20151030

PART IV (Rater) - VALUES/NCO RESPONSIBILITIES

Bullet comments are mandatory. Substantive bullet comments are required for "EXCELLENCE" or "NEEDS IMPROVEMENT."

b. COMPETENCE

- o Duty proficiency; MOS competency
- o Technical & tactical; knowledge, skills, and abilities
- o Sound judgment
- o Seeking self-improvement; always learning
- o Accomplishing tasks to the fullest capacity; committed to excellence

EXCELLENCE (Exceeds std)	SUCCESS (Meets std)	NEEDS IMPROVEMENT (Some)	NEEDS IMPROVEMENT (Much)
X			

- o drew upon his unparalleled expertise of PS operations resulting in the Battalion's recognition as having the best Physical Security program within the Group
- o displayed his excellent organizational skills and detail oriented records keeping earning the BN a commendable rating during the IG inspection on derogatory reporting
- o selected to fulfill a 30-day USASOC Emergency Operations Center access control NCO position due to his qualifications and knowledge of policy and regulations

c. PHYSICAL FITNESS & MILITARY BEARING

- o Mental and physical toughness
- o Endurance and stamina to go the distance
- o Displaying confidence and enthusiasm; looks like a Soldier

APFT: PASS 20151008 | HEIGHT/WEIGHT: 66 / 169 YES

EXCELLENCE (Exceeds std)	SUCCESS (Meets std)	NEEDS IMPROVEMENT (Some)	NEEDS IMPROVEMENT (Much)
	X		

- o scored a 264 on the APFT; exceeded the USASOC physical fitness standard
- o completed a 12-mile foot march with 35 pounds within a four hour time frame over an extremely rigorous route and despite weather conditions being hot and humid

d. LEADERSHIP

- o Mission first
- o Genuine concern for Soldiers
- o Instilling the spirit to achieve and win
- o Setting the example; Be, Know, Do

EXCELLENCE (Exceeds std)	SUCCESS (Meets std)	NEEDS IMPROVEMENT (Some)	NEEDS IMPROVEMENT (Much)
	X		

- o dedicated numerous lunch and after duty hours to review inspection findings and database entries providing vital feedback to subordinate units for making corrections
- o took personal interest in the career decisions of two NCOs, providing them with insight and perspective to make informed choices for their specific circumstances
- o committed to fostering a climate of dignity and respect by supporting the Army's SHARP Program through action and communication

e. TRAINING

- o Individual and team
- o Mission focused; performance oriented
- o Teaching Soldiers how; common tasks, duty-related skills
- o Sharing knowledge and experience to fight, survive and win

EXCELLENCE (Exceeds std)	SUCCESS (Meets std)	NEEDS IMPROVEMENT (Some)	NEEDS IMPROVEMENT (Much)
	X		

- o provided invaluable guidance and direction to five separate companies' Key Control Custodians enabling program deficiency corrections to meet regulatory compliance
- o resourced and led an outstanding STT map reading/land navigation class resulting in three senior/subordinate NCOs refreshing their knowledge of these perishable skills
- o shared his knowledge continuously of all S2 operational and administrative areas; enhanced the performance of subordinates, peers and superiors

f. RESPONSIBILITY & ACCOUNTABILITY

- o Care and maintenance of equipment/facilities
- o Soldier and equipment safety
- o Conservation of supplies and funds
- o Encouraging Soldiers to learn and grow
- o Responsible for good, bad, right & wrong

EXCELLENCE (Exceeds std)	SUCCESS (Meets std)	NEEDS IMPROVEMENT (Some)	NEEDS IMPROVEMENT (Much)
X			

- o conducted 12 SAVs on five companies in preparation for the Post PS Inspections resulting in each company receiving a commendable rating in all areas
- o coordinated both Basic and Advanced Motorcycle Riders courses during R3 ensuring the safety and Army policy compliance of over 100 returning deployed BN personnel
- o maintained 100% accountability of classified and sensitive documentation and equipment with zero loss or compromise

PART V - OVERALL PERFORMANCE AND POTENTIAL

a. RATER. Overall potential for promotion and/or service in positions of greater responsibility.

AMONG THE BEST	FULLY CAPABLE	MARGINAL
	X	

b. RATER. List 3 positions in which the rated NCO could best serve the Army at his/her current or next higher grade.

Senior Intelligence Sergeant

AIT Instructor

Special Security Officer

e. SENIOR RATER BULLET COMMENTS

- o promote to Sergeant First Class if slots become available
- o send to Senior Leader's Course as slots become available
- o a very intelligent and strong-willed NCO who, unfortunately, sometimes let his will override his tact and military discipline
- o continue to offer this NCO challenging leadership positions; his potential is high if he can learn to see things from others' perspectives
- o timely counseling was not conducted IAW AR 623-3

c. SENIOR RATER. Overall performance.

1	2	3	4	5
	X			
	Successful		Fair	Poor

d. SENIOR RATER. Overall potential for promotion and/or service in positions of greater responsibility.

1	2	3	4	5
	X			
	Superior		Fair	Poor

IQDA#: 1132992

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SSG	20121101	35F3S

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC, GSB, 3D SFG (A), FT BRAGG, 28310, SP		WHQLT0	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20151031	20160826	10		0	MICHAEL.J.FORBES7.MIL@MAIL.MIL

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
VALAI, PETERO	[redacted]	VALAI.PETERO.[redacted]	20170323

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
1SG	92A5P	HHC, GSB, 3D SFG (A)	FIRST SERGEANT	petero.valai.mil@mail.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
LOVE, DEANNA, M	[redacted]	LOVE.DEANNA.MARIE.[redacted]	20170323

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
CPT	LG	HHD, GSB, 3D SFG (A)	COMPANY COMMANDER	deanna.m.love4.mil@mail.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20151102	20160211	20160525		FORBES.MICHAEL.JEFFREY.[redacted]	20170306

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	**35F3S**

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

Serves as an Intelligence NCO for a 545-man Special Forces Group Support Battalion; focused on North-West Africa; able to operate in support of a Joint Task Force organization, responsible for preparing and briefing the Battalion Command Team on Physical Security, Personnel Security, Information Security, Anti-Terrorism, Intelligence Oversight, Force Protection, Annual Security Training, and the USASOC Command Inspection Program; reports all adverse personnel action to United States Special Operations Command that reports to the Department of Defense Central Adjudicative Facility; maintains accountability and physical security of equipment in excess of $100 million.

d. AREAS OF SPECIAL EMPHASIS

ISOPREP Inspection; USASOC Command Inspection

e. APPOINTED DUTIES

Battalion Security Manager; Personnel Security Officer; Physical Security Officer; Information Security Officer; Anti-Terrorism Officer; Passport Control NCO; Intelligence Oversight NCO; ISOPREP Unit Manager.

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20151008 b. Height: 66 Weight: 169 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o possessed courage to candidly disagree with peers and supervisors while maintaining tact and professionalism

o fully supported SHARP and ensured the fair, respectful treatment of all assigned personnel

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20160826

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience)	FAR EXCEEDED STANDARD ☐	EXCEEDED STANDARD ☐	MET STANDARD ☒	DID NOT MEET STANDARD ☐	COMMENTS: **o served as a mentor for Soldiers and provided guidance resulting in higher performance within the section** **o demonstrated ability to meet established standards; achieved mission success, displayed confidence and focus under stress** **o exhibited the confidence and bearing necessary to report and brief mission critical information to senior officers and staff**
e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise)	FAR EXCEEDED STANDARD ☐	EXCEEDED STANDARD ☒	MET STANDARD ☐	DID NOT MEET STANDARD ☐	COMMENTS: **o successfully raised unit ISOPREP compliance level from 17% to 73% while assigned as Unit Manager** **o evaluated and approved over 18 derogatory reports and 30 security clearance requests** **o maintained the Battalion SCAR and training roster ensuring unit adherence to policies and regulations**
f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates)	FAR EXCEEDED STANDARD ☐	EXCEEDED STANDARD ☐	MET STANDARD ☒	DID NOT MEET STANDARD ☐	COMMENTS: **o managed security training and intelligence oversight for the Battalion which lead to enhanced security for 545 Soldiers** **o provided guidance on security procedures to nine command teams leading to dramatically improved security in the motor pool** **o created a harmonious work relationship in his section; resolved internal conflicts to ensure maximum efficiency**
g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession)	FAR EXCEEDED STANDARD ☐	EXCEEDED STANDARD ☒	MET STANDARD ☐	DID NOT MEET STANDARD ☐	COMMENTS: **o trained over 91 Soldiers on Army fraternization regulations ensuring adherence to unit and Army policies** **o trained new NCOIC on section operations resulting in minimal issues during change of responsibility** **o always eager to share knowledge and insight in order to develop his subordinates, peers, and seniors to their fullest potential**
h. **ACHIEVES:** (Gets results)	FAR EXCEEDED STANDARD ☐	EXCEEDED STANDARD ☒	MET STANDARD ☐	DID NOT MEET STANDARD ☐	COMMENTS: **o enforced strict security protocols ensuring classified information and material was transported IAW regulations for 9 companies** **o maintained accountability of all assigned equipment resulting in zero loss or damage of his $ 1.2 million hand receipt** **o enforced the unit safety program during ranges, motor pool operations, and training events leading to zero injuries**

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate **2** Army NCOs in this grade.

FAR EXCEEDED STANDARD	EXCEEDED STANDARD	MET STANDARD	DID NOT MEET STANDARD
☐	☐	☒	☐

j. COMMENTS: 1 0 1 0 Total Ratings: 2

o solid performance that was instrumental in the success of the unit's mission

o executed every assignment or tasking with minimal guidance and exceeded all expectations from the command

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate **4** NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

HIGHLY QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: LOVE, DEANNA, M
DATE: 2017-01-17
TOTAL RATINGS: 2
RATINGS THIS NCO: 1

b. COMMENTS:
Highly skilled, technically competent, dedicated professional who performs beyond expectations; outstanding asset to the unit; top 25% of intelligence NCOs I've worked with in my 8 years of service; promote to SFC with peers; send to Battle Staff Course; assign to challenging leadership positions.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment: 1) **AIT Instructor** 2) **BCT BN S2 NCOIC** Broadening Assignment: **TWI**

HQDA#: 1446764

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SSG	20121101	35F3OSP

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
D CO, 54TH BEB (A), VICENZA, 09630, E1		WAC8D0	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20160827	20170626	6	T, T, I, Z	0	michael.j.forbes7.mil@mail.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
PRITCHETT, CHRISTOPHER, B	[redacted]	PRITCHETT.CHRISTOPHER.BER	20170718

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
SFC	35F4OP8	D CO, 54TH BEB (A)	PLATOON SERGEANT	christopher.b.pritchett.mil@mail.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
BRAVO, SERGIO, A	[redacted]	BRAVO.SERGIO.ARLEIGH [redacted]	20170718

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
CW2P	MI	D CO, 54TH BEB (A)	PLATOON LEADER	sergio.a.bravo2.mil@mail.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☒ YES ☐ NO	ENYART, DANIEL, L	CPT	MI	D CO, 54TH BEB (A)	COMPANY COMMANDER

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☒ NO	ENYART.DANIEL.LEE.1233857021	20170719	daniel.l.enyart.mil@mail.mil

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20161128	20170420			FORBES.MICHAEL.JEFFREY [redacted]	20170719

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	**35F3P**

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

Serves as the Intelligence Sergeant (IS) in the Military Intelligence Company of the 173RD IBCT (A); supervises and performs fused, multi-disciplined analysis and dissemination of strategic and tactical intelligence; analyzes current intelligence holdings to identify intelligence gaps and collection requirements; supervises intelligence production within the Brigade S2; responsible for providing advanced skills and techniques relating to analysis, IPB, and the intelligence cycle; responsible for the supervision, training, development, and well-being of nine Soldiers; assists in maintaining of over $3 million of platoon equipment.

d. AREAS OF SPECIAL EMPHASIS

Brigade Intelligence Support Element (BISE); Bayonet Challenge; Russian-Eurasia (R-E) Political-Military (Pol-Mil) Live Environment Training (LET); Allied Spirit (AS) VI; Jumpmaster White Slip; Saber Junction (SJ-17)

e. APPOINTED DUTIES

Squad Leader (SL).

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20170524 b. Height: 66 Weight: 167 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o displayed genuine care and concern for Soldiers and their Families; eager to support personal and professional growth of subordinates

o enforced the strict adherence of the SHARP program within his squad

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20170626

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o scored a 269 on APFT; surpassed the brigade APFT goal of scoring 70% or more in each event** **o demonstrated excellent stamina, endurance, and mental toughness; never quit and never lets his Soldiers quit during PT** **o maintained a neat, well groomed appearance**
e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o served as Intel NCO during R-E Pol-Mil LET; his drive enabled a coherent/accurate COP for EUCOM mission managers** **o supervised the completion of one Bayonet Shield product with his Soldiers while providing BISE Support as the IS** **o displayed the mental agility expected of his rank and position as IS to prioritize and complete specified tasks**
f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o updated the Red COP and provided predictive analysis during AS VI as Night NCOIC of Current Operations** **o utilized best accountability practices, which led to promptness and good communication within his squad** **o demonstrated initiative by being the first Squad Leader in the platoon to attend the mandatory Jumpmaster White Slip**
g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o ensured all eight of his Soldiers equipment was in compliance with the Brigade Standard through deliberate PCCs and PCIs** **o demonstrated positive attitude toward training events; seized every opportunity to incorporate hip pocket training** **o incorporated feedback from subordinates; set the conditions that facilitated and supported Soldier development**
h. **ACHIEVES:** (Gets results) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☒ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: **o served as Assistant Night NCOIC ISO SJ-17; provided accurate intel to 6 US SOF teams, 4 Seals, 1 Bulgarian and 1 Albanian SOF** **o selected to be the first ever MICO analyst to attend the R-E Pol-Mil LET in Molesworth, London** **o assisted in the accountability of ICP Intelligence Warfighting equipment during Bayonet Challenge and Allied Spirit VI**

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate **2** Army NCOs in this grade.

FAR EXCEEDED STANDARD	EXCEEDED STANDARD	MET STANDARD	DID NOT MEET STANDARD
☐	☐	☒	☐
1	2	1	0

Total Ratings: 4

j. COMMENTS:
o #2 out of 2 SSGs assigned to the Platoon for performance

o solid performance as one of the most ranking all-source intelligence NCOs for the brigade intelligence warfighting function

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate **2** NCOs in this grade. HQDA SENIOR RATER PROFILE COMPARISON **QUALIFIED** RNCO: FORBES, MICHAEL, J SR: BRAVO, SERGIO, A DATE: 2017-07-14 TOTAL RATINGS: 3 RATINGS THIS NCO: 1	b. COMMENTS: **SSG Forbes is #2 out of 2 SSGs I currently senior rate. Promote with needs of the Army and send to SLC when slots are available. He possesses potential for increased responsibility. Groom with operational intelligence assignments at current grade for development as a leader and analyst.**

c. List two successive assignments and one broadening assignment (3-5 years).
Successive Assignment: 1) **COIST NCO** 2) **IC Planner** Broadening Assignment: **Recruiter**

HQDA#: 2101473

UNCLASSIFIED

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SSG	20121101	35F3P

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC 54th BEB(A), 173rd IBCT(A), CP EDERLE, 09630, E1		WAC8T0	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20170627	20180518	11		0	michael.j.forbes7.mil@mail.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
CUNNINGHAM, JONATHAN, D	[redacted]	CUNNINGHAM.JONATHAN.DAVI[redacted] Digitally signed by	20180625

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
CPT	MI	HHC, 54TH BEB (A)	Battalion Intelligence Officer	jonathan.d.cunningham5.mil@mail.mi

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
BILLMANN, PATRICK, Q	[redacted]	BILLMANN.PATRICK.Q[redacted] Digitally signed by	20180717

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
MAJ	EN	HHC, 54TH BEB (A)	Battalion Executive Officer	patrick.q.billmann.mil@mail.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20170801	20171116	20180208		FORBES.MICHAEL.JEFFREY[redacted] Digitally signed by	20180808

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
SENIOR INTELLIGENCE SERGEANT	**35F4P**

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

Serves as the senior intelligence sergeant for the S2 section of a 500-person Brigade Engineering Battalion (A); assists in the weekly preparation of the Battalion Commander's Weekly Intelligence Summary; assists in the Intelligence Preparation of the Battlefield (IPB) during MDMP; conducts security in-briefing and de-briefing for battalion personnel; conducts foreign travel briefings and debriefings as necessary; as Squad Leader responsible for the health, welfare, and training for one Non-Commissioned Officer and two junior enlisted soldiers.

d. AREAS OF SPECIAL EMPHASIS

Acinonyx La Marne 18 (ALM 18); Military Intelligence Company (MICO) Squad Leader.

e. APPOINTED DUTIES

Battalion Unit Prevention Leader (UPL); assistant Personnel Security NCO; Battalion Anti-Terrorism NCO; Company Anti-Terrorism Officer; Company Unit Movement Officer

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20171212 b. Height: 66 Weight: 167 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o highly developed sense of right and wrong; willing to stand for what he believes in

o fully supports the Army SHARP, EEO, and EO programs

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20180518

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

COMMENTS:
- o maintained a neat and well-groomed appearance, upholding 173rd standards of discipline
- o scored a 253 on the APFT with 70% or greater in each event, surpassing the BDE PT standard
- o projects a strong aura of confidence in all his daily duties

e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
- o served as BN Senior Intelligence NCO during ALM18, a joint US-French military exercise
- o supporting production of the weekly Graphic Intelligence Summary (GRINTSUM) for the Brigade Commander
- o supported production of the weekly unclassified Intelligence Summary (INTSUM) for the Battalion Commander

f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

COMMENTS:
- o served as the MICO Intelligence Collection Platoon rear detachment NCOIC for two months
- o very comfortable communicating outside the chain-of-command to accomplish objectives
- o coordinated directly with US Army Garrison Italy (USAG) ASAP to establish BN UPL program

g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

COMMENTS:
- o mentored three junior enlisted Soldiers, directly resulting in those Soldiers being selected for promotion to E5
- o prepared himself for advancement by attending the Military Deception Planner's Course and the Air Load Planner's Course
- o looked for opportunities to provide on-the-spot training and correction to junior Soldiers

h. **ACHIEVES:** (Gets results)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

COMMENTS:
- o hand-selected as Battalion UPL; was instrumental in revitalizing a program with lapsed leadership
- o audited and organized over 400 personnel security records resulting in a 35% increase in Soldier security readiness
- o prepared and executed Operational Security training for the E/54th BEB (A) Family Readiness Group

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate 1 Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

j. COMMENTS: 0 | 1 | 1 | 0 Total Ratings: 2

- o SSG Forbes is a capable NCO who tenaciously pursues his goals

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate 1 NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: BILLMANN, PATRICK, Q
DATE: 2018-10-22
TOTAL RATINGS: 3
RATINGS THIS NCO: 1

b. COMMENTS:
- SSG Forbes is among the top 30% of NCOs I have worked with in 14 years of service. SSG Forbes displays potential for future service in the Army in areas of greater responsibility. Select for promotion with peers and send to Senior Leadership Course at the next opportunity.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment: 1) **Collection Planner** 2) **OSINT Analyst** Broadening Assignment: **USAICoe Instructor**

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SSG	20121101	35F3P

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC, 54TH BEB (A), VICENZA, IT, APO AE, 09606, E1		WAC8T0	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20180519	20181111	3	Z, Q	0	michael.j.forbes7.mil@mail.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
ROMINE, KEVIN, A	[redacted]	ROMINE.KEVIN.ANDREW[redacted] Digitally signed by	20200107

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
MSG	12Z5P	HHC, 54TH BEB (A)	Intelligence Sergeant	kevin.a.romine.mil@mail.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
DENNIS, GEOFFREY, S	[redacted]	DENNIS.GEOFFREY.S[redacted] Digitally signed by	20191125

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
CPT	35D	HHC, 54TH BEB (A)	Intelligence Officer	geoffrey.s.dennis.mil@mail.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20180608	20180816			FORBES.MICHAEL.JEFFREY[redacted] Digitally signed by	20200108

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
SENIOR INTELLIGENCE SERGEANT	35F4P

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

Served as the Senior Intelligence Sergeant of an Airborne Brigade Engineer Battalion as part of the 173rd Infantry Brigade Combat Team (Airborne); ensures Tactical and Administrative reports and orders are managed and distributed throughout the Battalion; responsible for preparing and submitting intelligence reports and summaries in order to assist the battalion command team in the military decision making process (MDMP); responsible for supervising, training and managing two Soldiers and one NCO; Responsible for maintenance and accountability of Tactical Operations equipment valued in excess of $350,000.

d. AREAS OF SPECIAL EMPHASIS

BN UPL Program; Saber Junction 18 (SJ18) Training Exercise

e. APPOINTED DUTIES

Battalion Unit Prevention Leader (UPL)

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20180521 b. Height: 66 Weight: 167 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o fostered a climate of dignity and respect via supporting SHARP, EO, and EEO policies

o consistently recommended improvements to Standard Operating Procedures

UNCLASSIFIED

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20181111

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o scored 274 on last APFT** **o motivated the S2 shop into maintaining the shops' record keeping and tracking up to date** **o exuded confidence in the BNs S2 administration as he networked with all facets of the BN and other Army organizations**
e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o developed an Enemy Course of Action during SJ18, assisting brigade engineer operations during the offensive counter attack** **o designed and ordered magnetic, analog, Common Operating Picture tracking system that improved speed of transportation** **o customized Financial Planning Presentation for BN CSM to assist Soldiers Thrift Savings Plan Blended Retirement System**
f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o networked with multiple agencies to enable information sharing to comply with DOD CAF derogatory reporting standards** **o delivered accurate and timely analysis to seven companies for situational awareness and executive-level briefings** **o instituted monthly filing system for out-processed Soldier paperwork; ensured timely retention/destruction IAW regulation**
g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☐ MET STANDARD ☒ DID NOT MEET STANDARD ☐	COMMENTS: **o prepared and sponsored a Soldier to attain E-5 promotion; motivated Soldiers to work together to achieve best results** **o mentored two junior Soldiers in aspects of S2 Administration; provided feedback on their interpretation of regulations** **o challenged subordinates by assigning duties to broaden their knowledge base and increase their level of responsibility**
h. **ACHIEVES:** (Gets results) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☒ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: **o produced a 98% result, best in BDE, in mandated minimum of monthly testing as first ever BN-level UPL** **o managed BN courier order process; process over 100 courier orders without loss of data or equipment** **o ensured accountability of equipment and safety of Soldiers during unit training; resulting in zero loss or accidents**

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate 2 Army NCOs in this grade.

FAR EXCEEDED STANDARD	EXCEEDED STANDARD	MET STANDARD	DID NOT MEET STANDARD
☐	☐	☒	☐
0	0	1	0

Total Ratings: 1

j. COMMENTS:
o #2 of 2 Staff Sergeants that I rate
o performance is sometimes above average
o displayed traits that are essential to be a leader in the United States Army

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate 2 NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: DENNIS, GEOFFREY, S
DATE: 2020-01-08
TOTAL RATINGS: 3
RATINGS THIS NCO: 1

b. COMMENTS:
SSG Forbes is #2 of 2 of SSGs that I senior rate. SSG Forbes has the potential to serve at current capacity. Promote with peers. Send to SLC when slots are available.

c. List two successive assignments and one broadening assignment (3-5 years).
Successive Assignment: 1) **Collection Planner** 2) **OSINT Analyst** Broadening Assignment: **USAICoe**

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SSG	20121101	35F3P

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC, 54 BEB (A), 173 IBCT (A), Caserma Del Din, 09606, E1		WAC8T0	02 | Annual

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20181112	20191111	12		0	michael.j.forbes7.mil@mail.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
LOVETT, ROBERT, L	[redacted]	LOVETT.ROBERT.L[redacted] Digitally signed by	20200612

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
GS-12	DAC	Housing Div, DPW, USAG Italy	Acting Housing Chief	robert.l.lovett2.civ@mail.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
STYRCULA, ALEXANDER, E	[redacted]	STYRCULA.ALEXANDER.E[redacted] Digitally signed by	20200612

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
CPT	EN	HHC, 54th BEB (A), 173rd IBCT (A)	Company Commander	alexander.e.styrcula.mil@mail.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20181214	20190311	20190730	20191108	FORBES.MICHAEL.JEFFREY[redacted] Digitally signed by	20200617

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
MILITARY LIAISON NCOIC	35F3P

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

AFH assets are valued over $150M, $14M leasing, & $50M in OHA authorizations;BMM program consist of 3 Service Members (SM) who serves as a conduit to the various tenant commands by conducting routine and unscheduled site inspections of 742 AFH;BMM oversee the Area Coordinator program consisting of 113 SM;BMM ensure compliance with policies and safeguard AFH assets for all Key & Essential personnel to include accompanied personnel assigned to AFH;BMM ensured compliance with CFR, Part 112.4 Policy and host nation rental laws when resolving disputes between SM and their landlord;BMM must able to remain calm while interacting with and mediate between the various disputing parties;NCOIC supervises 2 NCOs;Works independently ensuring a professional rapport.

d. AREAS OF SPECIAL EMPHASIS

Serve as the Military Liaison for the Area Coordinating Program, Housing Inspection Program, Division Hand-Receipt Program, and resolve Solider issues and disputes.

e. APPOINTED DUTIES

Act as the Military Liaison NCOIC. Serve as the Housing Military Representative to the Garrison for the Area Coordinator Program and Housing Inspection Program, and to manage the Hand-Receipt Program.

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20190722 b. Height: 66 Weight: 164 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o enforced Army SOP and garrison policies to include local rent and civil laws

o worked aggressively to recover over $7K government furnished property

o fully supported Army SHARP, EEO, and EO Programs

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20191111

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o maintained neat appearance and enforced the local uniform policies

o scored 241 on APFT; independently maintained physical fitness

o exhibited the confidence and bearing while mediating financial disputes between Soldiers/Unit Leadership and landlords

e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o implemented formal procedures and prepared memos for $80K in remittance for overdue rent/utilities bills

o used six sigma to improve hand receipt accountablity and reduced overdue Government Furnished Property by 80%

o implemented SOP and flow charts to ensure continuity of BMM and NCOIC duties

f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o accomplished myriad taskings using good sound leadership and by reviewing and complying with CFR & DoD guidance

o delegated and tracked inventories and routine/specialized site inspections meeting HQAMC OPORDS and Tasks

o implemented programs that kept leadership abreast of development reduce loss/damage of government property

g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o established the importance of policies and procedures to the workforce on subjects not related to daily operational duties

o fostered camaraderie to improve workplace environment and positive command support

o mentored subordinates to ensure continuity of mission requirements to ensure daily operational tasks are not affected

h. **ACHIEVES:** (Gets results)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o managed and mediated multiple disputes of the 2,420 complaints received in FY19 with no incidents and no resurgence

o resolved government property inventory issues to include government furnished property for Key & Essential residents

o improved efficiency/coordination with the repair/replacement of ADP equipment and accountability requirements

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate **1** Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

j. COMMENTS: 0 | 3 | 0 | 0 Total Ratings: 3

o empowered the Soldiers to provide the best customer service and provided positive reinforcement and constructive criticism by demonstrating genuine concern for Soldiers wellbeing and professional development

o endeavored to promote team-building and build comradery to provide a positive work environment, while adhering and conforming to the policies and procedures to which applied to meet our mission goal

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate **2** NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: STYRCULA, ALEXANDER, E
DATE: 2020-04-15
TOTAL RATINGS: 4
RATINGS THIS NCO: 1

b. COMMENTS:
SSG Forbes has the potential to perform in key developmental positions, assign to positions of additional responsibility. SSG Forbes has already been selected for SLC and promotion.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment: 1) **Senior Intel Sergeant** 2) **Platoon Sergeant** Broadening Assignment: **OCIE**

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SFC	20200401	35F4P

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC BRIGADE ENG, DAL MOLIN, 09630, E1		WAC8T0	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20191112	20200910	10	S	0	michael.j.forbes7.mil@mail.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD
ASHWOOD, MICHAEL, D	[redacted]	ASHWOOD.MICHAEL.D. [redacted] Digitally signed by	20201201

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
GS-12	CIV	Housing Div., DPW, USAG Italy	Acting Housing Chief	michael.d.ashwood.civ@mail.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
WARING, BENJAMIN, P	[redacted]	WARING.BENJAMIN.PHILLIP [redacted] Digitally signed by	20210119

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
CPT	EN	HHC, 54th BEB (A), 173rd IBCT (A)	Company Commander	benjamin.p.waring.mil@mail.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20191112	20200305	20200511	20200810	FORBES.MICHAEL.JEFFREY [redacted] Digitally signed by	20210201

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
MILITARY LIAISON NCOIC	**35F4P**

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

AFH assets are valued over $150M, $14M leasing, & $50M in OHA authorizations; BMM program consist of 3 Service Members (SM) who serve as a conduit to the various tenant commands by conducting routine and unscheduled site inspections of 742 AFH; BMM oversee the Area Coordinator program consisting of 113 SM;BMM ensure compliance with policies and safeguard AFH assets for all Key & Essential personnel to include accompanied personnel assigned to AFH;BMM ensured compliance with CFR, Part 112.4 Policy and host nation rental laws when resolving disputes between SM and their landlord; BMM must able to remain calm while interacting with and mediate between the various disputing parties; NCOIC supervises 2 NCOs; Works independently ensuring a professional rapport.

d. AREAS OF SPECIAL EMPHASIS

Serve as the Military Liaison for the Area Coordinating Program, Housing Inspection Program, Division Hand-Receipt Program, and resolve Solider issues and disputes.

e. APPOINTED DUTIES

Act as the Military Liaison NCOIC. Serve as the Housing Military Representative to the Garrison for the Area Coordinator Program and Housing Inspection Program, and to manage the Hand-Receipt Program.

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20200115 b. Height: 66 Weight: 165 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o enforced Army SOP and garrison policies to include local rent and civil laws

o diligently maintained/audited property book of over $200K with no losses

o fully supported Army SHARP, EEO, and EO Programs

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20200910

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o maintained neat appearance and enforced the local uniform policies to include mask SOP requirements

o scored 251 on APFT; independently maintained physical fitness

o exhibited confidence and bearing while mediating disputes between Soldiers/Unit Leadership and landlords

e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o supervised and transferred procedures for remittance for overdue rent/utilities bills

o assisted Housing staff in planning and preparing for post COVID 19 shut-down reopening

o spearheaded improvements to SOP and flow charts to ensure resident compliance with Housing rules and Italian Law

f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o accomplished myriad taskings using good sound leadership and by ensuring compliance with CFR & DoD guidance

o ensured smooth transfer of inventories during transfer of authority of Acting Housing Chief property book

o implemented regular and impromptu briefings for leadership regarding every aspect of the Housing mission

g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o briefed/trained local national force on all requirements and timelines for over 12 modified COVID OPORDs

o fostered camaraderie to improve workplace environment and positive command support during COVID 19 shutdown

o monitored subordinates to ensure healthy preventive measures were adhered to ensuring overall mission was not affected

h. **ACHIEVES:** (Gets results)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o mediated multiple disputes of the 500 complaints received to date in FY20 with no incidents

o assisted in developing and formally communicated to PBO new turn-in procedures established by incoming Acting Housing Chief

o improved efficiency/coordination with the repair/replacement of ADP equipment and accountability requirements

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate 1 Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

j. COMMENTS: 0 | 1 | 0 | 0 Total Ratings: 1

o empowered the Soldiers to provide the best customer service and provided positive reinforcement and constructive criticism by demonstrating genuine concern for Soldiers wellbeing and professional development

o endeavored to promote team-building and build comradery to provide a positive work environment, while adhering and conforming to the policies and procedures to which applied to meet our mission goal

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate 1 NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

HIGHLY QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: WARING, BENJAMIN, P
DATE: 2020-10-14
TOTAL RATINGS: 2
RATINGS THIS NCO: 1

b. COMMENTS:
SFC Forbes is 1/1 Sergeant First Class that I currently Senior Rate. He posses the potential to advance in his respective MOS. Send to Master Leader Course and promote to Master Sergeant with peers.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment: 1) **CO OPS Sergeant** 2) **BN OPS Sergeant** Broadening Assignment: **TWI**

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SFC	20200401	35F4P

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC BRIGADE ENG, DAL MOLIN, 09630, E1		WAC8T0	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20191112	20200910	10	S	0	michael.j.forbes7.mil@mail.mil

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CPT	EN	HHC, 54th BEB (A), 173rd IBCT (A)	Company Commander	benjamin.p.waring.mil@mail.mil

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☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
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☒	☐

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FORBES, MICHAEL, J	[redacted]	20200910

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i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate 1 Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

j. COMMENTS: 0 | 1 | 0 | 0 Total Ratings: 1

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HQDA SENIOR RATER PROFILE COMPARISON

HIGHLY QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: WARING, BENJAMIN, P
DATE: 2020-10-14
TOTAL RATINGS: 2
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Successive Assignment: 1) **CO OPS Sergeant** 2) **BN OPS Sergeant** Broadening Assignment: **TWI**

Emmanuel Emekaekwue, MBA, LSSGB



Leaders are like the Sentinel Canaries in a Coal Mine

Emmanuel Emekaekwue, MBA, LSSGB
Organizational Leader
Published Dec 17, 2020

+ Follow

The Report of the Fort Hood Independent Review Committee painfully highlighted the urgent need for leaders to reacquaint themselves with their role as the sentinel canaries in their organizations. From the early 1900s to the late 1980s, sentinel canaries were used by coal miners for the early detection of carbon monoxide and other poisonous gases in coal mines. Their unmatched sensitivity to poisonous gases made them the perfect early warning device. The analogy is rich with profound implications for leaders. Army leaders can use three tools from the assessment process to execute their role as the sentinel canary in their organizations.

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stretch themselves thin to know what is going on in their formations. From Facebook to Twitter and all other available mediums, contemporary monitoring capabilities wildly eclipses that of a sentinel canary. While serving as a first sergeant, I established a weekly "Coffee with the First Sergeant" program at a local coffee shop, where I asked Soldiers to voluntarily join me. The program allowed me to monitor the health of the company and attend to emerging concerns. It is also important to empower every leader and Soldier in the organization to join in the canary duty. By empowering everyone to monitor and act appropriately, poisonous activities like racism, suicide, extremism, and sexual assault/harassment will not take hold in the organization.

Evaluate

Information collected through monitoring is evaluated to judge the health of the organization and gauge the progress toward the desired climate and culture of the organization. Here, the mature sensitivity of senior leaders makes a difference. Because senior leaders have a wealth of professional and life experience, their sensitivity to poisonous activities is generally high, and are well-informed to judge information that could potentially harm the organization. Still, information reported by junior Soldiers is equally valuable. When evaluating information, consider whether the information or indicator is relevant, observable, and then develop the appropriate response. For example, information regarding an increasing number of DUI in the organization is relevant, observable, and requires a deliberate response. It is also a good practice to schedule monthly or quarterly discussion forums to evaluate progress towards the desired organizational climate.

Recommend or Direct Action

Leadership is action-oriented. No one assumes the mantel of leadership to practice apathy. The sentinel canaries demonstrate visible actions when exposed to poisonous gases which alerts coal miners to take early action. Likewise, leaders act appropriately in the light of early warning information or indicators in the organization by recommending or directing appropriate action. For example, in the case of an increasing number of DUI in the organization, engaged leaders could consider

Conclusion

It is the role of every leader to serve like a sentinel canary in the organization, continuously assessing the climate by monitoring and evaluating indicators while recommending or directing appropriate action.

Donald (Don) White 2y
Teacher | Northeast Middle School | CMCSS

I like the comparison. You are a true leader of people and you genuinely care. That's really all it takes in my opinion. Be genuine and authentic. Be vulnerable and allow your teammates the time to know you as well. Let them know you're human and have flaws and you're all in it together! Another great write up from a compassionate leader! Thanks for all you do.

Like · Reply | 1 Reaction

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DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN RD
FORT BRAGG, NORTH CAROLINA 28310-5000

AOSC-CO

2 March 2021

MEMORANDUM FOR RECORD

SUBJECT: 528th Sustainment Brigade (SO)(A) CCTV Station Restart Procedures

1. Log onto the camera system on the staff duty desk, by using the "**Staff Duty**" account and password is "**P@ssword1**."

2. The two programs you need opened will be in the middle of the desktop, once you're logged in. If they are not there, search for them using "**ExacqVision**" and "**Monitoring Station**."

3. **ExacqVision** is the actual camera system which lets you see the real time feed from the cameras. **Monitoring Station** lets you see who badges in and at which door they badged into. You will need to set up both programs.

a. Setting up the **ExacqVision**

i. Open **ExacqVision**,
ii. Log in using username "**Admin**" and password "**admin256**."
iii. Find the bar with different orientations for camera views, at the top. They will look like blue boxes; the bigger boxes represent more cameras being shown.
iv. Hover over the second to last box, it will say 6x5 format, which displays all cameras and the least amount of empty boxes.
v. Leave program open and running

b. Setting up **Monitoring Station**

i. Only adjust the size of the box to fit within the screen of **ExacqVision**.
ii. Move the mouse along the edge and a black line with two arrows going in opposite directions should appear. Adjust the edges of the program until it shows just the person who badged into the building.
iii. Leave program open and running.

4. If either of these fail, contact the S2 OIC at (910) 908-8788, or after hours, at BB (910) 651-4972 or S2 BDE staff (from duty roster). The point of contact for this memorandum is SFC Forbes, Michael J., at 910-908-8789, or email, at michael.j.forbes.mil@socom.mil.

MICHAEL J. FORBES
SFC, USA
S2 NCOIC



Page Content Corrupted
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変換できません

Subject: FW: 1st SFC(A) FY22 ATPS Budget Data Call Tasker
Importance: High

SSG Kristich,

If you would like to sit on this meeting or give me notes so I could brief it would be greatly appreciated.

V/R

Will T. Francis
SFC , U.S. Army
Brigade Land & Ammunition NCOIC
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
NIPR: will.t.francis.mil@socom.mil
SIPR: will.t.francis.mil@socom.smil.mil
DSN: (910) 432-2538
Cell: (305) 479-0463

From: Spaugh, Phillip L CIV USSOCOM USASOC (USA) <phillip.l.spaugh.civ@socom.mil>
Sent: Monday, April 12, 2021 9:46 AM
To: Couture, Jason A MAJ USARMY USSOCOM USASOC (USA) <jason.a.couture.mil@socom.mil>; Dehn, Eunji SFC USARMY USSOCOM USASOC (USA) <eunji.dehn.mil@socom.mil>; Van Gundy, Justin E SFC USARMY USSOCOM USASOC (USA) <justin.e.vangundy.mil@socom.mil>; Naletelich, Sarah E MAJ USASOC USSOCOM 1SFG <sarah.casper@socom.mil>; Hickman, Michael T CPT USARMY USSOCOM USASOC (USA) <michael.hickman1@socom.mil>; Jackson, Gerrell G. SFC USARMY USASOC USSOCOM (USA) <gerrell.jackson@socom.mil>; Garfias, Jamie E SFC USARMY USSOCOM USASOC (USA) <Jamie.E.Garfias@socom.mil>; Reinecke, Kent A CTR USSOCOM USASOC (USA) <kent.a.reinecke.civ@socom.mil>; Lampen, David A CPT USARMY USSOCOM USASOC (USA) <david.lampen@socom.mil>; Redmond, Jade A SFC USARMY USSOCOM USASOC (USA) <jade.a.redmond.mil@socom.mil>; Declouette, Charles R MSG USARMY USSOCOM USASOC (USA) <charles.r.declouette.mil@socom.mil>; Snider, Katherine W CPT USARMY USSOCOM SOCOM (USA) <katherine.snider@socom.mil>; Yeu, Catherine M MAJ USARMY USSOCOM USASOC (USA) <catherine.m.yeu.mil@socom.mil>; Martz, Bruce A MSG USARMY USSOCOM USASOC (USA) <Bruce.Martz@socom.mil>; Valente, Erica T MAJ USARMY USSOCOM USASOC (USA) <erica.t.valente.mil@socom.mil>; Leisentritt, Curtis J CIV USSOCOM USASOC (USA) <curtis.j.leisentritt.civ@socom.mil>; Hinze, Daniel M MSG USARMY USSOCOM USASOC (USA) <Daniel.Hinze@socom.mil>; Ailerson, Tayler K SSG USARMY USSOCOM USASOC (USA) <tayler.ailerson@socom.mil>; Lathan, Sheldon A PFC USARMY USSOCOM SOCOM (USA) <Sheldon.Lathan@socom.mil>; Pickering, Anthony R SSG USARMY USSOCOM USASOC (USA) <anthony.r.pickering.mil@socom.mil>; Davis, Richard S CIV USSOCOM USASOC (USA) <richard.s.davis.civ@socom.mil>; Larson, Oliver C SGT USARMY USSOCOM USASOC (USA) <oliver.c.larson.mil@socom.mil>; Haynes, Kyle W CPT USARMY USSOCOM USASOC (USA) <kyle.haynes@socom.mil>; Herrera, John A MSG USARMY USSOCOM USASOC (USA) <john.herrera@socom.mil>; Hunt, Dimitrios CPT USARMY USSOCOM USASOC (USA) <dimitrios.hunt@socom.mil>; Dale, Joel A SSG USARMY USSOCOM USASOC (USA) <joel.dale@socom.mil>; Frantzen, Timothy M CW3 USARMY USSOCOM USASOC (USA) <timothy.m.frantzen@socom.mil>; Donovan, James G CIV USARMY USSOCOM USASOC (USA) <james.donovan1@socom.mil>; Danna, Rocco S MSG USARMY USSOCOM USASOC (USA) <rocco.s.danna.mil@socom.mil>; Phillips, Keenan M SSG USARMY USSOCOM USASOC (USA) <keenan.phillips@socom.mil>; Jones, Isaac A SGT USARMY USSOCOM USASOC (USA) <isaac.jones@socom.mil>;

Sivas, David E SFC USARMY USSOCOM USASOC (USA) <david.e.sivas.mil@socom.mil>; Taylor, Bryan A SSG USSOCOM USASOC 19SFG <bryan.a.taylor.mil@socom.mil>; Frandsen, Kelly R CTR NG UTARNG (USA) <kelly.r.frandsen.ctr@mail.mil>; Chapman, Brent D CW3 USARMY USSOCOM USASOC (USA) <brent.d.chapman.mil@socom.mil>; Allen, William L CW5 USARMY USSOCOM USASOC (USA) <william.l.allen.mil@socom.mil>; Nichols, Erin M SFC USARMY USSOCOM USASOC (USA) <erin.m.nichols.mil@socom.mil>; Williams, James B CTR NG ALARNG (USA) <james.b.williams98.ctr@mail.mil>; Nelson, Brian A MAJ USARMY NG ALARNG (USA) <brian.a.nelson5.mil@mail.mil>; Ray, Chad A MSG USARMY NG ALARNG (USA) <chad.a.ray2.mil@mail.mil>; Summerhill, Randall A MAJ USARMY USSOCOM USASOC (USA) <randall.a.summerhill.mil@socom.mil>; Goldstein, Katrian L CPT USARMY USSOCOM USASOC (USA) <katrian.l.goldstein.mil@socom.mil>; Meehan, Joshua D 1LT USARMY USSOCOM USASOC (USA) <joshua.d.meehan.mil@socom.mil>; Starks, Charles A SFC USARMY USSOCOM USASOC (USA) <charles.starks@socom.mil>; Flett, Jeffery W CIV USSOCOM USASOC (USA) <jeffery.flett@socom.mil>; Francis, Will T SSG USARMY USSOCOM USASOC (USA) <will.t.francis.mil@socom.mil>; Simkins, Erik N CPT USARMY USSOCOM USASOC (USA) <erik.n.simkins.mil@socom.mil>; Meredith, Joseph R SSG USARMY USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Cc: Lockhart, Thomas A CIV USSOCOM USASOC (USA) <thomas.a.lockhart.civ@socom.mil>; 1SFC G33 <1SFCG33@socom.mil>
Subject: FW: 1st SFC(A) FY22 ATPS Budget Data Call Tasker
Importance: High

All,

Good morning. Tom sent this out back in February and as a tasker. I am sending this out to everyone again as a reminder that the FY22 ATPS Budget date is due to us on 3 MAY 21. We will be conducting the Budget data call with all of the CSUs on 5 MAY 21 at 1400, so please ensure that you have a rep from your unit on the call. At the budget call, we will review/validate the projects and provide recommend changes/revisions to strengthen the likelihood of validation/funding through USASOC. As you are all aware, we will likely receive reduced funding next FY. As such, we need to ensure that these projects are on point and that we are prepared to execute them as soon as we receive the funding. With funding for next FY likely being pushed out through GFEBS, it will be pushed out on a quarterly basis generally within the first two weeks of the quarter. If we have to push funding outside of this window, it will have to be an emergency request that will require a strong justification when we are requesting it. Be prepared to receive no funding for the first quarter, as this has been a historical pattern. Please keep these factors in mind when you are planning for the execution of your projects. When you are sending your documents in to meet the suspense, please ensure that you send them to both Tom and myself. If anyone has any questions or issues, please reach out to us. Thanks

Respectfully,

Phillip Spaugh
Antiterrorism Program Manager
1st Special Forces Command (A) G-33
Bldg H-2313 Psyops Lane
Fort Bragg NC 28310
Phone: (910) 432-9586
SVOIP [redacted]
Cell: [redacted]

To report Suspicious Activity on Ft Bragg dial 90-REACT (907-3228) or 1-800-CALL SPY (225-5779)

From: Lockhart, Thomas A CIV USSOCOM USASOC (USA) <thomas.a.lockhart.civ@socom.mil>
Sent: Thursday, February 18, 2021 4:17 PM
To: Medina, Steven G MSG USARMY USSOCOM USASOC (USA) <steven.medina@socom.mil>; Jackson, Gerrell G. SFC USARMY USASOC USSOCOM (USA) <gerrell.jackson@socom.mil>; Budeshefsky, Christian J SFC USARMY USSOCOM SOCOM (USA) <christian.budeshefsky@socom.mil>; Reinecke, Kent A CTR USSOCOM USASOC (USA) <kent.a.reinecke.civ@socom.mil>; Lampen, David A CPT USARMY USSOCOM USASOC (USA) <david.lampen@socom.mil>; Declouette, Charles R MSG USARMY USSOCOM USASOC (USA) <charles.r.declouette.mil@socom.mil>; Wray, Samuel T. MSG USARMY USSOCOM USASOC (USA) <samuel.wray@socom.mil>; Orellana, Christian G MAJ USARMY USSOCOM USASOC (USA) <christian.g.orellana@socom.mil>; Leisentritt, Curtis J CIV USSOCOM USASOC (USA) <curtis.j.leisentritt.civ@socom.mil>; Davis, Richard S CIV USSOCOM USASOC (USA) <richard.s.davis.civ@socom.mil>; Pickering, Anthony R SSG USARMY USSOCOM USASOC (USA) <anthony.r.pickering.mil@socom.mil>; Haynes, Kyle W CPT USARMY USSOCOM USASOC (USA) <kyle.haynes@socom.mil>; Herrera, John A MSG USARMY USSOCOM USASOC (USA) <john.herrera@socom.mil>; Hunt, Dimitrios CPT USARMY USSOCOM USASOC (USA) <dimitrios.hunt@socom.mil>; Lee, Kristopher A SSG USARMY USSOCOM USASOC (USA) <kristopher.a.lee@socom.mil>; Donovan, James G CIV USARMY USSOCOM USASOC (USA) <james.donovan1@socom.mil>; Phillips, Keenan M SSG USARMY USSOCOM USASOC (USA) <keenan.phillips@socom.mil>; Frandsen, Kelly R CTR NG UTARNG (USA) <kelly.r.frandsen.ctr@mail.mil>; Frandsen, Kelly R CTR USSOCOM USASOC 19SFG <Kelly.Frandsen.ctr@socom.mil>; Williams, James B CTR NG ALARNG (USA) <james.b.williams98.ctr@mail.mil>; Allen, William L CW5 USARMY USSOCOM USASOC (USA) <william.l.allen.mil@socom.mil>; Nelson, Bryan N MSG USARMY USSOCOM USASOC (USA) <bryan.n.nelson.mil@socom.mil>; Venetz, Christopher J CPT USARMY USSOCOM USASOC (USA) <christopher.j.venetz.mil@socom.mil>; Flett, Jeffery W CIV USSOCOM USASOC (USA) <jeffery.flett@socom.mil>; Francis, Will T SSG USARMY USSOCOM USASOC (USA) <will.t.francis.mil@socom.mil>; 'Manglona, Craig M SFC USARMY USSOCOM USASOC (USA)' <craig.manglona@socom.mil>
Cc: Stelly Christopher A CW3 USSOCOM USASOC 1SFC HQs <christopher.a.stelly@socom.mil>; Lyng, Kevin S. CIV USARMY USSOCOM SOCOM (USA) <kevin.lyng@socom.mil>; Spaugh, Phillip L CIV USSOCOM USASOC (USA) <phillip.l.spaugh.civ@socom.mil>; Hadley, Kenneth W CIV USSOCOM USASOC (USA) <kenneth.w.hadley@socom.mil>
Subject: FW: 1st SFC(A) FY22 ATPS Budget Data Call tasker WARNO
Importance: High

All, good afternoon. I am sending this in advance of its posting to TMT for your read ahead. The tasker likely will go out tomorrow. I know many of you have already been working on your projects for FY22. If you have any questions, please contact me for clarification and/or discussion.

Note: this tasker will also involve a protection working group after submission of projects. Our focus will be to go through each of your submitted projects as a group and review/validate on the spot, or recommend changes/revisions to better assist your organizations. This will enhance our ability to get our projects validated and funded through USASOC.

Thank you.

v/r

Tom Lockhart
Force Protection Program Manager
1st Special Forces Command (A) G-33
Bldg H-2313 Psyops Lane
Fort Bragg NC 28310
Phone: (910) 432-9597

DSN: 239-9597
Cell: [redacted]

To report Suspicious Activity on Ft Bragg dial 90-REACT (907-3228) or 1-800-CALL SPY (225-5779)

From: Lockhart, Thomas A CIV USSOCOM USASOC (USA)
Sent: Thursday, February 18, 2021 4:04 PM
To: Mott, Ralph B. CIV USSOCOM USASOC (USA) <ralph.mott@socom.mil>
Cc: Stelly Christopher A CW3 USSOCOM USASOC 1SFC HQs <christopher.a.stelly@socom.mil>; Lyng, Kevin S. CIV USARMY USSOCOM SOCOM (USA) (kevin.lyng@socom.mil) <kevin.lyng@socom.mil>; Spaugh, Phillip L CIV USSOCOM USASOC (USA) <phillip.l.spaugh.civ@socom.mil>
Subject: 1st SFC(A) FY22 ATPS Budget Data Call tasker

Ralph, good afternoon. I have attached the files to be included in the 1st SFC(A) FY22 ATPS Budget Data Call. Please let me know if you need anything else to get this going.

Thank you.

v/r

Tom Lockhart
Force Protection Program Manager
1st Special Forces Command (A) G-33
Bldg H-2313 Psyops Lane
Fort Bragg NC 28310
Phone: (910) 432-9597
DSN: 239-9597
Cell: [redacted]

To report Suspicious Activity on Ft Bragg dial 90-REACT (907-3228) or 1-800-CALL SPY (225-5779)

- smime.p7s 6.5kB
- USASOC Form 1132 FY22 1st SFC(A) ATPS Budget Data Call.pdf 516.5kB
- Enclosure 1 - FY22 USASOC G34 Budget Data Call Booklet (Final Draft).docx 483.4kB
- Enclosure 2 - FY22 Funding Request Cover Sheet.pptx 24.2kB
- Enclosure 3 - QPSM Resource Requirements Handbook May 2020.pdf 9.4MB
- Enclosure 4 - VTER AT Resource Requirements Handbook.pdf 2.6MB
- FY22 1st SFC(A) G33 ATPS Budget Data Call MOI (Final Draft).pdf 235kB



FY22 1st SFC(A) G33 ATPS Budget Data Call MOI (Final Draft).pdf
235kB



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変換できません

SPC Palomino, Kevin
STB S-1 HR CLERK
528TH STB (SO) (A)
OFFICE: 910-908-6063
CELL: [redacted]

From: Meredith, Joseph R SSG USARMY USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Sent: Wednesday, April 14, 2021 9:05 AM
To: Lowe, Zachary Q SSG USARMY USSOCOM SOCOM (USA) <zachary.q.lowe.mil@socom.mil>
Subject: 162

SSG Lowe,

Can you have one of your dudes send me the Brigade/STB 162 so we can scrub our stuff up here

---

Can you also send me the UMR/MTOE for MSG Vorapanich and SSG Gamboa …. I am also working your fingerprint stuff

V/R

Joseph R Meredith
SSG, USA
528th Sustainment Brigade (SO) (A) S2
UNCLASS: 910-908-8786
Cell: [redacted]

smime.p7s
6.5kB

UMR APR FY21.pdf
347.7kB

Priority	HE	Hours Estimated
Critical	HPI	Hours Put-In
High	HTC	Hours To Comple
Medium		
Low		

Name of Project: USASOC PSM Training
Project Manger: (Rank, LN)

Project Start Date:

Task Code	Priority	Task	Date Assigned	by Whom	Start Date	Priority	Due Date	Responsibility	Suppt'd Team	OEH	HPI	NO INPUT HERE HTC	% Complete
Prep001	1	Create STEPP Account		CDSE		CRITICAL		Student	S2	1	0	1	0.00%
Task001	2	Request Intro to National Security Adjudication (PS001.18)		CDSE		CRITICAL		Forbes	S2	2	0	2	0.00%
DISS001	3	Prepare PSSAR DCSA, DD form 2962 vol 2 Jan2020 (See Instructions and Example)		DISS		CRITICAL		Forbes	S2	1	0	1	0.00%
PERSEC004	3	Identifying and Safeguarding Personally Identifiable Information (DS-IF101.06)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
PERSEC005	3	Cybersecurity Awareness (CS130.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
ALMS001	3	Information Security Program		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
DISS002	4	Request DISS Account on "G22 Account request" (ALL priority 3 must be complete)		DISS		CRITICAL		Forbes	S2	1	0	1	0.00%
USASOC001	5	Request / Get Access to USASOC, G22, "Account Status"		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
USASOC002	5	Request / Get Access to USASOC, G22, "G22 RFI, SOR, CE Alert, DEROG ACTIONS"		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
PERSEC001	6	Intro to Personnel Security (PS113.16)		USASOC		CRITICAL		Forbes	S2	3	0	3	0.00%
PERSEC002	6	Intro to National Security Adjudication (PS001.18)		USASOC		CRITICAL		Forbes	S2	5	0	5	0.00%
PERSEC003	6	JPAS/JCAVS Virtual Training for Security Professionals (PS183.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
INFOSEC001	6	Intro to Information Security (IF011.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
INFOSEC002	6	Original Classification (IF102.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
INFOSEC003	6	Derivative Classification (IF103.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
INFOSEC004	6	Marking Special Categories of Classified Information (IF105.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
INFOSEC005	6	Transmission and Transportation for DOD (IF107.16)		USASOC		CRITICAL		Forbes	S2	4	0	4	0.00%
INDUSEC001	6	Intro to Industrial Security (IS011.16)		USASOC		CRITICAL		Forbes	S2	3	0	3	0.00%
INDUSEC002	6	Facility Security Officer (FSO) Role in the NISP (IS023.16)		USASOC		CRITICAL		Forbes	S2	3	0	3	0.00%
PHYSEC001	6	Intro to Physical Security (PY011.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
PHYSEC002	6	Storage Containers and Facilities (PY105.16)		USASOC		CRITICAL		Forbes	S2	2	0	2	0.00%
FDO001	6	Foreign Disclosure Training for DoD (GS160.16)		USASOC		CRITICAL		Forbes	S2	3	0	3	0.00%
USASOC003	7	USASOC Security Managers Course		USASOC		CRITICAL		G22 Staff	S2	3	0	3	0.00%
USASOC004	8	Deskside Training		USASOC		CRITICAL		G22 Staff	S2	3	0	3	0.00%
PSIP001	9	Register for PSIP Account		PSIP		CRITICAL		Forbes	S2	2	0	2	0.00%
MP2001	10	(Optional) G22 approves NP2 Account		MP2		HIGH		Forbes	S2	2	0	2	0.00%

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Additional Action Required	
	https://cdse.usalearning.gov/login/index.php
needs approval time	https://cdse.usalearning.gov/login/index.php
	https://armypubs.army.mil
	https://cdse.usalearning.gov/login/index.php
	https://cdse.usalearning.gov/login/index.php
	https://www.lms.army.mil
need PSSAR DD 2962 (see instructions), PII, Cyber and Security certs	https://usasoc.sof.socom.mil/sites/usasoc-hq-g2/security/perssec/Lists/jpasdissrequest/Item/newifs.aspx?Source=https://usasoc.sof.socom.mil/sites/usasoc-hq-g2/security/perssec/d
takes a while	https://usasoc.sof.socom.mil/sites/usasoc-hq-g2/security/perssec/default.aspx
takes a while	https://usasoc.sof.socom.mil/sites/usasoc-hq-g2/security/perssec/default.aspx
	https://cdse.usalearning.gov/login/index.php
Needs justification and gov email (Task001)	https://cdse.usalearning.gov/login/index.php
site is down att; site is obsolete	https://cdse.usalearning.gov/login/index.php
	https://cdse.usalearning.gov/login/index.php
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	https://cdse.usalearning.gov/login/index.php
Get on Training Schedule with USASOC G22 Personnel	
Schedule with G22 Staff	
	https://www.psip.army.mil
Request if needed	

CRITICAL
HIGH
MODERATE
LOW
ONGOING



lefault.aspx

rbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, May 27, 2021 3:42 PM
To: Hamman, Christopher P LTC USARMY USSOCOM USASOC (USA)
Subject: state of the S2 read ahead
Attachments: 20210527 State of the S2 Brief 528th BDE.pptx

Sir:

We are ready to meet with you at your request.

Here is a read ahead for you.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

000207

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S-2 Running Estimate

Assumptions/Facts

- (A) No OIC inbound for next 90+ days (likely180+)
- (A) Excess Manning movements after USASOC slate to level MTOE (est 4QFY21; SSG MEREDITH LEAVES ~OCT)
- (A) Increased S2 responsibilities after DCR takes effect (est FY22)
- (A) Possible shut-down during MRX due to staffing isssues
- (F) BN MTOE billets have not been 100% filled at BNs/BDE
- (F) 10 level Sm on gains roster of 112th S2 replacement
- (F) NCOIC assumes OIC S2 duties, meeting attendance, briefs, Annual History requirement

Weekly Events

- 1SFC O&I (Tues 0900-1000)
- 112th O&I (Tues 0930-1100)
- BDE Staff Sync/C&S (Tues 1500-1600)
- ALE Log Sync (Weds 1000-1100)
- SPO Update Brief (Thurs 1400-1500)
- 112th C&S (schedule varies) statistics
- In/out processing (M-F)
- BDE training meetings
- MRX IPRs thru Forager 21 (JUL21)
- BN Training Meetings (Mon 0730-0830, Fri 0930-1030)

Specified & Implied Tasks

- (S) Maintain Security Posture and Standard for BDE Footprint
- (S) Manage Security and Clearance Programs for BDE Footprint/Personnel
- (S) Provide Intelligence Support to Sustainment Operations (SPO)
- (S) Oversee/Manage S2 Responsibilities across Brigade (memos, clearances visits, derogs, courier orders, passports, SCIF)
- (S) BPT support JLTF
- (S) Provide S2 Support to STB, 112th, and 389th
- (I) Coordinate any 1SFC & USASOC G2 requests and taskings
- (I) Coordinate any work orders and security concerns with badging and PHYSEC issues (cameras, doors, accesses)
- (I) Increased AT/FP funding requests involvement due to manning turnover

Constraints & Risk to Mission

- (C) Manning
- (C) 112TH & STB S2 aligned under S3 not S2
- (C) Possible training of permanent S2 replacement
- (RM) inability to actively train due to mission requirements
- (RM) New S2 SMs at 112th and STB requires BDE support
- (RM) PSG duties degrading already overextended situation for mission critical S2 LOEs (see next slide)

We Support to the Utmost - Sentinels!

528th Sustainment Brigade (Special Operations)(Airborne)

000208

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000209

UNCLASSIFIED

S-2 Running Estimate

BDE S2 LOE LIST

LOE #1 INTEL SUPPORT TO BDE
- SPO BRIEF, ALE LOGSYNC (4-5 Hrs. SSG MEREDITH)
- 112TH WEEKLY O&I (3-4 Hrs. SPC FARMER)
- MRX REQUIREMENTS (BDE S2 ADMIN SHUTDOWN)

LOE #2 MAINTAIN SECURITY POSTURE (BDE)

LOE #3 SUPPORT TO BNs S2 ADMIN's LOE LIST
- 389TH S2 NCO OUT UNTIL 21JUN
- 112TH S2/S3 REPLACEMENT TBD & TRAINING S2 PSM
- STB S2/S3 TRAINING S2 PSM

LOE #4 STB / BDE TASKINGS
- STAFF DUTY, DETAILS, PSG, MOTORCYCLE MENTOR

S2 ADMIN LOE LIST

LOE #1 PHYSEC – AR 190-13
- SAV, ICI, IG, OCI Inspections, maintenance, new projects, non-standard Physical Security

LOE #2 PERSEC – AR 380-67
- Managing Personnel w/ Sec. Clearances, Foreign Travel, DEROGS, Upgrades, Renewals, In-Out Processing, SCAR

LOE #3 INFOSEC – AR 380-5
- Derivative Classification, Information Security, Courier Orders

LOE #4 TECHSEC – AR 380-5, AR 380-40, AR 380-53
- Courier Orders, Destruction coordination

LOE #5 INDUSEC – AR 380-49
- Education, enforcement and oversight is needed

LOE #6 TARP

STAFF PRIOR TO TURNOVER

- **BDE/STB**
  - BDE S2 OIC : CPT SIMKINS
  - BDE NCOIC : SSG KRISTICH & SSG MEREDITH
  - STB S2/S3 : SSG FIKE AT BDE 90% OF TIME
  - ANALYST : VACANT
  - SSO: Mr. PITTMAN
- **STB**
  - STB OIC S2/S3 : MAJ MAURER
- **112TH**
  - BN NCOIC (S2/S3) : SSG RIVERA
  - ANALYST (S2/S3) : VACANT
- **389TH**
  - BN NCOIC (S2): 1SG CHEEVER
  - ANALYST (S2) : SGT BROOKS
  - ANALYST (S2) : VACANT

CURRENT STAFF

- **BDE/STB**
  - BDE S2 OIC : VACANT
  - BDE NCOIC : SFC FORBES & SSG MEREDITH
  - ANALYST : VACANT SEE BELOW
- **STB**
  - STB OIC S2/S3 : MAJ MAURER
  - STB S2/S3 : SGT RHODES AT BN 100% OF TIME
- **112TH**
  - BN NCOIC (S2/S3): VACANT, BDE SPC FARMER SUPPORTS
  - ANALYST (S2/S3) : VACANT
- **389TH**
  - BN NCOIC (S2): 1SG CHEEVER
  - ANALYST (S2) : SGT BROOKS
  - ANALYST (S2) : VACANT
  - SSO: Mr. PITTMAN

We Support to the Utmost - Sentinels!

528th Sustainment Brigade (Special Operations)(Airborne)

PRIOR TO CHANGEOVER 01MAY

- **CPT SIMKINS**
  STAFF UPDATE, COMMAND & STAFF, SPECSIT DEROGS, MEETING ATTENDANCE, ANNUAL UNIT HISTORY SUBMIT
- **SSG KRISTICH, SSG MEREDITH**
  WORK ORDERS, CLEARANCE UPGRADES, THREAT BRIEFS, SPO UPDATE/SPO LOGSYNC, ANNUAL TRAINING COORDINATION, S2 INSPECTIONS (PHYSEC, INFOSEC, INTEL OVERSIGHT, PERSEC, ARMS ROOM, ICI, OCI), AT/FP FUNDING, TARP SCHEDULING, DEROGS, TS COURIER ORDER COORDINATION, INDUSTRIAL SECURITY SUPERVISION, NATO READ-ONS, SUPPORTED SGT FIKE AS NECESSARY, SUPPORTED BN TASKINGS
- **SGT FIKE**
  CLEARANCE MAINTENANCE, IN-OUTPROCESSING, SECRET COURIER ORDERS,,FOREIGN TRAVEL SUPPORTED BN TASKINGS
- **Mr. PITTMAN**
  SSO TRAINING AND SUPPORT TO IN-OUTPROCESSING

POST CHANGEOVER

- **SFC FORBES**
  SUPPORT OF STB S2 ADMIN COVERING THE AFOREMENTIONED THAT IS MISSION CRITICAL. INDUSTRIAL SECURITY AND, ANNUAL TRAINING AUDITS. STANDARDIZING S2 ADMIN TRACKING FOR IMPENDING INSECTIONS AND REPORTING, WORK ORDERS, CLEARANCE UPGRADES, THREAT BRIEFS, AT/FP FUNDING, TARP SCHEDULING, DEROGS, TS COURIER ORDER COORDINATION, INDUSTRIAL SECURITY SUPERVISION, MOTORCYCLE MENTOR, **PLATOON SERGEANT (DAILY PERSTAT, LEAVE FORMS, OER/NCOER TRACKING, TASKINGS, 2X MEETINGS A WEEK, DETAIL MANNING),** SUPPORT BN TASKINGS **6 MONTHS OF TRAINING FOR NEW S2 PSMs (SPC FARMER AND SGT RHODES, PLUS UNK PSM INBOUND FOR 112TH)**
- **SSG MEREDITH (PCSing IN OCT)**
  SUPPORTING SPC FARMER (STB, 112TH BN) SPO UPDATE/SPO LOGSYNC, S2 INSPECTIONS (PHYSEC, INFOSEC, INTEL OVERSIGHT, PERSEC, ARMS ROOM, ICI, OCI), NATO READ-ONS, SUPPORT BN TASKINGS S2 ADMIN COVERING THE AFOREMENTIONED THAT IS MISSION CRITICAL
- **SPC FARMER**
  SUPPORT OF 112TH S2 ADMIN COVERING THE AFOREMENTIONED THAT IS MISSION CRITICAL SUPPORT BN TASKINGS

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000211

- USASOC 380-5, 1-9,a.

"The primary and alternate SMs will be appointed by the Commander/Director in writing, be properly cleared, and will be the Commander's/Director's authorized representative, responsible for the administration of an effective organizational information security program."

- AR 380-5, Ch. 1-11

"The SM is the principal advisor on information security in the command, and is responsible to the commander for management of the program. The SM will have direct access to the commander on matters affecting the information security program. The SM will—"

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000212

AR 380-5, Ch. 1-11

- Advise and represent the commander on matters related to the classification, downgrading, declassification, and safeguarding of national security information.
- Establish and implement an effective security education program for the command….
- …ensuring personnel who handle classified material are properly cleared….
- Advise and assist officials on classification problems….
- …classification guides for classified plans, programs, projects or mission are …maintained.
- Oversee or conduct security inspections and spot checks for compliance with this regulation and other security regulations and directives and notify the commander of the results.
- Assist and advise the commander in matters pertaining to the enforcement of regulations governing the access to, and the dissemination, reproduction, transmission, transportation, safeguarding, and destruction of classified or CUI information and material.
- Ensure violations of this regulation, including suspected compromises or other threats to the safeguarding of classified information and the unauthorized disclosure of CUI, are reported and investigated in accordance with this regulation. Recommend appropriate corrective actions to address security violations.
- Establish and maintain visitor control procedures in cases in which visitors are authorized access to classified information or to areas where classified material is stored and or processed. n. Issue contingency plans for the emergency destruction of classified information and CUI, when necessary, and for the safeguarding of classified and CUI information used in or near hostile or potentially hostile areas. o. Be the single point of contact to coordinate and resolve classification or declassification problems.
- Report data as required by this regulation

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PERSONAL SECURITY (PERSEC)

905th – 9/14 Missing Files

ALEs – 31/36 Missing Files

PERSEC FILES				
	BDE Staff	STB	MI BN	112th
Missing Files	6	12	UNK	Auditing

Missing personnel security files is a minor infraction during PERSEC portion of any inspection.

Missing NDAs is a CRITICAL REQUIREMENT and constitutes a NO GO for the entire section 2 of the PERSEC inspections.

Out of ~165 BDE Staff 147 are CPL or above and are required to complete this training; 33 have completed it.

STB Intelligence Oversight requires only 4 personnel to accomplish 100%; 3 CDRs and an intelligence Sergeant.

Intelligence Oversight has not been identified as tracked at 112th att.

ANNUAL TRAINING				
	BDE Staff	STB	MI BN	112th
Managing Personnel w/ Sec. Clearances	22%	21%	17%	25%
Intelligence Oversight	16%	0%	14%*	0%

*389th has 14% confirmed and possibly 31% depending on the date of certificates. Not tracked by date att. Intelligence oversight is a critical program for a MI BN. BDE support may be necessary.

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INDUSTRIAL SECURITY (INDUSEC)

BDE – 0/16 Complete Files

BDE – 9/16 Completed PPWK w/ incomplete training certs

This is critical! Any major contractor incident could bring added scrutiny to unit if these files are not current.

112th – Status UNK att; BDE inspection required

389th – Status UNK att; BDE inspection required

ANNUAL TRAINING

	SEC	#/TOTAL	%
Derivative Classification	INFO	3/16	19%
Information Security	INFO	4/16	25%
CUI	INFO	1/16	6%
Managing Personnel w/ Sec. Clearances	PER	0/1	0%
Intelligence Oversight	PER	0/1	0%
Threat Awareness and Reporting	TARP	0/16	0%
Crime Prevention	PHYS	2/16	13%
COMPLETE FILES	ALL SECs	0/16	0%

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000215

INFORMATION SECURITY (INFOSEC)

CUI in new and we failed the first tasking due to miscommunicated intent. SFC Forbes has clarified the intent and has cleared way-forward in preparation for impending inspections.

Taskers need implemented prior to ICI inspections to get INFOSEC current.

Missing NDAs is a CRITICAL REQUIREMENT and constitutes a NO GO for the entire section 2 of the INFOSEC inspection.

ANNUAL TRAINING				
	BDE Staff	STB	MI BN	112th
Derivative Classification	65%	85%	79%	38%
Information Security	22%	18%	20%	39%
CUI	12%	33%	4%	0%

Not requiring "All" or 100% SM completion of Derivative Classification annual certification is a CRITICAL REQUIREMENT and constitutes a NO GO for the entire section 3 of the INFOSEC inspection.

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PHYSICAL SECURITY (PHYSEC)

21JUL2021 SAFE TASKER (applies to INFOSEC also) – All safes manufactured prior to 1989 need identified and reported to 1SFC to be incorporated in an impending phase out plan.

ESS MAINTENANCE CONTRACT FUNDING completed but is now being reworked to include E-4025 badge creation equipment and supplies.

ANNUAL TRAINING				
	BDE Staff	STB	MI BN	112th
CRIME PREVENTION	31%	31%	0%	23%

FY21 BDE HQ (X-4047), and BDE MP (X-3347) Ammo License Renewal Inspection in DEC21.

Support all 3 BNs for Annual PMO PHYSEC Inspections and all quarterly inspections.

A 30 min brief during Safety stand-down w/ sign in roster will suffice for this the Crime Prevention requirement. This is intended to be a semi-annual requirement but has been treated as in-processing event.

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TECHNICAL SECURITY (TECHSEC)

The USASOC Cell Phone Policy acknowledgment and the Notification and Consent Forms have not been audited due to manning issues derived from BDE S2 directly supporting 112th and STB, no Officer backfill, the STB S2 NCO not collocated with BDE and execution of the MRX.

INITIAL COMMANDER'S INSPECTIONS

STB COC 3JUN21	ICI (JUN-AUG21)
BDE HQ COC 30JUN21	ICI (JUL-AUG21)
389TH MI BN COC 21JUL21	ICI (JUL-OCT21)

These inspections are not part of the annual or quarterly inspection calendar for the various S2 Admin LOEs and are mission critical during overextended situation given current manning requirements.

FW: State of the S2 Discussion

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 14, 2023 at 06:24 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

-----Original Appointment-----
From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Wednesday, June 2, 2021 3:24 PM
To: Hamman, Christopher P LTC USARMY USSOCOM USASOC (USA)
Subject: Accepted: State of the S2 Discussion
When: Thursday, June 3, 2021 12:00 PM-1:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: DCO Office

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6.5kB

FW: inbreif

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 14, 2023 at 06:20 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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, June 9, 2021 2:52 PM
To: Hamman, Christopher P LTC USARMY USSOCOM USASOC (USA) <christopher.p.hamman.mil@socom.mil>
Subject: inbreif

Sir

Your slide request for inbreif.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
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SIPR: michael.j.forbes.mil@socom.smil.mil



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6.5kB



S2 Overview.pptx
416kB

FW: response to my request of an open door

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 14, 2023 at 06:35 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: [redacted]
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Hamman, Christopher P LTC USARMY USSOCOM USASOC (USA) <christopher.p.hamman.mil@socom.mil>
Sent: Thursday, June 10, 2021 12:51 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: response to my request of an open door

Thanks SFC Forbes, ack all.

Appreciate the email and context.

I will talk with CPT Mansour about the situation.

I will be back in my office after 1700 today and all day tomorrow if you want to stop by.

v/r,
DCO

Chris P. Hamman
LTC, LG
Brigade Deputy Commander
528th Sustainment Brigade (Special Operations)(Airborne)
1st Special Forces Command (Airborne)
Bldg X-4047 New Dawn Dr.
Fort Bragg, NC 28310

Enterprise Nipr: christopher.p.hamman.mil@mail.mil
SOCOM Nipr: christopher.p.hamman.mil@socom.mil
SOCOM Sipr: christopher.p.hamman.mil@socom.smil.mil
Office - (910) 432-7720
Mobile- [redacted]
P/Cell - [redacted]

Sent with BlackBerry Work
(www.blackberry.com)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Date: Thursday, Jun 10, 2021, 09:22
To: Hamman, Christopher P LTC USARMY USSOCOM USASOC (USA) <christopher.p.hamman.mil@socom.mil>
Subject: response to my request of an open door

Sir.

This morning I attempted to mitigate two conflicting forces on my position responsibilities (S2, S2 NCOIC) in which our office is fully supporting 2 BNs (STB and 112th) and BDE Staff and my appointed extra duty (PSG). Upon being notified that the PSG training meeting is at 1500 today instead of Friday (it is typically on Friday) I went to CPT Mansour's Office (0845) to discuss the conflict and how I had scheduled this day. I explained that after my S2 OIC duty (Command and Staff) I had scheduled with 112th SPC Farmer (my SM from BDE) to come down and support him for the day because of two reasons:

1. He has inherited an S2 shop in a complete state of disarray and mentioned that there are 70 files to in-process. I did not mention that there is no INDUSEC Program at all, no accountability of BN CDR required Annual Training Stats, which we are currently auditing and no current accountability of in-processed files).
2. There is no record of Passports, yet they are a required reporting stat by the BN CDR.
3. It will take multiple days to accomplish these tasks. With the S2 traffic down there, having a complete day to do admin is crucial.

He stated he really needs me at this meeting. I said "Roger, Sir," And left.

Upon reflection, I decided to request an open door with the new BN CDR, to attempt to mitigate this conflict; since I already addressed my concerns with the BN CSM. En route to see CPT Mansour to inform him, I met him in the hall and stated, "sir, I am going to request an open door with the new BN CDR)_. He said, "I have asked you to come to one meeting in two months." I said, "Sir, I have come to 3 or 4 and I wasn't the PSG at that time." He said, when were you the PSG?" I said, "May 24. About 3 weeks ago." He response was to repeat that he only asked me to go to one meeting and "this is the respect you give me. I am going to speak with your supervisor."

This is not an inclusive rendition of the conversation, but I stand behind the quotes. Since you were/are my supervisor I wanted to give you a heads up.

CSM is here now.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC

SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil



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BDE S2: Priorities.

(NEW): USASOC Tasker (6/28/21) "Trusted Workforce" which is a line-by-line review of TW 1.25 rosters to determine Subject affiliation, ensure owning relationship in DISS. Initial submission of 75% audit 16 July 2021, final status (100% audit) NLT 2 SEP 2021.

(UPDATE) Personnel: SSG Greene, an experienced S2 PSM from 82nd, just arrived at 112th. SPC Farmer will remain at 112th until SSG Greene's account can be created and the first stage of the aforementioned Tasker is completed (16JUL) for continuity and to prioritize the audit of 112th.

Given recent changes in manpower at 112th, we are supporting 100% of 112th's S2 PSM workload. SPC Farmer is reporting to 112th until a replacement is located and installed. SPC Farmer's first task, while maintaining current OP Tempo will be to audit the BN's Personnel Files.

(UPDATE): BDE S2 personnel broke out the aforementioned audited numbers (below) and found the following of 528th SMs (BDE Staff and 905th = 132 SMs). We found the following:

Derivative Classification	73.4%
Information Security/Initial Security Orient.	30.8%
Mang. Personnel with Security Clearances	31.5%
Intelligence Oversight	21.4%
Threat Awareness and Reporting (TARP)	19.2%
Crime Prevention	34.6%
CUI	18.5%
Files incomplete or not present	16

Note: 20 Personnel, (or 15.4%), do not have access in DISS. 23 Personnel (or 17.7%) are missing NdAs which is a major failing item on the PERSEC inspection. All battalions are in various stages of audit att to prepare for impending inspections.

BDE S2 personnel broke out the aforementioned audited numbers (below) and found the following of 528th SMs (BDE Staff, ALEs and 905th = 165 SMs). We found the following:

Derivative Classification	64.2%
Information Security/Initial Security Orient.	21.2
Mang. Personnel with Security Clearances	22.2%
Intelligence Oversight	18.8%
Threat Awareness and Reporting (TARP)	26.7%
Crime Prevention	24.2%
CUI	11.5%
Files incomplete or not present	16

Note: 25 Personnel, (or 15.2%), do not have access in DISS. 61 Personnel (or 37%) are missing NdAs which is a major failing item on the PERSEC inspection. All battalions are in various stages of audit att to prepare for impending inspections.

(UPDATE) S2 is supporting all IPRs pertaining to Forager 21.

MRX/CPX concluded. S2 products for MA are complete and we have product shells for IPB (@70%), which we will continue to refine prior to Forager 21.

(UPDATE) Command Suite Door Repair: Parts have been ordered. Awaiting their arrival for scheduling.

The COR of Department of Emergency Services has approved the replacement of the entire X-10 on the Command Suite Door. We are awaiting the signed paperwork. Subsequently, work will commence upon scheduling.

Routing appropriate paperwork once we receive estimate from J & S Locksmith to replace the damaged lock on the Command suite door.

(UPDATE) BDE SCIF: S2 owes the DCO & XO the justification information of submitting ppwk to change TSCIF into JSWA (6/30/21 telephonic appointment with 1SFC to publish side-by-side comparison). Also, USASOC needs information as to what type of KG is necessary to determine if they have the right type available. S2 will get S6 and 112th involved to answer RFI.

The SCIF justification memo has been submitted to the USASOC G2 for approval and submission to DIA. The TSCIF packet has been completed by SFC Rivera and he will begin putting together the Comms package. Awaiting transfer of a new KG from USASOC and activation of the IDS.

(CLOSED) A quick-turn request for the installation of a badging system was able to be added to the staffed and requested ESS contract request. This went in today prior to the drop-dead FY22 budget deadline 2JUN2021.

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN RD
FORT BRAGG, NORTH CAROLINA 28310-5000

AOSC-HHC 19 July 2021

MEMORANDUM FOR RECORD

SUBJECT: Hand Receipt Holder Responsibility.

1. Effective 20 JUL 2021, MANSOUR, ERIC J. is appointed the following duty: 528th STB HHC hand receipt holder responsibility for UIC: WJTDAA

2. To assign direct responsibility for sub-hand receipt holders assigned to 528th STB HHC WJTDAA FORBES MICHAEL J., sub-hand receipt holder, has been briefed and understands that all government property for which he has received, is properly used and cared for, and that proper custody and safekeeping are provided.

3. Proper accountability of all military equipment will be maintained according to AR 735-5. If any new shortages are found within the property, the supply NCOIC or clerk should be notified. Monthly cyclic inventories and sensitive items will be conducted to fulfill requirement for calendar year (CY) 2021 and to maintain proper accountability of all military equipment. PHRH will physically check all items for completeness and serviceability and use the latest supply publications to conduct inventories.

4. Questions and/ or discrepancies will be brought to the attention of the Supply NCOIC 528th STB HHC.

4. The point of contact for this policy letter is the undersigned at (910) 908-5811or Eric.Mansour@socom.mil.

ERIC J. MANSOUR
CPT, LG
Commanding

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DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

21 July 2021

MEMORANDUM FOR ALL PERSONNEL (528th Sustainment Brigade (Special Operations) (Airborne))

SUBJECT: Commander's Policy Letter Treatment of Persons

1. REFERENCE. AR 600-20, Army Command Policy, 24 July 2020.

2. PURPOSE: To establish the 528th Sustainment Brigade (Special Operations) (Airborne) policy for treatment of persons.

3. SCOPE: This policy applies to all military and Department of the Army (DA) Civilian employees who are assigned, attached or on temporary duty to 528th BDE (SO) (A) to include all Component Subordinate Units (CSU), and 528th BDE (SO)(A) Directorates and Special Staff offices and their Family members. This policy applies both on and off post during duty hours and non-duty hours.

4. POLICY. 528th BDE (SO)(A) is a values-based organization where all persons can expect to be treated with dignity and respect. Hazing, bullying, and other mistreatment of persons directly and negatively affect the morale, safety, motivation, performance, and cohesion of our Soldiers, Family members, and Civilian employees, as well as unit readiness. These behaviors have no place in 528th BDE (SO) (A), and will not be tolerated. Anything that undermines dignity and respect are opposed to our Army Values and prohibited. This policy is punitive. Soldiers who violate this policy may be subject to punishment under the Uniform Code of Military Justice. I am personally committed to preventing and/or eliminating these behaviors in this command.

5. DEFINITIONS

a. Hazing. Any conduct whereby a military member or members, or DA civilian employee or employees regardless of service, rank, or position, and without proper authority, recklessly or intentionally cause a person to suffer or exposed to any activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another to participate in any such activity is hazing. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature. Likewise, it need not be committed in the physical presence of the victim; it may be accomplished through written or phone messages, text messages, email, social media, or any other virtual or electronic medium. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator. Without outside intervention, hazing conduct typically stops at an identified end-point.

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b. Bullying. Bullying is any conduct whereby a military member or members, or DA civilian employee or employees, regardless of service, rank, or position, intends to exclude or reject another person through cruel, abusive, humiliating, oppressive, demeaning, or harmful behavior. which results in diminishing the other person's dignity, position, or status. Absent outside intervention, bullying will typically continue without any identifiable end-point. Bullying may include an abuse of authority. Bullying tactics include, but are not limited to, making threats, spreading rumors, social isolation, and attacking someone physically, verbally, or through electronic media.

c. Harassment. Behavior that is unwelcome or offensive to a reasonable person, whether oral, written, or physical, that creates an intimidating, hostile, or offensive environment. Harassment can occur through electronic communications, including social media, other forms of communication, and in person. Harassment may include offensive jokes, epithets, ridicule or mockery, insults or put-downs, displays of offensive objects or imagery, stereotyping, intimidating acts, veiled threats of violence, threatening or provoking remarks, racial or other slurs, derogatory remarks about a person's accent, or displays of racially offensive symbols. Activities or actions undertaken for a proper military or governmental purpose, such as combat survival training, are not considered harassment.

d. WHAT CONSTITUTES HAZING AND BULLYING?

(1) A military member or DA Civilian employee may still be responsible for an act of hazing and bullying, even if there was actual or implied consent from the victim and regardless of the grade/rank, status, or service of the victim. Hazing and bullying can include both physical and nonphysical interactions. Hazing typically involves conduct directed at new members of an organization or individuals who have recently achieved a career milestone. It may result from any form of initiation, "rite of passage," or congratulatory act that includes unauthorized conduct such as: physically striking another while intending to cause, or causing, the infliction of pain or other physical marks such as bruises, swelling, broken bones, internal injuries; piercing another's skin in any manner; forcing or requiring the consumption of excessive amounts of food, alcohol, drugs, or other substances; or encouraging another to engage in illegal, harmful, demeaning, or unauthorized dangerous acts. Unlike hazing, bullying often, but not always, takes the form of excessive corrective measures that, like hazing, involve the infliction of physical or psychological pain and go beyond what is required for authorized corrective training.

(2) Hazing and bullying are not limited to superior subordinate relationships. They may occur between peers, or under certain circumstances, may involve actions directed towards senior personnel by those junior in rank, grade, or position to them. Hazing may occur during graduation or promotion ceremonies or similar military "rites of passage." However, it may also happen in military settings, such as in small units, to initiate or "welcome" a new member to the unit. Bullying may also occur in all settings but it most often appears as excessive correction of, or punishment for, perceived

performance deficiencies. Hazing and bullying are prohibited in all cases, to include off-duty or "unofficial" celebrations or unit functions, on or off post.

e. WHAT DOES NOT CONSTITUTE HAZING OR BULLYING?

(1) Hazing may occur when otherwise authorized or permissible conduct crosses the line into impermissible conduct. Bullying is always committed with the intent to exclude or reject another from inclusion in a group and, while the bullying conduct may appear to be corrective training, it is never authorized or permissible. The imposition of necessary or proper duties and the requirement of their performance does not violate this policy even though the duties may be arduous, hazardous, or both. When authorized by the chain of command and/or operationally required, the following activities do not constitute hazing or bullying: (1) the physical and mental hardships associated with operations or operational training; (2) lawful punishment imposed pursuant to the UCMJ; (3) administrative corrective measures, including verbal reprimands and command-authorized physical exercises; (4) extra military instruction or corrective training that is a valid exercise of military authority needed to correct a Soldier's deficient performance in accordance with paragraph 4-6; (5) physical training and remedial physical training; and (6) other similar activities that are authorized by the chain of command and conducted in accordance with this or another applicable regulations.

(2) Many time-honored customs of the Army include traditional events that celebrate personal milestones and professional achievements. These events are part of our heritage and include hails and farewells, promotion and graduation ceremonies, and other official command functions. The chain of command will ensure these traditions and customs are carried out in accordance with Army values and that the dignity and respect of all participants is maintained.

6. ISSUES AND CONCERNS COMMON TO BOTH HAZING AND BULLYING.

a. The willingness of any participant is irrelevant; therefore, expressed or implied consent to prohibited behaviors under this policy is not a valid defense to a violation of this regulation. A USASOC Soldier or Civilian may still be responsible for an act of hazing or bullying even if there was actual or implied consent from the victim and regardless of the grade/rank, status, or Service of the victim.

b. Soliciting, coercing, or knowingly permitting another person to solicit or coerce acts of hazing or bullying may be considered acts of hazing or bullying.

c. Hazing and bullying are prohibited in all circumstances and environments, including off-duty or in "unofficial" unit functions and settings.

d. Hazing and bullying are prohibited in deployed, combat, operational, and both garrison and "field" training environments and settings.

e. Incidents of hazing or bullying that may involve allegations of sexual assault, sexual harassment, or discrimination must be addressed in accordance with the laws, regulations, and policies pertaining to such allegations. In all cases, appropriate reporting and investigative protocols shall be followed and support and care shall be provided to complainants and victims.

7. COMMAND RESPONSIBILITIES:

a. Commanders and supervisors will enforce this policy at all levels.

b. Commanders at all levels down to company (or equivalent) level will publish and post written command policy statements on the treatment of persons. Treatment of Persons policy statements will be consistent with 528th BDE (SO)(A) and Army policies, include the local command's commitment to prevention of hazing and bullying, and reaffirm that these behaviors will not be tolerated. The command policy will explain how and where to file complaints and will state that all complainants will be protected from reprisal. Commanders must consult their respective legal office prior to publishing.

c. Commanders will conduct hazing and bullying training at least annually as part of the EO training requirements related to promoting a healthy unit climate. Incorporating training and education on preventing and responding to hazing and bullying is an important component of changing military culture. Therefore, training must occur at all levels, from the lowest level to our most senior leaders. Training will differentiate between hazing and bullying and appropriate administrative corrective measures, extra military instruction, and command-authorized physical training. The training must emphasize that bullying and hazing are unacceptable and prohibited. Finally, training must include examples of hazing and bullying behaviors and illustrate how these behaviors negatively affects the mission, as well as information on how to report hazing and bullying incidents, and victim rights and resources.

d. Commanders will immediately report allegations of criminal behavior in violation of this policy to law enforcement. A commander will investigate all reported hazing or bullying allegations as possible violations of Article 92 of the UCMJ in accordance with the informal board procedures set forth in AR 15-6 or as a commander's inquiry. Individuals may also report incidents of hazing to the appropriate Inspector General's (10) Office and may be investigated by that office or referred to the command for investigation. Regardless of the type of investigation conducted into the hazing or bullying allegation (law enforcement, IG, or administrative), commanders are responsible for coordinating with their unit Equal Opportunity Advisor (EOA) to ensure that all hazing or bullying allegations are recorded and tracked in the Equal Opportunity Reporting System (EORS). Additionally, commanders will ensure the security manager records the derogatory information as an incident report in JPAS in accordance with AR 380-67, Personnel Security Program, 24 JAN 2014.

e. Commanders will investigate allegations of mistreatment promptly.

f. Commanders will protect victims, witnesses, and other individuals who file complaints from the presence or perception of intimidation, harassment, reprisal, or retaliation.

g. Commanders must seek the advice and counsel of their legal advisor when taking actions pursuant to this policy.

8. INDIVIDUAL RESPONSIBILITIES:

a. Individuals will conduct themselves in accordance with this policy and treat all persons with dignity and respect.

b. Individuals will advise the command of any incidents of hazing or bullying. Report incidents of hazing, bullying, or other mistreatment of persons to supervisors, the chain of command, law enforcement, and/or the inspector general.

9. The elimination of hazing and bullying is one of 528th BDE (SO)(A)'s top priorities - and it is everyone's responsibility. Likewise, every Soldier, Civilian employee, and Family member is responsible for treating one another with mutual dignity and respect. We cannot tolerate or condone hazing or bullying in our units and work areas. It is incumbent upon all leaders to set a positive example and create an environment conducive to good order and discipline. Again, I am personally committed to eliminating hazing and bullying in 528th BDE (SO)(A). I will provide commanders, units, and supervisors with the resources they need to eliminate these behaviors.

10. EXPIRATION. This policy memorandum is in effect until superseded or rescinded.

11. The point of contact for this policy is the 528th BDE (SO)(A) EOA at [redacted]

BRUNSON.TAVI.NIGEL.[redacted]
Digitally signed by BRUNSON.TAVI.NIGEL.[redacted]
Date: 2021.08.02 22:14:52 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

389th MI BN (SO) (A) Equal Opportunity Leaders

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 256 of 950

000232

Army Equal Opportunity Policy:

Commanders and organizational leaders will foster and maintain positive command climates. A positive command climate is an environment free from personal, social, or institutional barriers that prevent Soldiers from rising to the highest level of responsibility for which they are qualified. Soldiers are evaluated on individual merit, performance, and potential. The evaluations of commanders will include an assessment of their compliance with MEO policy.

The Army will provide an environment that is free of unlawful discrimination. Discrimination occurs when someone, or a group of people, is harassed, intimidated, insulted, humiliated, or is treated less favorably than another person or group, because of their race, color, sex (to include gender identity), national origin, religion, or sexual orientation. It includes use of disparaging terms with respect to a person's race, color, sex (to include gender identity), national origin, religion, or sexual orientation which contributes to a hostile work environment.

When discrimination is alleged, commanders will take immediate and appropriate action to investigate the allegations and correct any unlawful discriminatory practices. In substantiated cases, commanders will consider appropriate disciplinary action.

The chain of command will promote, support, and enforce MEO and Harassment Prevention and Response policy and programs. The chain of command has primary responsibility for identifying and correcting discriminatory harassment.

The operational language of the Army is English. Commanders may require Army personnel to use English when performing official duties but may not require the use of English for personal communications which are unrelated to official duties.

BDE Equal Opportunity Advisors:

SFC Edgar V. Suro
Brigade EOA/Equal Opportunity Advisor
528th Sustainment Brigade (SO) (A)
edgar.v.surorodriguez@socom.mil
Office: 910-396-7385
cell: 910-224-9426
BB: 910-651-4972

SFC Jedidiah (Jed) Sevrey
Jedidiah.I.Sevrey.mil@socom.mil
389th MI BN Primary EO Leader
Cell: (803) 840-2244 **Office**: (910) 432-1722

SSG Tavon Gray
tavon.gray@socom.mil
389th MI BN Alternate EO Leader
Cell: (864) 760-7797 **Office**: (910) 396-0129

24/7 DoD Safe Helpline #1-877-995-5247 or www.safehelpline.org

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, July 22, 2021 12:36 PM
To: Yoder, Joel SFC USARMY USSOCOM USASOC (USA)
Subject: FW: FOR AWARENESS: Updated FORAGER Outload Timeline

SFC Yoder

What procedures do you have for people getting trucks to drive them to Forager.

If a SM is driving someone else's truck, specifically.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Thursday, July 22, 2021 12:07 PM
To: Lester, Jordan A MAJ USARMY USSOCOM USASOC (USA) <jordan.a.lester.mil@socom.mil>; Burgos-santiago, Edwin A MSG USARMY USSOCOM USASOC (USA) <edwin.burgos-santiago@socom.mil>; Williams, James D SFC USARMY USSOCOM USASOC (USA) <james.williams2@socom.mil>; Valdez, Ellis R CPT USARMY USSOCOM USASOC (USA) <ellis.r.valdez.mil@socom.mil>; Hernandez, Georgette CW2 USARMY USSOCOM USASOC (USA) <georgette.hernandez.mil@socom.mil>; Woolford, Sherry A SSG USARMY USSOCOM USASOC (USA) <sherry.a.woolford@socom.mil>; Torino, Aaron M SGT USARMY USSOCOM USASOC (USA) <aaron.m.torino.mil@socom.mil>; Rivera, Alvaro F MAJ USARMY USSOCOM USASOC (USA) <alvaro.f.rivera.mil@socom.mil>; Kao, Warren J SSG USARMY USSOCOM USASOC (USA) <warren.j.kao.mil@socom.mil>; Douglas, Conner B SSG USARMY USSOCOM USASOC (USA) <conner.b.douglas.mil@socom.mil>; Kiker, Cadman R CPT USARMY USSOCOM USASOC (USA) <cadman.r.kiker.mil@socom.mil>; Colbert, William MAJ USARMY USSOCOM USASOC (USA) <william.colbert.mil@socom.mil>; Johnson, Carrea L MAJ USARMY USSOCOM USASOC (USA) <carrea.johnson@socom.mil>; Webb, Diamonte SSG USARMY USSOCOM USASOC (USA) <diamonte.webb.mil@socom.mil>; Riley, Jeremy SFC USARMY USSOCOM USASOC (USA) <jeremy.riley.mil@socom.mil>; 528_SPO_OPS.MAILBOX <528_SPO_OPS@socom.mil>; Davis, Torius MAJ USARMY USSOCOM USASOC (USA) <torius.davis.mil@socom.mil>; Hallmark, Spencer Shuck SGT USARMY USSOCOM USASOC (USA) <spencer.hallmark@socom.mil>; Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Meredith, Joseph R SSG USARMY USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Hamilton, Joshua B SPC USARMY USSOCOM USASOC (USA) <joshua.b.hamilton.mil@socom.mil>; Farmer, Eric L MSG USARMY USSOCOM USASOC (USA) <Eric.Farmer@socom.mil>;

Grafton, Benjamin L SSG USARMY USSOCOM USASOC (USA) <benjamin.l.grafton@socom.mil>
Cc: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>; Jones, Dejarius O CSM USARMY USSOCOM USASOC (USA) <dejarius.o.jones.mil@socom.mil>; Collins, Mark E Jr. MAJ USARMY USSOCOM USASOC (USA) <mark.e.collins.mil@socom.mil>; Hamman, Christopher P LTC USARMY USSOCOM USASOC (USA) <christopher.p.hamman.mil@socom.mil>
Subject: FOR AWARENESS: Updated FORAGER Outload Timeline

Good morning SOJLTF,

Updated FORAGER Outload Timeline detailed below:

Thursday, 22 JULY

Priorities:

1. Equipment Load-Up, at 1300 today in the Motor Pool: All Tent Sets, Furniture, VTC Suite, TOC Screens, Fuel/Water Cans, Power Distro Boxes, ECUs, etc. PACKED in Designated Vehicles.
2. PMCS and Dispatch Vehicles in the SOJLTF Convoys

Meetings/Syncs:

- 1300 FORAGER Update: BDE SPO Conf. Rm, covering the overall Concept of Support for the SOJTF-WP. To the CDR. Required Participants: SPO and BDE S3.

Friday, 23 JULY

Priorities:

1. Final Opportunity for Equipment Load-Up
2. Final Opportunity for Vehicle Dispatch
3. Pre-Combat Checks and Inspections
4. Stage all SOJLTF Vehicles, by Convoy Serial, inside the Northern perimeter of the Motor Pool (side closest to New Dawn Drive)

Meetings/Syncs:

- 1100 FORAGER Scene Setter: BDE Conf. Rm, covering updated Running Estimates (by each Staff Section) for FORAGER. Intent is to REVIEW 1SFC's latest OPORD w/ Annexes prior to, and update the CDR on the current situation. Required Participants: All BDE Staff OIC/NCOICs participating in the SOJLTF at TA-QQ. Link to our Running Estimates slides and the 1SFC OPORD sent on SIPR.

Saturday, 24 JULY

0600: SOJLTF PAX 100% accountability at BDE HQs. Quartering Party (MSG Burgos/CPT Korista) SPs and occupies TA-QQ ICW Range Operations NLT 0700.
0630: Convoy Brief and Final PCCs.
0700: TAC SPs
0900: MAIN SPs (dependent on TAC IOC/FOC timeline)
1300: SOJLTF FOC
TBD: COMMEX with SOJTF-WP. Awaiting finalized timeline from G6.
TBD: SOJLTF PAX shuttled back to BDE HQs. Guard Force (C5I Team PAX and 1x PAX from BDE SPO) remains on-site.

Sunday, 25 JULY

0500: Guard Force Shift-change (C5I Team PAX and 1x PAX from BDE S1) Utilize the Van.
1600: SOJLTF PAX arrive at BDE HQs and shuttled to TA-QQ NLT 1615.

Very Respectfully,

CPT David Korista
Assistant S3
Brigade CBRN Officer
528th Sustainment Brigade (SO)(A)
1st Special Forces Command
NVOIP: 910.908.6061
SVOIP: 239.9823
Cell: [redacted]
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.mil@socom.smil.mil



Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Friday, July 23, 2021 3:20 PM
To: Woolford, Sherry A SSG USARMY USSOCOM USASOC (USA)
Subject: Hand Receipt

SSG Woolford:

Let me know when you would like to stop by and sign the hand receipt for the JLTV HC 20 and/or lay out bii (if you wish).

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

DA FORM 5987-E

EQUIPMENT DISPATCH

DATE 07/23/2021

UIC: WJTDAA 0528 CS HHC
BLDG YANKEE 5015 MMD BOULEVARD, FORT BRAGG, NC, US

ADMIN NUMBER	MODEL	EQUIPMENT NOUN	CURRENT READING
HQ20	M1279A1	TRUCK,UTILITY	154 MI
SERIAL NUMBER	**EQUIPMENT NUMBER**	**EQUIPMENT NSN**	**CURRENT READING**
794227	1034362420	2320016536516	

DISPATCH INFORMATION

NOTIFICATION	DISPATCHER	DISPATCHER ID	REMARKS
211554915	BENJAMIN GRAFTON	1279189350	FORAGER 21
START DATE/TIME	**EXPECTED RETURN DATE/TIME**	**TRAINING LEVEL**	**TRAINING EVENT**
07/23/2021 18:36:11	08/10/2021 24:00:00		Daily Operations

OPERATOR NAME	ROLE	DATE/TIME	SIGNATURE	MI/KM/HR OPERATED
SHERRY WOOLFORD (661070)	Primary Operator			

COMMANDER SIGNATURE: _____

APPROVAL STATUS: No Approval Req

EQUIPMENT USAGE DATA

RETURN DATE/TIME	MI/KM/HR/FUEL	TOTAL USAGE AT RETURN
	GL	
	MI	
	H	

#22

HQ, 20

KEY ISSUE AND TURN IN
(Continued)

KEY NUMBER	ISSUED (Date/Time)	ISSUED BY (Printed Name/Signature)	ISSUED TO (Printed Name/Signature)	TURNED IN (Date/Time)	RECEIVED BY (Printed Name/Signature)
22	3 May 21 1025	Grafton	Cutler	1032, 3 MAY	SSG Carver
22	22 July 2021	PFC Hancock	MSG Kuzmicoski, Sean	10 Aug 1114	PFC Hancock

AOSC-STB-CO
SUBJECT: Battalion Motor Pool Standard Operating Procedure (SOP)

Section I – Requirement		
Driver's Licensed Number: 661070	**Truck Commander Number (TC):**	**Date:** [dd-mm-yy] 23 July 2021
Type of Vehicle: M1079A1	**Destination To:** Field Sight	**From:** 23 July 2021
Dates of Mission: 24 July. - 10 Aug.	**On Post:** ☑ Yes ☐ No	**Off Post:** ☐ Yes ☑ No

Additional Requirements:

Trailer: _____ ☐ Yes ☐ No

Generator: 35 KW ☑ Yes ☐ No

Drash Trailer: _____ ☐ Yes ☐ No

Remarks: FORAGER FTX

Print Requestor Name, Grade, Title, and Phone Number:	**Signature:**
Whanford, Sherry	

Section II – Action By SUB HR Holder Approval

Name, Grade, Title and Telephone Number (Print)	**Signature:**

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

23 July 2021

MEMORANDUM FOR RECORD

SUBJECT: Unsecured General Services Administration (GSA) approved safe

1. PURPOSE. This memo describes the discovery of an unsecured GSA Safe (henceforth referenced as "safe)," S.N. 87854, in the 528th Motor Pool (MP).

2. REFERENCES. AR 380-5, AR 190-13 and AR 380-67.

3. The undersigned was in the 528th MP and observed a safe located ~4ft. inside the outer perimeter fence-line. I went over to it and shook it; determining that no hard assets were inside. I couldn't be sure if documents were inside. Immediately, I went into the MP office and asked SSG Grafton if the safe was the property of the MP. He said it was not but that it was removed from a connex about six months ago after the "MPP" redeployment. I asked if he know who owned it. He did not. After notifying, MSG Burgos, OPS S3 NCOIC, the need to secure the safe and to identify its owner, I went straight to HHC Supply to inquire about it. They informed me they did not own it and that they would check the HHC CDR's (UIC: WJTDAA), to see if it was our unit's property.

4. Later, they confirmed it was not and emailed me a screen shot of our property book with every item with the serial number "87854" on it; they assured me that this safe was not ours. Then, I called 1st SFC (A) S2 and the USASOC Information Security (INFOSEC) Director, which were unavailable. However, I was put in touch with Mr. Don Jones, Technical Security Representative of USASOC. I requested verbal approval to secure the safe in a hard building at the MP. He concurred. I immediately, went to find BN personnel that could coordinate the moving of this safe into a more secure location and confirmed that it was moved ASAP. The safe is now in a secured Bldg. X-3248, of the 528th MP, on New Dawn Drive, Fort Bragg, NC, which requires a key to be signed out by an MP NCO prior to entry.

5. The point of contact for this memorandum is the 528th Sustainment Brigade (SO) (A), SFC Forbes, Michael J., S2 NCOIC, michael.j.forbes.mil@socom.mil or 910-908-8788.

MICHAEL J. FORBES
SFC, USA
S2 NCOIC

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-HHC

19 July 2021

MEMORANDUM FOR 528 STB HHC (SO) (A)

SUBJECT: Initial Counseling of Sub-Hand Receipt Holders (SLOC)

1. I, MICHAEL [illegible] am assuming responsibility for the BLOG hand receipt.
MF (Initials)

2. Responsibility. I understand that by signing the hand receipt, I am indicating that I have received the property listed on it and accept responsibility for that property. My signature signifies that I agree to take care of the property and return it, when request to do so, in the same condition it was in when I receive it (less any fair wear and tear). I further understand that failure to satisfy this agreement can mean that I will have to pay for the missing and damaged property unless I can prove that it was not lost or damaged by my negligence. MF (Initials)

3. Delegation of Authority. I understand that I must provide the supply room with a current DA Form 1687 (Notice of Delegation of Authority) designating the individuals under my supervision who can request and receive non-expendable, durable, or expendable property for my hand receipt. I also understand that if the DA Form 1687 on file expires, no issue or turn-ins will be processed to my hand receipt expect those that the supply may permit. MF (Initials)

4. Sensitive Items. I understand that I will assist the identified Company Senior Leader (E-5 or higher) will the monthly inventories of all sensitive items listed on my hand receipt. This inventory will be conducted on the second Thursday of the month. When the senior leader has completed the monthly sensitive item inventory, he or she will initial each line, sign, and date the inventory and return the original copy to the supply room. MF (Initials)

5. Semiannual Inventory. I understand that I am required to complete a semi-annual inventory of all property listed on my hand receipt. I will complete this inventory by the suspense date given, sign the original copy of the updated hand receipt and return it to the Supply Room. MF (Initial)

6. Quarterly 25% Cyclic Inventories. I understand that every month on the second Thursday of the month, the company Commander along with the supply room will conduct a 10% Cyclic Inventory of previously identified LIN posted from the Property Book Office Schedule for Cyclic Inventories. I will be present for the Cyclic Inventory and assist with this inspection of my property. MF (Initials)

7. Temporary Absence. I understand that if I must leave the area for more than 30 calendar days on leave, TDY, or extended detached duty, I will inform my supervisor and ask that a temporary hand receipt holder be designated to sign for the property. I will conduct a joint inventory with the temporary hand receipt holder and resume the duties of primary hand receipt holder. MF (Initials)

8. Clearing Procedures. I understand that before I PCS, ETS, or report for another assignment I must clear through the Supply Room. The Supply Room will not clear me until I have completed a change hand receipt holder inventory with a new hand receipt holder. I understand that I do not have to wait for my replacement to arrive before accomplishing this task. I will inform my supervisor of my departure at least 45 days prior to my PCS, ETS, or other reassignment and request that a new hand receipt holder be

AOSC-PBO
SUBJECT: Initial Counseling of Sub-Hand Receipt Holders (SLOC)

designated to replace me. I will notify the Supply Room no later than 30 days prior to my departure to make sure a timely and effective change of primary hand receipt holder inventory take place. MF (Initials)

9. Lost or Damaged Property. Within 5 days after I discover that property has been lost, damaged or destroyed, I will initiate appropriate relief from responsibility documentation (i.e., cash collection voucher, statement of charges, or report of survey) IAW AR 735-5. If I am being reassigned the Supply Room will not clear me without this documentation. I understand that although it will allow me to clear, initiation of a report of survey will not relieve me of financial liability for the loss, damage, or destruction. I will continue to search of all lost items until found or started appropriate documentation. MF (Initials)

10. Component of the End Items/Basic Issue Items/ Shortage Annexes. I understand that it is my responsibility to maintain an updated copy of all the COEI/BII/ and Shortage Annexes and to provide this to the Supply Room. The Supply Room is responsible for placing on order any identified shortages, receive them from the SSA, and issue them back out to the hand receipt holders. I understand that I must regularly check on the status of my shortages and sign for shortages received by the supply room. MF (Initials)

11. If I have any questions about proper supply discipline or anything requiring the property I have signed for, I will seek out guidance from the commander and Supply Room until I have answered my questions.

SSG Garcia Mendez Alberto
Supply Sergeant Name
(Print)

20 July 2021
Signature /date of Counseling

SFC Michael Lopez
Hand Receipt Holder Name
(Print)

20 AUG 2021
Signature/date of Counseling

ERIC J. MANSOUR
CPT, LG
Commanding
Company Commander's Name
(Print)

Signature/date of Counseling

DEPARTMENT OF THE ARMY
HQ, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

13 September 2021

MEMORANDUM FOR RECORD

SUBJECT: Additional Duty Appointment

1. The following individuals are appointed as the Brigade Access Control Administrators:

SFC Forbes, Michael	[redacted]	Primary
SSG Meredith, Joseph		Alternate
SPC Henkel, Eric		Alternate

2. Authority: In accordance with AR 380-5.

3. Purpose: To manage, implement and execute the details associated with the appointed position.

4. Period: Until officially released from appointed duties or reassigned.

5. The POC for this action is the Brigade S2, SFC Forbes at 910-908-8788 or Michael.j.forbes.mil@socom.mil.

BRUNSON.TAVI.NIGEL.[redacted] Digitally signed by BRUNSON.TAVI.NIGEL.[redacted] Date: 2021.09.27 08:45:52 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

DEPARTMENT OF THE ARMY
HQ, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

13 September 2021

MEMORANDUM FOR RECORD

SUBJECT: Additional Duty Appointment

1. The following individuals are appointed as the Brigade Information Security Officer.

SFC Forbes, Michael	[redacted]	Primary
SSG Meredith, Joseph		Alternate
SPC Henkel, Eric		Alternate

2. Authority: In accordance with AR 380-5.

3. Purpose: To manage, implement and execute the details associated with the appointed position.

4. Period: Until officially released from appointed duties or reassigned.

5. The POC for this action is the Brigade S2, SFC Forbes at 910-908-8788 or Michael.j.forbes.mil@socom.mil.

BRUNSON.TAVI.NIGEL.[redacted] Digitally signed by BRUNSON.TAVI.NIGEL.[redacted] Date: 2021.09.27 08:46:48 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

DEPARTMENT OF THE ARMY
HQ, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

13 September 2021

MEMORANDUM FOR RECORD

SUBJECT: Additional Duty Appointment

1. The following individuals are appointed as the Brigade Industrial Security Officer.

SFC Forbes, Michael	[redacted]	Primary
SSG Meredith, Joseph		Alternate
SPC Henkel, Eric		Alternate

2. Authority: In accordance with AR 380-49.

3. Purpose: To manage, implement and execute the details associated with the appointed position.

4. Period: Until officially released from appointed duties or reassigned.

5. The POC for this action is the Brigade S2, SFC Forbes at 910-908-8788 or Michael.j.forbes.mil@socom.mil.

BRUNSON.TAVI.NIGEL.[redacted] Digitally signed by BRUNSON.TAVI.NIGEL.[redacted] Date: 2021.09.27 08:46:09 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

DEPARTMENT OF THE ARMY
HQ, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO 13 September 2021

MEMORANDUM FOR RECORD

SUBJECT: Additional Duty Appointment

1. The following individuals are appointed as the Brigade Non-Standard Physical Security Officer.

SFC Forbes, Michael	[redacted]	Primary
SSG Meredith, Joseph		Alternate
SPC Henkel, Eric		Alternate

2. Authority: In accordance with AR 190-13.

3. Purpose: To manage, implement and execute the details associated with the appointed position and/or special emphasis area.

4. Period: Until officially released from appointed duties or reassigned.

5. The POC for this action is the Brigade S2, SFC Forbes at 910-908-8788 or Michael.j.forbes.mil@socom.mil.

BRUNSON.TAVI.NIGEL.[redacted] Digitally signed by BRUNSON.TAVI.NIGEL[redacted] Date: 2021.09.27 08:46:21 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

DEPARTMENT OF THE ARMY
HQ, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

13 September 2021

MEMORANDUM FOR Command Security Manager, G22, USASOC, Fort Bragg, NC 28310

SUBJECT: Additional Duty Appointment - Security Manager

1. Effective immediately, the following personnel are responsible for all Security Manager (SM) duties within the 528th Sustainment Brigade (Special Operations) (Airborne):

PRIMARY: Forbes, Michael J., SFC, [redacted]
ALTERNATE: Farmer, Geoffrey C., SPC, [redacted]
ALTERNATE: Meredith, Joseph R., SSG, [redacted]
ALTERNATE: Rhodes, Matthew T., SGT, [redacted]
ALTERNATE: Henkel, Eric C., SPC, [redacted]

2. Authority: AR 380-5, Army Information Security Program, 22 October 2019 and USASOC Regulation 380-5, 4 March 2016.

3. Purpose: To perform duties as outlined in paragraph 1-11, AR 380-5 or as directed by the Commander/Director.

4. Period: Until rescinded.

5. Special Instructions: Track and document access of combinations to all cipher locks within the 528th Sustainment Brigade (Special Operations) (Airborne) and change when necessary; if compromised or if someone with knowledge of the combination no longer requires access.

6. Each current and newly appointed SM is responsible for successfully completing the following courses offered by the Center for Development of Security Excellence (CDSE): (Go to https://www.cdse.edu/ and create/use a STEPP account)

a. Personnel Security:
Introduction to Personnel Security (PS113.16)
Introduction to National Security Adjudication (PS001.18)
Identifying and Safeguarding Personally Identifiable Information (DS-IF101.06)
Cybersecurity Awareness (CS130.16)

b. Information Security:

AOSC-CO
SUBJECT: Additional Duty Appointment - Security Manager

Introduction to Information Security (IF011.16)
Original Classification (IF102.16)
Derivative Classification (IF103.16)
Marking Special Categories of Classified Information (IF105.16)
Transmission and Transportation for DOD (IF107.16)

c. Foreign Disclosure:
Foreign Disclosure Training for DoD (GS160.16)

d. Industrial Security:
Introduction to Industrial Security (IS011.16)
Facility Security Officer (FSO) Role in the NISP (IS023.16)

e. Physical Security:
Introduction to Physical Security (PY011.16)
Storage Containers and Facilities (PY105.16)

8. Newly appointed SMs must complete the CDSE courses in order to qualify to attend the Security Manager Course (SMC) hosted by USASOC G22. All CDSE certificates must be included with the appointment orders prior to SMC registration being approved.

9. SMs who have attended the SMC within the last three (3) years will not need to re-attend the SMC.

10. The point of contact for this memorandum is SFC Forbes, Michael at Michael.j.forbes@socom.mil or 910-908-8788.

BRUNSON.TAVI.NIGEL. Digitally signed by BRUNSON.TAVI.NIGEL. Date: 2021.09.27 08:46:38 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

FW: Counseling Closeout

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

To: paxmas2007@yahoo.com

Date: Thursday, June 8, 2023 at 08:47 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB:
☎ Staff Office: (910) 908-8787
☎ SIPR:
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>
Sent: Thursday, October 7, 2021 7:46 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: Counseling Closeout

SFC Forbes,
Swing by and see me today, I have some admin stuff I need to take care of for your counseling.

Thanks!

v/r
1SG Larry Morgan
Headquarters and Headquarters Company
528th Special Troops Battalion (SO) (A)
Office: (910) 432-0272
Email: larry.morgan.mil@socom.mil

smime.p7s
6.5kB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Collins, Mark E Jr. MAJ USARMY USSOCOM USASOC (USA)
Sent: Wednesday, October 13, 2021 2:08 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Subject: RE: ICO Springer, Daimeo Clearance verification

SFC Forbes,

Looks good to send. Just capitalize att.

V/R,

Mark E. Collins, Jr.
MAJ, LG
Brigade Executive Officer
528th Sustainment Brigade (Special Operations)(Airborne)
1st Special Forces Command (Airborne)
Bldg X-4047 New Dawn Rd.
Fort Bragg, NC 28310
Office: (910) 396-4898
Cell:
SVoIP:
SOCOM NIPR: mark.e.collins.mil@socom.mil
SOCOM SIPR: mark.e.collins.mil@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Date: Wednesday, Oct 13, 2021, 13:16
To: Collins, Mark E Jr. MAJ USARMY USSOCOM USASOC (USA) <mark.e.collins.mil@socom.mil>
Subject: FW: ICO Springer, Daimeo Clearance verification

Sir:
I met with LTC Furlow yesterday regarding the unreported Springer, Daimeo derogatory report. I know I have your support in improving our timeliness of derogatory reporting given the proposed and stringent changes coming from HQDA pertaining to the Personnel Security Accountability Program. With that in mind, and per our discussion, I did meet with our BN CDR (with BN XO present) to frame this issue and I used Springer as the example. The email I would like to send him is below-the-line; however, I wanted your take on it first.

SFC Forbes

Sir (and Ma'am due to your presence):

Thank you for your time yest to discuss the DEROG process and how the accountability of it is changing in the near future (Re: PSAP program). I appreciate your willingness to "get[ing] this right." Given that you commented that the aforementioned SM did not have a clearance, I had SSG Meredith check this (as my DISS was disabled last Wednesday due to some 15-6 investigation [per USASOC], that is likely and more accurately, a PI) and SPC Springer does have a SECRET clearance.

With that in mind, as soon as is practical, can you forward any and all releasable (to DoD CAF) information regarding this SM and also let me know when I may reach out to him to brief him on follow-on documentation that needs submitted to adjudicate his case with DoD CAF. I won't be able to submit this att but I will have SSG Meredith submit it for me.

NOTE: His derogatory report submission is already late per the last 4 pages of the power-point attached. I also attached a wish-list form, which is what we use to brief SMs on the derogatory reporting process. I intend to lean forward on ensuring, through education and proper guidance, that our Derogatory Reporting gets closer to compliant. With your help and all Commanders' support, we can 'get this right.'

Thank you, again, Sir.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB:
☎ Staff Office: (910) 908-8787
☎ SIPR:
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Meredith, Joseph R SSG USARMY USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Sent: Wednesday, October 13, 2021 11:00 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: ICO Springer, Daimeo Clearance verification

SFC Forbes,

He does have a clearance: Favorable Secret made on 2018-11-07 by DoD CAF

V/R

Joseph R Meredith
SSG, USA
528th Sustainment Brigade (SO) (A) S2
UNCLASS: 910-908-8790
Cell: 321-698-0324

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, October 13, 2021 9:27 AM
To: Meredith, Joseph R SSG USARMY USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Subject: ICO Springer, Daimeo Clearance verification

SSG Meredith:

Thank you for notifying me that my account should not have been disabled last Thursday, but, since you have access and my account was disabled, can you look up the SM in the cc: line and let me know if he has a clearance or not. Spoke with BN CDR yesterday about him and they are saying he does not have a clearance, so I can follow-up today. Thank you.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB:
☎ Staff Office: (910) 908-8787
☎ SIPR:
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY
SPECIAL OPERATIONS COMMAND
2929 DESERT STORM DRIVE
FORT LIBERTY, NORTH CAROLINA 28310-9110

May 31, 2023

Mr. Michael Forbes

Dear Mr. Forbes:

This is in response to your Freedom of Information Act (FOIA) request; U.S. Army Special Operations Command FOIA case #23-096. This case is a combination of two separate requests. The first request is for a copy of all releasable information from an investigation, conducted on or about October 2021, into the theft of an IOTV in the BDE Staff area of 528th. The second request is for a copy of the appointment orders, to include paragraph 4, from the investigation initiated by 1st SFC IG in January 2023, for counter-productive leadership.

This office is making an initial release of information from this investigation to you. Certain information is withheld under FOIA Exemptions (b)(3)(10 USC § 130b)/(b)(6), privacy matters/concerns, (b)(7)c for personal privacy in law enforcement records, and (b)(5) for pre-decisional information.

I note that all redactions are made as an initial determination only. The final determination regarding the release of information from this investigation will be made by the Initial Denial Authority, the Office of The Judge Advocate General. A copy of this response has been sent to the Office of The Judge Advocate General, and that office will contact you in reference to your FOIA request. You may contact the Office of The Judge Advocate General at the following address:

Office of The Judge Advocate General ATTN: DAJA-AL (FOIA)
2200 Army Pentagon, Room 3D548
Washington, DC 20310-2200

usarmy.pentagon.hqda-otjag.mbx.foia@army.mil

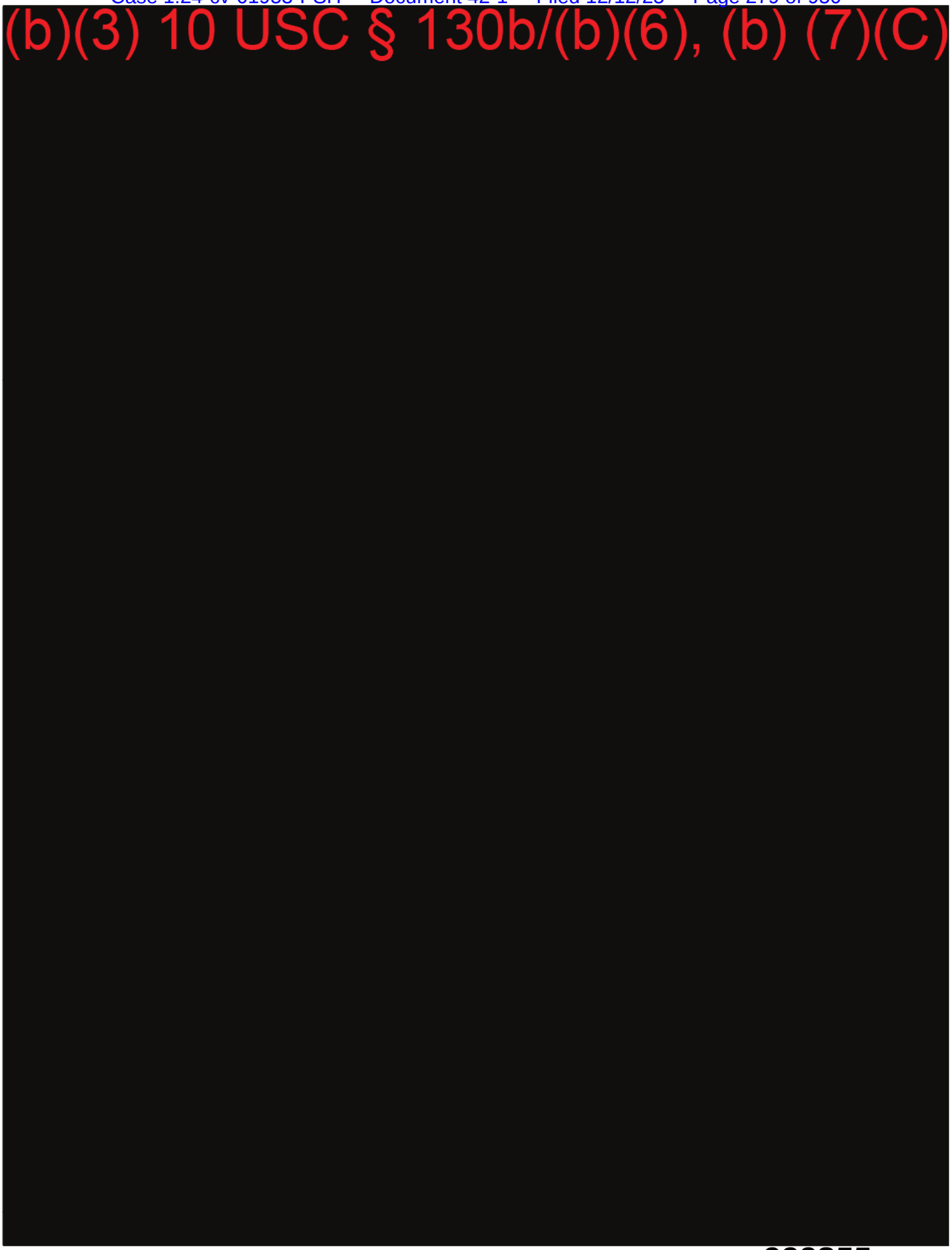
If you have any questions regarding this response, please contact Mr. Christopher Nesbitt, FOIA/PA Officer, at christopher.nesbitt@socom.mil, (910) 432-9233.

Sincerely,

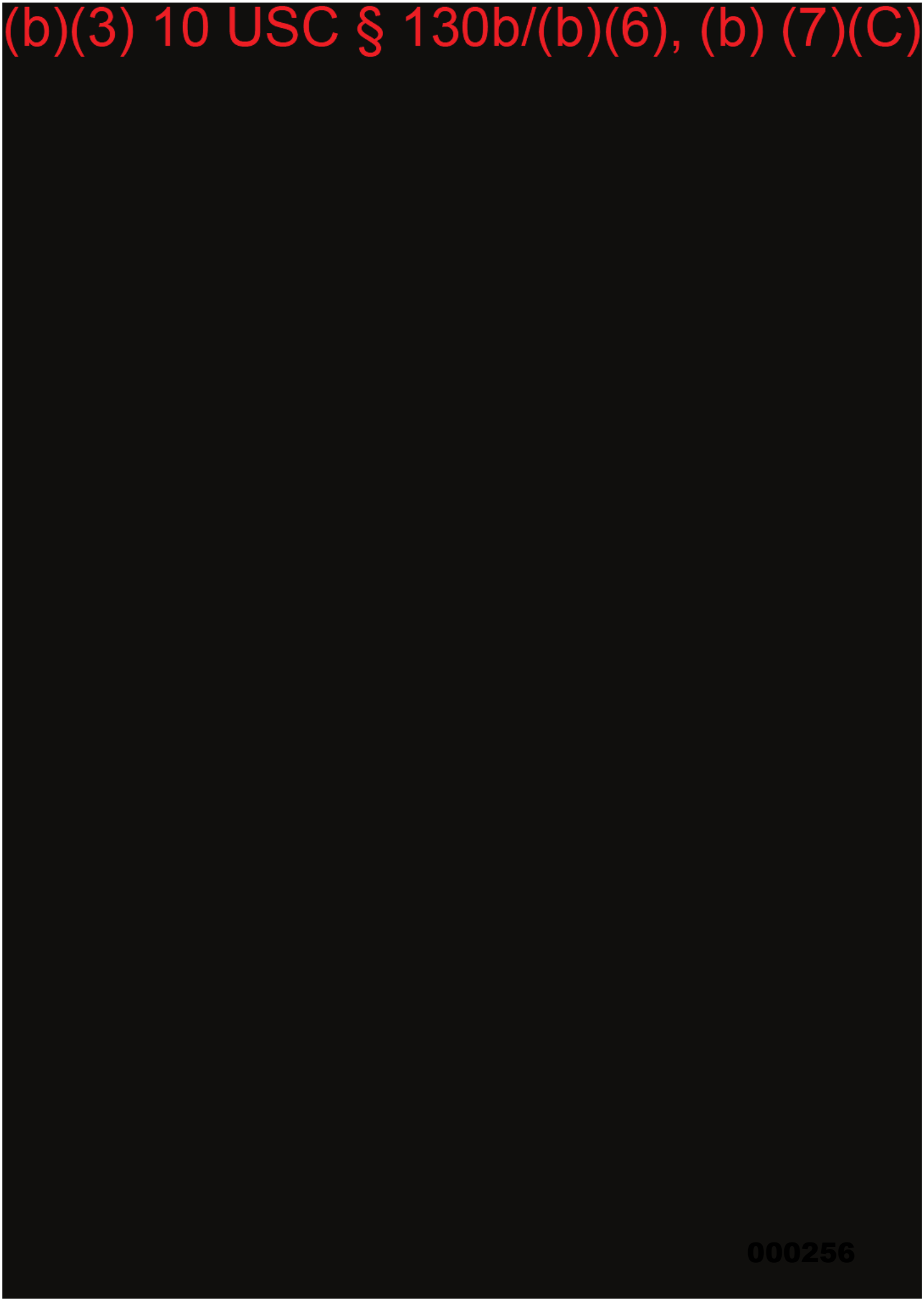
for Christopher Nesbitt
Paul Sparks
Colonel, U.S. Army
Deputy Chief of Staff, G-6

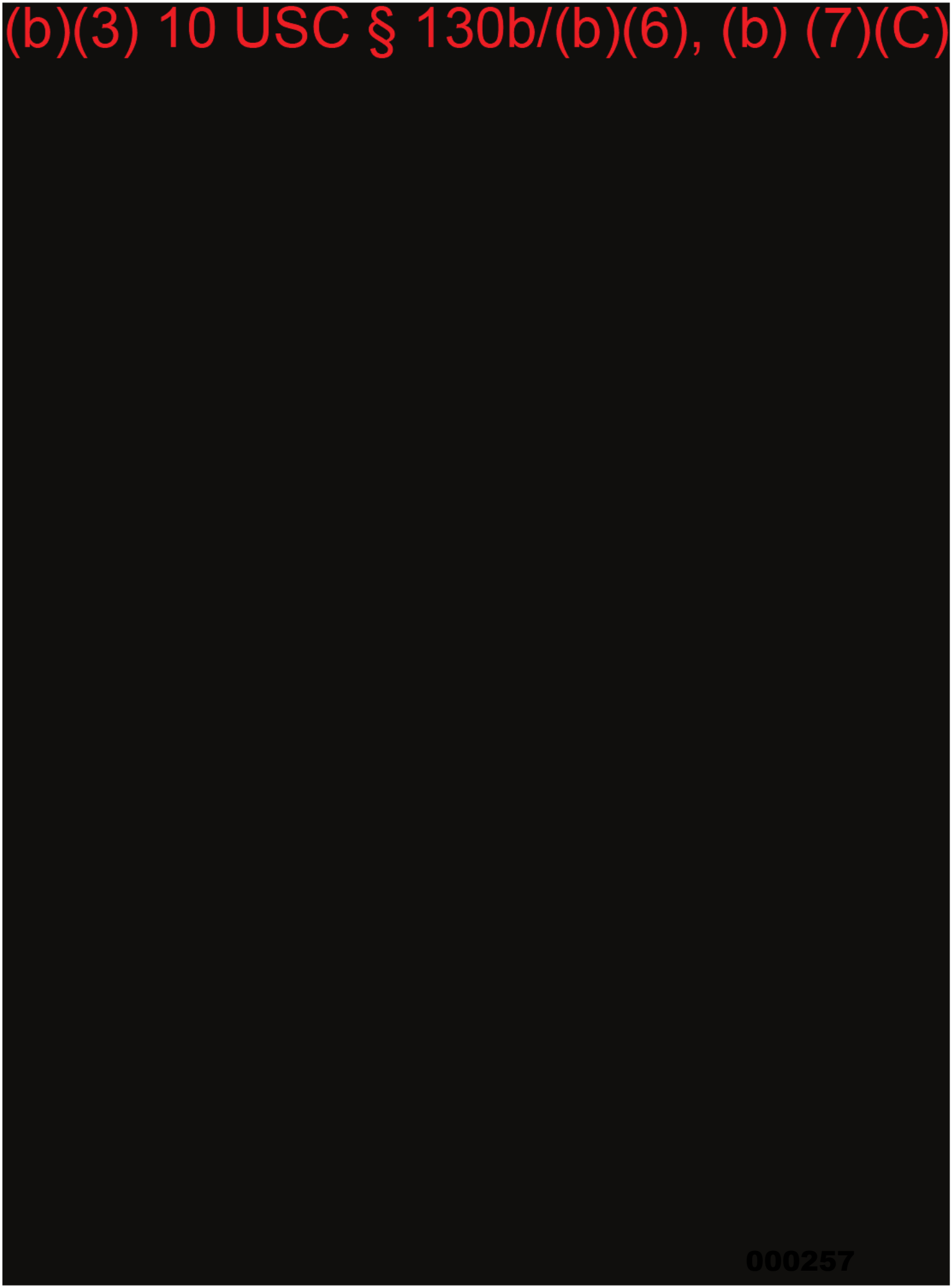
Enclosure

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)



(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)




(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)
000257

DEPARTMENT OF THE ARMY
(b)(3) 10 USC § 130b/(b)(6)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
FORT BRAGG, NC 28310

AOSC-(b)(3) 10 USC §

15 October 2021

MEMORANDUM FOR (b)(3) 10 USC § 130b/(b)(6) 528th (b)(3) 10 USC § 130b/(b)(6) (b)(3) 10 USC § 130b/(b)(6) 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310

SUBJECT: Findings and Recommendations for a Preliminary Inquiry into the Displacement of a Piece of Military Property

1. **Background.**
I was appointed on 12 October 2021 to inquire about the facts and circumstances surrounding the displacement of (b)(3) 10 USC § 130b/(b)(6) OCIE gear and the potential involvement of SFC Michael J. Forbes.

2. **Summary.**
I conducted a preliminary inquiry into the displacement of (b)(3) 10 USC § 130b/(b)(6) Universal Camouflage Pattern (UCP) Improved Outer Tactical Vest (IOTV) from the 528th Sustainment Brigade (b)(3) 10 U office o/a 1OCT2021. O/a 011802OCT2021 SFC Forbes was seen on security camera footage (exhibit 8) removing a UCP IOTV from the brigade (b)(3) 10 U office and moving it into the (b)(3) 10 U office. That UCP IOTV was later identified as belonging to (b)(3) 10 USC § 130b/(b)(6)

3. **Overview.**
This inquiry began on o/a 130936OCT2021 and the completed inquiry packet was submitted to the Office of the Staff Judge Advocate o/a 151640OCT2021. (b) (7)(C) people were interviewed throughout the course of the inquiry. Their sworn statements, security camera footage in which SFC Michael Forbes is seen displacing the UCP IOTV, security camera footage covering the time period between when the UCP IOTV was displaced and when it was returned, and additional follow-up interviews are the pieces of evidence that were gathered for the inquiry. The one piece of evidence that I would have liked to review but was unable to obtain was a photo of how (b)(3) 10 USC § 130b/(b)(6) gear was arrayed in the breakroom area of the brigade (b)(3) 10 U office when the UCP IOTV was displaced. However, the absence of that evidence is not consequential to this inquiry.

4. **Summary of Relevant & Material Facts.**
Through the course of this investigation I interviewed and collected sworn statements from (b) (7)(C), (b)(3) 10 USC § 130b/(b)(6) SFC Michael Forbes (b) (7)(C), (b)(3) 10 USC § 130b/(b)(6) (b) (7)(C), (b)(3) 10 USC § 130b/(b)(6). I also reviewed security camera footage from (b)(3) 10 USC § 130b/(b)(6), (b) (7)(C) The footage that I reviewed is time stamped 01OC11730-18032021 (exhibit 8). After gathering those initial pieces of evidence, I determined that I needed to review

additional security camera footage. I reviewed the footage from BLDG [redacted] camera [redacted] time stamped 01820OCT2021 – 061730OCT2021 (exhibit 9). After reviewing the additional security camera footage and conferring with the Office of the Staff Judge Advocate, I determined that additional questions needed to be asked of SFC Forbes (exhibit 10) and [redacted] (exhibit 11). The first piece of evidence that I collected was a sworn statement from [redacted] states in [redacted] sworn statement (exhibit 1) that [redacted]

[redacted]

[redacted] sent a text message to all of the Service Members within the brigade S3 section when [redacted] UCP IOTV was unaccounted for to ask if any of them had seen it or moved it. This effort is confirmed in the sworn statements of [redacted] (exhibit 2) and [redacted] (exhibit 6).

[redacted]

[redacted] review of the security camera footage (exhibit 8) shows SFC Forbes removing the UCP IOTV from the brigade S3 office and moving it into the brigade S2 office o/a 011802OCT2021. SFC Forbes states in his sworn statement (exhibit 4) o/a 041320OCT2021 he asked [redacted] where [redacted]

had been for the previous 20 minutes following the lunch break. SFC Forbes states (exhibit 4) that [redacted] told him that [redacted] had been downstairs near the brigade staff duty desk assisting [redacted] review security camera footage to try to find out who displaced [redacted] UCP IOTV. SFC Forbes states (exhibit 4) that he immediately stopped what he was doing and went downstairs to talk with [redacted] to tell [redacted] that he was the one who removed the IOTV from the brigade S3 office. SFC Forbes states (exhibit 4) that [redacted] final words to him in that specific exchange thanked him for telling [redacted] and that it saved [redacted] additional time in reviewing more of the footage. [redacted] Therefore, there is no effective way to confirm if [redacted] saw SFC Forbes displacing the UCP IOTV on the footage first or if SFC Forbes spoke with [redacted] regarding the incident first. [redacted] SFC Forbes states in his sworn statement (exhibit 4) that they did not discuss that, but told [redacted] that he would return the UCP IOTV the following day (5OCT2021). SFC Forbes also states (exhibit 4) that he never took the UCP IOTV home and that it remained in his wall locker in his office the entire time. This was confirmed while viewing the security camera footage from camera [redacted] (exhibit 9). [redacted] SFC Forbes states (exhibit 4) that he had not returned the UCP IOTV on 5OCT2021 because he had been busy throughout the day and did not make time to return the UCP IOTV until around 1600 that day but he could not find [redacted] at that time. SFC Forbes states that at no time on 5OCT2021 did [redacted] stop by the S2 office to ask about [redacted] UCP IOTV. [redacted]

AOCS-STB
SUBJECT: Findings and Recommendations for a Preliminary Inquiry into the Displacement of a Piece of Military Property

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6) SFC Forbes confirms this conversation in his sworn statement (exhibit 4). (b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C) This is consistent in the sworn statements of both (b)(3) 10 USC § 130b/(b)(6) (exhibit 3) and SFC Forbes (exhibit 4) as well as security camera footage (exhibit 9). The return of the UCP IOTV on morning of 6OCT2021 with (b)(3) 10 USC § 130b/(b)(6) present is also confirmed in the statement of (b)(3) 10 USC § 13 (b)(3) 10 USC § 130b/(b)(6) (exhibit 1) as well as security camera footage (exhibit 9).

While reviewing security camera footage (exhibit 8), (b)(3) 10 USC § 130b/(b)(6) can both be seen speaking with and walking into the brigade S2 and S3 offices together between 1730-1803 on 1OCT2021. The sworn statements of (b)(3) 10 USC § 130b/(b)(6) (exhibit 6), (b)(3) 10 USC § 130b/(b)(6) (exhibit 2), and SFC Forbes (exhibit 4) are consistent in stating that they were all working through Initial Command Inspection (ICI) due outs as the ICI out-brief had been earlier that day. (b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

5. **Findings:**

After carefully considering the evidence, I find that SFC Forbes did remove the UCP IOTV from the brigade S3 office o/a 011802OCT2021 and place it in the brigade S2 office with the intent of securing it. Although, his intent to find the owner and return the UCP IOTV remains unclear. While SFC Forbes never outwardly removed the UCP IOTV from the brigade headquarters building (exhibits 8 and 9), displaying an intent simply to secure it, he also did not return the piece of gear in a timely fashion. Had the UCP IOTV simply been stored in SFC Forbes' wall locker in his office, he should have

been able to return it to [redacted] on 4OCT2021 immediately following their conversation. The return of the UCP IOTV only took him approximately two minutes, confirmed on security camera footage (exhibit 9). Furthermore, in a follow-up interview with [redacted] As the personnel and physical security officer, and as a senior Non-Commissioned Officer, his professional conduct should be of higher standard. While I do recognize that we occasionally joke around with one another in securing each others' gear, when confronted or when one identifies who gear belongs to, it is critical to return it to its rightful owner immediately. While I cannot prove SFC Forbes' intent with the UCP IOTV, I do not believe that he handled himself appropriately or professionally in the situation.

6. **Recommendations.**

In view of the above findings, I recommend a letter of concern from the 528th Sustainment Brigade (Special Operations) (Airborne) [redacted] for SFC Forbes. I do not believe that he conducted himself appropriately throughout the course of the incident. While I do not believe his conduct necessarily warrants a General Officer Memorandum of Reprimand, or any other adjudication of that extent, it is of concern for a senior Non-Commissioned Officer who serves the brigade in various roles concerning personnel and physical security. Additionally, his misconstrued intent of actions led to a significant loss of man hours across the brigade S2, S3, and JAG sections, as well as an unnecessary loss of his DIS access rendering him unable to complete the primary duties for his position.

I also recommend developmental counseling from the 528th Sustainment Brigade (Special Operations) (Airborne) [redacted] for SFC Forbes. SFC Forbes needs to be counseled on how to effectively secure unsecured items, preferably involving other people and utilizing proper storage areas for unsecured/unaccompanied equipment, as to avoid unnecessary allegations of misconduct. [redacted]

I also recommend the brigade create an area, potentially near staff duty and under the control of staff duty, to secure items that are found unsecured throughout the building. This will alleviate 528th Sustainment Brigade (Special Operations) (Airborne) personnel from feeling that the need to secure unsecured personal or military gear that is found within the building, in their own personal area.

AOCS-STB
SUBJECT: Findings and Recommendations for a Preliminary Inquiry into the Displacement of a Piece of Military Property

7. The point of contact for this memorandum is the undersigned at (b)(3) 10 USC § 130b/(b)(6) and (b)(3) 10 USC § 130b/(b)(6)

(b)(3) 10 USC § 130b/(b)(6)

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ENCLOSURES:

I. DA Form 1574-1
II. Findings and Recommendations Memorandum
III. Chronology of Events
IV. Appointment Memorandum

EXHIBITS:

1. (b)(3) 10 USC § 130b/(b)(6)
2.
3.
4. SFC Michael J. Forbes Sworn Statement
5. (b)(3) 10 USC § 130b/(b)(6)
6.
7.
8. Security camera footage from (b)(3) 10 USC § 130b/(b)(6), (b) (7)(C) time stamp 011730-1803OCT2021
9. Security camera footage from (b)(3) 10 USC § 130b/(b)(6), (b) (7)(C) time stamp 011820OCT2021 – 061730OCT2021
10. SFC Michael J. Forbes Follow-Up Interview Sworn Statement
11. (b)(3) 10 USC § 130b/(b)(6)

CHRONOLOGY OF EVENTS

12 October 2021

1. Investigation appointed by [redacted]

13 October 2021

1. Received appointment orders from [redacted] legal advisor, in person; discussed appointment.
2. Received briefing [redacted] legal advisor, and email containing legal resources for the inquiry.
3. Began investigation.
4. Contacted all individuals assigned by appointment memo, began to schedule interview appointments.
5. At 1104L interviewed [redacted] telephonically.
6. At 1318L interviewed [redacted]
7. At 1425L received email from [redacted] regarding [redacted] sworn statement
8. At 1429L interviewed [redacted]
9. At 1448L received email from [redacted] submitting [redacted] sworn statement.
10. At 1456L received email from [redacted] submitting [redacted] sworn statement.
11. At 1510L interviewed [redacted]
12. At 1532L reviewed security camera footage with [redacted]
13. At 1557L interviewed [redacted]
14. At 1601L received a copy of the security camera footage from [redacted]
15. At 1616L received email from [redacted] submitting [redacted] sworn statement.
16. Reviewed documents collected to date. Began to formulate findings and recommendations based on initial discussions.
17. At 1931L received email from [redacted] submitting [redacted] sworn statement.

14 October 2021

1. Discussed with [redacted] the way forward for the inquiry and how to best approach the interview with SFC Michael Forbes. Coordinated for legal representative presence for interview with SFC Michael Forbes.
2. At 1019L followed up with [redacted] regarding additional questions for the investigation to add to [redacted] sworn statement.
3. At 1118L received email from [redacted] submitting [redacted] sworn statement.
4. At 1258L read SFC Michael Forbes his rights.
5. At 1308L interviewed [redacted]
6. At 1613L received email from SFC Michael Forbes submitting his sworn statement.
7. Discussed sworn statements, findings and recommendations with [redacted]

15 October 2021

1. Submitted initial preliminary inquiry packet to the Office of the Staff Judge Advocate for legal review, pending review of additional security camera footage.
2. Reviewed additional security camera footage at 1345-1446L in order to complete findings and recommendations.
3. Discussed findings with Office of the Staff Judge Advocate. Determined additional interviews needed to be conducted and coordinated for legal representative presence for follow-up interview with SFC Michael Forbes.
4. At 1507L conducted follow-up interview with SFC Michael Forbes
5. At 1531L conducted follow-up interview with (b)(3) 10 USC § 130b/(b)(6)
6. At 1634L received email from SFC Michael Forbes submitting follow-up sworn statement.
7. Finalized findings and recommendations, submitted finalized preliminary inquiry packet to the Office of the Staff Judge Advocate for legal review.
8. Notified (b)(3) 10 USC § 130b/(b)(6) that completed inquiry was submitted to the Office of the Staff Judge Advocate pending legal review.

DEPARTMENT OF THE ARMY
HEADQUARTERS, SPECIAL TROOPS BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
FORT BRAGG, NORTH CAROLINA 28310

AOSC-STB

S: 15 October 2021
13 October 2021

MEMORANDUM FOR (b)(3) 10 USC § 130b/(b)(6) 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg North Carolina 28310

SUBJECT: Appointment as Investigating Officer for a Preliminary Inquiry

1. **Appointment**. You are hereby appointed as an Investigating Officer (IO) pursuant to Army Regulation (AR) 15-6, *Procedures for Administrative Investigations and Boards of Officers*, to conduct a preliminary investigation into the facts and circumstances surrounding matters set forth in paragraph 3 below. Your responsibilities as an IO take precedence over all other military duties. **You have 2 days from the date of this appointment to conduct this investigation**. Coordinate any requests for extensions through your legal advisor.

2. **General Instructions**.

a. The purpose of an AR 15-6 investigation is to elicit facts. You are directed to conduct an investigation into the matters set forth in paragraph 3 below. Your investigation should explore any issues or deficiencies with policy, procedures, resources, doctrine, training, and leadership that might have contributed to this incident. Upon completion of this investigation, you will complete a report of investigation that conforms to the requirements in paragraph 5 of this memorandum and AR 15-6. You will provide your report to your legal advisor, who will arrange for a legal review.

b. If, at any time in the conduct of your investigation, something happens that could cause me to consider enlarging, restricting, or terminating your investigation, or otherwise modifying any instruction in this memorandum of appointment, immediately report this situation to me, together with your recommendations as to the action I should take in response.

3. **Scope of Investigation/Specific Instructions.**

a. You are hereby directed to conduct an investigation into the matters set forth in paragraph 3 below. Such review should include a thorough analysis of whether the circumstances alleged are accurate and merit correction. You should also report whether any personnel should be held accountable for any shortcomings or failures.

b. During your investigation you will, at a minimum, ascertain the following:

1. Was (b)(3) 10 USC § 130b/(b)(6) UCP patter IOTV taken by SFC Michael J. Forbes? If so, from where and when?

2. Why did SFC Forbes take (b)(3) 10 USC § 130b/(b)(6) IOTV?

3. Has SFC Forbes returned the IOTV to (b)(3) 10 USC § 130b/(b)(6)

4. Any other matters you deem relevant.

4. **Conduct of the Investigation.**

a. Subject Matter Experts. (b)(3) 10 USC § 130b/(b)(6) is your legal advisor. [redacted] may be contacted at (b)(3) 10 USC § 130b/(b)(6) You will consult with your legal advisor before making substantive efforts regarding your investigation. You may request that additional individuals or subject matter experts be appointed, in writing, to accompany you and assist you in your investigation. Coordinate such requests with your legal advisor.

b. Evidence Collection.

(1) You are to conduct this investigation using the procedures outlined in Chapter 4, and the general guidance provided in Chapter 3, AR 15-6, DoDM 5200.01, and AR 380-5. No individual has been named a respondent at this time.

(2) To the extent possible, witness statements will be written and sworn. You should record witness statements on a DA Form 2823 (*Sworn Statement*). If it is impracticable to obtain a written and/or sworn statement from a particular witness, you will attest to the accuracy of any transcription or summary of such witness testimony in whatever form it appears within your report of investigation. In accordance with AR 340-21, provide a Privacy Act statement to a witness if you do not use a DA Form 2823 to record the statement of that witness, and your report will be filed in a system of records from which it can be retrieved by reference to the name or other personal identifier of that witness. No U.S. military or civilian witness can be ordered to provide information that may incriminate him or herself. You may order a military or Federal Government civilian employee witness to provide a statement if you believe that they have relevant information that would not incriminate themselves. If, in the course of your investigation you come to suspect a person may have engaged in criminal conduct, you will consult with your legal advisor and inform me. Under no circumstances should you attempt to elicit any information from a suspect without first advising that person of his/her rights under Article 31, UCMJ, or the Fifth Amendment of the U.S. Constitution, as appropriate. Document your rights advisement and witness

waivers of their Article 31 or Fifth Amendment rights on a DA Form 3881 (*Rights Warning Procedure/Waiver Certificate*). When completing a DA Form 3881, use UCMJ § 936. Art. 136(b)(4) as your authority to administer oaths.

(3) Where a civilian employee is a member of a bargaining unit and reasonably believes that the inquiry could lead to disciplinary action against him or her, the employee may have a representative from the bargaining unit present during questioning. You will consult your legal advisor if you have any questions regarding these procedures.

(4) Should you determine in the context of your investigation that a Soldier's status has changed from favorable to unfavorable, as defined in AR 600-8-2, *Suspension of Favorable Personnel Actions*, you must notify me immediately and consult with your legal advisor, to ensure that a flag is initiated against that Soldier.

5. **Report of Investigation**.

a. General. Your report of investigation will be written. Use a DA Form 1574-1 *Report of Proceedings by Investigating Officer*, and attach all required enclosures and exhibits.

b. Assembly. Your completed AR 15-6 investigation will include:

(1) This memorandum of appointment;

(2) An index of all attached exhibits;

(3) All exhibits, labeled and numbered;

(4) If applicable, proper classification markings for each paragraph, page, and exhibit included within your report of investigation; and

(5) A memorandum with your findings and recommendations.

(a) Findings. You will reach your findings by a preponderance of the evidence that you gather. A finding is a clear and concise statement of facts that can be readily deduced from evidence in the record. In your report, develop specific findings and cite the evidence that supports your findings. If evidence conflicts (*e.g.*, conflicting witness statements), make a finding as to which evidence is more credible and why you believe it to be more credible.

(b) Recommendations. Based on your findings, make recommendations as to what changes, if any, are needed in terms of policy, procedures, resources, doctrine, training, and leadership to avoid incidents of this nature in the future, as well as recommendations consistent with your findings concerning other items your

investigation revealed. Each recommendation will cite to the finding that supports it, and should comport with the guidance in AR 15-6.

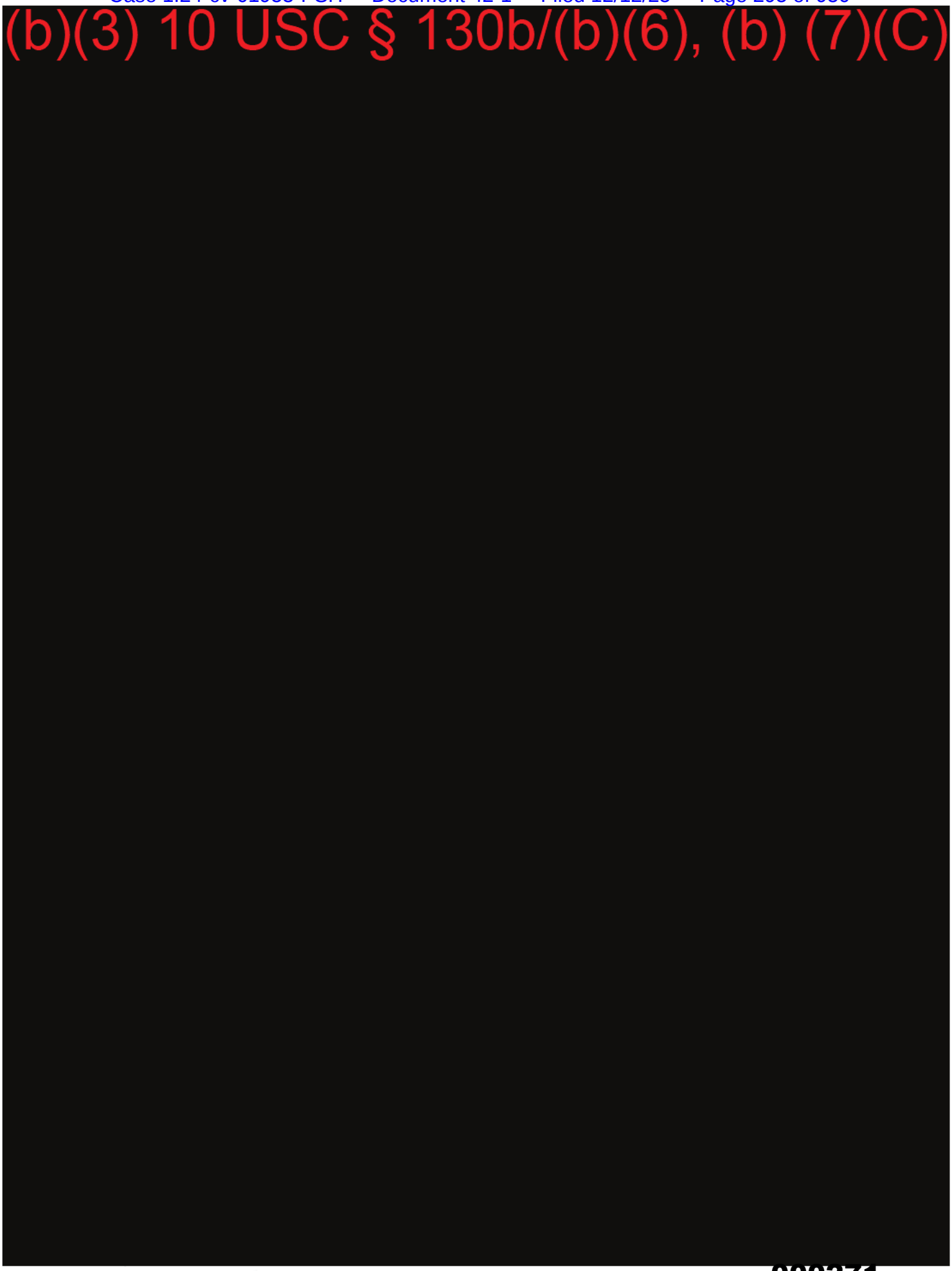
c. Submission. Submit your report of investigation in one hard copy. You may not release any information related to this investigation to anyone, other than your legal advisor, without my prior approval. The investigation should be completed at the unclassified level.

6. **Priority**. This investigation is your primary duty until completed and takes precedence over all other tasks, duties, assignments, and responsibilities including taking leave or going on temporary duty. Any exceptions must be approved by me.

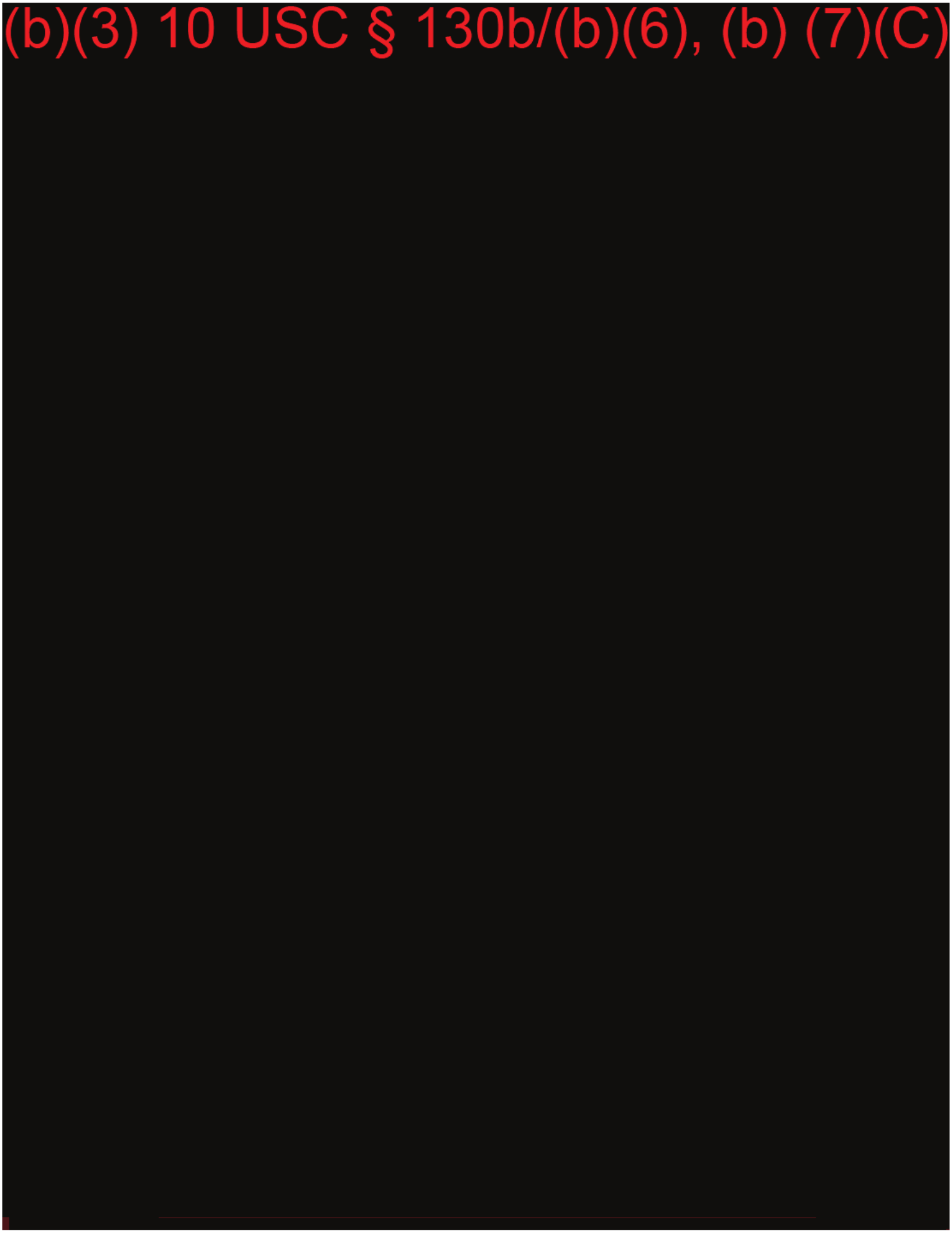
(b)(3) 10 USC § 130b/(b)(6)

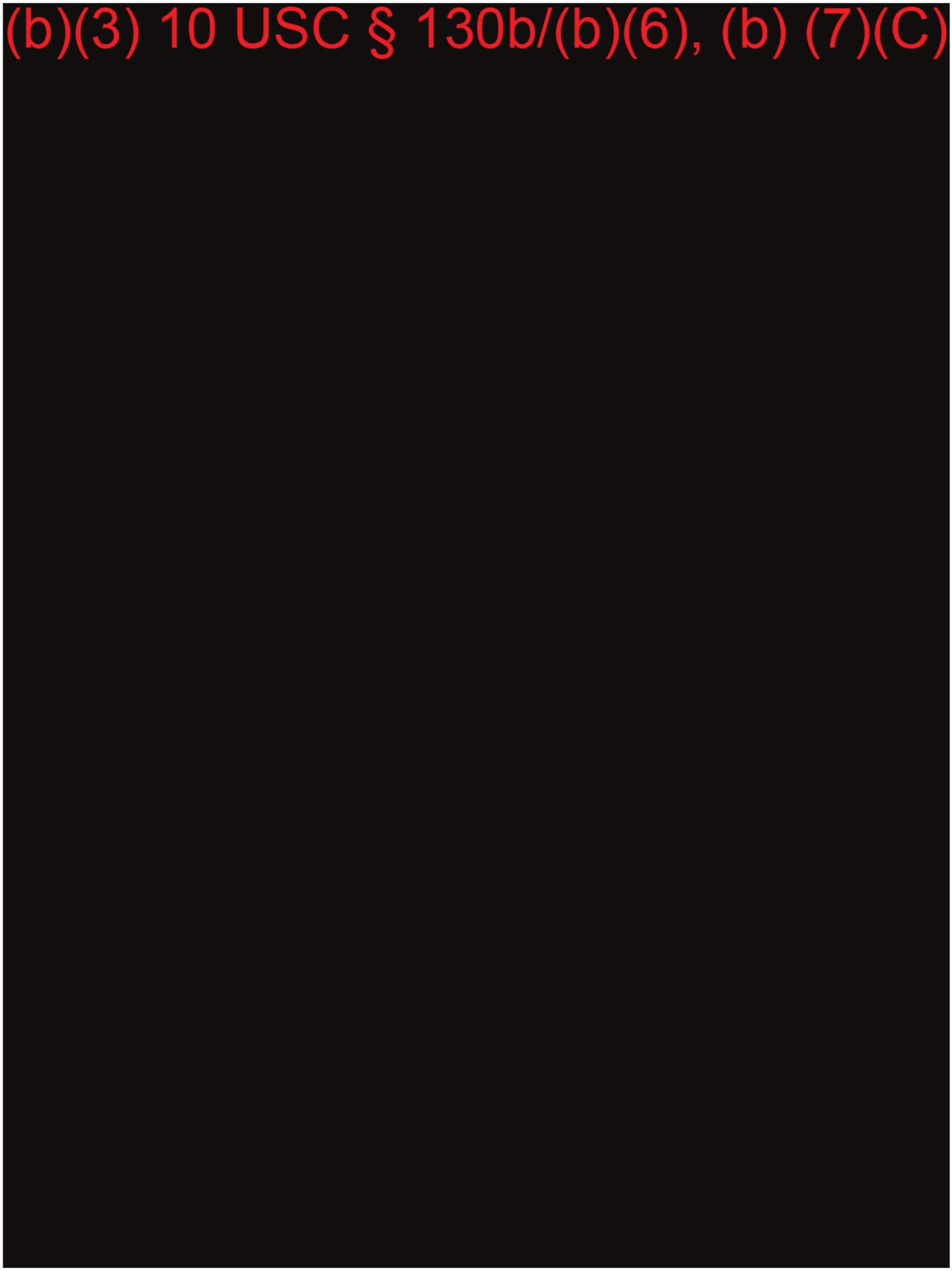
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(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

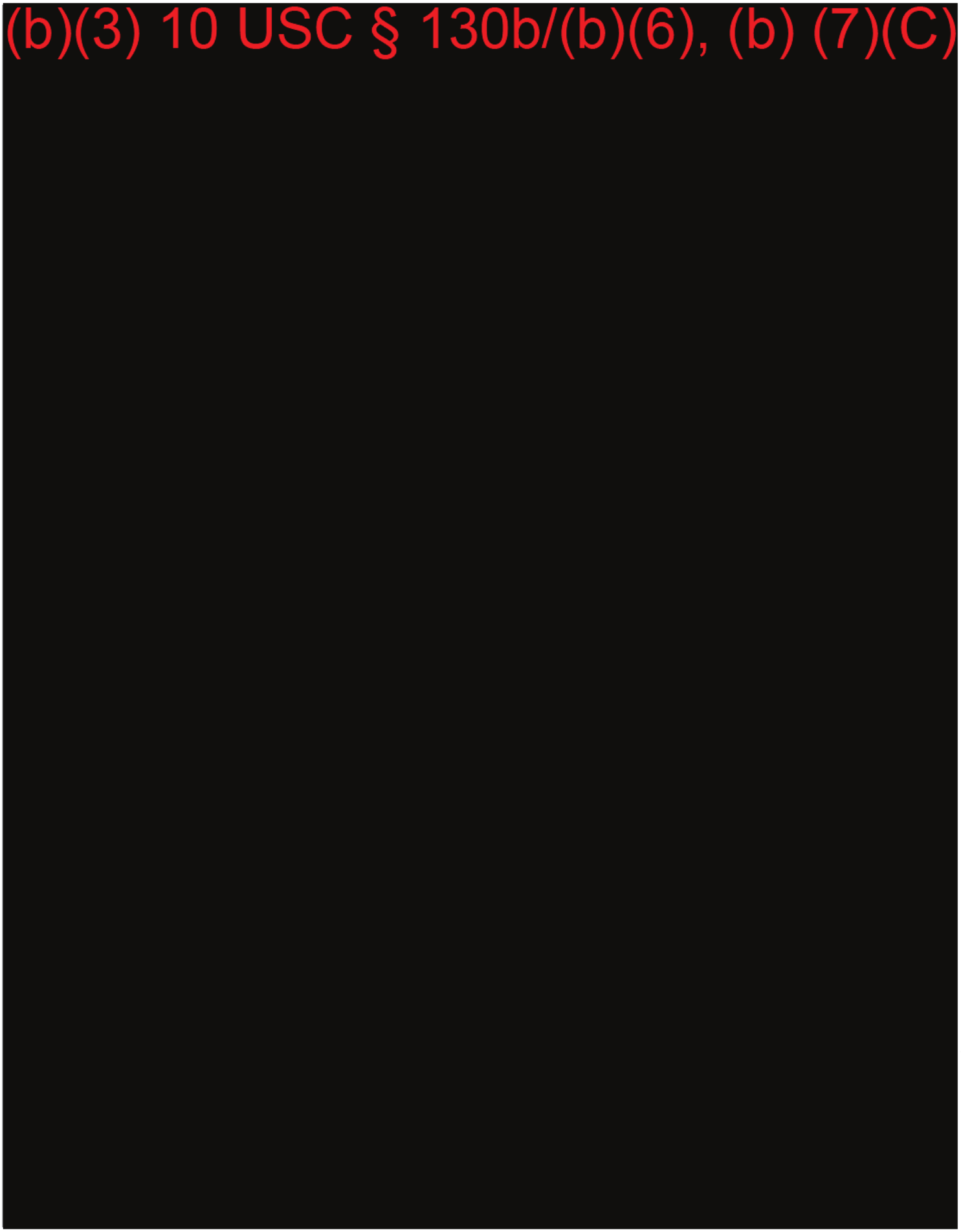


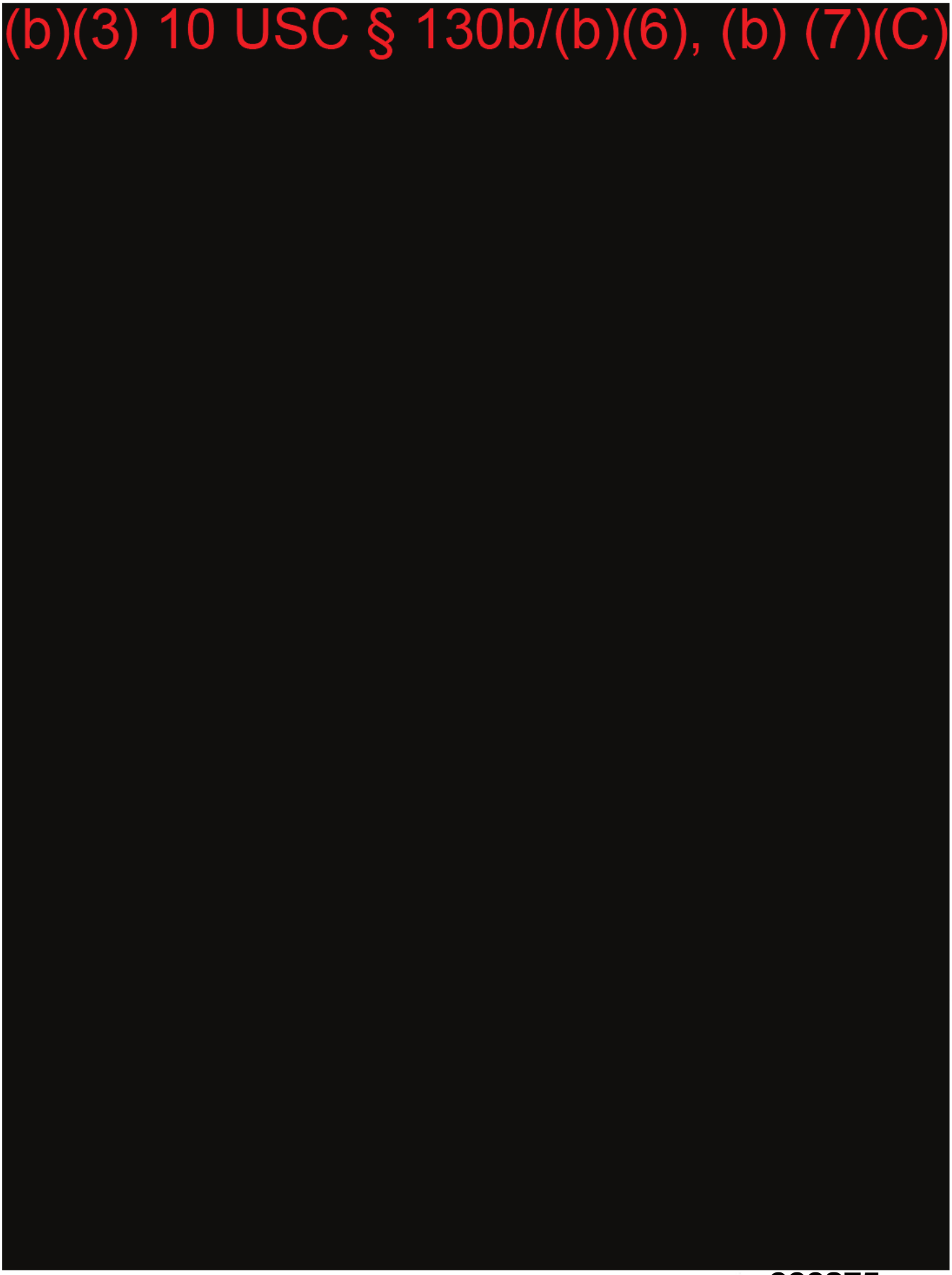
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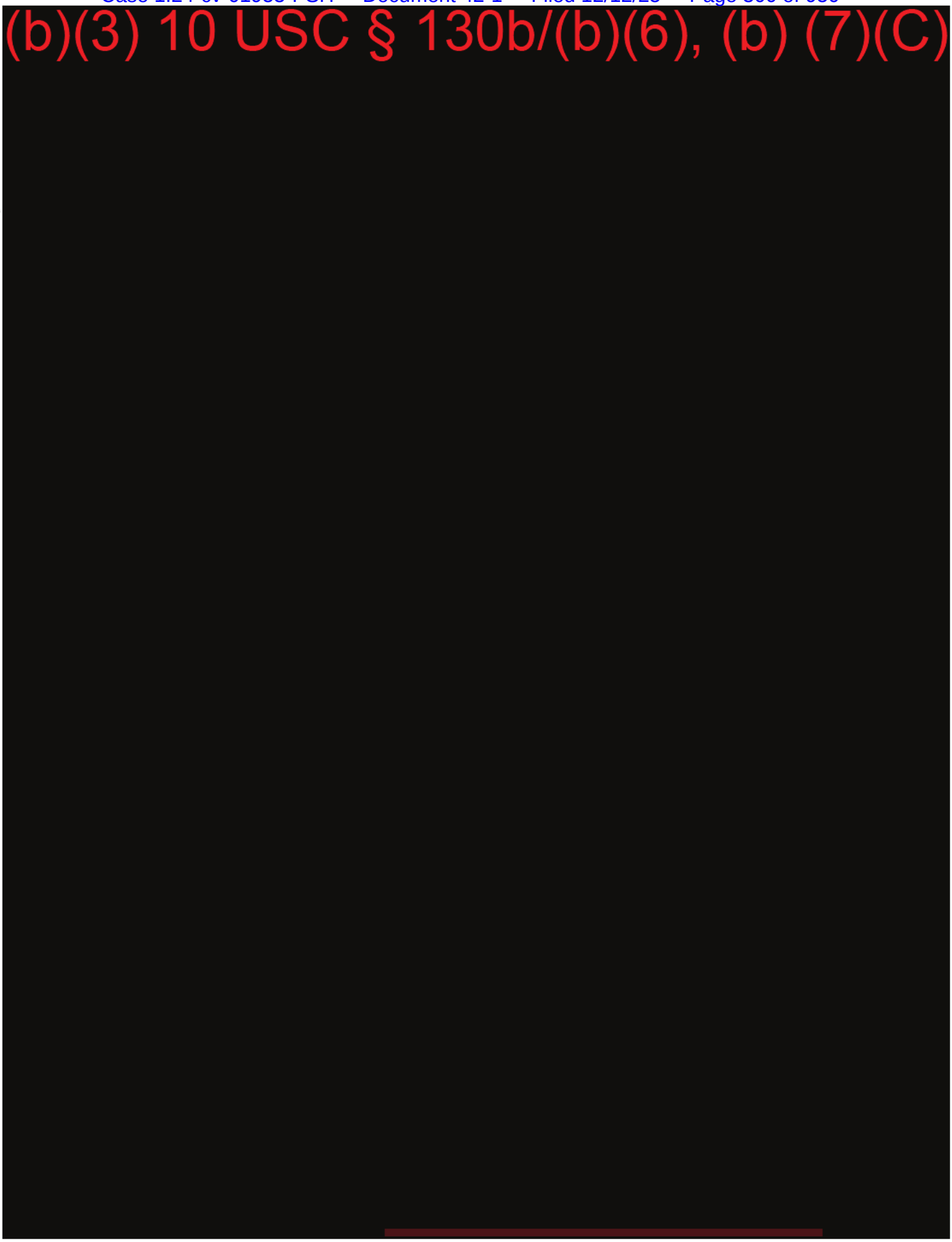

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)




(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)



SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SB (SO)(A) HQ	20211014	1308	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
FORBES, MICHAEL JEFFREY		E7/AD

8. ORGANIZATION OR ADDRESS
(b)(3) 10 USC § 130b/(b)(6) Fort Bragg, NC 28310

9. I, MICHAEL J. FORBES, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. What is your job with 528th?
I am the S2 NCOIC and am also covering down as OIC since we don't have one.

2. Do you have any additional duties?
A stack of them, especially after the ICI. I don't know all of them exactly off of the top of my head but I am the physical security officer, crime prevention officer, non-standard physical security officer, industrial security officer, intelligence oversight officer, information security officer, and personnel security manager and more.

3. Were you aware of OCIE gear that was being stored in the brigade S3 breakroom/copy room area?
It wasn't stored, it was on the floor. It was not secured. I noticed it sometime in the two weeks before the end of the ICI, which was the week of 28SEP-1OCT2021. I had thought that someone was just leaving it there temporarily and would secure it at some point, but no one did.

4. Were you aware of whose gear that was?
No, on Friday (1OCT2021) when I noticed it for the second time, I looked to see if it had a name on it and it did not.

5. At that point, what did you do with it?
I secured it. I took it to my office.

6. Did you take it anywhere other than your office?
No, I kept it stored in my wall locker in my office. I knew I could protect it by keeping it in my wall locker because the only keys for my wall lockers and filing cabinets, in my office, are either in a secured key box or on my person.

7. What was your intent in securing it?
Just to secure it, figure out whose it was (which I couldn't do at that time), and get it back to that person. That is what we do in the Army. I also intended to clean it because it had mud caked on it, but I didn't have time to do that.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
4	MJF MF	PAGE 1 OF 3 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF____ TAKEN AT ____ DATED ____

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

STATEMENT OF MICHAEL J. FORBES TAKEN AT 1308 DATED 20211013

9. STATEMENT *(Continued)*

16. Is there anything else that you would like to report?
This is simply - I saw something unsecured and I secured it. I was anticipating someone coming up on email or something like that asking if anyone had seen their gear, you know how people in the Army do when they misplace some gear, but that didn't happen. I can't speak for [redacted] but [redacted] went straight to the footage for some reason. It never should have come to this. At no time did I intend to steal anyone's equipment. In fact, I wouldn't jeopardize my career, clearance, position, to do so. I happen to love this job here. Not that it would matter, if I didn't love it, I would still do the right thing, but you know what I'm trying to say; I do love my job.

17. Is there anyone else that you think I should talk to?
[redacted] knows that I immediately left the office to go talk with someone. [redacted] wasn't in the office on Monday or Tuesday. [redacted] was working in our office that week. I don't know if you have spoken with [redacted] but [redacted] was there getting training from me. [redacted] but I'm sure you've talked to [redacted] I, typically, don't leave my locker open during the day so there wouldn't have been anyone else who would have walked in that would matter to talk to. It all happened so fast, it was just a couple of working days. I can't think there would be anyone else.

18. Is there anything additional that you would like to add?
There is something else. I find it curious that I was informed that I was under a 15-6 investigation from USASOC personnel upon a routine conversation Wednesday (6OCT2021) around 1300 when I had not been informed by anyone here of any 15-6 being conducted with me as a subject. I am further shocked that this turned into such a formal event when it could have been handled just as well with another form of correspondence, like an email. My other question is who contacted USASOC to have an unfavorable action taken without me having done anything wrong or having been notified. It was very odd how this occurred. This got ramped-up so quickly it could appear as though someone was trying to get my DISS access removed, and fast. I can't function as a personnel security manager without being able to look up people's clearances. I said it differently to [redacted] but something doesn't smell right.

19. What were your conversations with [redacted] like?
I literally went and told [redacted] "I think I just got fired" and [redacted] said "why?" I think it was Wednesday (6OCT2021) afternoon. By the way, [redacted] came also into my office on Wednesday (6OCT2021) morning and asked me if I was in possession of someone's IBA and I said "yes, it's in that locker (I pointed)" and I opened the locker to show [redacted] I said "it's [redacted] and I'm waiting to see [redacted] to give it to [redacted] but I haven't seen [redacted] do you want me to go give it back right now?" [redacted] said,"yes," and [redacted] walked with me to the S3 office. I set the IBA down right next to [redacted] and I asked [redacted] if [redacted] wanted me to check if I have a key matching any wall lockers in the printer room so that [redacted] could store [redacted] gear securely and [redacted] said, "No, I've got one". I did tell [redacted] that this has gotten blown way out of proportion. I was just trying to secure someone's gear but I didn't know whose it was, and I wanted to do my research. That's why I asked him where [redacted] left it because I wasn't going to give it to just anyone, I needed to know it was [redacted]

AFFIDAVIT

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

FORBES.MICHAEL.JEFFREY Digitally signed by FORBES.MICHAEL.JEFFREY Date: 2021.10.14 15:49:25 -04'00'
(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of October, 2021
at [redacted] NC 28310

[redacted]
(Signature of Person Administering Oath)

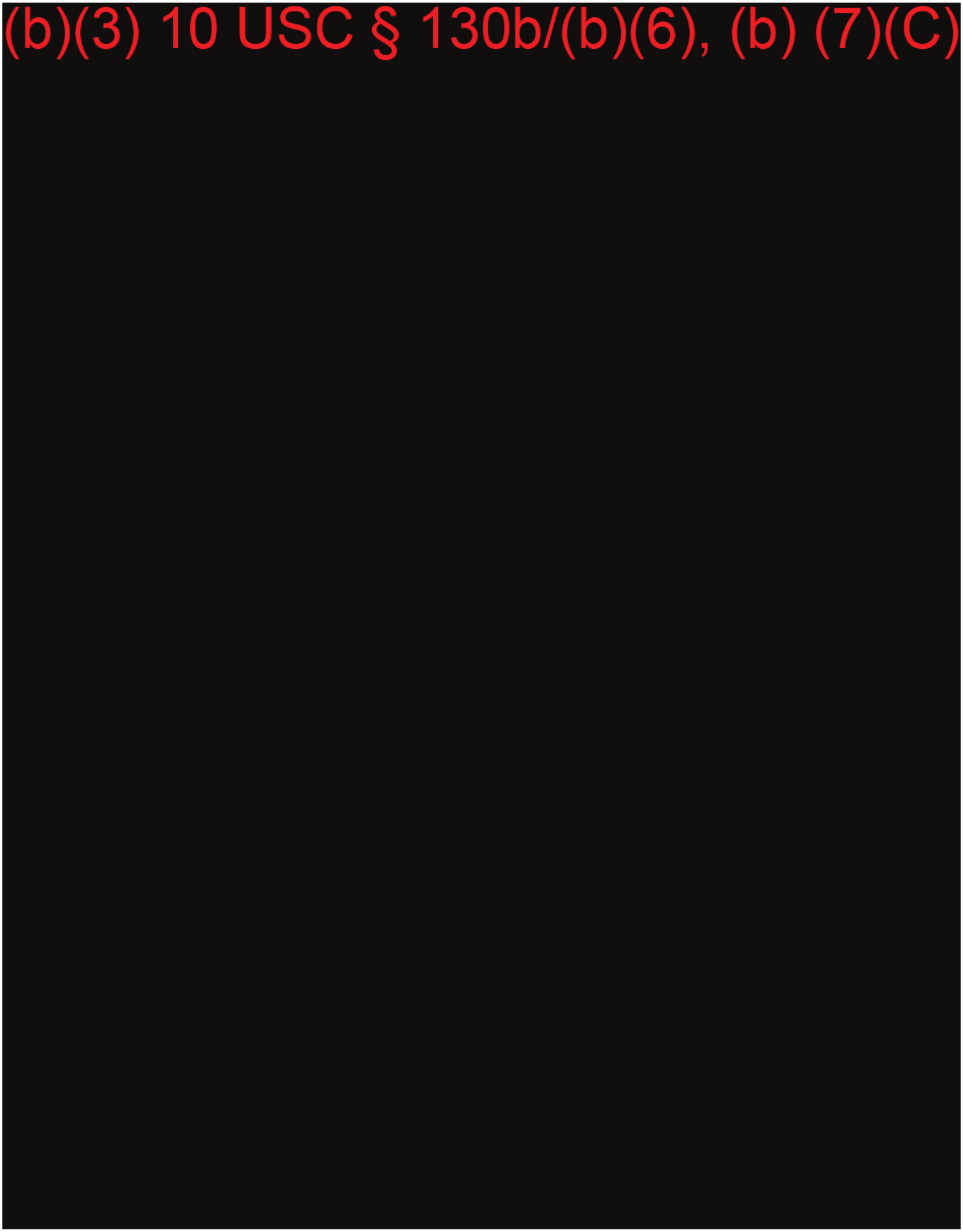
[redacted]
(Typed Name of Person Administering Oath)

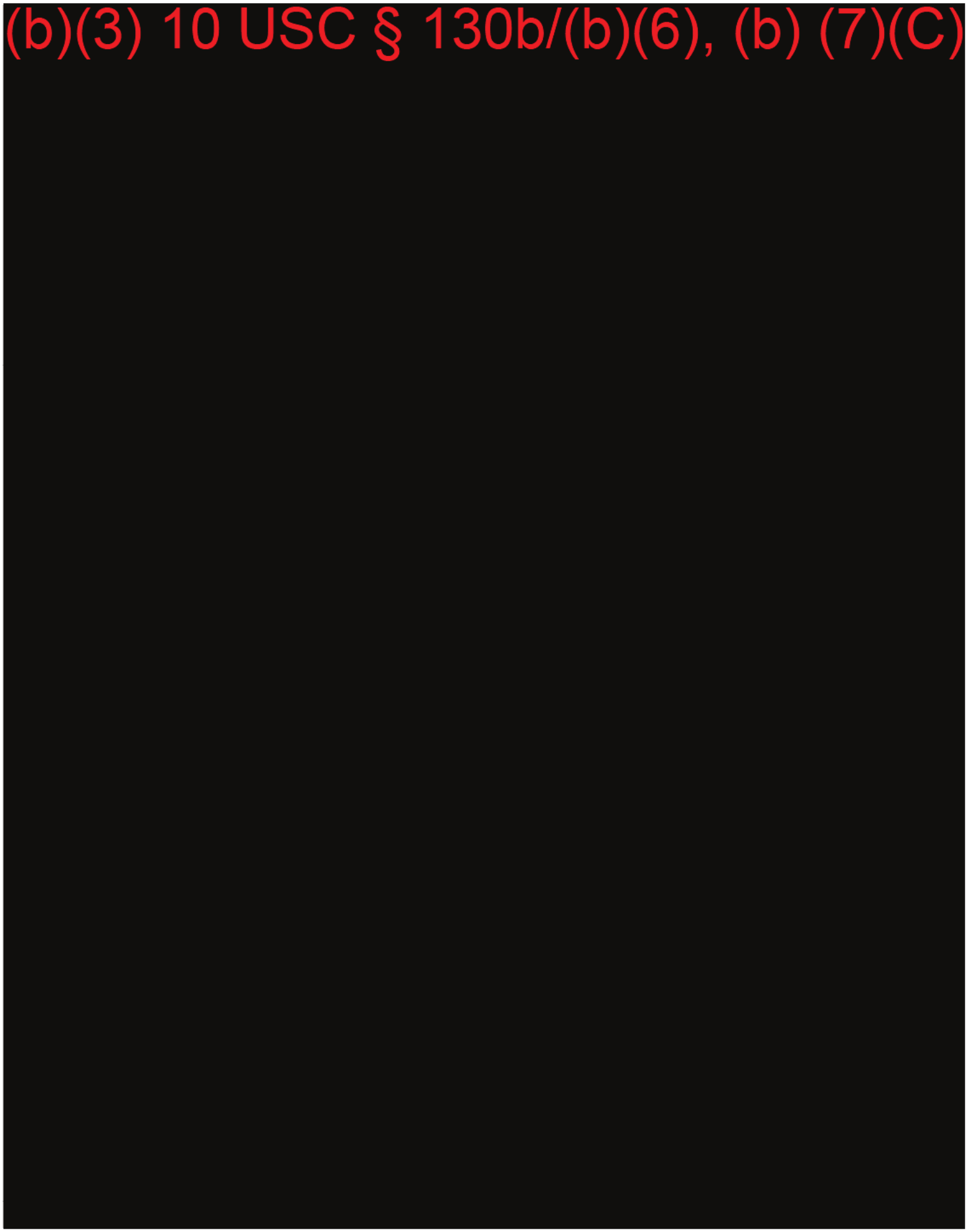
(Authority To Administer Oaths)

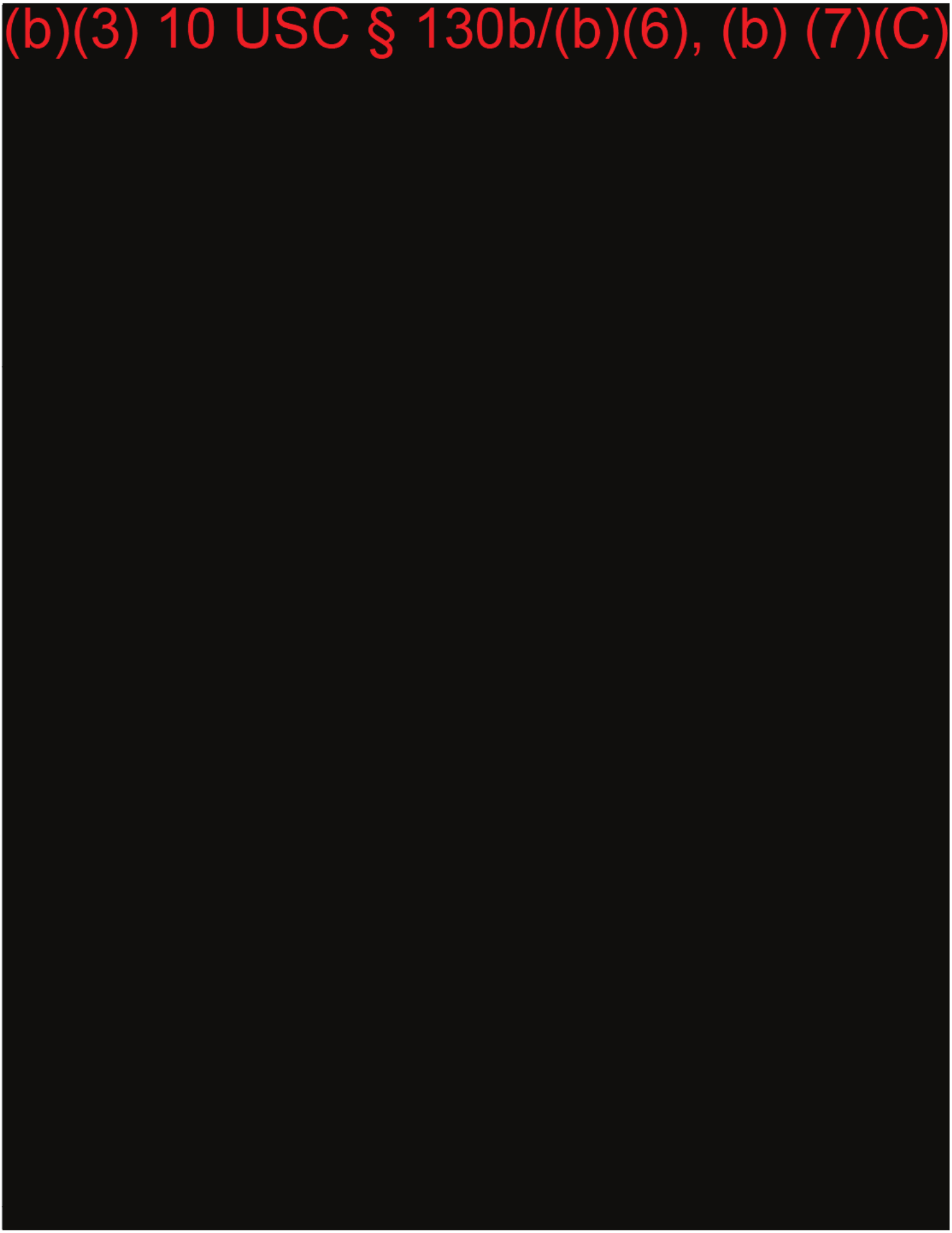
INITIALS OF PERSON MAKING STATEMENT MJF MF

PAGE 3 OF 3 PAGES

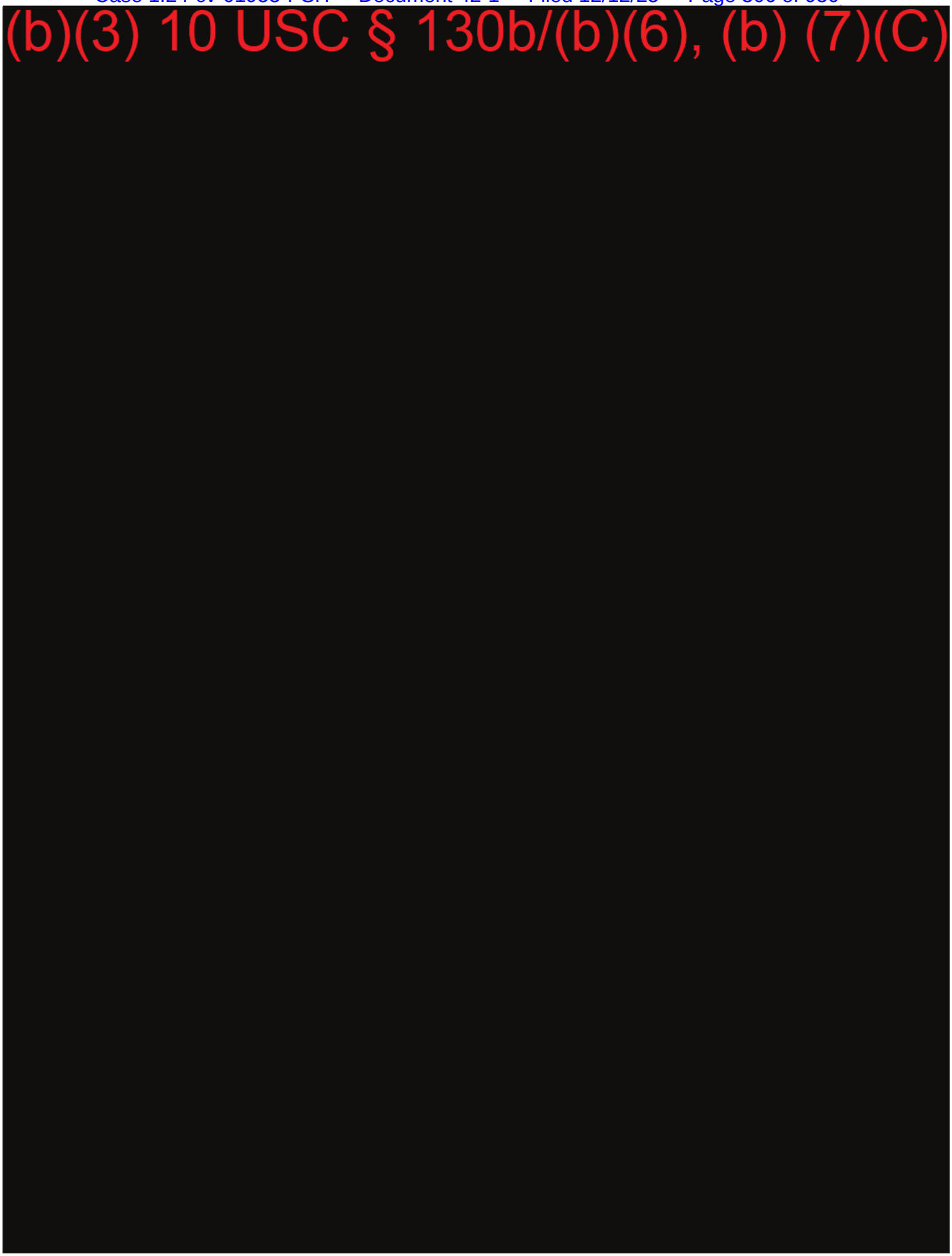
DA FORM 2823, NOV 2006 APD LC v1.01ES


(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)


(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)


(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)



RIGHTS WARNING PROCEDURE/WAIVER CERTIFICATE

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

DATA REQUIRED BY THE PRIVACY ACT

AUTHORITY: Title 10, United States Code, Section 3012(g)

PRINCIPAL PURPOSE: To provide commanders and law enforcement officials with means by which information may be accurately identified.

ROUTINE USES: Your Social Security Number is used as an additional/alternate means of identification to facilitate filing and retrieval.

DISCLOSURE: Disclosure of your Social Security Number is voluntary.

1. LOCATION	2. DATE	3. TIME	4. FILE NO.
528th SB (SO)(A) HQ	14OCT2021	1258	

5. NAME *(Last, First, MI)*	8. ORGANIZATION OR ADDRESS
FORBES, MICHAEL J.	528th SB (SO)(A) (b)(3) 10 USC § 130b/(b)(6) Fort Bragg, NC 28310
6. SSN	7. GRADE/STATUS
	E7/AD

PART I - RIGHTS WAIVER/NON-WAIVER CERTIFICATE

Section A. Rights

The investigator whose name appears below told me that he/she is with the United States Army 528th SB (SO)(A)

(b)(3) 10 USC § 130b/(b)(6) and wanted to question me about the following offense(s) of which I am suspected/accused: Displacement of a piece of military property

Before he/she asked me any questions about the offense(s), however, he/she made it clear to me that I have the following rights:

1. I do not have to answer any question or say anything.
2. Anything I say or do can be used as evidence against me in a criminal trial.
3. *(For personnel subject to the UCMJ)* I have the right to talk privately to a lawyer before, during, and after questioning and to have a lawyer present with me during questioning. This lawyer can be a civilian lawyer I arrange for at no expense to the Government or a military lawyer detailed for me at no expense to me, or both.

- or -

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

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

5. COMMENTS *(Continue on reverse side)*

Section B. Waiver

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

WITNESSES *(If available)*	3. SIGNATURE OF INTERVIEWEE
1a. NAME *(Type or Print)* (b)(3) 10 USC § 130b/(b)(6)	FORBES.MICHAEL.JEFFREY.1295916507 Digitally signed by FORBES.MICHAEL.JEFFREY.1295916507 Date: 2021.10.14 13:04:39 -04'00'
b. ORGANIZATION OR ADDRESS AND PHONE 528th SB (SO)(A)	4. SIGNATURE OF INVESTIGATOR
2a. NAME *(Type or Print)*	5. TYPED NAME OF INVESTIGATOR
b. ORGANIZATION OR ADDRESS AND PHONE	6. ORGANIZATION OF INVESTIGATOR

Section C. Non-waiver

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

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

DA FORM 3881, NOV 1989 EDITION OF NOV 84 IS OBSOLETE. APD LC v2.02ES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SB (SO)(A) HQ	20211015	1507	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
FORBES, MICHAEL JEFFREY		E7/AD

8. ORGANIZATION OR ADDRESS
(b)(3) 10 USC § 130b/(b)(6) Fort Bragg, NC 28310

9. I, MICHAEL J. FORBES, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Follow up:

1. While reviewing security camera footage from 1OCT2021-6OCT2021, you are seen bringing a garment bag into your office o/a 0926 on 4OCT2021 and leaving with it o/a 1126 of the same day. What was in the garment bag?
I brought fresh clothes and I took clothes that had been in my locker for a long time. A contractor plate carrier was taken home, because I want to start rucking with weight but it is not the right size for weights, and some picture frames that I had intended to put up on the wall but didn't. My wife misplaced my big black duffel bags somewhere in the attic and that bag was the only bag large enough that I had to fit those items.

2. While reviewing security camera footage from 1OCT2021-6OCT2021, you are seen bringing a backpack into your office o/a 0958 on 6OCT2021 and leaving without it o/a 1722 of the same day. What was in the backpack?
My IG book that I shared with (b)(3) 10 USC § 130b/(b)(6) when I went through and IG complaint in my previous command. Actually, it wasn't the IG book, it was my "I love me" book. I didn't bring that IG book in until maybe that Friday, I can't remember. I was fortunate that I was even able to find my backpack. I don't remember exactly what was in it Wednesday morning (most likely cloths) but it was not a plate carrier: contractor or otherwise. I bring in backpacks and various bags regularly when i need to change my clothes out.

3. If the IOTV remained in your office the whole time, why did you not return it to [redacted] immediately following your conversation with [redacted] on 4OCT2021?
Because I was teasing [redacted] about it still and I told [redacted] that I would give it to [redacted] tomorrow. If [redacted] would have asked for it right then, I would have given it to [redacted] that day. I was very busy that day and [redacted] went back to work and so did I.

4. When you returned it to [redacted] it only took a couple of minutes, correct?
I literally pulled it out of the locker and brought it to [redacted] but I hadn't any idea how this got elevated so quickly. This all got blown out of proportion'; I had no idea [redacted] was coming to my office that morning when [redacted] came into my office and started questioning me about it and but I brought it back to [redacted] right then. [redacted] went with me. I was slammed with work having multiple requests from higher to produce documentation as to why derogatory incidents went in wrong or did not get submitted at all; it just didn't cross my mind until late Tuesday. If you check the footage you will see me looking for [redacted]

5. In your conversation with [redacted] on 4OCT2021, did you tell [redacted] that you had taken the IOTV home for any reason?
Yes, that's what I said to [redacted] Yes, [redacted] I was teasing [redacted] hamming [redacted] up. I said "dat shit is mine now." Who in their right mind is going to say that if they are stealing something. I did not at any time intend to steal or steal [redacted] equipment.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
10	MJF MF	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

STATEMENT OF MICHAEL J. FORBES TAKEN AT 1507 DATED 20211015

9. STATEMENT *(Continued)*

AFFIDAVIT

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

FORBES.MICHAEL.JEFFREY. Digitally signed by FORBES.MICHAEL.JEFFREY Date: 2021.10.15 16:27:59 -04'00'

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 15 day of October, 2021 at (b)(3) 10 USC § 130b/(b)(6) Fort Bragg, NC 28310

(b)(3) 10 USC § 130b/(b)(6)

(Signature of Person Administering Oath)

(b)(3) 10 USC § 130b/(b)(6)

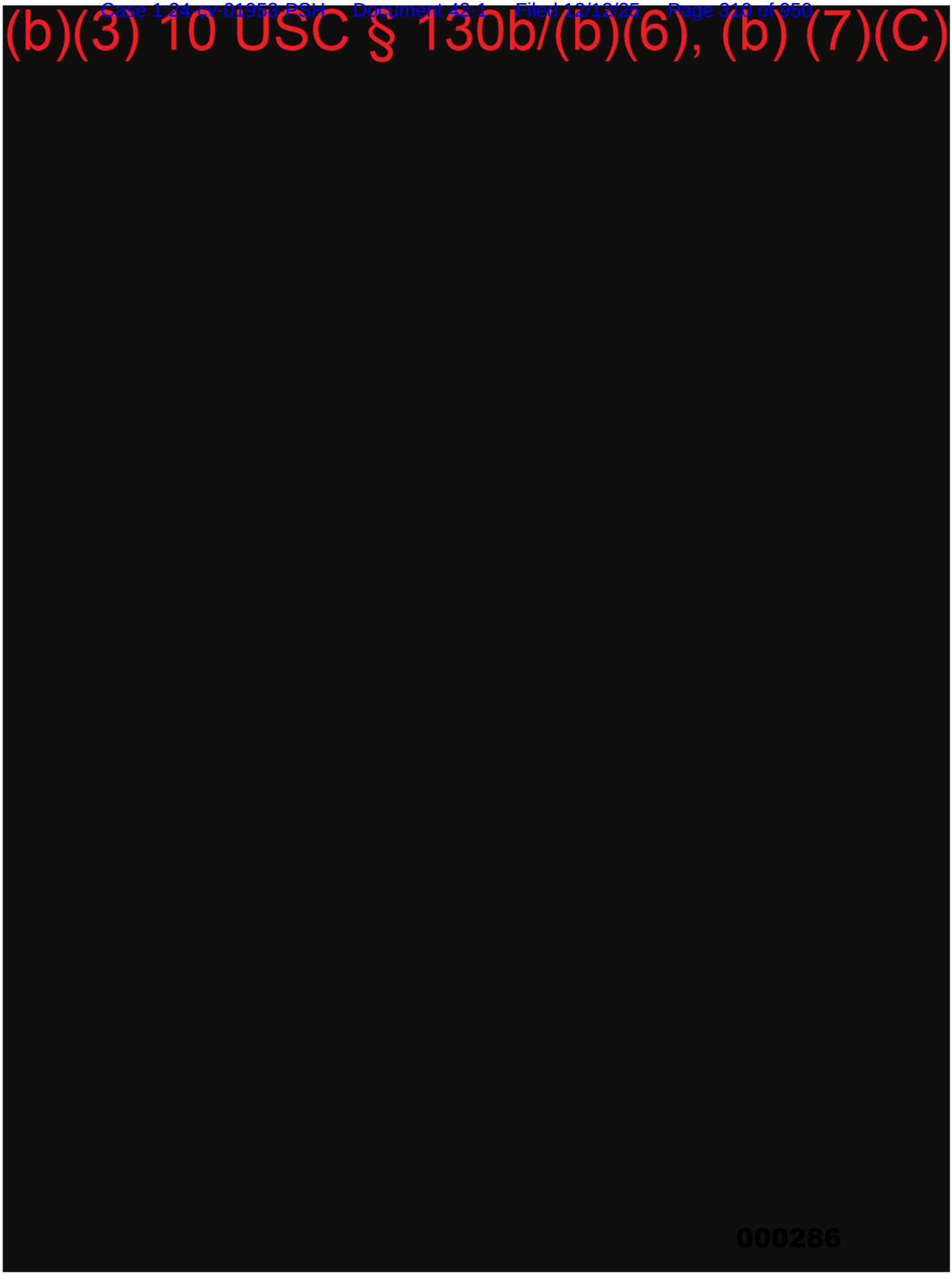
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT MJF

DA FORM 2823, NOV 2006 APD LC v1.01ES

(b)(3) 10 USC § 130b/(b)(6), (b) (7)(C)



DEPARTMENT OF THE ARMY
OFFICE OF THE DEPUTY CHIEF OF STAFF, G-2
1000 ARMY PENTAGON
WASHINGTON, DC 20310-1000

DAMI-CD (RN 25-2E)

MEMORANDUM FOR SEE DISTRIBUTION

SUBJECT: Owning and Servicing Relationships in Personnel Security Systems

1. Reference Army Regulation (AR) 380-67 (Security: Personnel Security Program).

2. The Defense Information System for Security (DISS) Joint Verification System (JVS) is the automated system of record for personnel security. The DISS JVS enables communication and transmission of documents between security management offices (SMO) and the Defense Counterintelligence and Security Agency (DCSA) Adjudications. National security determinations made by DCSA Adjudications are critical to mission readiness. Lack of SMO ownership removes individuals from Scattered Castles, resulting in disenrollment in Continuous Vetting, removal of Intelligence Community system access, and possible denial of visits and meetings.

3. Effective immediately, all SMOs will:

a. Ensure they have an active user account in DISS JVS.

b. Establish an owning relationship in DISS with all civilian and military personnel in their organization who occupy a national security position, regardless of access to classified information. This requirement includes personnel for whom SMOs have not historically established owning relationships (i.e. accessions, schools).

c. Check the DISS JVS Task Inbox daily and complete/close all DCSA Adjudications Requests for Action (RFAs) (i.e. derogatory information, letters of intent to deny or revoke, requests for information) by the required suspense date. This action will reduce the number of instances in which the DCSA Adjudications closes cases without a final determination (No Determination Made) due to unanswered RFAs, will improve readiness, and support continuous vetting enrollment.

4. To ensure compliance with this requirement, Security Managers will:

a. Request monthly gain/loss reports from the organization’s S-1 and civilian human resource offices, and use the report to ensure proper in- and out-processing of personnel in DISS JVS, or its successor system.

DAMI-CD (RN 25-2E)
SUBJECT: Owning and Servicing Relationships in Personnel Security System

b. Establish or remove the owning relationship within 14 days of receiving gain or loss reports.

c. Complete in- and out-processing checklists to ensure all personnel are appropriately owned or out-processed in DISS JVS.

5. Commanders will implement these actions within their organizations and establish measures to ensure compliance.

6. Incorporate this policy into AR 380-67 and add to the Security Program Benchmarks for the Headquarters, Department of the Army G-34 Army Protection Program Assessment.

7. My point of contact for this memorandum is Mrs. Aliza Zagorianos, DAMI-CD, available at 703-695-3059or aliza.r.zagorianos.civ@mail.mil.

NEWMAN.DEAN.SCOTT.
Digitally signed by NEWMAN.DEAN.SCOTT
Date: 2021.10.15 11:01:47 -04'00'

DEAN S. NEWMAN
Director, Army G-2X

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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)*	Rank/Grade	Date of Counseling
Forbes, Michael J.	SFC	19OCT21

Organization	Name and Title of Counselor
HHC, STB, 528th SB (SO)(A)	LTC Burton Furlow, Commander, STB

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.)*

Event-Oriented Counseling

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

You, SFC Forbes, conducted a prank on a senior NCO by taking that NCO's unsecured IOTV from a common area within the BDE S3 section. When that NCO confronted you, you responded that you "wanted it" and "took it home." While the ensuing investigation found that the IOTV never left your section, this was in fact a prank, and you committed no misconduct, significant BDE resources were expended to arrive at this conclusion. This counseling is meant to put you on notice that you must maintain professional composure as a senior NCO and staff primary, and ensure that any instance of pranks or joking with your co-workers do not get out of hand, causing issues within the BDE.

I am counseling you for the conduct noted above. If this conduct continues UCMJ action or adverse administrative action such as a General Officer Memorandum of Reprimand (GOMOR), Bar to Reenlistment, Article 15 or other action may be taken to include action to separate you from the Army. If you are involuntarily separated, you could receive an Honorable Discharge, a General, Under Honorable Conditions Discharge, or Under Other Than Honorable Conditions Discharge. Although there are agencies to which you may apply to have your characterization of service changed, it is unlikely that such application will be successful.

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.

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:

W/ SAVEST, HE DIDN'T CONFRONT ME. I ~~APPROACHED~~ HIM TO TALK W.M. NOTHING FOLLOWED

Signature of Individual Counseled: _____ Date: 19 OCT 21

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

Signature of Counselor: _____ Digitally signed by FURLOW.BURTON.JR Date: 2021.10.19 15:20:07 -04'00' Date: 20211019

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.

(U) Security Reporting Teamwork

Teamwork = Commander Accountability/Readiness

BDE PMO
- Law Enforcement Records
- MP Blotters
- DA Form 4833

S3
- SIRs/OPREPS

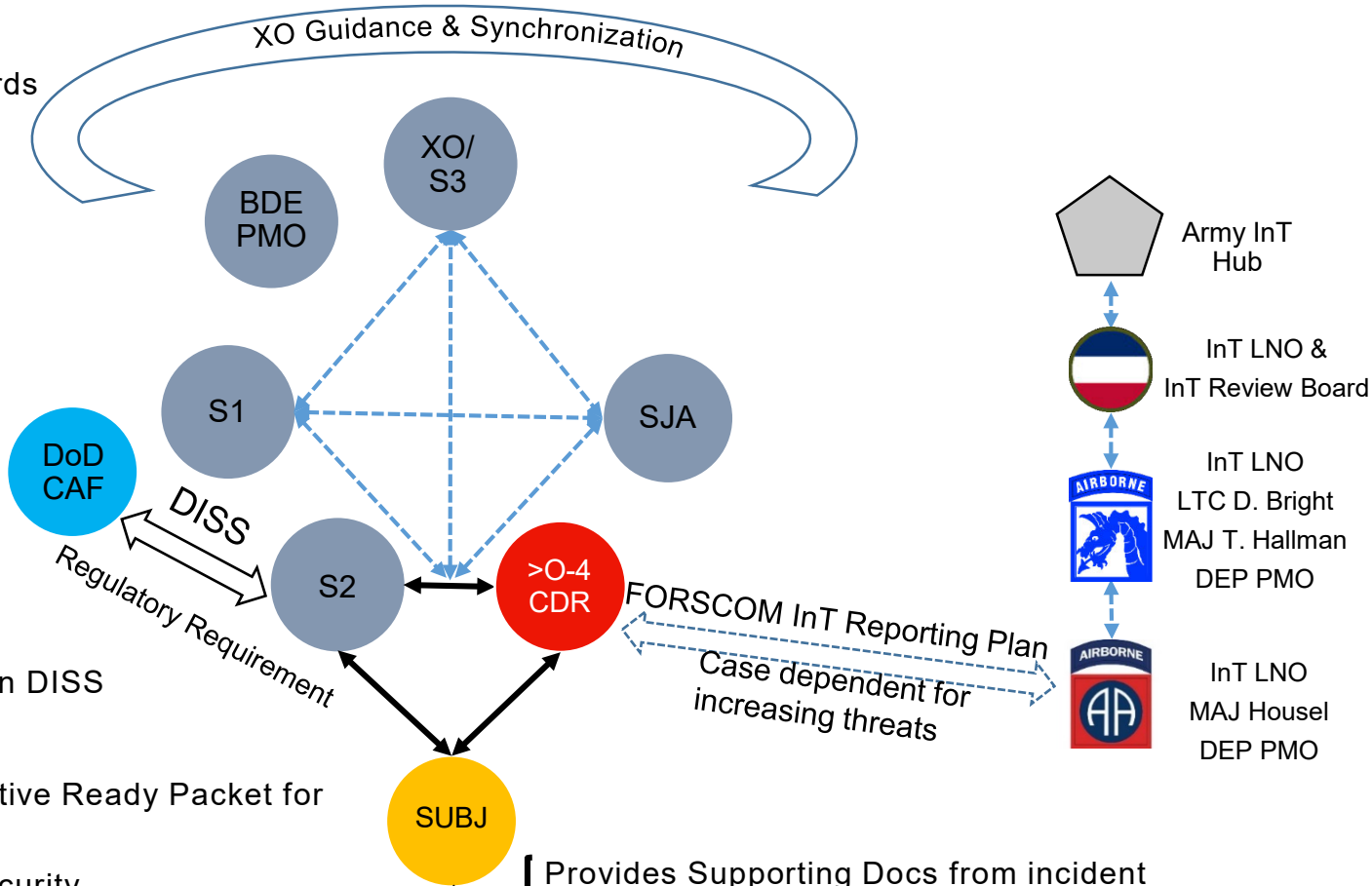
SJA
- UCMJ Actions/Results
- 15-6 Findings
- GOMORs

S1
- In/Out Processing
- Unit Manning Rosters
- Duty Status Documents
- Separation Orders

DoD CAF
- Adjudication Authority
- Provides Due Process
- Requests information

S2
- Ensure Subject owned in DISS
- Claim RFA
- Submit Incident in DISS
- Build & submit Adjudicative Ready Packet for DoD CAF

CDR
- Responsible for Unit Security
- Ensures incident reported within 72 hrs of awareness
- Makes Access & Eligibility determination – Final 5248
- Signs MFR/Final 5248~Suspensions/Revocations



DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-HHC 3 JAN 2022

MEMORANDUM FOR 528 STB HHC (SO) (A)

SUBJECT: Initial Counseling of Sub-Hand Receipt Holders (SLOC)

1. I, Michael Forbes am assuming responsibility for the PL06 hand receipt.
MF (Initials)

2. Responsibility. I understand that by signing the hand receipt, I am indicating that I have received the property listed on it and accept responsibility for that property. My signature signifies that I agree to take care of the property and return it, when request to do so, in the same condition it was in when I receive it (less any fair wear and tear). I further understand that failure to satisfy this agreement can mean that I will have to pay for the missing and damaged property unless I can prove that it was not lost or damaged by my negligence. MF (Initials)

3. Delegation of Authority. I understand that I must provide the supply room with a current DA Form 1687 (Notice of Delegation of Authority) designating the individuals under my supervision who can request and receive non-expendable, durable, or expendable property for my hand receipt. I also understand that if the DA Form 1687 on file expires, no issue or turn-ins will be processed to my hand receipt expect those that the supply may permit. MF (Initials)

4. Sensitive Items. I understand that I will assist the identified Company Senior Leader (E-5 or higher) will the monthly inventories of all sensitive items listed on my hand receipt. This inventory will be conducted on the second Thursday of the month. When the senior leader has completed the monthly sensitive item inventory, he or she will initial each line, sign, and date the inventory and return the original copy to the supply room. MF (Initials)

5. Semiannual Inventory. I understand that I am required to complete a semi-annual inventory of all property listed on my hand receipt. I will complete this inventory by the suspense date given, sign the original copy of the updated hand receipt and return it to the Supply Room. MF (Initial)

6. Quarterly 25% Cyclic Inventories. I understand that every month on the second Thursday of the month, the company Commander along with the supply room will conduct a 10% Cyclic Inventory of previously identified LIN posted from the Property Book Office Schedule for Cyclic Inventories. I will be present for the Cyclic Inventory and assist with this inspection of my property. MF (Initials)

7. Temporary Absence. I understand that if I must leave the area for more than 30 calendar days on leave, TDY, or extended detached duty, I will inform my supervisor and ask that a temporary hand receipt holder be designated to sign for the property. I will conduct a joint inventory with the temporary hand receipt holder and resume the duties of primary hand receipt holder. MF (Initials)

8. Clearing Procedures. I understand that before I PCS, ETS, or report for another assignment I must clear through the Supply Room. The Supply Room will not clear me until I have completed a change hand receipt holder inventory with a new hand receipt holder. I understand that I do not have to wait for my replacement to arrive before accomplishing this task. I will inform my supervisor of my departure at least 45 days prior to my PCS, ETS, or other reassignment and request that a new hand receipt holder be

AOSC-PBO
SUBJECT: Initial Counseling of Sub-Hand Receipt Holders (SLOC)

designated to replace me. I will notify the Supply Room no later than 30 days prior to my departure to make sure a timely and effective change of primary hand receipt holder inventory take place. MF (Initials)

9. Lost or Damaged Property. Within 5 days after I discover that property has been lost, damaged or destroyed, I will initiate appropriate relief from responsibility documentation (i.e., cash collection voucher, statement of charges, or report of survey) IAW AR 735-5. If I am being reassigned the Supply Room will not clear me without this documentation. I understand that although it will allow me to clear, initiation of a report of survey will not relieve me of financial liability for the loss, damage, or destruction. I will continue to search of all lost items until found or started appropriate documentation. MF (Initials)

10. Component of the End Items/Basic Issue Items/ Shortage Annexes. I understand that it is my responsibility to maintain an updated copy of all the COEI/BII/ and Shortage Annexes and to provide this to the Supply Room. The Supply Room is responsible for placing on order any identified shortages, receive them from the SSA, and issue them back out to the hand receipt holders. I understand that I must regularly check on the status of my shortages and sign for shortages received by the supply room. MF (Initials)

11. If I have any questions about proper supply discipline or anything requiring the property I have signed for, I will seek out guidance from the commander and Supply Room until I have answered my questions.

Shawn Sakaguchi
Supply Sergeant Name
(Print)

04Feb2022
Signature /date of Counseling

Forrest Mcwatters
Hand Receipt Holder Name

4 Feb 22
Signature/date of Counseling

David Korista
Company Commander's Name
(Print)

04 FEB 22
Signature/date of Counseling

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SB (SO)(A) HQ	20220211	1530	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
FORBES, MICHAEL JEFFREY		E7/AD

8. ORGANIZATION OR ADDRESS
BLDG X-4047 NEW DAWN DRIVE, FORT BRAGG, NC 28310

9. I, MICHAEL J. FORBES, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

SUBJECT: Rebuttal of attempted (04FEB2022) Event-Oriented Counseling provided to SSG Forbes, Michael J., from CPT Korista, David, with SSG Garcia, SSG Sakaguchi, SFC Yoder present in open-forum conference room.

1. This memorandum is written as evidence of the events leading up to, and including, the attempted written Event-Oriented Counseling that CPT Korista, David, verbally conducted in an open-forum on his first full day after taking Command of Headquarters and Headquarters Company (HHC), Special Troops Battalion (STB) Special Forces (SF) Airborne (A). On 03FEB2022, CPT Mansour, Eric, relinquished Command Authority and responsibility of the HHC, STB (SF) (A) to CPT Korista during a Change of Command (CoC) ceremony; per the Military Table of Organization and Equipment (MTOE) for STB (UIC:WJTDAA) the entire Battalion personnel, including 528th Sustainment Brigade (SB) (A) Staff and all assigned equipment, fall under the responsibility of the HHC Commander. The overall professionalism surrounding: 1) the handling of paperwork in the HHC Supply Office, 2) substandard tracking of mechanics that are issued keys for routine maintenance, and 3) improper application Counseling Fundamentals, have been issues at HHC prior to the beginning of CPT Korista's leadership tenure. To wit, recent events have quickly convinced me that he may be relying on, or adopted much of, the prior HHC CDR's applications of regulatory requirements, or his perceptions of Department of the Army (DOA) guidance, as seen in published doctrine, bulletins, pamphlets and field/technical manuals, etc. My belief is fueled by CPT Korista's possible unfamiliarity with: 1) historical events surrounding our unit's handling of sub-hand-receipts and key-control procedures, 2) the prior CDR's practice of holding sub-hand-receipt holders responsible for the Garrison equipment while retaining dispatch authority at the Command level, 3) the ramifications of signing a Bill of Materials (BOM) 2 weeks after the layout, and 4) how the timing and inaccurate pre-prepared nature of the written counseling negatively affects the 'key characteristics' of any counselor and the leader/subordinate working climate. The key characteristics are Purpose, Flexibility, Respect, Communication and Support and a brief description of them can be located in ATP 6-22.1, The Counseling Process, July, 2014, Counseling Fundamentals – THE LEADER AS COUNSELOR, Ch. 2-3. I would argue that the events surrounding this counseling session and, moreover, the session itself can be tied to the degradation of most, if not all, of these 5 principles. My chronologically guided concerns leading to this flawed counseling session follow.

2. CPT Mansour implicitly assigned the M127A1 Utility Truck (JLTV, "HQ20") to my sub-hand-receipt upon my signing for the BOM on 12APR2021 from the outgoing BDE S2 OIC, CPT Simpkins, Erik. I, therefore, assumed full responsibility for the vehicle and its associated Basic Issue Items (BII). No BII was missing except for a dolly that supply Sergeants subsequently took off my hand-receipt (at an unknown date as seen in a below referenced BOM for CPT Mansour's CoC layout in OCT2021). No shortage annex paperwork was necessary as no items were missing on 12APR2021. Notably, the BDE S2 Section has not had an OIC to the date of this statement; I have been acting as the BDE S2 OIC and NCOIC with all of the responsibilities for both positions and continue to serve at the pleasure of our Command Team, until our next OIC arrives circa 17OCT2022.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 5 PAGES
N/A	MF	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF MICHAEL J. FORBES TAKEN AT 1507 DATED 20220211

9. STATEMENT *(Continued)*

3. The day I signed for the JLTV (HQ20), I immediately walked into the STB Motor Pool (MP) office (BLDG X-3347) and signed for 10 of a 12-set box of identically keyed 5500 locks (ppwk missing as of 09FEB2022); two locks remained in the custody of the facility's staff to perform routine maintenance and necessary repairs. I placed one lock on each door and one on each of the 3 storage compartments of the JLTV. To my knowledge, these locks have remained on the JLTV since that time except for 2 instances: 1) in May2021, CPT Korista (as the S3 CUOPs OIC) requested a hammer during a Tentex and I volunteered one from my JLTV (post-MRX, I requested it multiple times and it took weeks to be returned) and, 2) on 23JUL2021, CPT Mansour, dispatched HQ20 in support of (ISO) Forager 21, to SSG Woolford, without my requested layout and without a requested signed DA 2062. On 22JUL2021, I emailed SFC Yoder (MP NCOIC) to inquire about our dispatch SOP and, subsequently, emailed SSG Woolford to coordinate a layout and got no response in either case; I had researched the official DA 2062 for the JLTV that had line-by-line BII associated with it and prepared for a smooth layout. On 23JUL2021, I walked to the MP and was working with CPT Valdez (BDE Engineering OIC) and SSG Grafton (MP NCO) on ensuring that no possible dispatch of HQ20 would occur without "layout and paperwork." It was then that I was informed that CPT Mansour had already authorized the dispatch of HQ20 to SSG Woolford. During this discourse, CPT Mansour and 1SG Morgan arrived as CPT Valdez and I were ending our conversation. On 27JUL2021, 1SG Morgan conducted an Event-Oriented Counseling that documented his perception of my unquoted comments to CPT Valdez. I do not recollect all of the words used at the time of this statement, but I am confident they professionally and factually emphasized the lack of proper hand-over and lack adherence to myriad regulatory requirements of property accountability found in AR 735-5. Therefore, I disagreed with the counseling and provided immediate written response. On 9FEB2022, I was able to finally get a log from MP staff of SMs that had signed out HQ20 confirming that the MP dispatches keys from their key-custodial box, not only, to mechanics, but to others, thereby circumventing me, as sub-hand-receipt holder. My key-custodian log shows no issue to SSG Woolford; hence, none of my keys were used before, during or upon redeployment from Forager 21.

4. Obviously, there was no need to lay it out HQ20 again upon its return, as a layout must occur immediately during both transfers of responsibility (from one sub-hand-receipt holder to the next and back) for ease of any investigation to determine financial liability should a non-expendable item be lost or stolen. To wit, the next two paragraphs indicate how both primary hand-receipt holders, CPT Mansour and CPT Korista, were diligent in ensuring every item of every sub-hand-receipt holder in the BN was laid out and/or counted during their transfer of responsibility for their hand-receipts during the CoC transition.

5. Prior to the aforementioned CoC, CPT Mansour ordered us to layout the JLTV on 19OCT2021. The list of expendable items missing follows:

A. Expendable items missing 19OCT2021:
- I. 2x Towbar Adapters, 016760481
- II. 2x Towbar Adapters, 016760438
- III. Caging Hardware Bag, 12610575:C_19207
- IV. Pamphlet Bag Assembly, 006702459
- V. Socket Wrench Screwdriver Attachment, 12610063;C_19207

6. Prior to the aforementioned CoC, CPT Korista ordered us to layout the JLTV on 18JAN2021. The list of expendable items missing follows:

A. Expendable items missing 18JAN2022:
- I. 2x Towbar Adapters, 016760438 (still missing item)
- II. 1x Wheel-Track, Chock, 016747033 (new missing item)
- III. 2x Straight, headed, pin, (Clevis), 016772648 (new missing item)

B. Expendable items reappeared 18JAN2022:
- I. 2x Towbar Adapters, 016760481
- II. 1x Caging Hardware Bag, 12610575:C_19207
- III. 1x Pamphlet Bag Assembly, 006702459
- IV. 1x Socket Wrench Screwdriver Attachment, 12610063;C_19207

INITIALS OF PERSON MAKING STATEMENT MF

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF MICHAEL J. FORBES TAKEN AT 1530 DATED 20220211

9. STATEMENT *(Continued)*

7. On both days highlighted in paragraphs 5 and 6, I immediately went into the maintenance staff in the MP to address my concerns about the missing BII and inquired if any of them had any on-hand extra of these expendable items. Concurrently, on 19OCT2021 (as I met with MP Staff), I had directed SPC Henkel (BDE S2 Staff) to hand-draw a map of where all BII is located on HQ20, which we added to our property book for future reference and repacking. Subsequently, on 18JAN2022, when I addressed my concerns with SSG GarnerSpain. I highlighted the missing Towbar Adaptors and requested to see any "historical key-logs" for mechanics that had access to HQ20 in the past. I was immediately rebuffed by the outgoing NCOIC, SSG Grafton (also present) as he stated, "We only move your vehicle around! We do not go into the rest of the truck!" I acknowledged comment and returned to SPC Ramos and signed the BOM with constantly different missing items. I requested the copy of it from him and attempted to take it in to MP to get a copy due to the lack of follow-up in the past. They had no working copier at that time. I returned and signed BOM in the presence of SPC Ramos and reiterated my need to have a copy of it that day; I, again, received no copy.

8. On 24JAN2022, CPT Korista sent email invites for two events: 1) a "Shortage Annex Class" on 281000RJAN22 and, 2) an "Initial Counseling - HHC Sub Hand Receipt Holders" on 041000RFEB22. Our S2 OPTEMPO and established prioritized general Lines of Effort (LOE) are: 1) support to BDE and BDE CDR in applicable S2 LOEs, 2) support of our 3 assigned BNs S2 Sections in applicable S2 LOEs, and 3) support to HHC in all applicable readiness/training LOEs. I did not read the entire invites, and did not accept them; I disregarded the Shortage Annex Class because I have empirical knowledge of how to produce a Shortage Annex and only noted the Initial Counseling for attendance as such; an initial counseling.

9. There were some concerns about the professionalism of the 3FEB2022 Initial Counseling Session conducted by CPT Korista. Upon arrival to the en masse conducted Initial Counseling Session in the HHC Conference Room, which many sub-hand-receipt holders did not attend (~6-7 sub-hand-receipt holders attended), CPT Korista presented those in attendance with 2 items: an Initial Counseling Memorandum and a BOM (HQ20's BOM was dated 18JAN2022). CPT Korista led us as he reviewed the Counseling Memorandum, which he expressly referred to as "a contract between all of you and me." This document referred to a "report of survey," which I was unfamiliar with. CPT Korista ordered us to sign it but I wanted to know what that referred to in his "contract," so I deferred and asked the Supply Sergeants (present) what it referred to; they did not know. I, then, asked CPT Korista; he did not know. So I stated to him that I will defer signing it until I could get clarification today. He immediately moved the conversation to "Who brought their Shortage Annexes as I required? Sergeant Forbes?" I explained that I was unaware of the deadline but can get it to him today and furthermore that I have been trying to get the MP to address my concerns about lost BII. He stated, "Standby." After going around the room, he ordered us to sign the BOM that he presented during the meeting. I stated that I signed that BOM on 18JAN2022 and looked at the Supply Sergeants and asked, "Where is the one I signed that day? I asked for a copy of it." No negligible response was given. I turned to CPT Korista and stated, "Sir, I signed one and they have it. Who put this one together?" He replied, "I did." I responded, "Well, Sir, if you want me to sign a BOM today I will have the guys layout our vehicle today and inventory it in order to sign a BOM dated today. I will invite you to come out when they are completed with the layout." Obviously a Shortage annex is necessary but it should reflect the day of the BOM. Later, I commented, "I believe my JLTV is being pilfered so others do not have to do a Shortage Annex." He replied, "GET LOCKS ON IT!" This could easily be viewed as insulting because, I signed for the box of keys from the MP on 12APR2021 and I am 100% certain, I put them on immediately upon signing for the JLTV. Furthermore, I personally maintain Key Control Procedures as the Key Custodian for these keys and the book is kept under my direct control next to my office in a Key-Box that I installed on the wall with my own tools on 12APR2021. Subsequent to our discussion ending, he proceeded around the room and everyone was dismissed (either they had a Shortage Annex or it was on-the-spot determined that they did not need one), except for me. He then proceeded to conduct an Event-Oriented Counseling with me in this open-forum with SSG Sakaguchi, SSG Garcia (both SUP Sergeants) and SFC Yoder (HHC OPS), in which he referred to an Initial Counseling (which at that time had yet not been signed). I stated, "Now I have to do a Shortage Annex because someone is letting people into my JLTV and I am getting counseled on top of it." Succinctly, I did not anticipate any due out given the title of the meeting, nor have I ever experienced, let alone even heard of, a concurrent Event-Oriented Counseling being delivered during an Initial Counseling Session.

10. The pre-prepared counseling stated "on 24 Jan 2022 during the sub-hand receipt holder initial counseling you were informed you were informed that all shortage annex's were due no later than 04 Feb 2022." I have no idea what counseling he is referring to, we had no verbal or written communication that day (just an unaccepted email invite). In fact, he handed us all the initial counseling in the 04FEB22 meeting that I was currently a participant. He further stated, "You were given clear guidance on this tasking and I also provided a block of instructions for all hand receipt holders on how to properly generate a shortage annex." I know of no guidance provided to me and I do not recall being a participant in the class. The "magic-bullet" paragraph was present and stated I was "being

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF MICHAEL J. FORBES TAKEN AT 1530 DATED 20220211

9. STATEMENT *(Continued)*

counseled for the above indicated misconduct." The premise of the misconduct is awareness, and awareness was not present due to the aforementioned misstatements addressed included in, but not limited to, the initial sentence of this paragraph.

11. I asked to leave for a few moments to look to see if I could find a copy of the signed BOM and to research the "report of survey" reference. He agreed, but commented, "Sergeant Forbes, leave the counseling." I turned back to him and said, "Sir, I have modified this in preparation to signing it. It has my words on it. I am making a copy of it and I will bring the original right back to you;" I copied and returned it. Then, I proceeded to my office and directed my S2 Staff (SSG Meredith and SPC Henkel) to immediately go out and layout the JLTV as I was expected to sign another BOM that day. They left to accomplish this mission. After contemplation, I decided to return to the HHC conference room and attempt to defuse this situation because, a Shortage Annex takes less than an hour to produce properly and, CPT Korista just took Command the day before; he's new to this. During this engagement, in which 1SG Morgan was present for the latter half of it, I was unsuccessful in guiding this conversation. In fact, our dialog became increasingly peculiar; more professionally odd conversations occurred during this meeting. As we were discussing my signing the BOM dated 18JAN2022, CPT Korista said "You were there that day for the inventory. I saw you." I said, "Yes Sir, and I left at 0815 until 0920, because I had to take my wife to work. We only have one vehicle." He repeated this two more times. I repeated my response two more times. He then questioned me with, "Who did you have conduct the layout." I replied, "SPC Henkel." He followed with this question, "Why would you have a SPC layout your vehicle?" I replied, "He was the only SM available that morning and I had to get my wife to work." He asked me again twice about why I had a SPC handle the inventory layout. I replied similarly as I previously had and added, "I have complete confidence in my Soldier and I was there at 0920 for debriefing the inventory before I signed the BOM that disappeared." I immediately followed with, "Sir, I am inviting you to come see our layout now or I can go over everything with a supply rep[resentative], but now that you wrote this "report of survey" into our contract, I researched it. It is an investigation. Therefore, I would like to invoke my rights to the survey so that I can determine who is stealing my BII." He then, decided that we would go and look at my Soldiers work in laying out the JLTV that day. We went over the entire JLTV BOM; notably, 2 more Towbar Adapters reappeared since 18JAN2022. He said that he would rip up the counseling if I would produce the Shortage Annex that day. I agreed.

12. I sign all BOMs the day of the corresponding layout; it is meaningless to do so otherwise from a responsibility, regulatory, investigatory and/or prosecutorial standpoint. Hence, I expect a copy of any BOM, with my signature on it, upon leaving the inspection area, but am willing to receive it from the supply Sergeants by the end of the same duty-day. In the past, I have had to follow-up with our HHC Supply Office to get the paperwork days and weeks after signature to get a copy of my signed BOM. Thankfully, on 04FEB2022, SSG Sakaguchi walked the copy of the BOM out to me as I was returning from the MP. This is a necessary improvement that should become routine.

13. It remains my hope to continue to serve as the BDE S2 NCOIC as I am capable of preparing this office for the incoming OIC's arrival in OCT2022 and have already positively impacted operational controls at both BDE and BN levels by: 1) identifying manning needs and coordinating the formal, and informal, filling of a billet, and requesting support for SPO/exercises, respectively, 2) implementing SOPs for tracking and supervising S2 centric 350-1 training and derogatory reporting, 3) scheduling the necessary actions for the incoming OIC to assume control of a 'standard-operating' S2 Section, and 4) performing as the NCOIC while concurrently assuming the role of a de facto OIC (with all its inherent reporting and coordination requirements). Notwithstanding the glaring, aforementioned problems with the Event-Oriented Counseling, here is one last question; "Was formal counseling necessary for a Shortage Annex that takes less than an hour to produce?" We all miss deadlines here and we are constantly reminded to prioritize our efforts because our OPTEMPO. Given our worldwide mission set and our BDE CDR's intent for his Staff to lean-forward 18-24 months rather than 'put out fires,' some experienced discernment through guidance or mentorship could have brought a better outcome here that would not have taken 3x man-hours on my behalf and likely 1x man-hours on the behalf of CPT Korista to resolve. So when a small item is missed (and we have all missed something), "Was this the right leadership technique to use?" I would argue, "No." In fact, I believe the manner in which this was handled lacked the professional judgment of a seasoned leader and can be used as a developmental launching point for any leader to learn from as we err at times. With that in mind, I informally discussed most of the aforementioned events, in whole or in part with, both, the BN XO (whom he works for) and BDE XO (with whom I work for). I will continue to professionally serve my HHC Commander as I believe in him, and I, obviously, am contractually obligated. I have worked with CPT Korista long enough to know that we concur on our desire to improve our unit and I know he can perform at a higher caliber while remediating some of these concerns for the sake of all of his stakeholders (not just subordinates) in his newfound role as HHC CDR. I believe he will succeed with the correct approach, and I directly expressed this to him as he was transitioning from the S3 prior to assuming HHC Command. I still believe this at the end of this writing and will continue to do everything possible to guide and support him as needed

INITIALS OF PERSON MAKING STATEMENT MF

STATEMENT OF MICHAEL J. FORBES TAKEN AT 1530 DATED 20220211

9. STATEMENT *(Continued)*

9. STATEMENT (Continued)

//NOTHING FOLLOWS//

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AFFIDAVIT

I, MICHAEL J. FORBES MF 2/11/22, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 5. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 11 day of February, 2022 at BLDG X-4047 New Dawn Drive, Fort Bragg, NC 28310

(Signature of Person Administering Oath)

MAJ DAVIS, TORIUS

(Typed Name of Person Administering Oath)

Commissioned Officer

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT MF

HQDA# 5209223

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	1295918507	SFC	20200401	35F4S

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HQ, 528th SB (SO)(A), FORT BRAGG, 28310, SP		WJTDAA	02 | Annual

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20210227	20220226	12		0	michael.j.forbes7.mil@army.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
COLLINS, MARK, E, JR.		COLLINS.MARK.E.1293725957 Digitally signed by	20220714

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
MAJ	90A/LG	528th SB (SO)(A)	EXECUTIVE OFFICER	mark.e.collins26.mil@army.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
ROWE, ROBERT, J		ROWE.ROBERT.J.1103579410 Digitally signed by	20220719

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
LTC	90A/LG	528th SB (SO)(A)	DEPUTY COMMANDER	robert.j.rowe18.mil@army.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20210317	20210616	20210909	20211202	FORBES.MICHAEL.JEFFREY.129 Digitally signed by	20220719

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
SENIOR INTELLIGENCE SERGEANT	35F4S

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

Serves as the Noncommissioned Officer in Charge (NCOIC) of the 528th Sustainment Brigade (Special Operations) (Airborne) S2 Section; responsible for intelligence and security support of three battalions (BNs) and a Brigade (BDE) headquarters element comprised of approximately 1,020 Soldiers (SMs); oversees the development of all intelligence products in support of logistic operations throughout seven Global Combatant Commands (GCC) and contingency operations; coordinates and supervises Personnel Security Management (PSM) programs assigned to BDE; supports S3 in Operation Security (OPSEC), Anti-terrorism/Force Protection (AT/FP) and Physical Security (PHYSEC); liaison for all Commanders (CDRs) for G22 implementation of Executive Orders (E.O.) affecting S2.

d. AREAS OF SPECIAL EMPHASIS

Special Operations Joint Task Force - Competition (SOJTF-C); Intelligence support to Support Operations (SPO) and worldwide Army Special Operations Logistics Elements (ALEs); Forager 2021 Mission Readiness Exercise (MRX).

e. APPOINTED DUTIES

Acting BDE S2 OIC; Personnel Security Manager, Intelligence Oversight Officer; Alternate BDE PHYSEC Officer (PSO); S2 Working Group (WG) Leader; INFOSEC Program Manager; BDE Motorcycle Safety Officer.

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile:	Date:	b. Height: 66	Weight: 174	Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

o No APFT IAW Army Directive 2022-05

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o maintained impeccable moral and ethical standards

o fostered an environment of fair treatment, awareness, and resiliency; fully supported and participated in the Army SHARP, EO, and MRT programs

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	1295918507	20220226

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☒ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: o fulfilled S2 OIC requirements during rating period at all staff meetings, IPRs, and OPTs; switched to NCOIC role when needed o remediated USASOC's and a Contracting Company's decision to rescind BDE's participation in an INFOSEC Program contract o maintained his personal fitness to prepare for mission requirements; temporary profile did not hinder job performance
e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise) FAR EXCEEDED STANDARD ☒ EXCEEDED STANDARD ☐ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: o employed rapid results to intelligence challenges; increased operational efficiency from 50% to 90% for all MI areas o recognized BDE underused and undermanned S2 LCEs of MTOE and recommended moving personnel for optimization o conceived use of flow charts in a "Go-Book;" augmented SOP and enabled personnel to quickly provide intelligence support
f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates) FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☒ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: o initiated CSM manning discussions; resulted in staffing of 112th SIG BN and attached SPO analyst and increased intel oversight o led multi-meeting Staff Officer (O3s to O4s) WG that yielded identification of unmet need for intelligence support to the SPO o spearheaded the appointment of six PSOs in three BNs; enabled compliance with PHYSEC Arms Room oversight
g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession) FAR EXCEEDED STANDARD ☒ EXCEEDED STANDARD ☐ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: o advised CMD TMs, at echelons, on E. O. 13467 and its impact on Tier 3/5 investigations as Continuous Vetting launched o generated tools for newly appointed PSOs to efficiently perform required duties; new PSO compliance increased by 75% o scheduled QSMP certified trainers to conduct SAV to train newly appointed armorers and PSOs across BDE
h. **ACHIEVES:** (Gets results) FAR EXCEEDED STANDARD ☒ EXCEEDED STANDARD ☐ MET STANDARD ☐ DID NOT MEET STANDARD ☐	COMMENTS: o received 100% "commendable" rating within 7 months for all S2 PSM programs after inheriting shop that functioned at 60% o produced "commendable" rating during impromptu S3 ICI PHYSEC inspection due to abrupt appointment of novice S3 PSO o achieved BDE CDR priority of 2-year planning; created S2 task-tracker fed Mission Event Synchronization List (MESL)

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate 1 Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ EXCEEDED STANDARD ☒ MET STANDARD ☐ DID NOT MEET STANDARD ☐

j. COMMENTS: 1 7 0 0 Total Ratings: 5

o fulfilled both the S2 OIC and NCOIC positions for 12 months with ease due to his experience, knowledge, technical expertise and leadership. Great performance over the past year!

o strong leadership during this rating period directly increased regulatory compliance across the BDE and increased staff military intelligence support to CONUS and OCONUS operations in seven theaters.

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate 5 NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

HIGHLY QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: ROWE, ROBERT, J
DATE: 2022-07-20
TOTAL RATINGS: 8
RATINGS THIS NCO: 1

b. COMMENTS:
Top 20% NCO who strives for perfection in all areas of performance. Send to Master Leaders Course with peers. Promote to Master Sergeant with peers. Strong potential.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment 1) **Special Security Officer** 2) **USASOC G2** Broadening Assignment: **Inspector General**

DEPARTMENT OF THE ARMY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

30 March 2022

MEMORANDUM FOR RECORD

SUBJECT: Additional Duty Appointment

1. Effective 20 March 2022, the following individuals are assigned as the 528th Sustainment Brigade (SO) (A) Physical Security Officer:

Primary: SFC Riley, Jeremy

Alternate: SFC Forbes, Michael

2. Authority: IAW AR 190-13, AR 190-51, and FB Regulation 190-13-1

3. Purpose: To perform duty outlined in the above authority

4. Period: Until officially released or relieved from appointed assignment.

5. The point of contact for this memorandum is SFC Riley, Jeremy at (910) 908-8765 or jeremy.riley.mil@socom.mil.

COLLINS.MARK.E.1293725957 Digitally signed by COLLINS.MARK.E.1293725957 Date: 2022.04.25 11:38:26 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Monday, April 25, 2022 11:35 AM
To: Oneill, Kevin E SFC USARMY (USA)
Subject: FW: FYI: requested PHYSEC S3 references
Attachments: Fig_MissionCommand_Gray.png; 20180606 Functional and integrating cells within sustainment brigade staffs.docx
Signed By: michael.j.forbes7.mil@mail.mil

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

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

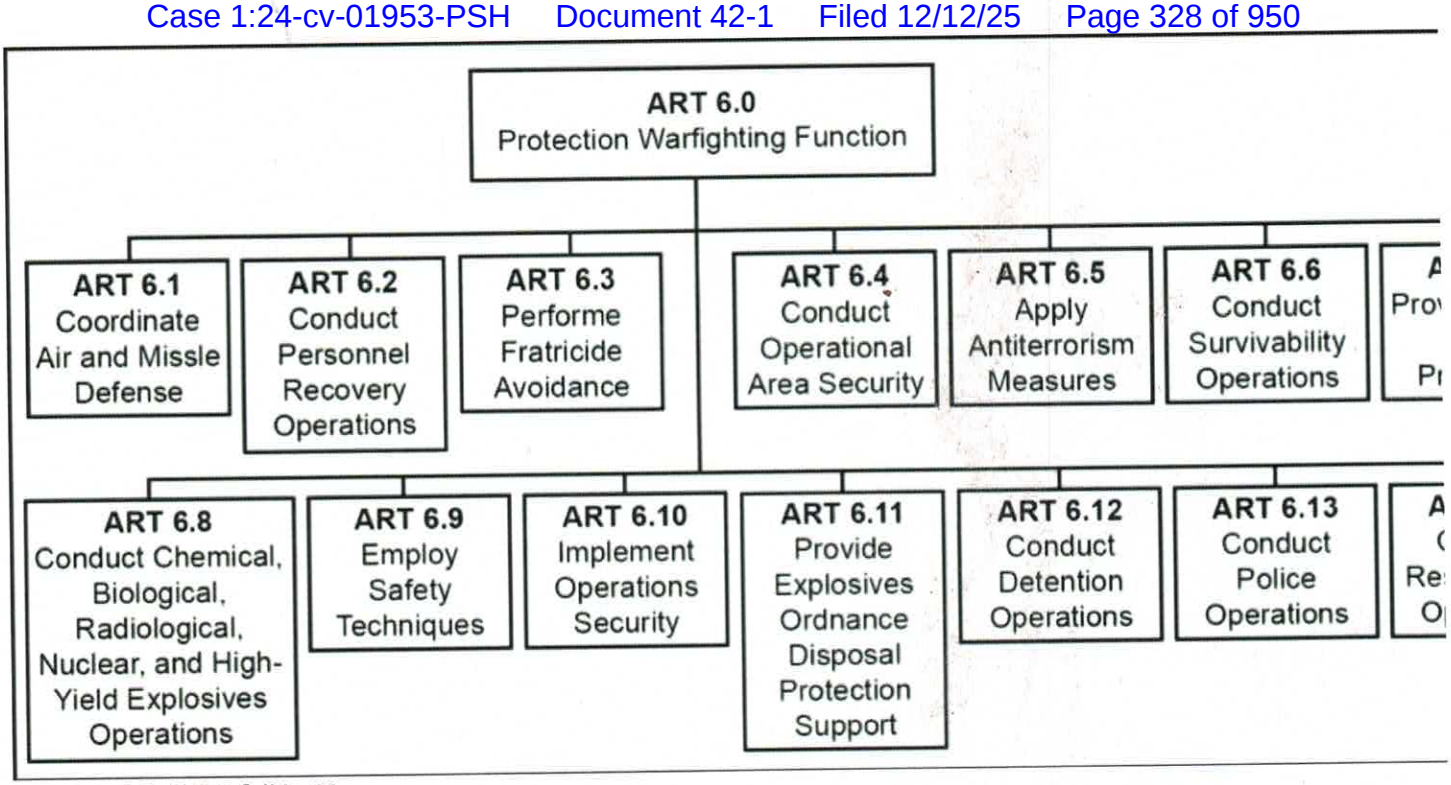
From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, March 31, 2022 11:46 AM
To: Cheever, Timothy A 1SG USARMY USSOCOM USASOC (USA) <timothy.a.cheever.mil@socom.mil>
Subject: FYI: requested PHYSEC S3 references

1SG Cheever:

To answer your verbal inquiry from our Tuesday meeting regarding where to find doctrinal responsibility of PHYSEC programs within the Army, I found the following citation in AR 525-2 (Army Protection Program) 8 DEC 2014,

Chap 5-1 Planning and integration, states the following, "Commanders of ACOMs, ASCCs, and DRUs; the CNGB and CAR; and senior leaders of agencies and activities will—... d. Within the command's operations (G–34 or similar) organization, synchronize, integrate, and coordinate the [Army Protection Program] APP functional elements and the associated enabling functions to focus protection efforts on the command's, the Army's, and DOD's MEFs, other operational requirements, infrastructure, information, and security of personnel."

Now ADRP 1-03 "The Army Universal Task List" shows the following regarding the G-34 Protection warfighting function mentioned above:



ART 6.4, 6.5, & 6.6 fall in S3

Furthermore,
FM 6-0 Section entitled "ASSISTANT CHIEF OF STAFF, G-3 (S-3), OPERATIONS," under "Plans and Operations," para 2-51 states "....Coordinating with the chief of protection and operations security [OPSEC] officer, the G-3 (S-3) establishes operations security priorities, plans, and guidance."

Lastly,
I included a publically available article published in the Army Sustainment magazine product that clearly discussed how the warfighting functions overlap with Staff Section responsibility (see highlight in article; whole article is a good read).

My commentary:
Protection and Intelligence are separate warfighting functions as you know. Intelligence has a supporting role to many G3/S3 programs such as AT/FP (threats, insider and otherwise), OPSEC (threats, risk assessments), and Force Protection (SCARS for ECPs) and Insider Threats (reporting of suspicious activity to CI), however protection decisions always occurs through Mission Command's codified orders of G3/S3 recommendations/SOPs (S2 only has inputs through assessments, etc.).

Hope this clarifies why I am building cookie-cutter products and training opportunities for PSOs that should be collocated within the S3 shop.

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

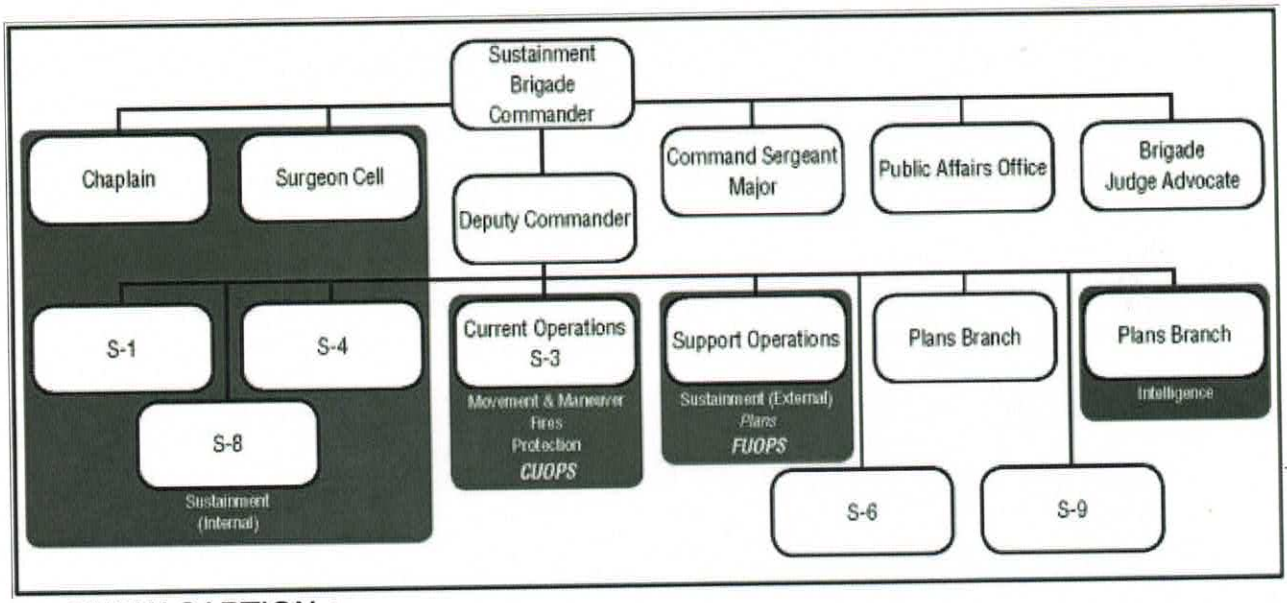
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

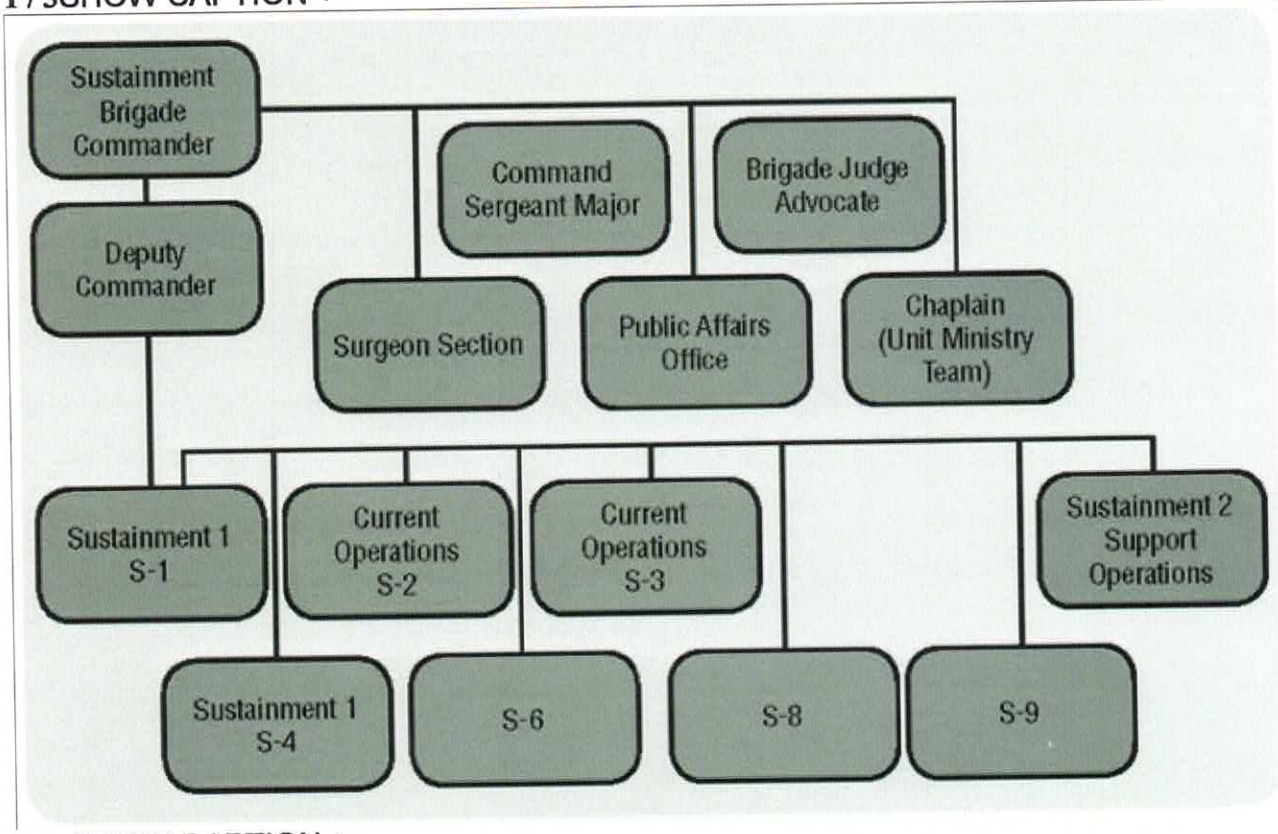
Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

Functional and integrating cells within sustainment brigade staffs

By Maj. Richard Reeves, June 6, 2018



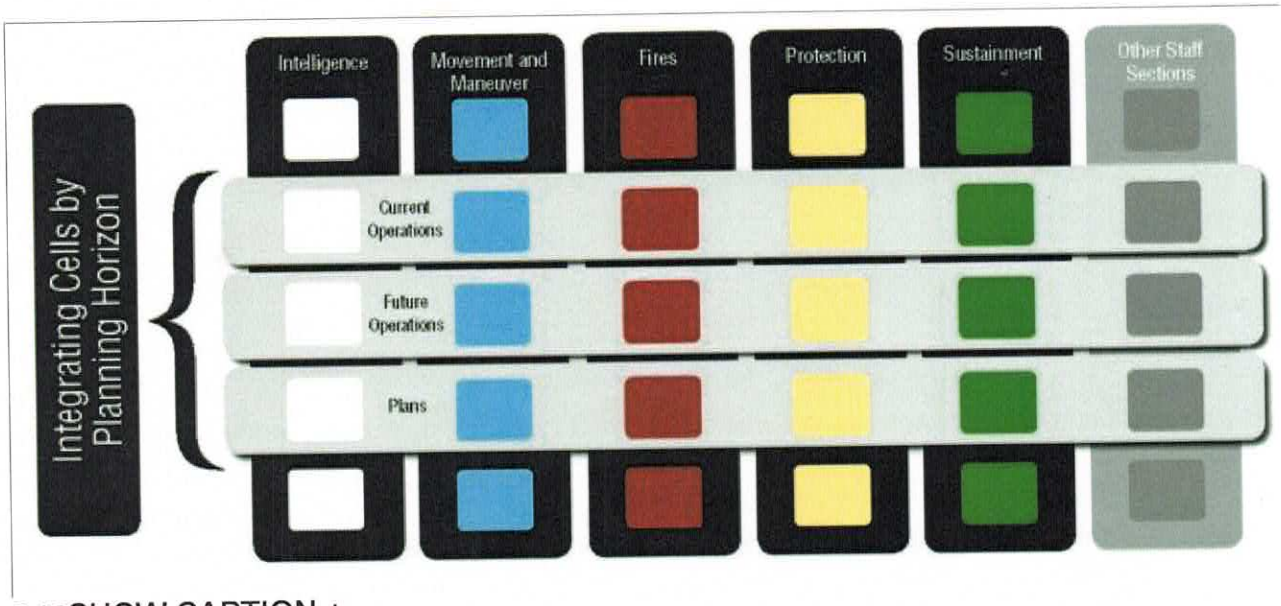
1 / 3SHOW CAPTION +



2 / 3SHOW CAPTION +

Functional and integrating cells within sustainment brigade staffs

By Maj. Richard Reeves, June 6, 2018



3 / 3SHOW CAPTION +

One of the most important ways to measure the success of headquarters staffs is to evaluate their operations processes. Did they get the job done? Did they get their commanders the products they needed in a timely manner so that they could effectively execute mission command?

Commanders organize their staffs into functional and integrating cells to enable collaboration and synchronization and to generate an effective battle rhythm. When the battle rhythm functions properly, the principles of mission command become evident in the staff. The staff members come together as a cohesive team, share a mutual understanding, and use the commander's intent to exercise disciplined initiative as they work their way through the operations process.

HEADQUARTERS STAFFS

The headquarters staff of any organization is an integral component of the commander's ability to conduct mission command. According to Army Doctrine Reference Publication 5-0, The Operations Process, the staff's role is to assist commanders with understanding situations, making and implementing decisions, controlling operations, and assessing progress.

Functional and integrating cells within sustainment brigade staffs
By Maj. Richard Reeves, June 6, 2018

Functional cells assemble the staff by warfighting function, and integrating cells group them by time horizon (Field Manual 6-0, Commander and Staff Organization and Operations, paragraph 1-29). Incorporating these cells into the traditional "S" staff sections ensures a logical delegation of duties and responsibilities. It maps out the operations process, enabling synchronization of information and collaboration.

STAFFS VERSUS WARFIGHTING FUNCTIONS

Most sustainers are familiar with staffs that are structured by modified table of organization and equipment (MTOE). These staff sections have an S-1 for personnel, S-2 for intelligence, S-3 for operations, S-4 for logistics, and so forth. Figure 1 is an example of this kind of structure.

However, newly assigned officers and noncommissioned officers in sustainment brigades often believe that in order to create functional and integrating cells during exercises, they must tear apart the MTOE structure. Figure 2 unintentionally reinforces this notion. It does not show the "S" staff sections, nor does it show how staffs should incorporate functional and integrating cells within the staff sections depicted in figure 1. When sustainers see depictions like figure 2, it incorrectly confirms their assumptions that the cells supersede staff sections in field environments.

Figure 3 corrects these assumptions by showing how both structures are compatible. It overlays the functional and integrating cells onto the sustainment brigade MTOE organization chart. It depicts the linkage between MTOE sections and two types of cells. Moreover, it portrays which staff section officers-in-charge will oversee the functional and integrating cells.

STAFF ORGANIZATION

The construct of functional and integrating cells incorporated within the headquarters sections gives the commander a highly organized staff with

designated points of contact for every aspect of the operations process. The current operations section, with its movement and maneuver, fires, and protection cells, is the realm of the S-3. The support operations (SPO) section oversees external sustainment and prepares long-term plans within the future operations section.

The S-4's sustainment functional cell (which includes the S-1, S-8, brigade surgeon, and chaplain) oversees all sustainment internal to the brigade. Finally, the S-2, S-6, and S-9 are enablers for all three planning horizons and, thus, incorporate themselves into the workings of the other staff sections.

The deputy commanding officer (DCO) incorporates them all (including the public affairs officer and the staff judge advocate) into a functioning staff. The DCO is the approving authority for the standard operating procedures (SOPs) that each section and cell develops. As the headquarters integrator, the DCO confirms that the mechanisms put in place by the SOPs ensure a high degree of synchronization and collaboration.

WORKING GROUPS, BOARDS, AND BATTLE RHYTHMS

Running a command post is extremely challenging. The necessities of developing structure and delegating and codifying duties and responsibilities are paramount to mission success. Working groups and boards are two types of Army meetings that give the staff the structure they need within their battle rhythm.

Working groups are meetings in which the participants come up with courses of action (COAs) for future missions. Boards are meetings in which the commander (or commander-appointed representative) chooses a particular COA to continue the mission. When executed efficiently, these meetings become the backbone of a coherent battle rhythm that collectively points the staff toward synchronization with higher sustainment headquarters as well as supported maneuver commanders.

Functional and integrating cells within sustainment brigade staffs
By Maj. Richard Reeves, June 6, 2018

THE ARMY SOP FOR MEETINGS

One reason fully staffed sustainment brigades have difficulties with working groups and boards is that they fail to adhere to the Army's SOP for meetings (Field Manual 6-0, paragraph 1-68). When asked about meetings, most sustainers will tell you that they are too long and often lack coherence.

The DCO should mitigate this phenomenon with a well-organized battle rhythm. Before the DCO adds a meeting to the battle rhythm, the requester of the meeting must convince the DCO that it is a necessary addition. The requester should provide the answers to the following questions:

- How often does this meeting need to occur?
- Who needs to attend the meeting?
- What inputs does the requester need to proceed with the meeting?
- Do the outputs of the meeting serve a purpose?

THE TAKEAWAYS

This article leaves you with these important points:

- Functional and integrating cells do not destroy the MTOE staff concept.
- Functional and integrating cells add organization, synchronization, and collaboration to the staff sections.
- A well-organized battle rhythm allows the staff to conduct the operations process effectively.
- Staffs often poorly implement functional and integrating cells because they do not know the purpose of working groups and boards.

• The Army's SOP for meetings prevents attendees from wasting their time.

Working groups and boards executed by functional and integrating cells are the key components of the unit's battle rhythm. Cells do not exacerbate the staff's operating tempo problems. Instead, they are a means by which the staff can streamline their duties and responsibilities.

The cells allow the DCO to avoid micromanagement because the cells distribute all major duties and responsibilities across the entire staff. Cells facilitate staff section collaboration, and this collaboration enables the commander to make informed decisions, which is a critical component of mission accomplishment.

Maj. Richard Reeves is a sustainment observer-coach/trainer in the Mission Command Training Program's Operations Group Sierra. He has a bachelor's degree in history from California State University at Humboldt and a master's degree in history from Brigham Young University. He is a graduate of the Theater Sustainment Planners Course and the Command and General Staff Officers' Course.

This article is an Army Sustainment magazine product.

Related Links:

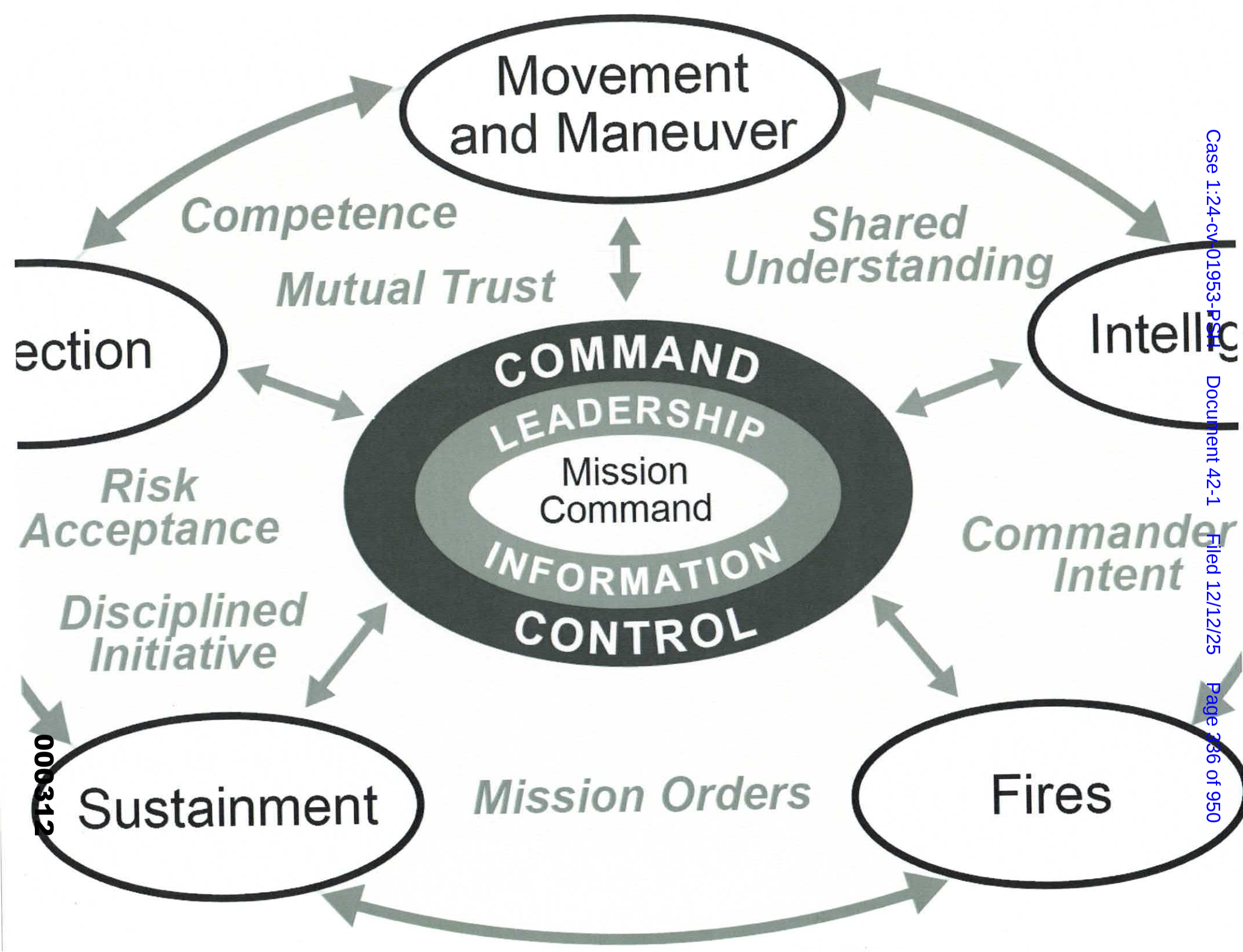
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https://www.army.mil/article/206360/functional_and_integrating_cells_within_sustainment_brigade_staffs#:~:text=The%20current%20operations%20section%2C%20with%20its%20movement%20and,prepares%20long-term%20plans%20within%20the%20future%20operations%20section.



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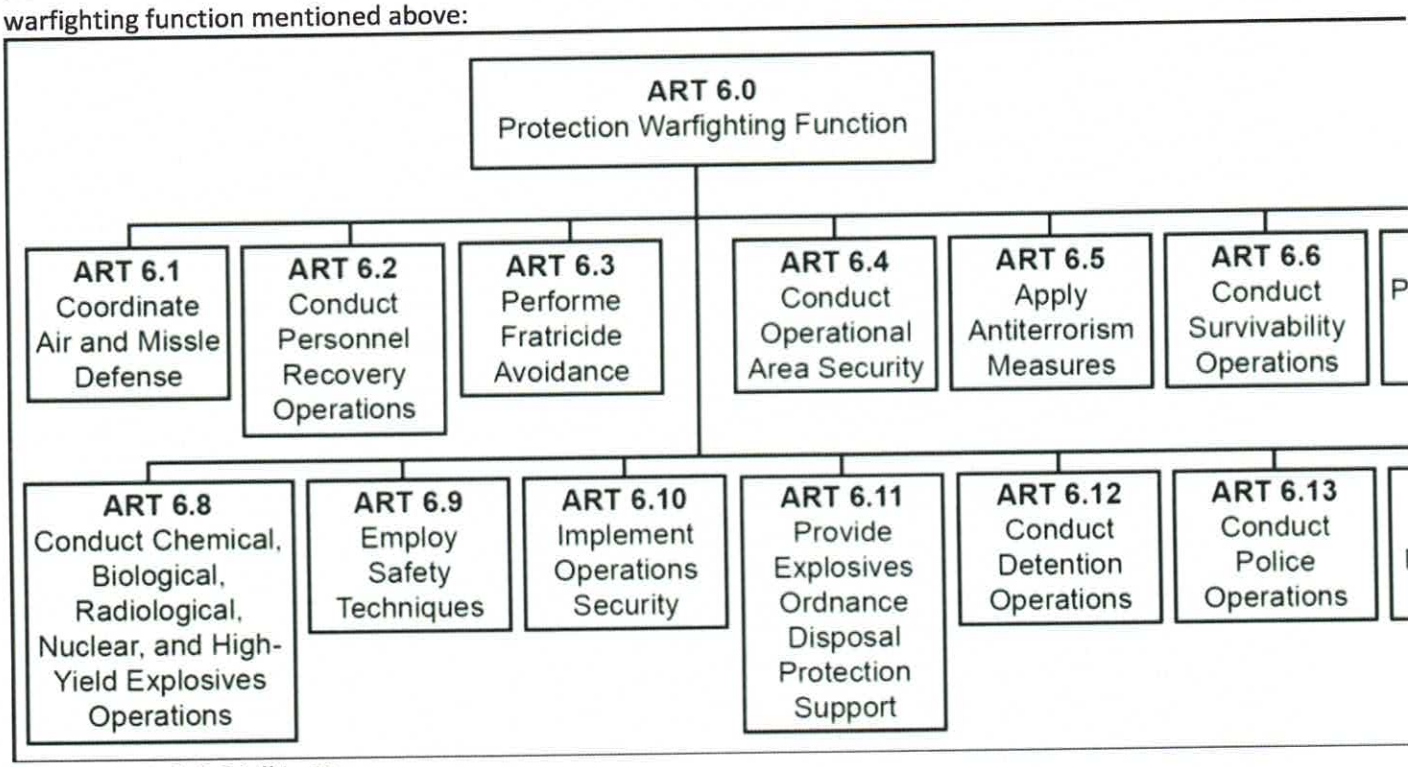
From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, March 31, 2022 11:46 AM
To: Cheever, Timothy A 1SG USARMY USSOCOM USASOC (USA) <timothy.a.cheever.mil@socom.mil>
Subject: FYI: requested PHYSEC S3 references

1SG Cheever:

To answer your verbal inquiry from our Tuesday meeting regarding where to find doctrinal responsibility of PHYSEC programs within the Army, I found the following citation in AR 525-2 (Army Protection Program) 8 DEC 2014,

Chap 5-1 Planning and integration, states the following, "Commanders of ACOMs, ASCCs, and DRUs; the CNGB and CAR; and senior leaders of agencies and activities will—... d. Within the command's operations (G–34 or similar) organization, synchronize, integrate, and coordinate the [Army Protection Program] APP functional elements and the associated enabling functions to focus protection efforts on the command's, the Army's, and DOD's MEFs, other operational requirements, infrastructure, information, and security of personnel."

Now ADRP 1-03 "The Army Universal Task List" shows the following regarding the G-34 Protection warfighting function mentioned above:



ART 6.4, 6.5, & 6.6 fall in S3

Furthermore,
FM 6-0 Section entitled "ASSISTANT CHIEF OF STAFF, G-3 (S-3), OPERATIONS," under "Plans and Operations," para 2-51 states "....Coordinating with the chief of protection and operations security [OPSEC] officer, the G-3 (S-3) establishes operations security priorities, plans, and guidance."

Lastly,
I included a publically available article published in the Army Sustainment magazine product that clearly discussed how the warfighting functions overlap with Staff Section responsibility (see highlight in article; whole article is a good read).

My commentary:
Protection and Intelligence are separate warfighting functions as you know. Intelligence has a supporting role to many G3/S3 programs such as AT/FP (threats, insider and otherwise), OPSEC (threats, risk assessments), and Force Protection (SCARS for ECPs) and Insider Threats (reporting of suspicious activity to CI), however protection decisions always occurs through Mission Command's codified orders of G3/S3 recommendations/SOPs (S2 only has inputs through assessments, etc.).

Hope this clarifies why I am building cookie-cutter products and training opportunities for PSOs that should be collocated within the S3 shop.

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

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MI

12 May 2022

MEMORANDUM FOR Command Security Manager, G22, USASOC, Fort Bragg, NC 28310

SUBJECT: Additional Duty Appointment - Security Manager

1. Effective immediately, the following personnel are responsible for all Security Manager (SM) duties within the 528th SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE).

PRIMARY: Forbes, Michael J., SFC, 7907
ALTERNATE: Meredith, Joseph R., SSG, 5794
ALTERNATE: Scheffing, Matthew J., PFC 2002

2. Authority: AR 380-5, Army Information Security Program, 22 October 2019 and USASOC Regulation 380-5, 4 March 2016.

3. Purpose: To perform duties as outlined in paragraph 1-11, AR 380-5 or as directed by the Commander/Director.

4. Period: Until rescinded.

5. Special Instructions: Track and document access of combinations to all cipher locks within the 528th Sustainment Brigade (Special Operations) (Airborne) and change when necessary; if compromised or if someone with knowledge of the combination no longer requires access.

6. Each current and newly appointed SM is responsible for successfully completing the following courses offered by the Center for Development of Security Excellence (CDSE): (Go to https://www.cdse.edu/ and create/use a STEPP account)

(a) Personnel Security:
Introduction to Personnel Security (PS113.16)
Introduction to National Security Adjudication (PS001.18)
Identifying and Safeguarding Personally Identifiable Information (DS-IF101.06)
Cybersecurity Awareness (CS130.16)

AOSC-MI
SUBJECT: Additional Duty Appointment - Security Manager

(b) Information Security:
Introduction to Information Security (IF011.16)
Original Classification (IF102.16)
Derivative Classification (IF103.16)
Marking Special Categories of Classified Information (IF105.16)
Transmission and Transportation for DOD (IF107.16)

(c) Foreign Disclosure:
Foreign Disclosure Training for DoD (GS160.16)

(d) Industrial Security:
Introduction to Industrial Security (IS011.16)
Facility Security Officer (FSO) Role in the NISP (IS023.16)

(e) Physical Security:
Introduction to Physical Security (PY011.16)
Storage Containers and Facilities (PY105.16)

8. Newly appointed SMs must complete the CDSE courses in order to qualify to attend the Security Manager Course (SMC) hosted by USASOC G22. All CDSE certificates must be included with the appointment orders prior to SMC registration being approved.

9. SMs who have attended the SMC within the last three (3) years will not need to re-attend the SMC.

10. The point of contact for this memorandum is SFC Forbes, Michael at Michael.j.forbes@socom.mil or 910-908-8788.

Digitally signed by
BRUNSON.TAVI.NIGEL.1010691717
Date: 2022.05.12 17:11:10 -04'00'

TAVI N. BRUNSON
COL, LG
COMMANDING

FW: Henkel Leave

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

To: paxmas2007@yahoo.com

Date: Thursday, June 15, 2023 at 05:42 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: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>
Sent: Thursday, May 19, 2022 12:05 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Subject: Henkel Leave

Team,

I will be taking leave from the 31st of May – 9th of June. LTC Furlow instructed me to let BDE know in case there is an unforeseen need to cover down.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Home) 864-556-4053

smime.p7s
6.5kB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Surorodriguez, Edgar V SFC USSOCOM USASOC (USA)
Sent: Wednesday, June 29, 2022 10:42 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Cc: Burgos-santiago, Edwin A MSG USARMY USSOCOM USASOC (USA)
Subject: RE: routine contact number change FORBES
Signed By: edgar.v.surorodriguez.mil@mail.mil

Got you brother. Please check your phone and verify with me if you got the message. I sent it about 20 min to ensure your phone works brother. Thanks in advance!

v/r
SFC Edgar V. Suro
Brigade S3/Brigade Primary Staff Platoon Sergeant/DTMS Manager/ Barracks Manager
528th Sustainment Brigade (Special Operations) (Airborne) 1st Special Forces Command (Airborne)
NIPR: 910-908-8774
cell: 910-224-9426

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, June 29, 2022 10:21 AM
To: Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>
Subject: routine contact number change FORBES

SFC Suro

Please use my blackberry number. I would not have provided you with my personal number had I known you were going to do daily routine army business on it. Please use the govt phone I was provided at 9109297078 and remove my number from the formal notifications please. It should only be used for recalls, emergencies and urgent matters. 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

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Friday, July 8, 2022 7:33 AM
To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA)
Cc: Collins, Mark E Jr. MAJ USARMY USSOCOM USASOC (USA)
Subject: FW: Sensitive items Inventory DUTY ALERT- July 2022
Attachments: SI inventories Memo.pdf; WJTDAA SII.pdf
Signed By: michael.j.forbes7.mil@mail.mil

Importance: High

Sir

Thank you for meeting with me regarding how the decision to engage the Alternate (me) in this month's SI inventory without any communication other than that through the Supply Sergeant. I disagree with the decision and how it was very likely, unprofessionally, handled as I have proved it was unnecessary and not "logical" as SSG Plummer repeatedly told me the other day to engage the Alternate in this case. SFC Felin put in for 5 days of leave (11-15 July) and the deadline was July 20. All sensitive items have been accounted for as of yesterday other than 8 radio sets that the property owner wasn't tracking it was a set not an item and two KGs that are locked in a safe. This means, that I completed over ~98% of the SI inventory in 1½ days since beginning Wednesday at 1330. Therefore, SFC Felin's request to SSG Plummer, who spoke with CPT Korista, who told SSG Plummer, who emailed me the below email, was the result with no one engaging the altenate in any way. The primary could have easily done this himself or communicated with me directly for support CPT Korista's signed memo states, "It will be the assigned individual's responsibility to make proper coordination with an alternate if he/she cannot conduct the Sensitive Items Inventory for that month." Instead this occurred in a vacuum and was implemented by a SSG who is not in Command (note the time of the email as well). In this case, the primary could have accomplished this tasking so the intent behind this decision is unknown to me although I have some possible catalysts that I have discussed with you in person.

Thanks again for your time during the impromptu open door meetings since Wednesday. Hopefully this type of thing won't continue to occur. Also, at least three times in as many weeks my assigned Soldier has been tasked without any communication with me from HHC or the Platoon Sergeant. Looking forward to CSM E's return as I have requested a meeting with him as well but he likely cannot positively impact this situation as the 1SG told me he was not involved; hence, why I spoke with you.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: (910) 929-7078
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Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Plummer, Tiera SSG USARMY USSOCOM USASOC (USA) <tiera.plummer.mil@socom.mil>
Sent: Tuesday, July 5, 2022 4:48 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Richard, PhilDarrian D 1LT USARMY USSOCOM USASOC (USA) <phildarrian.d.richard.mil@socom.mil>; Felin, Vincent R SFC USARMY USSOCOM USASOC (USA) <vincent.r.felin.mil@socom.mil>; Diaz, Eric N CW4 USARMY USSOCOM USASOC (USA) <eric.n.diaz.mil@socom.mil>; Koak, Mike J SFC USARMY USSOCOM USASOC (USA) <mike.j.koak.mil@socom.mil>
Subject: Sensitive items Inventory DUTY ALERT- July 2022
Importance: High

SFC Forbes,

Since our primary will be on leave, as the alternate, you're identified to inventory the 528th SB's sensitive items equipment for the month of July 2022.

Below is a SHRH contact list, attached is the SI inventory duty memo, signed CPT Korista and the Sensitive Items inventory for this month.

Contact List:
OPS- SFC YODER- joel.yoder.mil@socom.mil
RIGGER PACK- SFC PETERS- york.a.peters.mil@socom.mil
BN S4- SSG GARCIA- alberto.garciamendez@socom.mil
BN S3- SSG MCRAE- kristopher.a.mcrae.mil@socom.mil
BN S1- SSG LICONTE- lisa.liconte@socom.mil
MOTOR POOL- SFC COFFEY- james.r.coffey.mil@socom.mil
SUPPLY- PV2 HALL- toby.d.hall.mil@socom.mil
SPO- SFC KINGLOCK- david.m.kinglock.mil@socom.mil
NBC- SPC MUNRO- sean.m.munro.mil@socom.mil
SURGE CELL- SSG SILVA- clinton.silva.mil@socom.mil
BDE S6- SFC MORRIS- danavon.n.morris.mil@socom.mil
BDE S4- SFC KOAK- mike.j.koak.mil@socom.mil
BDE S3- SFC RILEY- jeremy.riley.mil@socom.mil
BDE S2- SFC FORBES- michael.j.forbes.mil@socom.mil
BDE S1- SFC MARKLE- trinity.markle@socom.mil
ARMS ROOM- SPC HANCOCK- chance.d.hancock.mil@socom.mil
COMMO – SGT BROWN- deondre.brown-williams@socom.mil
RESOURCE MANAGER- PFC MEIJA- manuel.a.mejiahernandez.mil@socom.mil
MED MAINT- SGT ROLAND- andrew.a.roland.mil@socom.mil
BEHAVIORAL HEALTH- SGT ALDEGUER- jomari.m.aldeguer.mil@socom.mil
RIGGER MAINT- SSG HILBERT- quaret.l.hilbert.mil@socom.mil

Please conduct Inventories, disregard any UIC that isn't WJTDAA, fill out the report properly and send back.

Please make sure that all "QTY" boxes are filled, only fill in the "remarks" sections if the equipment is

anything other than on hand.
When the equipment isn't on hand, attach all supporting documents for equipment not on hand. Do not allow the armorer to read or mark off any serial numbers.

SI inventories are due on the 20nd of this month.
Please let myself know if you have any or need any assistance questions.

Thank you

SSG Plummer, Tiera J.
HHC, 528TH Supply NCOIC
Fort Bragg, NC 28310
Email: Tiera.Plummer.mil@socom.mil
Cell: 313-770-9278

"Progression Is The Only Thing That Matters. Everything Else Is Just Social Preference."

UNCLASSIFIED

528th SUST BDE (SO)(A)

Out-brief
112th SIG BN (A)
S2 SAV
05 May 2022

Briefer: SFC Forbes, Michael J.
Type of Brief: SAV Outbrief
Date: 14 July 2022

Agenda

- SAV Overview
- Section & Rating Overview
- Post Inspection
- Questions

SAV Overview

- **SAV Inpector Focused on BN S2**
- **Overall BN Rating: Unsatisfactory**
- **528th SUST BDE (SO)(A) INSPECTOR INSPECTED: 5 of 5 Sections and 17 of 19 Functional Areas**
  - **AREAS COMMENDABLE: 0**
  - **AREAS SATISFACTORY: 5**
  - **AREAS NEED IMPROVEMENT: 5**
  - **AREAS UNSATISFACTORY: 7**
  - **REMAINING AREAS NEED INSPECTION: 0**

Section & Rating

ANNEX	Area	POC/Briefer	Commendable	Satisfactory	Improve	Unsatisfactory	Not Inspected
B	S2 Intel & Security	SFC Forbes	0	0	0	5	0
	TOTAL: 10/17	Functional Areas:					

INTELLIGENCE & SECURITY

	COMMEND	SAT	IMPROVE	UNSAT	NOT EVAL
PERSONNEL SECURITY				X	
INFORMATION SECURITY				X	
INDUSTRIAL SECURITY				X	
INTEL OVERSIGHT				X	
TARP				X	

UNCLASSIFIED

INTELLIGENCE & SECURITY

- **PROGRAM: Personnel Security (PERSEC)**

- **Rating: Unsatisfactory**

- **Findings:**

GENERAL REQUIREMENTS

a. Unsatisfactory; sample size (20%); 35% of 120 SM were not owned in DISS

b. Need Improve; Foreign Travel Briefs are not conducted or retained for 5 yrs

IN-PROCESSING & INITIAL SECURITY BRIEFINGS

c. Unsatisfactory; CTRs not serviced in DISS (details in INDUSEC area of SAV) and SM files incomplete

PERSONNEL SECURITY INVESTIGATIONS, PROCEDURES & TRACKING

d. Needs Improve; SMs are not tracked nor notified as their clearance transitions out of scope

PROCESSING DEROGATORY INFORMATION / INCIDENT REPORTS

e. Need Improve; Derogatory Incident Tracker does not show any of 12 current incidents as up-to-date

f. Need Improve; Lack of self-reporting; all reports are from outside sources

PROCESSING LOI TO DENY OR REVOKE CLEARANCE WITH SOR

g. Need Improve; Suspense system available on tracker but not utilized

OUT-PROCESSING & DEBRIEFING PROCEDURES

h. Need Improve; sample size (15%); 19% of 90 SM were not out-processed in DISS

DISS ACCOUNT MANAGER REQUIREMENTS

i. Satisfactory

7 Areas

- 0 Commendable
- 1 Satisfactory
- 4 Needs Improvement
- 2 Unsatisfactory
- 0 Not Inspected

INTELLIGENCE & SECURITY

- **PROGRAM: Information Security (INFOSEC)**

- **Rating: Unsatisfactory**

- **Findings:**

PROGRAM MANAGEMENT

- **Satisfactory**

ACCESS & DISSEMINATION

a. Unsatisfactory; sample size (20%) - 35% of 120 SM were not owned in DISS

SECURITY EDUCATION

b. Needs Improvement; Security Education is not a continuous program

b. 57% - Derivative Classification

b. 54% - Annual Security Refresher (INFOSEC)

b. 49% - Managing Soldiers and Civilians with Security Clearance / Access

INSPECTIONS

- **N/A**

SECURITY VIOLATIONS

- **Satisfactory**

REPRODUCTION, DISTRIBUTION & DESTRUCTION

- **Satisfactory**

STORAGE & PHYSICAL SECURITY STANDARDS

c. Unsatisfactory; S2's SF 701 & SF 702 not updated since SEP 2020

MARKINGS, CLASSIFICATION, DECLASSIFICATION

- **Satisfactory**

8 Areas

- **0 Commendable**
- **4 Satisfactory**
- **1 Needs Improvement**
- **2 Unsatisfactory**
- **1 Not Inspected**

INTELLIGENCE & SECURITY

- **PROGRAM: Industrial Security (INDUSEC)**
- **Rating: Unsatisfactory**
- **Findings:**

  GENERAL INDUSTRIAL SECURITY

  a. Unsatisfactory; Program needs to be established

  There are ~10-15 unidentified contractors working in or with access to facility

  VISITING CONTRACTORS

  Note: Unsatisfactory; UNK due to lack of INDUSEC Program

2 Areas

- **0 Commendable**
- **0 Satisfactory**
- **0 Needs Improvement**
- **2 Unsatisfactory**
- **0 Not Inspected**

INTELLIGENCE & SECURITY

- **PROGRAM: Intelligence Oversight (IO)**

- **Rating: Unsatisfactory**

- **Findings:**

GENERAL REQUIREMENTS

- **BDE IOO runs program and conducts Annual Word Searches**
- **Appointment of alternates complete at 112th and STB**
- **<u>Only requirement for BN is tracking training</u> and reporting incidents**

a. 0% - Record of IO training within 30 days of assignment & 0% - Annual Refresher IO training every 365 days

<u>1 Area</u>

- **0 Commendable**
- **0 Satisfactory**
- **0 Needs Improvement**
- **1 Unsatisfactory**
- **0 Not Inspected**

UNCLASSIFIED

INTELLIGENCE & SECURITY

- **PROGRAM: Threat Awareness Reporting Program (TARP)**
- **Rating: Unsatisfactory**
- **Findings:**
  - **Unsatisfactory; BN reported 0% of BN (1 of 601 SM) had TARP brief in last 12 months**
  - **No TARP briefs are scheduled**

1 Area

- **0 Commendable**
- **0 Satisfactory**
- **0 Needs Improvement**
- **1 Unsatisfactory**
- **0 Not Inspected**

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY
SPECIAL OPERATIONS COMMAND
2929 DESERT STORM DRIVE
FORT BRAGG, NORTH CAROLINA 28310-9110

AOSC-MI 13 July 2022

MEMORANDUM FOR Commander, 112th Signal Battalion (SIG BN), Special Operations (SO) Airborne (A), Fort Bragg, North Carolina 28310

SUBJECT: 528th Sustainment Brigade (SO) (A) S2, Staff Assisted Visit (SAV)

1. References:
a. USASOC Annex B, G-2 Command Inspection Program Checklist, Personnel Security (PERSEC), March 2019
b. USASOC Command Inspection Program Checklist, DCS, G-22, Information Security (INFOSEC), May 2020
c. 1st SFC Annex B, Command Inspection Checklist, Industrial Security (INDUSEC), January 2019
d. USASOC Command Inspection Program Checklist, DCS, G-22, Intelligence Oversight (IO) Program, July 2019
e. USASOC Command Inspection Program Checklist, DCS, G-22, Threat Awareness and Reporting Program (TARP), 19 July 2016

2. Purpose: Outline the results of the SAV and recommend corrective actions to Commander, 112th SIG BN (SO) (A) to correct observations and deficiencies found during the SAV Inspection conducted on 5 May 2022.

3. Findings, and Observation(s); **Personnel Security (PERSEC).**

a. **General Requirments - Unsatisfactory**; 35% of SM on DoD Roster dated 24 May 2022 were not owned in Defense Information System for Security (DISS).

Inspection Results: A sample of 20% of 601 SM (120) indicated that 35% of personnel were not owned in DISS (DAMI-CD Memo dtd 26JAN05, AR 380-67, para 2-1, a.). Further analysis indicates that some SMs assigned to the 112th are immediately attached (on orders) to OCONUS Theater Commands and are in-processed upon arrival, thereby bypassing 112th (AR 380-67 RAR, para 9-7, a.).

Corrective Action(s): Identifying attached personnel and receiving written or electronic confirmation that SM have properly in-processed (e.g. signed NDA, etc.) their respective attached units can enable 112th PSMs to take ownership relationship in DISS.

b. **General Requirments - Needs Improvement**; Foreign Travel Briefs are not conducted or retained.

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Inspection Result: No retained electronic or hard files for any leave travel was produced (AR 380-67, para. 9-9, AR 380-5, para 9-8).

Corrective Action(s): Begin documenting via signed memo, or equivalent, the required briefing of the content in the Electronic Foreign Clearance Guide, para B. "IDENTIFICATION CREDENTIALS FOR LEAVE TRAVEL" including all applicable requirements for travel via hyperlinks such as the "Section VII: Travel Information," which includes up-to-date travel advisories, requirements and recommendations.

c. **In-processing & Initial Security Briefings - Unsatisfactory**; Contractors not serviced in DISS and SM files incomplete.

Inspection Result: An Industrial Security Program not present in this unit. No 112th Command-staff personnel could produce a list of contractors that work or have access to the 112th facilities, yet acknowledge contractors are supporting current operations (AR 380-49, para 1-30). A random sampling of 10 SM S2 personnel files indicated either incomplete files or no files in each case. Many of the files had SF 312s on two separate pages and unwitnessed documents. One instance, indicated a SM with TS access in DISS but no attestation on file. Also, found an indication of a SFC James Zell signing as an S2 PSM on a SM's SF 312 and SD Form 572. (DAMI-CD Memo dtd 26JAN05, AR380-67 RAR para 9-7, AR380-5, para 9-4)

Corrective Action(s): INDUSEC portion is addressed fully in the INDUSEC comments below (para 5). An audit of all historical files to identify all deficiencies and rectify them is recommended.

d. **Personnel Security Investigations, Procedures & Tracking - Needs Improvement**; SMS are not notified while their clearance transitions out of scope.

Inspection Result: BN S2 does not track the latter of either 1) the last completed investigation date or 2) the SM's enrollment in CE for deferred investigation date in the provided BN S2 excel training tracker (AR 380-67 para 3-56, Appendix B-5. a.).

Corrective Action(s): Entering this data in the S2 training tracker provided by brigade would allow the BN S2 PSMs to periodically and accurately, sort and prioritize SMs that are due a reinvestigation or initiate an inquiry to the Defense Counterintelligence and Security Agency (DCSA) Customer Engagement Team (CET) for any deferred investigations over 2 years in duration.

e. **Processing Derogatory Information / Incident Reports - Needs Improvement;** Derogatory Incident Tracker does not indicate any of the 12 current incidents as up to date

Inspection Result: BN S2 is not tracking or reporting the next suspense date for each incident, therefore, they, nor higher echelons, cannot discern the prioritization nor urgency of reporting follow-up or final reports for each incident. Furthermore, the lack of

tracking suspense dates results in USASOC G22, who does track next suspense dates, to, in-effect, manage the reporting process resulting in impromptu last minute work to accomplish these DoD CAF suspense dates (AR 380-67, Ch. 8).

Corrective Action(s): Entering the next suspense date in the tracker and periodically reviewing the tracker would enable the S2 PSMs to be proactive in reaching out and affecting the timely response from briefed SMs to report updates to the S2. Note: USASOC tracks documents required; filling in the enclosures for each 5248 submission on the tracker gives BN S2 a submission log on behalf of the SM and enable higher echelons to understand the status of the incident without unnecessary communications.

f. **Processing Derogatory Information / Incident Reports - Needs Improvement**; Lack of self-reporting; all reports are from outside sources

Inspection Result: BN S2 provided a tracker with 12 incidents (pertaining to 11 SMs); a breakdown of the noted origins of the incidents are, 6 CE/CV Alerts, 2 LOI/SOR, 2 blotters, 1 SIR and 1 not reported (further research showed it was also an LOI/SOR). This could suggest that there is not a viable BN self-reporting program in place, CDRs are not communicating disciplinary actions to the S2 PSMs, or both (AR 380-67, Ch. 8).

Corrective Action(s): Include PERSEC training covering self-reporting of the 13 adjudicative guidelines into BN and/or Co. training plans. Ensure CDRs formally report all formal actions pertaining to the 13 adjudicative guidelines to the S2.

g. **Processing LOI to deny or revoke clearance with SOR - Needs Improvement;** Suspense system available on tracker but not utilized

Inspection Result: BN S2 is not tracking or reporting the next suspense date for each LOI/SOR, therefore, they, nor higher echelons, cannot discern the prioritization nor urgency of reporting follow-up or final reports for each incident (AR 380-67, Ch. 8).

Corrective Action(s): Entering the next suspense date in the tracker and periodically reviewing the suspense dates would enable the S2 PSMs to be proactive in reaching out and affecting the timely response from briefed SMs to submit rebuttals with all supporting documents and to request any necessary extensions to the DoD CAF. USASOC tracks submission deadlines; filling in suspense dates enables PSMs to monitor and manage the LOI/SOR process and can ensure SMs are supported for important proceedings that can end up in the clearance appeals process.

h. **Out-Processing & Debriefing Procedures - Needs Improvement;** sample size of 15%, or 90 SMs, indicated that 19% (17 SMs) were not out-processed in DISS

Inspection Result: The Subject Report in DISS indicated that an estimated 19% of the SMs currently with access to 112th Facilities can continue to gain access and likely did not out-process the S2 (AR 380-67, RAR para 9-10, AR 380-5, para 6-5).

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Corrective Action(s): Providing the enforcement for SMs to comply with out-processing the S2 is crucial to prohibit future unimpeded access to 112th SIG BN facilities. 112th SIG BN issues badges to all SMs based on their in-processing packet completion, which includes the mandatory Non-Disclosure Agreement and Attestation (if necessary). Not capturing the badges and not debriefing SMs in-person, then promptly removing their access in DISS, infers their continued access to our facilities and classified information.

4. Findings, and Observation(s); **Information Security (INFOSEC).**

a. **Access & Dissemination - Unsatisfactory**; sample size (20%) - 35% of 120 SM were not owned in DISS.

Inspection Result: BN S2 did not "own" 42 of 120 SMs in DISS that are currently on the DoD Roster. This is likely due to SMs assigned to OCONUS locations bypassing BN S2 in-processing by not visiting the BN en route to their assignment (AR 380-5, para6-1, a.). Random sampling of 10 files indicated SF 312 forms signed on 2 separate pages (AR 380-5, para6-1, b.).

Corrective Action(s): BN S2 PSMs should periodically (recommended monthly) scrub their SMO Code in the DISS database using a current DoD Roster or AAA 162. Upon identifying SM assigned to 112th but attached to OCONUS locations, they add the SM to the BN S2 tracker and contact the unit S2 where the SM is stationed and verify, in writing (or email) that all in-processing has been completed. Once complete, the SM should be owned in DISS to provide 112th oversight of any necessary clearance reporting or support issues, e.g., derogatory reporting or clearance renewals and a file placed in the S2 personnel files with a copy of the communication indicating that in-processing was completed.

b. **Security Education - Needs Improvement**; Security Education is not a continuous program.

Inspection Result: BN S2 reported that 57%, 54% and 49% of BN SMs annual training for Derivative Classification, Annual Refresher Training (INFOSEC) and Managing Soliers and Civilians with Security Clearance / Access, respectively. These results could be significantly different due to the BN S2 tracks 391 of 601 SMs on the 112th (UIC: WHXJAA) DoD Roster (EO 13526, AR 380-5. Para 8-2 & 8-4 thru 8-5, USASOC Reg 380-5, para 8-5 & 9-4, a., 9-5, a., 9-6, a., ALARACT 207/2013).

Corrective Action(s): Ensure SMs complete annual training. Document it and track it on the provided BN training tracker.

c. **Storage & Physical Security Standards - Unsatisfactory**; incomplete SF 701s & SF 702s.

Inspection Result: S2's SF 701 & SF 702 not updated since SEP 2020 (AR 380-5, par 5-10, USASOC Reg 380-5, para 6-4 b. & c.).

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Corrective Action(s): S2 should begin filling our SF 701 and SF 702 forms daily and ensure that all facilities have them appropriately posted as you leave offices (SF 701) and on the outside of Safes (SF 702). Ensure that section leaders know how to fill them out and their purpose.

5. Findings, and Observation(s); **Industrial Security (INDUSEC).**

a. **General Requirments - Unsatisfactory**; Program needs to be established.

Inspection Result: Reportedly, there are ~10-15 unidentified Contractors working in or with access to 112th Facilities without any in-processing paperwork on file, therefore, at least three critical areas of the INDUSEC inspection could not be evaluated. They are, 1) “maintain copies of all DD 254s for those Classified Contracts with continual contractual performance at their location, 2) link each Contractor with a specific Classified Contract for all permanently assigned Contractors and, 3) has S2 taken a “servicing” relationship in [DISS] for permanent Contractores? The Visiting Contractors portion of inspection could not be evaluated due to the lack of INDUSEC program (AR 380-49, para 1-30).

Corrective Action(s): Establish the program by ensuring all Contractors fully in-process the BN by using the provided BDE in-processing packet and retain all packets in S2 personnel files after “servicing” relationship is granted in DISS.

6. Findings, and Observation(s); **Intelligence Oversight (IO).**

a. **General Requirments - Unsatisfactory**; 0% - Record of IO training within 30 days of assignment & 0% - Annual Refresher IO training every 365 days.

Inspection Result: 112th SIG BN is not tracking IO training for Intelligence Oversight (USASOC 5-19) as indicated by “N/A” in every SMs tracker slot; including every Commander and both intelligence SMs, per the requirement. The unit is not tracking any IO training; all CDRs, at both echelons of the BN and all intelligence MOS SMs must comply with initial and annual refresher IO training. New guidance, per the latest IO inspection included BN CSM, BN and Co. XOs, and 1SGs are required to complete these training briefs (AR 380-10, para14-1b., USASOC IO Policy Memo 5-19).

Corrective Action(s): Ensure all required personnel are trained wihin 30 days of arrival and that annual refresher briefs are conducted, documented and tracked on the BN training tracker for inspector review at BDE.

7. Findings, and Observation(s); **Threat Awareness & Reporting Program (TARP).**

a. **General Requirments - Unsatisfactory**; 0% of BN (1 of 601 SM) had TARP brief in last 12 months

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Inspection Result: 112th SIG BN S2 reported that 1 SM out of 601 attended an in-person TARP brief in the last 12 months or 0.3%. No TARP briefs were scheduled at the time of inspection (AR 381-12).

Corrective Action(s): Contact unit CI personnel at 389th and schedule training events until all personnel are briefed and track all training on the 112th BN training tracker for inspector review.

8. Point of contact for this memorandum is 528th S2 NCOIC, SFC Forbes, Michael J., at 910-908-8788 or michael.j.forbes.mil@socom.mil.

FORBES.MICHAEL.JEFFREY. Digitally signed by FORBES.MICHAEL.JEFFREY. Date: 2022.07.14 12:28:40 -04'00'

MICHAEL J. FORBES
SFC, USA
S2, NCOIC

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From:	Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent:	Friday, July 15, 2022 3:40 PM
To:	Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA); Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
Cc:	Furlow, Burton LTC USARMY USSOCOM USASOC (USA)
Subject:	FW: Accountability - BN PAI
Signed By:	michael.j.forbes7.mil@mail.mil

Sir and CSM:

Thank you Sir and CSM for, hopefully, addressing the deceptive statements re: PFC Scheffing's compliance with the formation and PAI this morning. The facts are as follows: 1) He was there, and 2) I witnessed him show his dog tags and CAC card. (I even have a copy of his signed OCIE memo.)

After the below email was sent to the myriad of Soldiers up our CoC, I immediately went to HHC OPS and 1SG Morgan also acknowledged that Scheffing was there. The PSG later acknowledged Scheffing was there.

Inasmuch as "Accountability is fundamental to our Profession", Integrity is one of The Seven Core Army Values and an excerpt from the ARMY.MIL site states this, "Do what's right, legally and morally. Integrity is a quality you develop by adhering to moral principles. It requires that you do and say nothing that deceives others. As your integrity grows, so does the trust others place in you. The more choices you make based on integrity, the more this highly prized value will affect your relationships with family and friends, and, finally, the fundamental acceptance of yourself." And I will add the relationships with fellow Senior Leaders and Soldiers.

I appreciate your addressing this as I believe you will. I, (again LTC Furlow), hope this trending behavior is curtailed. I have communicated with my Soldier to let him know he did nothing wrong and that he complied with all orders, when I called him back to simply initial his name on the PAI sheet. I can't fathom definitively why my new Soldier name and reputation was used in this manner when all involved knew that my Soldier was present and complied.

Thanks again.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB:
☎ Staff Office: (910) 908-8787
☎ SIPR:
NIPR:

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

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>
Sent: Friday, July 15, 2022 12:21 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Koak, Mike J SFC USARMY USSOCOM USASOC (USA) <mike.j.koak.mil@socom.mil>
Subject: FW: Accountability - BN PAI

Team FYI. Read below.

v/r
SFC Edgar V. Suro
Brigade S3/Brigade Primary Staff Platoon Sergeant/DTMS Manager/ Barracks Manager
528th Sustainment Brigade (Special Operations) (Airborne) 1st Special Forces Command (Airborne)
NIPR: 910-908-8774
cell:

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Friday, July 15, 2022 11:49 AM
To: Aldeguer, Jomari M SGT USARMY USSOCOM USASOC (USA) <jomari.m.aldeguer.mil@socom.mil>; Burgos-santiago, Edwin A MSG USARMY USSOCOM USASOC (USA) <edwin.burgos-santiago@socom.mil>; Deal, Rebecca S MAJ USARMY USSOCOM USASOC (USA) <rebecca.s.deal.mil@socom.mil>; Ramirez-Pharr, Jourdan D 1LT USARMY USSOCOM USASOC (USA) <jourdan.d.ramirezpharr.mil@socom.mil>; Ratajesak, Jennifer E LTC USARMY USSOCOM USASOC (USA) <jennifer.e.ratajesak.mil@socom.mil>; Reyesgarcia, Raymond SFC USARMY USSOCOM USASOC (USA) <raymond.reyesgarcia@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>; Smith, Daniel CW2 USARMY USSOCOM USASOC (USA) <daniel.smith.mil@socom.mil>
Cc: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>; Collins, Mark E Jr. MAJ USARMY USSOCOM USASOC (USA) <mark.e.collins.mil@socom.mil>; Silva, Clinton SSG USARMY USSOCOM USASOC (USA) <clinton.silva.mil@socom.mil>; Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>; Garciamendez, Alberto SSG USARMY USSOCOM USASOC (USA) <alberto.garciamendez@socom.mil>; King, Emery C SGT USARMY USSOCOM USASOC (USA) <emery.c.king.mil@socom.mil>
Subject: FW: Accountability - BN PAI

Good morning all-

Those on the "To" line - We missed you at today's 0630 accountability formation and subsequent PAI, and your PSGs are not tracking you being on leave/TDY/etc.

Accountability is fundamental to our Profession, regardless of rank, position, or type of unit. I ask that you make every effort to stand in all future formations going forward, starting with Monday at 0630.

SGT	ALDEGUER, MIGUEL
MSG	BURGOSSANTIAGO, EDWIN AMEDT
MAJ	DEAL, REBECCA S
1LT	RAMIREZPHARR, JOURDAN
LTC	RATAJESAK, JENNIFER E
SFC	REYESGARCIA, RAYMOND
PFC	SCHEFFING, MATTHEW J.
CW2	SMITH, DANIEL SCOTT
PFC	WILLIAMS, CODY CHRISTOPHER (SICK CHILD)
SPC	BEVER, BRAEDEN SCOTT (LWC)
PFC	CHRISTIE, MARC ANTHONY (JM CRS)
SGT	HERNANDEZ, JESSICA ELAINE (BLC)
SFC	PETERS, YORK (JM CRS)
SGT	SCHILLING, TREVOR JAMES (JM CRS)

GO HEADHUNTERS!

Very Respectfully,

DK

CPT David Korista
CPT, CM
Commander
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
NVOIP: 910.432.4194
Blackberry:
Personal Cell:
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.mil@socom.smil.mil

From: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>
Sent: Friday, July 15, 2022 10:56 AM
To: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Cc: Richard, PhilDarrian D 1LT USARMY USSOCOM USASOC (USA) <phildarrian.d.richard.mil@socom.mil>; Yoder, Joel SFC USARMY USSOCOM USASOC (USA) <joel.yoder.mil@socom.mil>; Liconte, Lisa K SSG USARMY USSOCOM USASOC (USA) <lisa.liconte@socom.mil>; Venturino, Nathan S SGT USARMY USSOCOM USASOC (USA) <nath.s.venturino.mil@socom.mil>; Wilkins, Jaylin SPC USARMY USSOCOM USASOC (USA) <jaylin.wilkins.mil@socom.mil>
Subject: Accountability - BN PAI

Sir,
Below is the list of personnel that have not completed PAI and were listed as PDY for today.

SGT	ALDEGUER, MIGUEL

MSG	BURGOSSANTIAGO, EDWIN AMEDT
MAJ	DEAL, REBECCA S
1LT	RAMIREZPHARR, JOURDAN
LTC	RATAJESAK, JENNIFER E
SFC	REYESGARCIA, RAYMOND
PFC	SCHEFFING, MATTHEW J.
CW2	SMITH, DANIEL SCOTT
PFC	WILLIAMS, CODY CHRISTOPHER (SICK CHILD)
SPC	BEVER, BRAEDEN SCOTT (LWC)
PFC	CHRISTIE, MARC ANTHONY (JM CRS)
SGT	HERNANDEZ, JESSICA ELAINE (BLC)
SFC	PETERS, YORK (JM CRS)
SGT	SCHILLING, TREVOR JAMES (JM CRS)

v/r
1SG Larry Morgan
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
Office: (910) 432-0272
Email: larry.morgan.mil@socom.mil

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-HHC-CO

11 June 2022

MEMORANDUM FOR RECORD

SUBJECT: Enlisted Corporal & Above OCIE

1. I, Matt Schaffer certify that I have in my possession in a serviceable condition all personal Clothing **(Initial Issue)** items required in AR 700-84, TM 10-227, and listed in CTA 50-900 Table 1, as Initial Issue. I have been informed that if these items become unserviceable, missing, or new items other than insignias as adopted to replace initial allowances. I certify that all the items above fit properly IAW AR 670-1.

2. I, Matt Schaffer certify that I have in my possession all **Organizational Clothing and Individual Equipment (OCIE)** in quantities issued to me. The OCIE meet serviceability and appearance standards IAW CTA-50-900 and DA Pam 710-2-1. I understand that I must maintain proper accountability **IAW AR** 710-2 and AR 735-5. am also accountable for any damages found to be other than fair, wear, and tear. I understand that I must enforce these standards for accountability and serviceability, IAW DA Pam 710-2-1.
Note: Soldiers' will replace shortages and unserviceable items at their expense.

Signature	Rank	Date (YYMMDD)
Matt Schaffer	PFC	220715

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-HHC-CO 11 June 2022

MEMORANDUM FOR RECORD

SUBJECT: Enlisted Corporal & Above OCIE

1. I, [redacted] certify that I have in my possession in a serviceable condition all personal Clothing **(Initial Issue)** items required in AR 700-84, TM 10-227, and listed in CTA 50-900 Table 1, as Initial Issue. I have been informed that if these items become unserviceable, missing, or new items other than insignias as adopted to replace initial allowances. I certify that all the items above fit properly IAW AR 670-1.

2. I, [redacted] certify that I have in my possession all **Organizational Clothing and Individual Equipment (OCIE)** in quantities issued to me. The OCIE meet serviceability and appearance standards IAW CTA-50-900 and DA Pam 710-2-1. I understand that I must maintain proper accountability **IAW AR** 710-2 and AR 735-5. am also accountable for any damages found to be other than fair, wear, and tear. I understand that I must enforce these standards for accountability and serviceability, IAW DA Pam 710-2-1.
Note: Soldiers' will replace shortages and unserviceable items at their expense.

Signature	Rank	Date (YYMMDD)
[redacted]	SFC	220714

000343

FW: NCOER signed and ready for submission

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

To: paxmas2007@yahoo.com

Date: Monday, June 12, 2023 at 07:18 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB:
☎ Staff Office: (910) 908-8787
☎ SIPR:
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Sent: Tuesday, July 19, 2022 9:09 AM
To: Collins, Mark E Jr. MAJ USARMY USSOCOM USASOC (USA) <mark.e.collins.mil@socom.mil>; Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: NCOER signed and ready for submission

Sir/SFC,

I have signed my NCOER and it is ready for submission to HQDA. Thank you for the kind words

V/R

Joseph R Meredith
SSG, USA
528th Sustainment Brigade (SO) (A) S2
UNCLASS: 910-908-8790
Cell:

smime.p7s
6.5kB

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

[redacted] *SEE PRIVACY ACT STATEMENT IN AR 623-3*

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
MEREDITH, JOSEPH, R	[redacted]	SSG	20180501	35F3P1K

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJOR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
528TH SUSTAINMENT BRIGADE (SO), FORT BRAGG, NC, 28310, SP		WJTDAA	02 | Annual

j. PERIOD COVERED FROM (YEAR MONTH DAY)	THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20210504	20220503	12		0	joseph.r.meredith.mil@army.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD
FORBES, MICHAEL, J			

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
SFC	MI	528TH SB (SO) (A)	BDE S2 NCOIC	michael.j.forbes7.mil@army.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
COLLINS, MARK, E, JR.	[redacted]		

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
MAJ	LG	528TH SB (SO) (A)	EXECUTIVE OFFICER	mark.e.collins26.mil@army.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20210505	20210804	20211117	20220202		

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
INTELLIGENCE SERGEANT	**35F3P**

c. DAILY DUTIES AND SCOPE *(To include, as appropriate, people, equipment, facilities, and dollars)*

Serves as the Intelligence Sergeant of the 528th Sustainment Brigade (Special Operations) (Airborne): responsible for intelligence and security support of three battalions and a Headquarters element comprised of approximately 915 Soldiers; oversees the development of all intelligence products in support of Logistic operations throughout seven Global combatant commands as well as contingency operations; coordinates and executes intelligence analysis planning for all intelligence Soldiers assigned to battalion S2 sections; directly responsible for the health, welfare and professional development of one Soldier and one Civilian.

d. AREAS OF SPECIAL EMPHASIS

Special Operations Joint Task Force - Competition (SOJTF-C); SOJTF - Levant (SOJTF-L); intelligence support to Support Operations (SPO) and Army Special Operations Forces (ARSOF) Logistical Elements (ALEs).

e. APPOINTED DUTIES

Personnel Security Manager; Intelligence Oversight Officer; Foundry Manager; S2 Operation Plan (OPLAN) Manager of Intelligence Preparation of the Battlefield (IPB).

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile: PASS Date: 20220416 b. Height: 66 Weight: 180 Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

o No APFT IAW Army Directive 2022-05

c. **CHARACTER**: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o prioritized Army / subordinates above himself to meet the needs of the mission

o maintained impeccable moral and ethical standards

o fostered and nurtured a workplace climate of respect and dignity

RATED NCO'S NAME *(Last, First, Middle Initial)*	SSN (or DOD ID No.)	THRU DATE
MEREDITH, JOSEPH, R	[redacted]	20220503

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

COMMENTS:
o displayed the ability to adapt to changing situations; relied on intuition, experience, knowledge and input from subordinates

o accomplish complex missions including ever-changing Priority Intelligence Requirements (PIRs) and manning needs

o embodied self-motivation by maintaining physical readiness during the pandemic

e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o demonstrated detailed understanding of the Army Operating Concept; created IPB and briefed BDE CDR on 5 OPLANs

o provided Intel Support to Sustainment; ensured needed Intel Support was consistently available ISO worldwide missions

o managed Personnel Security database; enabled training, travel and operational readiness for 915 Soldiers throughout six AORs

f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o provided key input and recommendations to the formation and activation of Open Source Intelligence (OSINT) cells within 1SFC

o assisted and managed two understaffed S2 sections; overcame manning issues with zero lapse in deployment readiness

o assisted the SPO and worldwide ALEs with operational and intelligence support spanning SOCOM to COCOMs

g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☐ | MET STANDARD ☒ | DID NOT MEET STANDARD ☐

COMMENTS:
o mentored 9 SPO Officers in all facets of intelligence support; enhanced overall commanders decision making process

o expedited analytical support for 95 Soldiers in preparation for detachment level deployments spanning three AORs

o coordinated annual training of 215 Soldiers to include intelligence and non-intelligence METL tasks

h. **ACHIEVES:** (Gets results)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o conducted 10 threat briefings for tactical and operational deployments to SOJTF-L, SOJTF-A and EUCOM

o completed two technical certifications towards becoming a registered nutritionist and personal trainer

o completed MOS technical skill training: graduated Senior Enlisted Joint Professional Military Education I course

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate **1** Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

j. COMMENTS:
o demonstrated comprehensive knowledge, through experience, of intelligence support to myriad mission sets

o successfully integrated, improved and lead intelligence elements with prudence, wisdom and tact

PART V - SENIOR RATER OVERALL POTENTIAL

a. Select one box representing Rated NCO's potential compared to others in the same grade whom you have rated in your career. I currently senior rate **2** Army NCOs in this grade.

- ☐ MOST QUALIFIED *(limited to 24%)*
- ☒ HIGHLY QUALIFIED
- ☐ QUALIFIED
- ☐ NOT QUALIFIED

b. COMMENTS:
One of the top 20% NCOs of all NCOs I've worked with in over 14 years. Send to Battle Staff Course at first opportunity. Already promotable to Sergeant First Class. Unlimited potential.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment: 1) **Senior Intel Sergeant** 2) **Platoon Sergeant** Broadening Assignment: **G.R.E.A.T. Skills**

FW: 31 AUG Airborne Operation Request

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

To: paxmas2007@yahoo.com

Date: Monday, June 12, 2023 at 06:01 PM EDT

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: [redacted]

☎ NIPR: (910) 908-8788

☎ BB: [redacted]

☎ Staff Office: (910) 908-8787

☎ SIPR: [redacted]

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

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

From: Lopez, Christopher G SGT USARMY USSOCOM USASOC (USA) <christopher.g.lopez.mil@socom.mil>
Sent: Tuesday, August 23, 2022 9:47 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Taveras, Luis D MSG USARMY USSOCOM USASOC (USA) <luis.d.taveras.mil@socom.mil>; Acosta, Anthony C SSG USARMY USSOCOM USASOC (USA) <anthony.c.acosta.mil@socom.mil>
Subject: 31 AUG Airborne Operation Request

SFC,

Below is a request for one soldier from your section to provide support as a chute detail for the 31 AUG jump. Thank you

---

Requesting Org: 528th SB

Who: 528th STB

When: 31 AUG 2022 1300-1700 names due by 17 August

Where: MAAF/Luzon DZ

What: 528th SB (SO) (A) conducts daytime, static line, Tactical Airborne Operations, using Computed Air Release Point (CARP) procedures on Luzon DZ from a C-27J using 153x MC-6 parachutes on 31 AUG 22

Battalions will provide

STB

- Provide 1 x Soldiers for chute detail (rank immaterial)

Why: In order to maintain this unit's tactical airborne proficiency, to maximize Jumpmaster opportunities, and sustain unit Jumpmaster and individual proficiency.

Report To: SFC Puccini, Dennis at 432-2493, dennis.puccini@socom.mil

Uniform/Equipment: See Attached FRAGO

Special Instructions: See Attached FRAGO

POC(s) Info: SFC Puccini, Dennis at 432-2493, dennis.puccini@socom.mil

Name of Requester: SFC Puccini, Dennis at 432-2493, dennis.puccini@socom.mil

---

Very Respectfully,

Christopher G. Lopez

SGT, USA

528th Sustainment Brigade (SO) (A)

BGD S-3 Tasking NCO

Cell: [redacted]

E-mail: christopher.g.lopez.mil@socom.mil

smime.p7s
6.5kB

FW: [FIX] SMs Failure to Train

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

To: paxmas2007@yahoo.com

Date: Wednesday, August 31, 2022 at 02:12 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>
Sent: Wednesday, August 31, 2022 1:18 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Markle, Trinity M (<not set>) SFC USSOCOM USASOC (USA) <trinity.markle@socom.mil>
Cc: Yoder, Joel SFC USARMY USSOCOM USASOC (USA) <joel.yoder.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>
Subject: FW: [FIX] SMs Failure to Train

FYI read traffic below,

S2: I am tracking Scheffing was on Staff Duty recovery and that is why he could not assist to the range. Let me know if he will be good for the 16th of SEP. Thanks in advance!

S1: I am tracking that none of you would be able to attend on the 16th due to the USASOC CMF 42 day.

v/r
SFC Edgar V. Suro
Brigade S3/Brigade Primary Staff Platoon Sergeant/DTMS Manager/ Barracks Manager
528th Sustainment Brigade (Special Operations) (Airborne) 1st Special Forces Command (Airborne)

NIPR: 910-908-6061
cell: [redacted]

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Tuesday, August 30, 2022 9:20 PM
To: King, Emery C SGT USARMY USSOCOM USASOC (USA) <emery.c.king.mil@socom.mil>; Garnerspain, Richard J SSG USARMY USSOCOM USASOC (USA) <richard.j.garnerspain.mil@socom.mil>; Coffey, James R SFC USARMY USSOCOM USASOC (USA) <james.r.coffey.mil@socom.mil>; Garciamendez, Alberto SSG USARMY USSOCOM USASOC (USA) <alberto.garciamendez@socom.mil>; Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>; Silva, Clinton SSG USARMY USSOCOM USASOC (USA) <clinton.silva.mil@socom.mil>; Williams, William R SSG USARMY USSOCOM USASOC (USA) <william.r.williams.mil@socom.mil>
Cc: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Yoder, Joel SFC USARMY USSOCOM USASOC (USA) <joel.yoder.mil@socom.mil>; Wilson, Cynthya C 2LT USARMY USSOCOM USASOC (USA) <cynthya.wilson@socom.mil>; Lowe, David M Jr. SGT USARMY USSOCOM USASOC (USA) <david.m.lowe.mil@socom.mil>
Subject: [FIX] SMs Failure to Train

Good evening PSGs-

BLUF: We **failed** at maximizing training opportunity and increasing training readiness at the 30 August M4 Range, ran by 2LT Wilson (her first range as a new Officer) and SSG Lowe.

1. Of **24x** SMs identified, who were out of tolerance for annual required weapons qualification, only **12x** SMs fired.
2. Identified SMs were notified via email beginning in early August. Email traffic and CO MFR attached.
3. PSGs – you were tracking the names as well – you come to my training meetings.

I will not tolerate missed opportunities to train our Soldiers – as an HHC BDE, training time comes at a premium.

- **Future consequences will include Event Oriented Counselings – Failure to Make Movement or Train, and discussions with Raters and Senior Raters**.

The 12x Firers that showed today:
CSM E
Hamilton
Jarquin
CPT Pearson
Plummer
Cunningham
Curry
Lawson
MSG Rose
Spencer
Fogarty
Fitzpatrick
Carter
Meredith

The Firers who now MUST be at the 16 September M4 Qual Range, the last of the FY:
Bever

Rojas
Brown, Deondre
Henkel
Liconte
Lopez, Chris
Markle
Scheffing
Aldeguer
Gilbert
Honea
Kalsic

GO HEADHUNTERS!

Very Respectfully,

DK

David Korista
CPT, CM
Commander
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
NVOIP: 910.432.4194
Blackberry: 910.929.0117
Personal Cell: [redacted]
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.mil@socom.smil.mil

Ma'am,

Attached are the names of the soldiers that should be attending your range. This information has been pushed out to the leadership and soldiers already.

VR,

Yoder, Joel A SFC

From: Venturino, Nathan S SGT USARMY USSOCOM USASOC (USA) <nath.s.venturino.mil@socom.mil>
Sent: Wednesday, August 10, 2022 3:35 PM
To: Bever, Braeden S SPC USARMY USSOCOM USASOC (USA) <braeden.s.bever.mil@socom.mil>; Fitchpatrick, Sharmelle D SPC USARMY USSOCOM USASOC (USA) <sharmelle.d.fitchpatrick.mil@socom.mil>; Rojas, Carlos A SGT USARMY USSOCOM USASOC (USA) <carlos.rojas@socom.mil>; Cunningham, Russell M SGT USARMY USSOCOM SOCOM (USA) <russell.m.cunningham.mil@socom.mil>; Brown-Williams, Deondre M SGT USSOCOM USASOC (USA) <deondre.brown-williams@socom.mil>; Plummer, Tiera SSG USARMY USSOCOM USASOC (USA) <tiera.plummer.mil@socom.mil>; Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>; Jarquin, Ricardo R PFC USARMY USSOCOM USASOC (USA) <ricardo.r.jarquin.mil@socom.mil>; Liconte, Lisa K SFC USARMY USSOCOM USASOC (USA) <lisa.liconte@socom.mil>; Lopez, Christopher G SGT USARMY USSOCOM USASOC (USA) <christopher.g.lopez.mil@socom.mil>; Rose, John H 1SG USARMY USSOCOM USASOC (USA)

<john.h.rose.mil@socom.mil>; Carter, Troy L SSG USARMY USSOCOM USASOC (USA) <troy.l.carter.mil@socom.mil>; Hamilton, Joshua B SPC USARMY USSOCOM USASOC (USA) <joshua.b.hamilton.mil@socom.mil>; Markle, Trinity M (<not set>) SFC USSOCOM USASOC (USA) <trinity.markle@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>; Aldeguer, Jomari M SGT USARMY USSOCOM USASOC (USA) <jomari.m.aldeguer.mil@socom.mil>; Gilbert, Arielle K SFC USARMY USSOCOM USASOC (USA) <arielle.k.gilbert.mil@socom.mil>; Honea Joshua B SGT USSOCOM USASOC 75RR RSTB <joshua.b.honea@socom.mil>; Kalsic, Joseph E SGT USARMY USSOCOM USASOC (USA) <joseph.e.kalsic.mil@socom.mil>; Spencer, Huntley R SSG USARMY USSOCOM USASOC (USA) <huntley.spencer@socom.mil>; Lawson, Jamal T SSG USARMY USSOCOM USASOC (USA) <jamal.lawson@socom.mil>
Cc: Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>; Silva, Clinton SSG USARMY USSOCOM USASOC (USA) <clinton.silva.mil@socom.mil>; King, Emery C SGT USARMY USSOCOM USASOC (USA) <emery.c.king.mil@socom.mil>; Garnerspain, Richard J SSG USARMY USSOCOM USASOC (USA) <richard.j.garnerspain.mil@socom.mil>; Garciamendez, Alberto SSG USARMY USSOCOM USASOC (USA) <alberto.garciamendez@socom.mil>; Yoder, Joel SFC USARMY USSOCOM USASOC (USA) <joel.yoder.mil@socom.mil>; Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>
Subject: M4 Range

ALCON,

If you are on the TO line you are due for M4 weapons qualification. The range will be 30 August 2022, weapons draw will be at 0730 which firers will depart 0830 for the range.

Zero range will be at Range 59 and Qualification range is Range 57.

M4 PMI will be conducted on 29 August 2022, time will be pushed out to the PSGs.

Uniform is: OCPs, ACH, IOTV, hearing protection, eye pro, water source and gloves.

Attached is the memo signed by the company commander of personnel required to attend for being assigned the M4A1 as an individual weapon.

Very Respectfully
Nathan Venturino
SGT, USA
OPS NCO
528th Sustainment BDE (SO)(A)
Cell: [redacted]
AKO Enterprise: Nathan.s.venturino.mil@mail.mil
NIPR: nath.s.venturino.mil@socom.mil
SIPR: nathan.s.venturino.mil@socom.smil.mil
ACE!!!!

Team,

This is a reminder that on Tuesday of next week there will be an M4 range.
We

will be conducting PMI on Monday at 1300. Attached you will find the CONOP, MFR with names for this range, and the qualification tracker. We can take up

to 35 Pax per range so if you have more personnel that need to qualify please
send them TO PMI.

WHO: All 528 STB Soldiers attending the range

WHAT: PMI

WHEN: Monday 29AUG @ 1300 hrs

WHERE: HHC Arms Room

WHY: To conduct Preliminary Marksmanship Instruction prior to the Range on 30
AUG 2022.

Additionally,

NCO's,

If you or the soldiers in your section have yet to qualify on you individual

weapons please ensure you block time off from your weekly schedule to attend

one of the many ranges that we facilitate for our organization. Over the previous six months we have conducted five individual weapons ranges in order
to give maximum flexibility for each section to qualify their soldiers. We will continue to support to our maximum potential in order to provide quality
training to you and your soldiers, and to help you meet your requirements.

Below is a list of the upcoming ranges through the end of this year. Please let us know if you have any question.

30 AUG: M4 Range

16 SEP: M4 Range

27 SEP: MK19 Range

05 OCT: M17 Range

14 OCT: M4 Range

08 NOC: M320 Range (Tentative)

Respectfully,

SFC Yoder, Joel

HHC Operations NCOIC

528th Sustainment Brigade (Special Operations)(Airborne)

1st Special Forces Command (Airborne)

Bldg X-4047 New Dawn Rd.

Fort Bragg, NC 28310

[EMAIL]: Joel.yoder.mil@socom.mil

[ENTERPRISE]: Joel.a.yoder.mil@army.mil

[OFFICE]: 910-908-5812

[CELL]: [redacted]

ALCON:

You have been identified by HHC Ops as potential firers on the upcoming range on August 30, 2022. The purpose of this email is to provide some information prior to the range. If you are unable to participate in the range then please let me know early so that we can adjust our numbers accordingly. The NCOIC will be SSG Lowe with myself as the RSO. Please ensure that you are present for PMI with the appropriate equipment (Duty uniform, ACH/Helmet, gloves, eye-pro/ear-pro, body armor) so that SSG Lowe or myself can inspect it for safety concerns prior to range day. As a rule of thumb, if you can't attend the PMI, you can't attend the range unless higher command approves exceptions.

Who: Soldiers attending the range
What: PMI on qualifying weapon
When: 29 August at 1300hrs
Where: Brigade Training Facility (Gym)
Why: To become proficient on your assigned weapon

Feel free to reach out to me for clarification or any questions. I have attached our CONOP for your reference .

V/R
2LT Wilson, Cynthya
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
Cynthya.wilson@socom.mil

ALCON,

If you are on the TO line you are due for M4 weapons qualification. The range will be 30 August 2022, weapons draw will be at 0730 which firers will depart 0830 for the range.

Zero range will be at Range 59 and Qualification range is Range 57.

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Uniform is: OCPs, ACH, IOTV, hearing protection, eye pro, water source and gloves.

Attached is the memo signed by the company commander of personnel required to attend for being assigned the M4A1 as an individual weapon.

Very Respectfully
Nathan Venturino
SGT, USA
OPS NCO
528th Sustainment BDE (SO)(A)
Cell: [redacted]
AKO Enterprise: Nathan.s.venturino.mil@mail.mil
NIPR: nath.s.venturino.mil@socom.mil
SIPR: nathan.s.venturino.mil@socom.smil.mil
ACE!!!!

smime.p7s
5.3kB

MFR_M4 Range 30 AUG.pdf
213.1kB

Untitled
311.8kB

Untitled
9.9MB

Untitled
11.4MB

Untitled
11.7MB

smime.p7s
5.3kB

30 AUG M4 Qual Rang.pptx
6.8MB

M4 Weapons Qualification Status.xlsx
17.8kB

MFR_M4 Range 30 AUG.pdf
213.1kB

smime.p7s
6.5kB

smime.p7s
6.5kB

MFR_M4 Range 30 AUG.pdf
213.1kB

Range Conop.pptx
950.3kB

MFR_M4 Range 30 AUG.pdf
221.1kB

MFR_M4 Range 30 AUG.pdf
213.1kB

HQDA#: 5582049 UNCLASSIFIED

NCO EVALUATION REPORT (SSG-1SG/MSG)

For use of this form, see AR 623-3; the proponent agency is DCS, G-1.

SEE PRIVACY ACT STATEMENT IN AR 623-3

PART I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. SSN (or DOD ID No.)	c. RANK	d. DATE OF RANK	e. PMOSC
FORBES, MICHAEL, J	[redacted]	SFC	20200401	35F4S

f. UNIT, ORG, STATION, ZIP CODE OR APO, MAJ OR COMMAND	g. STATUS CODE	h. UIC	i. REASON FOR SUBMISSION
HHC, 528th SB (SO)(A), FT BRAGG, 28307, SP		WJTDAA	03 | Change of Rater

j. PERIOD COVERED FROM (YEAR MONTH DAY)	j. PERIOD COVERED THRU (YEAR MONTH DAY)	k. RATED MONTHS	l. NONRATED CODES	m. NO OF ENCLOSURES	n. RATED NCO'S EMAIL ADDRESS (.gov or .mil)
20220227	20220831	6		0	michael.j.forbes7.mil@army.mil

PART II - AUTHENTICATION

a1. NAME OF RATER (Last, First, Middle Initial)	a2. SSN (or DOD ID No.)	a3. RATER'S SIGNATURE	a4. DATE (YYYYMMDD)
COLLINS, MARK, E, JR.	[redacted]	COLLINS.MARK.E.1293725957 Digitally signed by	20220914

a5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	a6. RATER'S EMAIL ADDRESS (.gov or .mil)
MAJ	90A/LG	528th Sustainment Brigade (Special Operations)(Airborne)	Brigade Executive Officer	mark.e.collins26.mil@army.mil

b1. NAME OF SENIOR RATER (Last, First, Middle Initial)	b2. SSN (or DOD ID No.)	b3. SENIOR RATER'S SIGNATURE	b4. DATE (YYYYMMDD)
BRUNSON, TAVI, N	[redacted]	BRUNSON.TAVI.NIGEL [redacted] Digitally signed by	20221003

b5. RANK	PMOSC/BRANCH	ORGANIZATION	DUTY ASSIGNMENT	b6. SENIOR RATER'S EMAIL ADDRESS (.gov or .mil)
COL	90A/LG	HQ, 528th Sustainment Brigade (Special Operations)(Airborne)	Brigade Commander	tavi.n.brunson.mil@army.mil

c1. SUPPLEMENTARY REVIEW REQUIRED?	c2. NAME OF SUPPLEMENTARY REVIEWER (Last, First, Middle Initial)	c3. RANK	PMOSC/ BRANCH	ORGANIZATION	DUTY ASSIGNMENT
☐ YES ☒ NO					

c4. COMMENTS ENCLOSED?	c5. SUPPLEMENTARY REVIEWER'S SIGNATURE	c6. DATE(YYYYMMDD)	c7. SUPPLEMENTARY REVIEWER'S EMAIL ADDRESS (.gov or .mil)
☐ YES ☐ NO			

RATED NCO: I understand my signature does not constitute agreement or disagreement with the assessments of the rater and senior rater. I further understand my signature verifies that the administrative data in Part I, the rating officials and counseling dates in Part II, the duty description in Part III, and the APFT and height/weight entries in Part IVa and IVb are correct. I have seen the completed report. I am aware of the appeals process of AR 623-3.

d1. COUNSELING DATES	INITIAL	LATER	LATER	LATER	d2. RATED NCO'S SIGNATURE	d3. DATE (YYYYMMDD)
	20220302	20220601	20220830		FORBES.MICHAEL.JEFFREY [redacted] Digitally signed by	20221003

PART III - DUTY DESCRIPTION (Rater)

a. PRINCIPAL DUTY TITLE	b. DUTY MOSC
SENIOR INTELLIGENCE SERGEANT	35F4S

c. DAILY DUTIES AND SCOPE (To include, as appropriate, people, equipment, facilities, and dollars)

Serves as the Noncommissioned Officer in Charge (NCOIC) of the 528th Sustainment Brigade (Special Operations)(Airborne) S2 Section; responsible for intelligence and security support of three battalions (BNs) and a Brigade (BDE) headquarters element comprised of approximately 1,020 Soldiers (SMs); oversees the development of all intelligence products in support of logistic operations throughout seven Global Combatant Commands (GCC) and contingency operations; coordinates and supervises Personnel Security Management (PSM) programs assigned to BDE; supports S3 in Operation Security (OPSEC), Anti-terrorism/Force Protection (AT/FP) and Physical Security (PHYSEC); liaison for all Commanders (CDRs) for G22 implementation of Executive Orders (E.O.) affecting S2.

d. AREAS OF SPECIAL EMPHASIS

Defense Information Security System (DISS); Mission Readiness Exercise (MRX); Intel support to Support Operations (SPO) and worldwide Army Special Operations Logistics Elements (ALEs).

e. APPOINTED DUTIES

Acting BDE S2 OIC; BDE S2 NCOIC; Personnel Security Manager; Intelligence Oversight Officer; Alternate BDE PHYSEC Officer (PSO); S2 Working Group (WG) Leader; BDE Motorcycle Safety Officer.

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES (Rater)

a. APFT Pass/Fail/Profile:	Date:	b. Height: 66	Weight: 174	Within Standard? YES

(Comments required for "Failed" APFT, "No" APFT, or "Profile" when it precludes performance of duty, and "No" for Army Weight Standards.)

o No APFT IAW Army Directive 2022-05

c. CHARACTER: (Include bullet comments addressing Rated NCO's performance as it relates to adherence to Army Values, Empathy, Warrior Ethos/Service Ethos, and Discipline. Fully supports SHARP, EO, and EEO.)

MET STANDARD	DID NOT MEET STANDARD
☒	☐

COMMENTS:

o fully supported Army SHARP, EO, and MRT programs

o model of the Army Values; promoted those values with others and exemplified the highest standards of personal conduct both on and off duty

RATED NCO'S NAME (Last, First, Middle Initial)	SSN (or DOD ID No.)	THRU DATE
FORBES, MICHAEL, J	[redacted]	20220831

PART IV - PERFORMANCE EVALUATION, PROFESSIONALISM, ATTRIBUTES, AND COMPETENCIES *(Rater)*

d. **PRESENCE:** (Military and professional bearing, Fitness, Confidence, Resilience)

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o educated and briefed 1 BDE and 3 BN Command Teams on the 13 adjudicative guidelines and efficiently reporting to DoD CAF

o shined as the acting S2 OIC during the BDE MRX; intel products enabled the BDE Staff to develop robust COAs

o communicated proactively with incoming BDE S2 OIC to ensure a seamless transition from an OCONUS assignment

e. **INTELLECT:** (Mental agility, Sound judgement, Innovation, Interpersonal tact, Expertise)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o discovered missing ownership of SMs clearances in DISS; all 3 BNs followed his immediate remediation to regain compliance

o decreased processing time upgrading the BDE TSCIF into a fully accredited SCIF utilizing the blueprints of BLDG X-4047

o supervised the status inventory of all BDE safes to spearhead a buyer's purchasing agreement request; reduced cost by 30%

f. **LEADS:** (Leads others, Builds trust, Extends influence beyond the chain of command, Leads by example, Communicates)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o created missing Intelligence Oversight program with USASOC IG and 1SFC IO personnel input; quickly led BNs to comply

o ensured all 35 SMs of the 905 Contracting BN, a tenant USASOC unit, was supported with Personnel Security capability

o initiated inter-unit CSM manning discussions; resulted in permanent staffing of attached BDE Personnel Security Manager

g. **DEVELOPS:** (Creates a positive command/workplace environment, Fosters esprit de corps, Prepares self, Develops others, Stewards the profession)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o trained 3 new PSMs across 2 BNs from novice to fully capable; augmented and customized USASOC training plan

o trained 50% and tracked 100% of BDE motorcycle riders by creating / leading a 6-event season of day-long mentored rides

o updated command teams, at echelons, on E. O. 13467 and its impact on Tier 3/5 investigations with Continuous Vetting

h. **ACHIEVES:** (Gets results)

FAR EXCEEDED STANDARD ☒ | EXCEEDED STANDARD ☐ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

COMMENTS:
o rebuilt unsatisfactory Industrial Security Program; garnered a 100% during follow-up inspection

o streamlined historical BDE S2 portal information into functional areas for an action-centric, efficient user experience

o standardized BN reporting by creating and maintaining reporting trackers on a collaborative web-based platform

RATER OVERALL PERFORMANCE

i. Select one box representing Rated NCO's overall performance compared to others in the same grade whom you have rated in your career. I currently rate 2 Army NCOs in this grade.

FAR EXCEEDED STANDARD ☐ | EXCEEDED STANDARD ☒ | MET STANDARD ☐ | DID NOT MEET STANDARD ☐

j. COMMENTS: 1 | 9 | 0 | 0 Total Ratings: 6

o stellar performance, dedication, and commitment to excellence during the rating period; finds most efficient and effective means to remain in regulatory compliance

o earned staff's respect with solid guidance, eagerness to learn other sections' functions, and interoperability; steadfast in protection of command team's decision-making process and reducing risk

PART V - SENIOR RATER OVERALL POTENTIAL

a. I currently senior rate 4 NCOs in this grade.

HQDA SENIOR RATER PROFILE COMPARISON

HIGHLY QUALIFIED

RNCO: FORBES, MICHAEL, J
SR: BRUNSON, TAVI, N
DATE: 2022-10-03
TOTAL RATINGS: 10
RATINGS THIS NCO: 1

b. COMMENTS:
SFC Forbes is a top 15% NCO with tremendous potential to excel. SFC Forbes' ably served as both OIC and NCOIC of the BDE S2 Section and revitalized our physical security programs; his performance validates his exceptional potential at the next level. Send to Master Leaders Course and promote to Master Sergeant ahead of peers.

c. List two successive assignments and one broadening assignment (3-5 years).

Successive Assignment: 1) Special Security Officer 2) 1SFC(A) G2 Broadening Assignment: Inspector General

Info

112th WAAR 2022

E-mail attachment: C:\Users\michael.j.forbes.mil\AppData\Local\Microsoft\Windows\INetCache\Content.Outlook\94JA34KK\112th WAAR 2022.docx

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Properties

Size	34.5KB
Pages	4
Words	1278
Total Editing Time	9 Minutes
Title	1SFC LOG MAJ Slate
Tags	MFR;528SUSBDE
Comments	Add comments

Related Dates

Last Modified	9/6/2022 6:34 AM
Created	9/6/2022 6:34 AM
Last Printed	7/18/2016 6:06 AM

Related People

Author: BJ Buckner Jeffrey W MAJ (SOJTF-OIR OCSIC)

Add an author

Last Modified By: MJ Meredith, Joseph R SSG USARMY USSOCOM USASOC (USA)

Show All Properties

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528th SUST BDE (SO) (AIRBORNE)
X-4047 NEW DAWN DRIVE
FORT BRAGG NC 28310-9110

AOSC-CO

14 Sep 2022

MEMORANDUM FOR 528th Sustainment Brigade (Special Operations) (Airborne) Special Security Officer

SUBJECT: Nomination for Sensitive Compartmented Information (SCI) Indoctrination

1. Request the following individual be authorized access to Sensitive Compartmented Information (SCI):

a. RANK/NAME: CPT Lowrie, Patrina

b. SSN: [redacted]

c. TITLE/POSITION: 528th Brigade S2 OIC

d. Billet (Para/Line No.): 103/01

e. ACCESS REQUIRED: G, HCS-P, SI, and TK

2. DETAILED JUSTIFICATION: Requires SCI- read-on to plan, execute, and coordinate operations at the brigade level.

3. POC for the memorandum is matthew.j.scheffing.mil@socom.mil or 910-908-8787

SANCHEZ.DIAZ.MANUEL.[redacted]
Digitally signed by SANCHEZ.DIAZ.MANUEL.[redacted]
Date: [redacted]

MANUEL D. SANCHEZ
LTC LG
BRIGADE XO

FW: S2 perstat

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 02:22 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, October 18, 2022 9:31 AM
To: Surorodriguez, Edgar V SFC USSOCOM USASOC (USA) <edgar.v.surorodriguez@socom.mil>
Subject: S2 perstat

Meredith Leave
, Scheffing, forbes, Lowrie PDY

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

“In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-

favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
6.5kB

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 387 of 950

000363



[redacted]

THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING: THIS IS TO CERTIFY THAT THE PRESIDENT OF THE UNITED STATES OF AMERICA AUTHORIZED BY EXECUTIVE ORDER, 16 JANUARY 1969 HAS AWARDED

THE MERITORIOUS SERVICE MEDAL

TO SERGEANT FIRST CLASS JOSEPH R. MEREDITH
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS)(AIRBORNE)

FOR EXCEPTIONAL MERITORIOUS SERVICE WHILE SERVING AS A BRIGADE SENIOR INTELLIGENCE SERGEANT. SERGEANT FIRST CLASS JOSEPH MEREDITH TECHNICAL AND TACTICAL COMPETENCE, PROFESSIONALISM, AND LOYALTY WERE ESSENTIAL TO MISSION ACCOMPLISHMENT. HIS DEDICATED AND SELFLESS SERVICE TO THE UNIT REFLECT GREAT CREDIT UPON HIMSELF, THE 1ST SPECIAL FORCES COMMAND (AIRBORNE), AND THE UNITED STATES ARMY.

FROM 28 JULY 2020 TO 10 JANUARY 2023

THIS 27TH DAY OF OCTOBER 2022

PO 300-08
HQ, 1ST SFC(A)
Fort Bragg, NC 28310

RICHARD E. ANGLE
Major General, U.S. Army
Commanding

DA FORM 4980-12, SEP 2011

PRINT ENCLOSURES

RECOMMENDATION FOR AWARD

For use of this form, see AR 600-8-22; the proponent agency is DCS, G-1.

For valor/heroism/wartime and all awards higher than MSM, refer to special instructions in Chapter 3, AR 600-8-22.

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. Chapters 57 and 357, Decorations and Awards; 10 U.S.C. 3013, Secretary of the Army; Army Regulation 600-8-22, Military Awards; and E.O. 9397 (DODID), as amended.

PURPOSE(S): To consider individual nominations for awards and/or decorations; record final action; maintain individual award case files.

ROUTINE USES: In addition to those disclosures generally permitted under 5 U.S.C. 552a(b) of the Privacy Act of 1974, as amended, these records contained therein may specifically be disclosed outside the DoD as a routine use pursuant to 5 U.S.C. 552a(b)(3) as follows: Information may be disclosed to public and private organizations including news media, which grant or publicize awards or honors.

DISCLOSURE: Disclosure of personally identifiable information is voluntary. However, failure to provide identifying information may delay processing of this application.

1. TO	2. FROM	3. DATE *(YYYYMMDD)*
CDR, 1ST SFC (A) FT. BRAGG, NC 28310	CDR, HHC, STB, 528TH SB (SO) (A) FT. BRAGG, NC 28310	20220919

PART I - SOLDIER DATA

4. NAME *(Last, First, Middle Initial)* Set Name	5. RANK	6. DODID/SSN
MEREDITH, JOSEPH R.	SFC	[redacted]

7. ORGANIZATION	8. PREVIOUS AWARDS Previous Awards
HHC, 528TH SB (SO) (A) FT. BRAGG, NC 28310	AAM-5, ARCOM-2, MSM-1

9. BRANCH OF SERVICE	10. RECOMMENDED AWARD	11. PERIOD OF AWARD a. FROM	b. TO
	MSM 1 OLC	20200728	20230110

12. REASON FOR AWARD

12a. INDICATE REASON	12b. INTERIM AWARD ☐ YES ☒ NO IF YES, STATE AWARD GIVEN	12c. POSTHUMOUS ☐ YES ☒ NO	13. PROPOSED PRESENTATION DATE *(YYYYMMDD)*
PCS			20230105

PART II - RECOMMENDER DATA

14. NAME *(Last, First, Middle Initial)*	15. ADDRESS
FORBES, MICHAEL J.	HHC, 528TH SB (SO) (A) FT. BRAGG, NC 28310
16. TITLE/POSITION: S2 NCOIC — 17. RANK: SFC	
18. RELATIONSHIP TO AWARDEE: SUPERVISOR	19. SIGNATURE: FORBES.MICHAEL.JEFFREY.1295918507 Digitally signed by FORBES.MICHAEL.JEFFREY.1295918507 Date: 2022.09.19 11:17:11 -04'00'

PART III - JUSTIFICATION AND CITATION DATA *(Use specific bullet examples of meritorious acts or service)*

20. ACHIEVEMENTS

ACHIEVEMENT #1

SFC Meredith modernized intelligence support to the enterprise, pursuing intelligence-related issues at the Battalion and Brigade levels to optimize several key tasks for intelligence personnel. His actions contributed to the creation and validation of the first Priority Intelligence Requirements to codify and further intelligence support, establishing a benchmark for the next generation of the intelligence community within the 528th SB (SO) (A).

ACHIEVEMENT #2

Due to operational constraints and manning shortfalls, then SSG Meredith was solely responsible for the entire Brigade's Personal Security and Intelligence support programs for 90 days - a SFC position. He created and managed two Battalions' intelligence support, publishing over 20 products to provide trans- regional situational awareness in the cyber and sustainment domains. His leadership and knowledge of multiple domains ensured zero lapse in mission readiness and contributed directly to the Commander's military decision-making process.

ACHIEVEMENT #3

SFC Meredith executed several administrative responsibilities as the Brigade Security Manager. Most notably, he oversaw and assisted in 150 security clearances and adjudication proceedings out of 919 assigned Soldiers worldwide. His leadership contributed to three subordinate Battalions' operational readiness for multiple high-profile deployments in support of Special Operations Joint Task Force-Afghanistan, Special Operations Joint Task Force- Levant and the EUCOM and AFRICOM AORs.

ACHIEVEMENT #4

With his broad knowledge of technical and tactical procedures, SFC Meredith demonstrated exceptional resourcefulness at all levels within multiple chains-of-command to engage and meet operational standards of USASOC's only Sustainment Brigade. His aptitude to meet challenging time constraints of the worldwide mission set, influence Brigade procedures for intelligence operations, and develop lasting relationships within the intelligence community throughout his tenure exceeded expectations.

21. PROPOSED CITATION

FOR EXCEPTIONALLY MERITORIOUS SERVICE WHILE ASSIGNED AS THE BRIGADE SENIOR INTELLIGENCE SERGEANT. SERGEANT FIRST CLASS MEREDITH'S SELFLESS SERVICE AND OUTSTANDING LEADERSHIP PLAYED A PIVOTAL ROLE IN THE SUCCESS OF THE COMMAND'S MISSION. HIS DISTINCTIVE ACCOMPLISHMENTS ARE IN KEEPING WITH THE FINEST TRADITIONS OF MILITARY SERVICE AND REFLECT GREAT CREDIT UPON HIMSELF, THE 1ST SPECIAL FORCES COMMAND (AIRBORNE), AND THE UNITED STATES ARMY.

PRINT ENCLOSURES

NAME (Last, First, Middle Initial)	DODID/SSN
MEREDITH, JOSEPH R.	[redacted]

PART IV - RECOMMENDATIONS/APPROVAL/DISAPPROVAL

22. *I certify that this individual is eligible for an award in accordance with AR 600-8-22; and that the information contained in Part I is correct.*	22a. SIGNATURE JARQUIN.RICARDO.RAMSES.[redacted] Digitally signed by JARQUIN.RICARDO.RAMSES.[redacted] Date: 2022.09.21 10:48:41 -04'00'	22b. DATE (YYYYMMDD) 20220921

23. INTERMEDIATE AUTHORITY	a. TO CDR, STB, 528TH SB (SO) (A) FT. BRAGG, NC 28310	b. FROM CDR, HHC, STB, 528TH SB (SO)(A) FT. BRAGG, NC 28310	c. DATE (YYYYMMDD) 20220921

d. RECOMMEND: ☒ APPROVAL ☐ DISAPPROVAL ☐ UPGRADE TO: ☐ DOWNGRADE TO:

e. NAME (Last, First, Middle Initial) KORISTA, DAVID K.	f. RANK CPT
g. TITLE/POSITION COMPANY COMMANDER	h. SIGNATURE KORISTA.DAVID.KIRK.[redacted] Digitally signed by KORISTA.DAVID.KIRK.[redacted] Date: 2022.09.21 15:05:51 -04'00'

i. COMMENTS
SFC Meredith- it has been an honor and pleasure serving alongside you here with the BDE Staff and as the HHC CDR. You are the epitome of a Professional, Tactically Proficient NCO. Best of luck to you and the Meredith tribe on your next adventure!

24. INTERMEDIATE AUTHORITY	a. TO CDR, 528TH SB (SO) (A) FT. BRAGG, NC 28310	b. FROM CDR, STB, 528TH SB (SO) (A) FT. BRAGG, NC 28310	c. DATE (YYYYMMDD) 20221005

d. RECOMMEND: ☒ APPROVAL ☐ DISAPPROVAL ☐ UPGRADE TO: ☐ DOWNGRADE TO:

e. NAME (Last, First, Middle Initial) FURLOW, BURTON JR.	f. RANK LTC
g. TITLE/POSITION BATTALION COMMANDER	h. SIGNATURE FURLOW.BURTON.JR.[redacted] Digitally signed by FURLOW.BURTON.JI[redacted] Date: 2022.10.05 12:56:09 -04'00'

i. COMMENTS
Outstanding job by SFC Meredith while serving as the BDE S2. Your hard work has and continues to set the BN and BDE up for success! Good luck in your future endeavors!

25. INTERMEDIATE AUTHORITY	a. TO CDR, 1ST SFC (A) FT. BRAGG, NC 28310	b. FROM CDR, 528TH SB (SO) (A) FT. BRAGG, NC 28310	c. DATE (YYYYMMDD)

d. RECOMMEND: ☑ APPROVAL ☐ DISAPPROVAL ☐ UPGRADE TO: ☐ DOWNGRADE TO:

e. NAME (Last, First, Middle Initial) BRUNSON, TAVI N.	f. RANK COL
g. TITLE/POSITION BRIGADE COMMANDER	h. SIGNATURE Digitally signed by BRUNSON.TAVI.NIGEL.[redacted] Date: 2022.10.24 16:25:00 -04'00'

i. COMMENTS
SFC Meredith worked diligently throughout his time in the 528 to provide superb physical security, and mor

26. APPROVAL AUTHORITY	a. TO ORDERS ISSUING AUTHORITY	b. FROM CDR, 1ST SFC (A) FT. BRAGG, NC 28310	c. DATE (YYYYMMDD) 20221027

d. ☑ APPROVED ☐ DISAPPROVED ☐ RECOMMEND UPGRADE TO: ☐ DOWNGRADE TO:

e. NAME (Last, First, Middle Initial) ANGLE, RICHARD E.	f. RANK MG
g. TITLE/POSITION COMMANDING GENERAL	h. SIGNATURE

i. COMMENTS
Thank you for your commitment to excellence and quiet professionalism! De Oppresso Liber!

PART V - ORDERS DATA

27a. ORDERS ISSUING HQ HQ, 1ST SFC (A) FT. BRAGG, NC 28310	27b. PERMANENT ORDER NO. 300-08	31. DISTRIBUTION 1-File 1-OMPF 1-Unit 3-Individual
28a. NAME OF ORDERS APPROVAL AUTHORITY POLLINGTON, HANNAH	28b. RANK SPC	
28c. TITLE/POSITION AWARDS CLERK	29. APPROVED AWARD MSM 1 OLC	
28d. SIGNATURE FOR DIONA FOSTER	30. DATE (YYYYMMDD) 20221027	

FW: PSM training tracker

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 02:25 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Monday, October 31, 2022 11:29 AM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: FW: PSM training tracker

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

“In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;” – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Wednesday, September 1, 2021 3:45 PM
To: McFarlane, Delano SGT USARMY USSOCOM USASOC (USA) <delano.mcfarlane@socom.mil>
Subject: FW: PSM training tracker

Here it is again.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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, August 26, 2021 10:47 AM
To: McFarlane, Delano SGT USARMY USSOCOM USASOC (USA) <delano.mcfarlane@socom.mil>
Subject: PSM training tracker

If you use this step by step you can do this efficiently.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil



smime.p7s
6.5kB



20210512 Template PSM Tracking.xlsx
17.8kB

FW: (CUI) ISOC Notification of Law Enforcement Alert SGT [redacted]

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

To: paxmas2007@yahoo.com

Date: Thursday, June 15, 2023 at 11:58 AM 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: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Sent: Thursday, November 3, 2022 12:21 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>; Webber, Alexander D SPC USARMY USSOCOM USASOC (USA) <alexander.d.webber.mil@socom.mil>
Cc: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>
Subject: RE: (CUI) ISOC Notification of Law Enforcement Alert SGT [redacted]

Team,

Just let me know what I have to do.

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

-----Original Message-----
From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
<michael.j.forbes.mil@socom.mil>
Sent: Thursday, November 3, 2022 11:55 AM
To: Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
<emmanuel.a.emekaekwue.mil@socom.mil>; Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Webber, Alexander D SPC USARMY

USSOCOM USASOC (USA) <alexander.d.webber.mil@socom.mil>
Cc: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA)
<eric.c.henkel.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA)
<joseph.meredith@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC
(USA) <matthew.j.scheffing.mil@socom.mil>
Subject: RE: (CUI) ISOC Notification of Law Enforcement Alert SGT [redacted]

CSM E

A signed version of this would be necessary for the initial derog to be processed. We can discuss further whether LTC F intends to make this an initial/final. This must be reported using appropriate documents.

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

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

-----Original Message-----
From: Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
<emmanuel.a.emekaekwue.mil@socom.mil>
Sent: Wednesday, November 2, 2022 2:10 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
<michael.j.forbes.mil@socom.mil>
Cc: Webber, Alexander D SPC USARMY USSOCOM USASOC (USA)
<alexander.d.webber.mil@socom.mil>; Henkel, Eric C SGT USARMY USSOCOM USASOC
(USA) <eric.c.henkel.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC
(USA) <joseph.meredith@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM
USASOC (USA) <matthew.j.scheffing.mil@socom.mil>; Weber, Andrew J MAJ USARMY
USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>; Furlow, Burton LTC USARMY
USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: RE: (CUI) ISOC Notification of Law Enforcement Alert SGT [redacted]

SFC Forbes,

See attached for the Report of Investigation performed by originating CID office. The report notes that the event "occurred beyond the statute of limitations, as a result, no action can be taken against SFC [redacted] concerning these reported events."

What else do you need from us?

V/R
EMMANUEL A. EMEKAEKWUE (eh-meh-kah-eh-kwā)
CSM, USA
SPECIAL TROOPS BATTALION
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
NIPR: emmanuel.a.emekaekwue.mil@socom.mil
SIPR: emmanuel.a.emekaekwue.mil@mail.smil.mil
Office: 910-432-8856
Gov't Cell: 910-401-788
Personal Cell: 910-514-7850
SVOIP: 239-0063

-----Original Message-----
From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, November 2, 2022 1:26 PM
To: 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>
Cc: Webber, Alexander D SPC USARMY USSOCOM USASOC (USA) <alexander.d.webber.mil@socom.mil>; Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>
Subject: FW: (CUI) ISOC Notification of Law Enforcement Alert SGT [redacted]

FYSA Sir and CSM

Let me know how I can help.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: (910) 929-7078
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Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

-----Original Message-----
From: Errett, Inga S CIV USARMY HQ INSCOM (USA) <inga.s.errett.civ@army.mil>
Sent: Wednesday, November 2, 2022 12:44 PM
To: Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>;

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
<michael.j.forbes.mil@socom.mil>; Henkel, Eric C SGT USARMY USSOCOM USASOC
(USA) <eric.c.henkel.mil@socom.mil>
Cc: Coffey, Michael Thomas JR CIV USARMY HQ INSCOM (USA)
<michael.t.coffey.civ@army.mil>; Mckinney, Carmen A CIV USSOCOM USASOC (USA)
<carmen.mckinney@socom.mil>; Mcwhinney, Cassandra B CIV USSOCOM USASOC (USA)
<cassandra.b.mcwhinney.civ@socom.mil>
Subject: (CUI) ISOC Notification of Law Enforcement Alert SGT [redacted]

CUI

Good Afternoon,

(CUI) The ISOC received the attached Law Enforcement Alert for the following individual:

LAST Name, First Name, MI.: [redacted]
UNIT: [redacted] 528TH SUS BDE, FT BRAGG NC
SUMMARY: [redacted]

(U) If this individual is not in your unit, please notify the ISOC immediately
so the alert can be routed to the correct unit. Also, please remove the relationship with the individual in DISS to ensure that this alert and all future requests will be routed to the proper unit.

(U) The following tasks are required for this alert:

-(U) Task 1: Unit had owning relationship with Subject in DISS prior to receiving alert - Completed

(U) Task 2: Submit Incident Report in DISS - Required no later than 17 NOV 22. Failure to do so may result in the ISOC entering an Incident in DISS for this alert.

(U) Task 3: Make written access determination in DISS - Required no later than 17 NOV 22

(U) Task 4: Submit at least one of the following supporting documents in DISS - Required no later than 2 DEC 22:
- Documentation from the subject, Command, or security office on mitigating actions completed or in progress
- Arrest records or court dispositions
- Commander's inquiry, 15-6 investigation
- Proof of applicable treatment program enrollment/completion (SUDCC, Anger Management, etc.)
- Punitive action documentation (UCMJ, counseling, flags, LOR, GOMOR, etc.)
- Extension request in DISS if documentation cannot be provided

(U) In order to complete an adjudicative-ready submission, take the following actions:
- Submit supplemental CSRs in DISS with follow-on reporting as soon as available, to include Personal statement from Subject, DA5248-R or MFR, DA Form 4833 Commander's Report of Disciplinary or Administrative Action, Letters of Recommendation
- Answer RFAs in DISS
- Submit Commander's recommendation regarding eligibility retention in DISS

(U) Additional incident details for the Law Enforcement Report can be obtained from the Commander or installation Provost Marshal Office. The attached memo contains the case number for reference.

(U) You may direct questions regarding this matter to the undersigned.

Thank you,

v/r
Ms. Inga S. Errett, SFPC
Field Security Specialist
Ft. Bragg Detachment, Region 1 Response Branch
INSCOM Security Operations Center (ISOC)
Army Security Office (ASO)
US Army Intelligence and Security Command (INSCOM)
Office: (910) 432-3568
Email: inga.s.errett.civ@army.mil
SIPR Email: inga.s.errett.civ@mail.smil.mil

The ISOC appreciates your input. Please submit all comments to ICE at:
https://ice.disa.mil/index.cfm?fa=card&sp=147668

- Visit the ISOC website at https://intelshare.intelink.gov/sites/ASO/ISOC

Controlled by: US Army INSCOM
Controlled by: IASE-INT
CUI Category: PRVCY, LCOMM, CHRI
Dissemination Controls: FEDCON
POC: Inga S. Errett, 910-432-3568

All individuals handling this information are required to protect it from unauthorized disclosure. Handling, storage, reproduction, and disposition of the attached document(s) must be in accordance with 32 CFR Part 2002 and applicable agency policy. Access to and dissemination of Controlled Unclassified Information shall be allowed as necessary and permissible to any individual(s), organization(s), or grouping(s) of users, provided such access or dissemination is consistent with or in furtherance of a Lawful Government Purpose and in a manner consistent with applicable law, regulations, and Government-wide policies.

CUI


smime.p7s
6.5kB

FW: re-request UCMJ reporting/supporting docs

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

To: paxmas2007@yahoo.com

Date: Thursday, January 26, 2023 at 10:45 PM EST

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
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: Tuesday, November 15, 2022 5:38 PM
To: Dambeck, Rudolph P CPT USARMY USSOCOM USASOC (USA) <rudolph.p.dambeck.mil@socom.mil>
Cc: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>; Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>
Subject: FW: re-request UCMJ reporting/supporting docs

Sir

You verbally denied my, and my S2 OIC's, requests for a by-name list of initiated UCMJ actions, last Thursday. You commented similarly, with both of us, that you have an attorney/client privilege that prevents your communicating this information with us.

Your predecessor, CPT Kiker, provided (through the paralegal NCOIC, SSG Gagne) all UCMJ actions via excel spreadsheets, through DoD Safe, to assist BDE S2 personnel in our responsibility to support our BN Command Teams by identifying these reportable cases (reported to DoD CAF, now the DCSA). Prior 528th JAG personnel regularly and routinely provided us with supporting documentation for us to support our CDRs efforts to comply with mandatory reporting of Derogatory Incidents to DCSA.

Your predecessor also informed me during your changeover period with him that he requested BDE S2 access to the Blotter IAW AR 190-45, 7-15, c. We have yet to here the result of this request. Please, bear in mind, this request, would not provide the transparency that the aforementioned report of initiated UCMJs would; as you know, many of these do not involve law enforcement organizations and would likely not appear on the blotter.

Our guidance to CDRs at every echelon is often relied upon and beneficial to ensure our National Security via the adherence to AR 380-67, para. 8-2 and 380-5 para. 1-10. Like you, we provide guidance, pertaining to the totality of Personnel Security Management Programs and tasks to the best of our ability, and provide the coordination of guidance at higher echelons when requested by the CDR or recommended by us.

You commented to my BDE S2 OIC and myself (two separate conversations) that you have an attorney/client privilege. Separately, AR 27-26, Rule 1.13 states, "**When an Army lawyer is assigned to or employed by such an organizational element and designated to provide legal services to the head of the organization, to include his or her subordinate commanders or staff, the client-lawyer relationship exists between the lawyer and the Department of Army as represented by the head of the organization as to matters within the scope of the official business of the organization**." Furthermore, AR 27-26, Rule 1.6 states, "**Where the Department of the Army is the client, communications involving the Army's authorized officials as described in this Rule may qualify as privileged or confidential, but not every Army official has authority to invoke or waive the privilege or confidentiality on behalf of the Army. The attorney-client privilege and client-lawyer confidentiality for the Army can be invoked and waived only by a responsible official acting for the Army for this purpose**." These items together likely infer more than a simple refusal to work with the S2 on routine Derogatory Reporting requirements.

Therefore, your approved individual attorney/client relationship indicates that we, as S2, may need to pursue the information that we need to guide our CDRs, at appropriate echelon, via the following:

- **Engaging higher echelon S1s, S2s, Legal Sections, or Command Teams**, and/or
- **other means** "whereby information with potentially serious security significance can be reported other than through DoD Command (AR 380-67, 8-2, b.)"

We currently are not receiving information to verify that our internally maintained Derogatory Reporting Trackers are accurate. In other words, we have no way of assisting the CDRs in their mandatory reporting mechanism (Derogatory reporting via DA Form 5248-R) by providing the appropriate regulatory guidance and support that we are ordered to provide without historically accurate list of incidents and their respective supporting documents. Naturally, **this emails intent is to give every effort to attempt to rectify this void of information at our level and our CDRs' levels first, at least, until such time as it is perceived as futile**.

With that in mind, we have verbally requested the information from you; we, then and immediately (verbally), asked the S1 for a list of outstanding flags (awaiting a response); which will likely only turn our request back to you with a by-name list. I, also, have begun to ensure that appropriate 528th CDRs, at echelon, have the latest guidance regarding the mandatory, non-transferable (AR 380-5, 1-10, m.) responsibility of reporting derogatory incidents to get the information from them directly. We were hoping to work with our peer Sections IAW BDE CDR stated intent and Intelligence and Security Command (INSOCOM) intent (see attached slide), while not becoming burdensome to the respective Command Teams. That said, this communication attempt, focused on derogatory reporting requirements refresher for CDRs, is being crafted att. Subsequent to this, we announced BN level SAVs focused on DCSA foreign travel reporting and derogatory reporting that will be conducted prior to the end of JAN 2023 as another attempt to bring DCSA reporting in focus. I will naturally cc you on that communication to the BN CDRs and XOs and will likely follow-up with our inquiries until such time as it is deemed too onerous to pursue internal solutions to getting the requested information.

Essentially, we have the same goal but from different perspectives; yours is from a legal standpoint and ours is from a Personnel Security Manager (or clearance suitability/readiness) standpoint; we both have a vested interest in supporting our identical CDRs in regulatory compliance concerns.

If we can answer any questions, get you in touch with someone you would be willing engage in the G22 Section (at any echelon you require) or help in any way, please let us know; we will ensure that your questions and concerns are remediated so that we can proactively work together without disturbing our, or our CDRs, respective, regulatory requirements or their busy schedules.

Hopefully, we can be proactive, as I have seen it begin here over the last 18 months with your predecessor. Moreover, I had excellent cross Sectional (JAG, Adjutant) relationships at prior units after providing the same guidance, which ensured CDRs competence during inspections. That said, I have also witnessed a unit that had not reporting any Derogatory Incidents to DoD CAF for years and upon notification at echelons above, a significant effort to retrain personnel occurred and a vibrant reporting program was initiated with time-consuming, regularly-scheduled follow-up supervision for nearly one year. I have been attempting to fulfill our BDE S2 responsibilities by preparing our unit for the impending full launch of the pilot program entitled, the "Personnel Security Accountability Program," which is a report card for our CDRs. It directly records "**Whether CDRs by UIC are reporting Derogatory Incidents to DCSA?**" and, if so, "**Are they doing it proactively or in a timely manner?**" Your efforts can significantly assist us with how ready our Sentinel family will be as this new ARMY G2 endeavor begins.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

smime.p7s
5.4kB

DEROG Teamwork 20211028 (003).pdf
229kB

FW: thank you

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

To: paxmas2007@yahoo.com

Date: Friday, June 9, 2023 at 09:01 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, November 15, 2022 5:14 PM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: thank you

Ma'am

Thank you for letting me read my email to you that I am sending tonight CPT Dambeck. I attempted multiple times today for my colleague and mentor at 1SFC to get back with me for feedback with no luck.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: [redacted]

☎ NIPR: (910) 908-8788

☎ BB: [redacted]

☎ Staff Office: (910) 908-8787

☎ SIPR: [redacted]

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

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

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https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
6.5kB

DEPARTMENT OF THE ARMY
HHC, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
1ST SPECIAL FORCES COMMAND (AIRBORNE)
X-4047 NEW DAWN ROAD
FORT BRAGG, NORTH CAROLINA 28307

AOSC-MI

17 November 2022

MEMORANDUM FOR RECORD

SUBJECT: (U) Initial Senior Non-Commissioned Officer Counseling

1. For access to the following items, check with the Company for all references and policy letters.

a. Organization history, structure, and mission.
b. Organizational Standards (such as discipline, maintenance, training, and fitness).
c. Organizational policies (USASOC, 1SFC (A), and 528th SB (SO) (A)).
d. Chain of Command familiarization/NCO support channel familiarization.
e. On and off duty conduct.
f. Off limit and danger areas.
g. Soldier programs within the organization, such as Soldier of the Month/Quarter/Year and educational and training opportunities.
h. Security and safety issues.
i. Personnel procedures.
j. Initial and special clothing issue.
k. On and off post recreational, educational, cultural, and historical opportunities.
l. Support activities functions and locations.

2. **Communication**. Over communication, not possible, ineffective communication, highly possible! Communication is the key for success, so our relationship is critical to being open and transparent with each other.

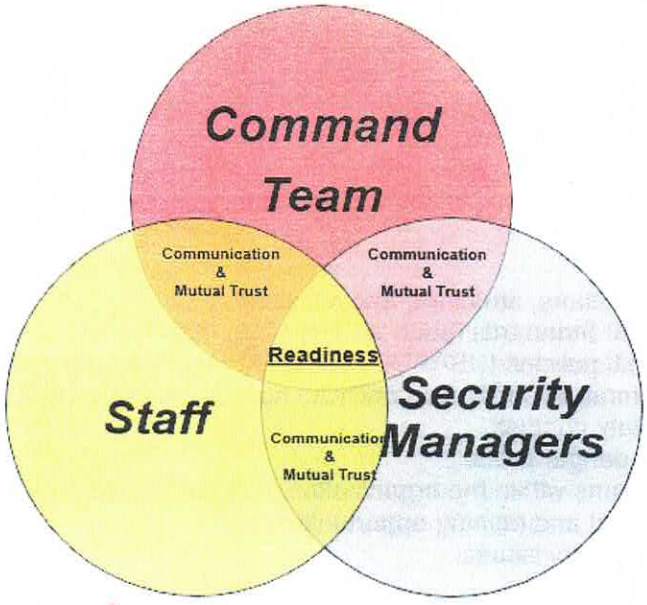
3. **Your priorities in the S2 Section**: Serves as the Senior All Source Intelligence NCOIC responsible for Personnel Security management and providing crucial and reliable information about enemy threats that may impact the force; primary duties include ensuring all matters concerning Personnel Security are accurately managed and reported to higher headquarters and DCSA for further processing; responsible for preparing and submitting Intelligence reports and summaries in order to assist the Brigade Command Team in the decision-making process; maintain personnel readiness; support 1SFC (A) personnel security operations; responsible for supervising, training, coaching, mentoring, and managing two Soldiers; responsible for maintenance and accountability of sensitive and tactical operations equipment valued in excess of $___,___; teamwork and collaboration; being an Army professional; and **fostering an environment of humility, empathy, resiliency, and moral and ethical courage**.

4. **Purpose**. To provide you with some insight and initial guidance as to how I will serve as the Brigade S2 and to highlight areas of utmost importance to me.

5. **Intent**. I am here to lead, coach, mentor, and support you as we work together as a team to maintain readiness (mission, training, personnel, equipment, and family). I will support you and

AOSC-MI
SUBJECT: (U) Initial Senior Non-Commissioned Officer Counseling

our team because we are a team of teams. Below is my guidance and some of my thoughts in no particular order.



Vision: The Brigade is postured to conduct personnel security management IAW the Personnel Security Accountability Program (PSAP) NLT April 2023 and permanent SCIF is fully operational NLT September 2023.

Top 3 Priorities:

1. Personnel Security Management (Derogatory reporting and periodic clearance reinvestigations)
2. OPLAN Updates and threat assessment as needed
3. Teambuilding and promoting holistic health and fitness (H2F)

S2 Key Tasks:

a. Conduct monthly battle drills for reporting derogatory information.
b. Create Brigade Policy Letter for reporting derogatory information.
c. Ensure Battalions are trained and equipped to execute their duties as Security Managers.
d. Establish SCIF including obtaining computers for use.
e. ~~Obtain non-standard physical security card readers.~~
f. Establish an Intelligence Hot Topics Program.
g. Conduct Monthly All Source Intelligence Training IAW the Army Foundry Intelligence Training Program.
h. Develop and maintain contingency tracking systems.

AOSC-MI
SUBJECT: (U) Initial Senior Non-Commissioned Officer Counseling

End State: Brigade policies and procedures updated to reflect new operating considerations IAW the Personnel Security Accountability Program (PSAP) and Commanders, Supervisors, Security Managers, and Coworkers are trained and equipped to report derogatory information.

6. **Enduring Initiatives**: To achieve our mission, we will set the standard by actively engaging in the following initiatives:

a. ***Build Leaders***: **People are my top priority**. I am committed to serving you always and remain focused on constantly improving Talent Management within our MI Branch. I realize this is no easy feat, as it involves both the initial recruitment and subsequent retention of our Officers, Warrant Officers, NCOs, and Enlisted within our force. I will do my part by continuing to teach, coach, and mentor fellow MI professionals within our ranks.

b. ***Mutual Trust and Respect***: It takes great time and effort to establish, but only one poor selection of word or action to destroy. The core of our team will be based on mutual trust and respect because without it our team will not succeed.

c. ***Disciplined and Sound Character***: Walk in integrity and treat people with the utmost dignity and respect; Do what is legal, moral, and ethical; and always take a tactical pause between a stressor and response.

d. ***Communication***: Be present, focus, and listen empathically. Listen more, Talk less! Communication is the key for success, so we will work as a team to ensure we are both on the same page at all times.

e. ***Reputation and Relationships matter***: Make it your duty not to burn bridges, ensure you are building the team and not tearing it apart with your thoughts, attitudes, motives, and actions. This is a Special Operation assignment, so you will be working with people who think and operate differently, so make it a priority to first understand people then to be understood. Also, be open-minded about our operating environment because change is the only constant in life.

f. ***Ready and Resilient***: Maintain holistic health and fitness (H2F) by maintaining physical fitness, practicing self-care, resiliency, and mindfulness. Do not compromise sleep, energy, and sanity. Strive to maintain a positive attitude daily!

7. **Rater Guidance**:

a. **Accountability**: This is a vital component to maintaining personnel, equipment, and readiness. Without accountability, the Army is unable to perform its mission of fighting and winning America's wars. You are responsible for maintaining 100% accountability of S2 property and daily status report. At all times, all personnel should be accounted for, and the section admin actions must manage in a timely and efficient manner.

b. **Physical Fitness**. Physical Training should be a foundation of what we do. I expect you to conduct physical training on a consistent basis. Our bodies need to be ready for any type of environment and conditions and we must be fit to get there. ACFT is Army's new physical

Focusing on preserving relationships only while foregoing adherence to regulations and accountability breeds a lack of transparency and corruption. Then she remarks about how I must conduct myself in my thoughts; one cannot express how invasive that is. Thought Police??

She educated a SFC, with 11 years experience in Special Operations (SO) Theater and Garrison Support how people in SO think and operate differently (??? she doesn't know her NCOIC), while, in the next paragraph, citing a regular Army H2F Program [illegible] the THOR3 Program and HPW have been around for over a decade! Document was in need of rewrite.

testing record for Soldiers. We will actively seek developmental opportunities as we find new ways to train and maintain holistic health and fitness (H2F). 360 on the ACFT is manageable to obtain; however, we must maintain a consistent workout schedule that is designed to prepare us for combat at any given time. Therefore, I expect you to earn at least 270 or above on all

record ACFT. If you have a permanent profile, do what is required in your profile. Remember, your spiritual, mental, sleep, nutrition, and physical readiness are nonnegotiable.

c. **SHARP and Military Equal Opportunity (MEO)**: I will not tolerate any violations of Sexual Harassment and Assault and MEO. You are a professional Army leader, and you will act like it. You will treat all Leaders, Soldiers, and Civilians with the utmost dignity and respect. Become knowledgeable of the Sexual Harassment/Assault Response and Prevention Program and the Military Equal Opportunity Policy and Program (MEO) by reading AR 600-20 Chapters 6 and 7 respectively.

d. **Drive Change**: Army Futures Command and the Intelligence – Capabilities Development and Integration Directorate (I-CDID) continue to aggressively pursue modernization to achieve the MDO- Capable force by Waypoint 2028 and the Multi-Domain Operations (MDO)-Ready force by Aimpoint 2035. Read about MI Artificial Intelligence (AI) Integration DOTMLPF-assessment that will drive change in this important aspect of MDO at https://www.armyupress.army.mil/Journals/Military-Review/English-Edition-Archives/November-December-2021/Ryder-Domain-Awareness/Journals/Military-Review/MR-War-Poetry-Submission-Guide/.

e. **Safety:** All activities both on and off duty must be conducted in a safe manner. When there is risk find ways to mitigate that risk at the lowest level. Safety activities are organized to protect the force and enhance warfighting capabilities through a systematic and progressive process of hazard identification and risk management. We will conduct risk assessments and keep them documented. We do not want individuals getting injured, especially if it can be avoided. Remember, everyone is a Safety Officer!

f. **Professional Development**: Make yourself better every day and read! Knowledge is power and that's how we win wars. Start by reading doctrine and I would begin with ATP 6-22.1 (Counseling Process), FM 6-22 (Leader Development), FM 3-22.9 (Weapons Qualification), ADP 7-0 (Training Units and Developing Leaders), AR 27-10 (Military Justice), AR 600-20 (Army Command Policy), AR 350-30 (Code of Conduct), AR 600-8-19 (Promotions and Reductions), AR 670-1 (Wear and Appearance), AR 623-3 (NCOER). TC 7-22.7 (The Noncommissioned Officer Guide) and then work to branch specific stuff. Such as FM 2-0 (Intelligence), ADP 2-0 (Intelligence), ATP 2-01.3 (Intelligence Preparation of the Battlefield), ATP 2-19.4 (Brigade Combat Team Intelligence Techniques), (Multi-Service Tactics, Techniques, and Procedures for Intelligence, Surveillance, and Reconnaissance Optimization), and ATP 2-33.4 (Intelligence Analysis). Next, I would find some history that interests you. For instance, famous battles with reference to Military Intelligence (i.e. All Source, HUMINT, CI etc.). Finally, don't be afraid to look up civilian books on how to tackle problems like leadership and anything else you can find.

AOSC-MI
SUBJECT: (U) Initial Senior Non-Commissioned Officer Counseling

She is telling this 54 year old Soldier to get a hobby, travel and relax!? I have established hobbies, I travel, and I relax; noned of which is within her scope of authority.to affect my NCOER.

g. **Off Duty**: Get a hobby, travel, and relax when you can. If you think about the same things repeatedly, you will ruminate through those thoughts, especially if you only think about work all the time. I enjoy foot marches, distance running, diving, yoga, travelling, reading, going to church, and mediating. I also FaceTime with my nine-year-old sister (Jeleon). I am engaged, so I spend most of my time with my fiancé over the phone and doing schoolwork.

h. **Family:** Don't forget about your family. Since 9/11 the Army has been running a marathon at a 5:30 pace. We started with constant deployments with a lot of troops in Iraq and Afghanistan and then decided to reduce the size of the Army while keeping up a high operational tempo. We have got to make the best with the time we've got. If you're not married yet, make sure you keep in touch with your family at home. If you are married ensure your family has all the ACS and SFRG resources and tools available to them. Finally, don't ever place your family on the sidelines, they should be your utmost priority, while ensuring you are supporting mission requirement. Also, you are here to build quality relationships and to become a subject matter expert in your area of expertise. Lastly, I expect you to know all your Soldiers and their families, always place their needs above your own at all times both on and off duty. I expect you to communicate consistently with your Soldiers and never leave them uninformed and also ensuring you foster an environment for Soldiers to train and serve to the best of their abilities. Be loyal to those with whom you serve, seniors, peers, and subordinates alike.

CREED

i. **Counseling**: I owe you a formal counseling quarterly / within 60 days (at a minimum). I will give you feedback daily, but every 30 days we need to talk about how you are doing overall, what you think your future looks like, and formulating a growth plan for your career progression. When it comes time for your NCOER there won't be any surprises.

7. Point of contact for this memorandum is CPT Patrina A. Lowrie at patrina.a.lowrie.mil@socom.mil.

I will prioritize what I must when I must. I am prioritizing this rebuttal over family time right now because her involvement in an investigation and her contemplating a Relief for Cause impacts my ability to progress and provide for my family; therefore, indirectly, I am prioritizing my family. I got this.

LOWRIE.PATRINA.AN ASTASIA. [redacted] Digitally signed by LOWRIE.PATRINA.ANASTASIA. [redacted] Date: 2022.11.17 09:35:31 -05'00'

PATRINA A. LOWRIE
CPT, MI
Brigade S2

Name: _____

Signature: _____

Date: _____

FW: 112th S2 Meet and Greet Notes

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

To: paxmas2007@yahoo.com

Date: Saturday, June 10, 2023 at 10:47 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
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☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
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NIPR: michael.j.forbes.mil@socom.mil
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From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, November 17, 2022 1:39 PM
To: Hess, Matthew W SSG USARMY USSOCOM USASOC (USA) <matthew.hess2@socom.mil>; Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Cc: Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Subject: RE: 112th S2 Meet and Greet Notes

Ma'am

I agree with SSG Hess; your intent, decisions and vision may enable 112th and the other 2 BNs with better S2 Training Reporting, Clearance Management in DISS and Derogatory Incident Reporting results as you decide whether we need formal policies, taskers or informal means to accomplish these BDE requirements. My attempts over my 18 month tenure as Acting S2 to informally ensure regulatory compliance did not produce the results I had hoped as SSG Hess's comments and the BNs Training Results and Derogatory Reporting reflect.

Moreover, the only concerns there have been since SSG Hess took over as BN S2 NCOIC is a meeting that was requested for guidance pertaining to a failed S2 program (DISS ownership) and professional guidance was provided by me and repeated twice during the meeting and rebuffed at the end of that meeting by TSSC Command Staff and after the meeting by SSG Hess. My guidance was that a SOCOM directive does not nullify a DA regulation, regardless of its subjective interpretation by BDE, BN or Co. staff. Moreover, groupthink by a members of all three of these echelons is not a defense for lack of adherence to regulation. It was disappointing to me that my unambiguous and matter-of-fact guidance and rationale that I professionally communicated was essentially ignored. Hence, to

comply with our BDEs S2 supervisory, on-order, responsibility over BN S2 efforts, I ensured Army regulations were followed by having BDE staff perform the task. This took away from our man-hours supporting other efforts. If that is a personality conflict in SSG Hess's perception, I cannot affect that; I can, and did ensure his BN complied with Army Regulation once I perceived getting them to comply with the recommended actions in a failed SAV report and failed ICI inspection report was futile. As you know, escalating the result of that meeting or codifying it in an email could have caused actual personality concerns and likely damaged BN and BDE relationships in a much more severe manner than the my choice to quietly do that work for them at the BDE level.

Standardized trackers were developed and provided with individual training to all BNs when I got here. I recommend we use them as they were intended or having any concerns brought up and them changed uniformly across our BDE footprint as I attempted to (but failed as BNs changed them or did not use them accordingly) and as S1 has (in their lane) informally accomplished on behalf of the BDE CDR. It is my hope that we all can get our BDE/BN procedures standardized and synced by speaking the facts of our failures, as I do, so that BDE staff can efficiently supervise and support all three BNs for mission readiness and accomplishment. We all must work together and comply with regulations regardless of personalities and perceptions; that's what professional relationships are.

SSG Hess:

As I have said to others here at BDE and informed you directly, you have been a net-positive and made significant improvements since your arrival due to your detail oriented mind-set. I know your intent for 112th S2 section is to succeed.

I will endeavor to continue to provide you matter-of-fact and professional guidance on all matters should you decide to request it from me. As I said to you today, please feel free to contact someone here if you don't want my opinion; I will take no offense. I am confident our BDE staff are all on the same page now that our newly installed OIC is here and the answers will likely be the same guidance that I provided (just in their own way; we all are different). May we all move forward together.

SUPPORT TO THE UTMOST!

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: [redacted]

☎ NIPR: (910) 908-8788

☎ BB: [redacted]

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“In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;” – William Shakespeare

Recommended reading from LTC Hamman’s farewell email to 528th staff:

https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Hess, Matthew W SSG USARMY USSOCOM USASOC (USA) <matthew.hess2@socom.mil>
Sent: Thursday, November 17, 2022 11:56 AM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Cc: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>
Subject: 112th S2 Meet and Greet Notes

Ma’am,

Glad to have you come by the 112th the other day! I’m definitely interested in the meet and greet you have scheduled for the 30th. There are a few topics I think are exceptionally important to talk about during the meeting, as I think it is obvious there has not been a good relationship between the 112th S2 and the BDE S2 in recent times. I think some of this is due to personality clashes with specific individuals, as well as no clearly defined boundaries between the offices. I think it should be important to set clearly defined and achievable requirements from BDE S2 for the 112th in order for us to plan and execute off of. Specifically, What information is required to be submitted, When this information should be submitted, and if need be How you would like to view/receive this required information. I don’t think this has to be a policy, however I think it would be beneficial to have a document in which I can reference what is expected of my office in support of the BDE S2.

I would absolutely like to increase the interoperability and relationship between the BDE and 112th S2 and I think it is definitely achievable! Please let me know if there is anything I can do in the meantime.

Respectfully,

Hess, Matthew W

SSG, USA

S2, NCOIC

112th Signal Battalion, 528th Sustainment Brigade (SO) (A)

NIPR: Matthew.hess2@socom.mil

SIPR: Matthew.hess@socom.smil.mil

DSN: 910-908-4539



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6.5kB

FW: URGENT!! DISS OWNING RELATIONSHIP & ACCESS

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

To: paxmas2007@yahoo.com

Date: Saturday, June 10, 2023 at 11:01 AM EDT

Cordially,

Michael J. Forbes
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From: Mckinney, Carmen A CIV USSOCOM USASOC (USA) <carmen.mckinney@socom.mil>
Sent: Monday, November 21, 2022 9:55 AM
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Cc: Mcwhinney, Cassandra B CIV USSOCOM USASOC (USA) <cassandra.b.mcwhinney.civ@socom.mil>
Subject: URGENT!! DISS OWNING RELATIONSHIP & ACCESS
Importance: High

DO NOT REPLY ALL TO THIS EMAIL.

DIRECT ALL QUESTIONS/CONCERNS TO CARMEN A. MCKINNEY, CHIEF, PERSEC

Security Managers,

We have identified numerous visitors to the HQ, USASOC Bldg. 2929 that DO NOT HAVE ACCESS IN DISS.

- ELIGIBILITY + ACCESS = SECURITY CLEARANCE

Security managers are to ensure (per attached guidance):

1. ALL ASSIGNED PERSONNEL have an OWNING relationship in DISS.
2. ASSIGNED PERSONNEL with favorable eligibility are granted access according to the unit MTOE/TDA (Military) and PD (DA Civilian).

The Security Management Office (SMO) should be conducting monthly audits of the DISS Subject Report based on the unit AAA162s (identifies the assigned personnel per the S1).

This will help the security office identify the personnel have departed, arrived and pending retirement (no PRs within 18mos of retirement).

Access/eligibility is verified for personnel not assigned to the HQ, USASOC building upon entry.

If there is NO ACCESS in DISS, they will not be authorized entry to classified meetings/discussions and that is very embarrassing for HQ, USASOC and CSC/CSU. When situations like this occur, we will inform your unit members for the reason they are being denied to the HQ, USASOC facility.

Questions can be directed to me.

Carmen A. McKinney, SFPC
Chief, Personnel Security Branch
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SMO Code: [redacted]
USASOC PERSEC portal page: USASOC-HQ-G2-G22-PERSSEC - Home (sharepoint-mil.us)
SETA Sharepoint Link: https://inscom.mi.army.mil/hq/G2/SETA/SitePages/Home.aspx

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.

smime.p7s
6.5kB

DAMI_CD Owning and Servicing Relationships in PERSEC Systems 20211015.pdf
335.8kB

FW: open / current UCMJ list

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

To: paxmas2007@yahoo.com

Date: Saturday, June 10, 2023 at 11:03 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
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☎ NIPR: (910) 908-8788
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From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Tuesday, November 22, 2022 8:43 AM
To: Leggett, Julie A MAJ USARMY USSOCOM USASOC (USA) <julie.a.leggett.mil@socom.mil>
Cc: Kenny, Ryan J LTC USARMY USSOCOM USASOC (USA) <ryan.j.kenny.mil@socom.mil>; Holden, Samuel L CSM USARMY USSOCOM USASOC (USA) <holdensl@socom.mil>; Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: open / current UCMJ list

Ma'am:

BLUF: Teamwork = Commander Accoutability / Readiness slide and recent CoS G2 communication helps all of us create a stronger force and protect our National Security.

I have not had an opportunity to speak with you about this yet. We need a list of your BN's open UCMJ activities and/or current FLAGGED SMs (with DTG of alleged offense and the nature of the offense). We have attempted to work with BDE assets to support the BN, but must now ask for your assistance.

1. We have requested the JAG provide a list of open UCMJ actions: we are awaiting a response. STB Command Team provided this upon our verbal request.
2. We have requested the FLAG report from BDE S1 but do to IPPS-A brown-out this was unable to occur att; it is unknown when this may be available, but they have verballing expressed their willingness to provide it to us ISO our Clearance Suitability reporting efforts to support CDRs.
3. The last option (which unfortunately is the ongoing symbiotic regulatory relationship that S2 should have with the COMMAND Team) is to request this from the BN CDRs directly; the amount of CE/CV alerts in our

BDE footprint indicates we may be doing a less than adequate job of reporting. CE/CV reporting doesn't even cover the internal / "off the grid" reporting of UCMJ actions that don't hit one of the Law Enforcement Reporting (LER) agencies.

Please provide a list of open UCMJ activities and/or current FLAGGED SMs (with DTG of alleged offense and the nature of the offense) to BDE S2. We will use the to support your S2 in its Clearance Suitability requirements as USASOC and INSCOM concurrently roll out training and guidance, respectively, ahead of the anticipated PSAP rollout.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
6.5kB

O4 DEROG Teamwork 20211028 (003) (003).pdf
306kB

DAMI_CD Owning and Servicing Relationships in PERSEC Systems 20211015.pdf
335.8kB

FW: taskers

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

To: paxmas2007@yahoo.com

Date: Saturday, June 10, 2023 at 10:45 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, November 22, 2022 11:59 AM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: taskers

Ma'am

I got the O4 tasker complete and I got the DISS ownership tasker complete

I did not get to the SAV date tasker

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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Recommended reading from LTC Hamman’s farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/



smime.p7s
6.5kB

FW: Indoctrinations

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

To: paxmas2007@yahoo.com

Date: Friday, June 9, 2023 at 08:49 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Masiero-Ferguson, Kristen L CIV USSOCOM USASOC (USA) <kristen.l.masiero-ferguson.civ@socom.mil>
Sent: Wednesday, November 30, 2022 8:34 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Zorn, Martin R SFC USARMY USSOCOM USASOC (USA) <martin.r.zorn.mil@socom.mil>; Langan, Matthew J 1LT USARMY USSOCOM USASOC (USA) <matthew.j.langan.mil@socom.mil>
Cc: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: RE: Indoctrinations

Good morning,

You are correct, we cannot have anyone on double duty as a PSM and SSO. They have to remain separate.

Please keep in mind you will need an SSO/SSR for every SCIF you have, even if it's a TSCIF. So you'll need an SSO at 4025, BDE and D-2719. Once the civilian can be hired, it will be up to you all to decide where they sit but the civilian SSO position is for BDE. The civilian will be the person responsible for inspecting/maintaining all of the SCIF/TSCIFs. That does not relieve responsibility from the SSO/SSRs at the other locations.

Please let me know if there is anything else that we can assist with. Have a good day.

V/R

Kristen Masiero-Ferguson

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, November 30, 2022 8:04 AM
To: Zorn, Martin R SFC USARMY USSOCOM USASOC (USA) <martin.r.zorn.mil@socom.mil>; Langan, Matthew J 1LT USARMY USSOCOM USASOC (USA) <matthew.j.langan.mil@socom.mil>
Cc: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>; Masiero-Ferguson, Kristen L CIV USSOCOM USASOC (USA) <kristen.l.masiero-ferguson.civ@socom.mil>
Subject: RE: Indoctrinations

ALCON

Are both SFC Zorn and 1LT Langen going to be co SSOs, SSO and SSR or what? I know PFC Keneda is intended to be a PSM. Please forward us (BDE S2) a copy of your most recent appointment orders now that SSG McFarlane is PCSing.

As we all know, we cannot cross pollinate duties, even temporarily, between Collateral PSM and SSO duties. Kristen, please clarify me if I am incorrect, as I am not an SSO and we have not had an SSO dedicated to BDE at our level.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Pittman, Carlton R CIV USSOCOM USASOC (USA) <carlton.r.pittman.civ@socom.mil>
Sent: Tuesday, November 15, 2022 3:00 PM
To: Cheever, Timothy A 1SG USARMY USSOCOM USASOC (USA) <timothy.a.cheever.mil@socom.mil>; Farmer, Geoffrey C SPC USARMY USSOCOM USASOC (USA) <geoffrey.c.farmer.mil@socom.mil>; Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Hess, Matthew W SSG USARMY USSOCOM USASOC (USA) <matthew.hess2@socom.mil>; Keneda, Charles E PFC USARMY USSOCOM USASOC (USA) <charles.e.keneda.mil@socom.mil>; McFarlane, Delano SSG USARMY USSOCOM USASOC (USA) <delano.mcfarlane@socom.mil>; Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Rivera, Aarron SSG USARMY USSOCOM USASOC (USA) <aarron.rivera.mil@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>; Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Cc: Langan, Matthew J 1LT USARMY USSOCOM USASOC (USA) <matthew.j.langan.mil@socom.mil>; Zorn, Martin R SFC USARMY USSOCOM USASOC (USA) <martin.r.zorn.mil@socom.mil>
Subject: Indoctrinations

All,

Until something more permanent is set up, please contact LT Langan and SFC Zorn for Indoctrinations.

At present, they are still scheduled for Wednesday afternoons, but it is of course up to them if there is a need to reset the timeline.

I have enjoyed working with you all, and I hope you will continue to do the same good job for whoever eventually replaces me.

Thanks…

CARLTON R. PITTMAN

CARLTON R. PITTMAN
528 SUSTAINMENT BRIGADE (SPECIAL OPERATIONS)
BDE SSO
BLDG E-4025
Office: 910-806-3040
SVOIP: 706-239-9445
Carlton.r.pittman.civ@socom.mil
Carlton.pittman@socom.smil.mil
SMO Code: [redacted]- 528TH SUS-SSO-127

smime.p7s
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FW: S2/Legal Meeting

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

To: paxmas2007@yahoo.com

Date: Friday, June 9, 2023 at 09:00 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

-----Original Appointment-----
From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Wednesday, November 30, 2022 5:17 PM
To: Dambeck, Rudolph P CPT USARMY USSOCOM USASOC (USA)
Subject: Accepted: S2/Legal Meeting
When: Occurs every 2 week(s) on Thursday effective 12/1/2022 from 3:00 PM to 4:00 PM (UTC-05:00) Eastern Time (US & Canada).
Where: BDE Legal Office

smime.p7s
6.5kB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

Subject: S2/Legal Meeting
Location: BDE Legal Office

Start: Thu 12/1/2022 3:00 PM
End: Thu 12/1/2022 4:00 PM

Recurrence: Weekly
Recurrence Pattern: every 2 week(s) on Thursday from 3:00 PM to 4:00 PM

Meeting Status: Accepted

Organizer: Dambeck, Rudolph P CPT USARMY USSOCOM USASOC (USA)
Required Attendees Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA); Forbes, Michael J SFC USARMY USSOCOM USASOC (USA); Harris, Logan E SSG USARMY USSOCOM USASOC (USA)

S2/Legal scrub

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA)
Sent: Thursday, December 1, 2022 9:30 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Cc: Vargas, Sandrea A CSM USSOCOM USASOC (USA)
Subject: RE: long Thank you, apology, goals and some personal background
Signed By: tavi.n.brunson.mil@mail.mil

SFC Forbes:

Thank you for your thorough and comprehensive feedback.

I will respect your request and excuse you from this team-building event. While I regret you not being there, I am glad that we still have one senior leader at the headquarters to handle any emergencies.

COL Tavi Brunson
CDR/528SB
BB: 910-882-3389
Off: 910-432-4649

Sent with BlackBerry Work
(www.blackberry.com)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Date: Thursday, Dec 01, 2022 at 18:15
To: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Cc: Vargas, Sandrea A CSM USSOCOM USASOC (USA) <sandrea.cruz@socom.mil>
Subject: long Thank you, apology, goals and some personal background

Sir:

We only had one Office Call when I was Acting OIC, so I thought you deserved a little more of my history after yesterday's interactions.

BLUF: 2 THANK YOUs, an APOLOGY and GOALS; WARNING: Passive voice writing and background information is prevalent below. I recommend a cup of coffee before you continue.

Thank you for your time during our impromptu meeting that CSM Vargas summoned me immediately after MAJ Racaza left your offices. Your understanding of my concerns regarding being forced to engage with a third-party corporation and agree to their "Terms of Service and Privacy Policy" re: what could be perceived as a behavioral health assessment, is appreciated. You demonstrated your understanding by verbally allowing me to not participate in the data-gathering event or the in-person sharing of the insights contained in the personalized produced reports from, Dr. Elias Porter's conceived, SDI 2.0 by corestrengths (an outside Corporation).

My background – a little about me - Unlike CSM Vargas inferred, I rarely make un-researched decisions or assumptions without real data. A tertiary look at corestrength's website totaling 6 hours has been conducted by me (on my own time over the past two nights; 3 hours per night since your email). I have concluded that the empirical data gathered about a user's preferences in various behavioral weightings in SDI 2.0 is a Perception-Based model and can easily be faked by a user to create a result that the user believes the sponsoring agent (in this case our unit) would prefer. In short, its often

unreliable; especially when the identities of the users is public to the sponsoring agent. This is evident by the corestrength's example report displayed on their website with every individual users name on it, per the example.

Perception-Based models have the same problems any subjective profession that requires oaths or creeds as certification. To wit, it is only the ethical nature of the individual Doctor or Attorney that can determine if the consumer of their services is getting reasonably authentic advise or guidance; a moral compass must be working for the consumer. In contrast, a biased or, worse yet, ignorant, malicious or criminal actors in a position-of-trust can have devastating effects on consumers lives and/or careers. Moreover, perceptions are individually based and typically affected by one's frame-of-reference. For instance, MAJ Racaza's characterization of my request to understand the scope and regulatory basis of the mandatory nature of the SDI 2.0 was inaccurate. Yet, she followed me up the stairs to report to you that I was angry. She misperceived my demeanor and speaking characteristics, which typically include fast talking, complex sentences, confident conversations with quick transitions. In fact, without taking the SDI 2.0 but being somewhat self-aware, I am likely a Red-Green on the SDI Triangle (if that helps the group). I am all about performance and procedure with a judicious and competing nature. That is why I have expended so much energy in attempting to have our unit lean-forward with the PSAP program because we are a tip-of-the-spear SOF Support Element and we should be performing at a professional level when it comes to non-discretionary regulatory requirements that is better than most units in our Army. Simply, I want our S2 to be one of the best when PSAP goes live in PHASE 1; not one of the many units that will have repeating failed quarterly 'report cards' because they will likely need to reinvigorate their Clearance Suitability Programs and the known published procedures therein. We are all different and I except everyone's idiosyncrasies without judgment unless they affect my livelihood or health; I have gathered enough empirical data in my life to conclude that people sometimes don't practice what they preach and accept mine. I am 54 years old and though I am not done learning there are certain aspects of my life and communication that are likely 'baked in the cake,' by now.

Having developed a multi-platform (consisting of Value- and Logic-based) survey in my Graduate work at the University of Pittsburgh, when I was tasked to support Adtranz (a light-rail airport tram manufacturer) in 1996. We were tasked to design a custom-made survey of their massive engineering staff at their Corporate Headquarters location. They wanted my team to determine why their employment turnover rate was high. We purposefully considered not to employ a Behavioral-Based criteria model as we determined the weakness of perception-oriented data. We chose more intrinsic Value-Based criteria questions dealing with compensation, benefits, workplace environment, etc., coupled with a second survey that used Dr. Thomas L. Saaty's Analytic Hierarchy Process; a decision-making framework used for large-scale, multiparty, multi-criteria decision analysis. AHP uses Pairwise Comparison matrices to derive the priorities for a set number of alternatives. This method of estimating criteria weights take the comprehensive Values-Based results and applies the engineering staff's weighted preferences to them. It produced comprehensive prioritized results. But how did we get comprehensive results we could rely on? We preserved the anonymity of the participants, which produced an incredible 90% participation rate. This success was due to, 1) our promise to the highly educated staff that the raw data would not be released to the management and 2) fully explained the method of the survey. Moreover, Corporate Management expressed their appreciation for the breadth and depth of this two tiered survey, because it significantly enhanced the data's worth to them more than any prior attempted survey had (the university sent a team of graduate students to annually for years prior and after our visit). Our unique approach was something they could rely on and base corporate Human Resources policy decisions on. They liked it so much that upon leaving the location, (the day of the out-brief), a few of the Human Resource executives followed me to my car and requested that I give them the raw user surveys (that I stupidly commented were in my trunk during the brief). I refused, citing the promise that they and the rest of their leadership team agreed to. We had garnered written signatures that the participant understood that their answers or handwriting would not be provided to anyone in the company. My Professor, asked for the data on the last day of class and was given the same response by me. This was the only C grade I received in my Graduate work that culminated in a 3.47 GPA (on a 4.0 scale). I am still proud of my decision to this day, because we gave them quality results that far exceeded their expectations and we kept our promises to the staff.

I considered the subjective grade I was given for that project, retaliation, but had no proof; life moves on and this was inconsequential to me. In my Army Career I have been retaliated against for starting a Derogatory Incident Reporting Program at a BN that was in a BDE in which no element of the entire BDE had reported one 5258-R (Derogatory Report) in years. That's right, Sir; years! It took two years and an IG complaint, a Congressional Complaint and Article 138 for me

to expose this retaliation to the appropriate level to have it all unwound with the clicking of a print button which produced a singular memo from a MG. I have experienced such unprofessional behavior in my career, yet I remain positive and carry no grudges. That said, I have been there, done that, and 'ate the cookie.'

I am sorry that I am uncomfortable with this training and respectfully wish to not participate. The logic based brief lab that you provided to your staff last year was excellent and I would jump at the chance to participate in any of their advanced training.

I have proactive goals for your BDE S2 PSP. I don't want to "die on [any] hill," in fact, I want to take this opportunity to let you know how I admire your leadership style and your dedication to all of us. I have always been proud to serve this unit and, more importantly, to serve you and CSM V. I would do so again in a heartbeat; a unit is its people and the two of you have consistently stuck your reputations on the line on behalf of all of us. It is because of that I have always given you and your staff, leaders and SMs my personal best. I have always provided guidance in an effort to do the right thing to serve you and our unit; even when it has been resisted by others. Having the opportunity to serve you at a BDE S2 echelon has provided ample opportunity to make myself and our unit better every day. Your tenets are paramount to an individual's success and I have come to practice them. It is my hope that I will continue to be able to serve you for the remainder of my tenure of my current assignment.

My top 3 goals prior to my PCSing in SEP23 are as follows:

1) Thorough (Step-by-Step) Continuity Flow Charts for every conceivable multistep process in the Personnel Security Program (PSP). We have circa 50+ Task Flowcharts in various stages of development, which will be tested and put in a hard copy "Go-Book" for S2 at all echelons and replicated on Digits for USASOC to distribute to every CSU BDE S2 for distribution.
2) BDE Reportable Activity (formerly Derogatory Incident) Reporting Policy rewrite, which we agreed to use 1SFC S2s policy, which we agreed needs more detail. Our work will become SOP at their level, which will impact 11 CSUs and become the 1SFC standard for Reportable Activities reporting, going forward.
3) Vibrant Reportable Activity Command Team education (with outside SMEs) in preparation for Personnel Security Accountability Program transition from Pilot Phase to Phase 1 –Phase 3 (full implementation).

Thanks again for your time. If you happened to make it through this proactive explanation, I hope you found it enlightening and worth it. I pride myself in making no rash decisions, only principled gambles with as much data as I can garner in the shortest amount of time: sometime based on hunches. I am intel after all.

Always Out Front, Support to the Utmost,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA)
Sent: Friday, December 2, 2022 9:27 AM
To: Johnson, Timothy J MAJ USARMY USSOCOM USASOC (USA); Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA); Ahmed, Saleh A SGM USARMY USSOCOM USASOC (USA); Forbes, Michael J SFC USARMY USSOCOM USASOC (USA); Bellendir, James S MAJ USARMY USSOCOM USASOC (USA); Leggett, Julie A MAJ USARMY USSOCOM USASOC (USA); Davis, Patrick W MAJ USARMY USSOCOM USASOC (USA); Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA); Markle, Trinity M (<not set>) SFC USSOCOM USASOC (USA); DeBaugh, Lauren A MAJ USARMY USSOCOM USASOC (USA); Koak, Mike J SFC USARMY USSOCOM USASOC (USA); Philbin, Jeffrey M MAJ USARMY USSOCOM USASOC (USA); Murray, Gabrielle L MAJ USARMY USSOCOM USASOC (USA); Morris, Danavon N MSG USARMY USSOCOM USASOC (USA); Colbert, William MAJ USARMY USSOCOM USASOC (USA); Collado, Edison MSG USARMY USSOCOM USASOC (USA)
Cc: Forte, Joseph J CPT USARMY USSOCOM SOCOM (USA); Racaza, Rhea L MAJ USARMY USSOCOM USASOC (USA); Rivera, Alvaro F MAJ USARMY USSOCOM USASOC (USA); Sawyer, Robert C MAJ USARMY USSOCOM USASOC (USA)
Subject: Assess the Un-assessed USASOC Pilot Priority
Signed By: manuel.d.sanchez-diaz.mil@mail.mil

Importance: High

Good morning Team,

I'm sending this e-mail to emphasize the priority and urgency of complying with the HPW team on the Assess the Un-assessed USASOC Pilot program. This program has GO visibility and is been closely monitored. We have until the end of March to complete the assessment of over 800 Soldiers.

There are specific requirements published by the BDE S3 that are not negotiable. They require a by name list with specified information every week, to fill assessments slots for Tuesday's and Thursdays.

The assessed SM will go thru the assessment from 0600 to 1100.

All of us will have to be part of the assessment.

Let me know if you have any questions or concerns during our closeout today, or stand up next Monday. If needed, we'll spend the Staff synch, identifying names to fill next week's slots, to ensure we meet the requirements and don't get behind schedule.

Thanks,

V/r, Manny
LTC Manuel D. Sanchez Diaz
Executive Officer/DCO, 528th SB (SO)(A)
1st Special Forces Command (A)
Office: (910) 432-7720 (DSN 239)

Cell: [redacted]
SVoIP: 239-7721
NIPR: manuel.d.sanchez.mil@socom.mil
SIPR: manuel.d.sanchez.mil@socom.smil.mil

UNIT: 528th SB (SO)(A) **DTG: 221500NOV2022**
1st Special Forces Command
FT BRAGG, NC

OPORD 22–XXX 528th SB (SO) (A) Human Performance and Wellness Assessment:

1. Time Zone Used Throughout the Order: (U) Local

TASK ORGANIZATION. No Change

1. SITUATION. The 528th SB (SO) (A) Soldiers will complete a Human Performance and Wellness (HPW) assessment to meet USASOC and 1st SFC directive. This will allow for a baseline of SMs within the organization to increase support from HPW pillars. Assessment will occur in four phases to ensure 100% assessment. Phase I (Planning and coordination) has already been completed. Phase II (Initial assessment workflow) will be conducted from 29NOV22 through 09JAN23. Phase III (Full assessment) will be conducted from 10JAN23 through 31MAR23. Phase IV (Data Analysis) will be conducted through April 2023. All assessments will be conducted at the BDE HPTC and BDE Classrooms.

2. MISSION. 528th SB (SO) (A) Soldiers will conduct HPW Assessment from 29NOV22 through 31MAR23 IOT meet USASOC and 1st SFC directives.

3. EXECUTION.

A. Commanders Intent: All Soldiers will participate in HPW assessment, including Strength and conditioning, briefings and surveys from each pillar of HPW IOT create a baseline assessment and meet USASOC and 1st SFC directives. Max participation will be achieved across all units to meet HPW requirements

B. Concept of Operations: HPW Assessment will take place from 29NOV22 Through 31MAR23. Assessments will be conducted every Tuesday and Thursday from 0630 to 1130. Phase II will be primarily STB and BDE Staff IOT increase processes and efficiency during the assessment starting on 29NOV22. Phase III will consist of STB, 112th, and 389th starting O/A 10JAN23.

1. Phase I: BDE Staff and STB will coordinate through the BN and BDE S3 to meet required numbers each date. The assessment will start in the HPW Human Performance Training Center at the BDE.
   29NOV22 - x 10 PAX
   01DEC22 – x 10 PAX
   06DEC22 – x 20 PAX
   08DEC22 – x 20 PAX
   13DEC22 – x 30 PAX
   15DEC22 – x 30 PAX
2. Phase II: This phase will encompass all BNs (STB, 112th, 389th) from 10JAN23 through 31MAR23
   a. Conducting assessments every Tuesday and Thursday from 0630 until 1130.
   b. Each assessment day will include 35 SMs to complete the assessment.
      (1) STB will provide 11 SMs each day until complete, may be required to provide more depending on availability.
      (2) 112th will provide 13 SMs each day until complete, may be required to provide more depending on availability.
      (3) 389th will provide 11 SMs each day until complete, may be required to provide more depending on availability.
   c. Coordination will be managed through the BN S3's and BDE S3.
   d. Phase II will be completed once all 528th SB SMs have completed the assessment
3. Uniform: Assessment will be conducted in workout attire (Black on Black athletic apparel or APFU)
4. Feedback: During the assessment individual SMs will receive follow on appointments with individual pillars for follow up feedback concerning their assessments and SMs desiring more information (i.e. Strength and conditioning program, financial, Social and Family Programs)

OPORD 19–XXX 528th SB (SO) (A) HPW Assessment

C. Task.	
ALL	All 528 SB (SO) (A) service members will participate in HPW assessment from 29NOV22 through 31MAR23. BN S3 required submitting names with Civilian emails the Friday prior to assessment week. All service members required to have access to the Bridge Athletics / Bridge Tracker. Utilize below QR Code to download. Bridge Tracker All SMs are required to start the initial assessment after fasting. This is a 10 hr fast, meaning that the SM does not eat or drink anything besides water after dinner. The SM should refrain from eating, drinking (other than water), tobacco prior to inbody assessment.
STB	1. Provide SMs for assessment on the following dates a. 29NOV22 - x 10 PAX b. 01DEC22 – x 10 PAX c. 06DEC22 – x 20 PAX d. 08DEC22 – x 20 PAX e. 13DEC22 – x 30 PAX f. 15DEC22 – x 30 PAX g. 10JAN23 through 31MAR23 • STB will provide 11 SMs each day until complete, may be required to provide more depending on availability. 2. Conducting assessments every Tuesday and Thursday from 0630 until 1130. a. Each assessment day will include 35 SMs to complete the assessment. b. Coordination will be managed through the BN S3's and BDE S3. c. BN S3 will submit names for the following week NLT COB Friday the week before to BDE S3 IOT ensure full assessment classes. 3. Uniform: Assessment will be conducted in workout attire (Black on Black athletic apparel or APFU) 4. Feedback: During the assessment individual SMs will receive follow on appointments with individual pillars for follow up feedback concerning their assessments and SMs desiring more information (i.e. Strength and conditioning program, financial, Social and Family Programs)
112th SIG	1. Provide SMs for assessment on the following dates a. 10JAN23 through 31MAR23 • 112th will provide 13 SMs each day until complete, may be required to provide more depending on availability. 2. Conducting assessments every Tuesday and Thursday from 0630 until 1130. a. Each assessment day will include 35 SMs to complete the assessment. b. Coordination will be managed through the BN S3's and BDE S3. c. BN S3 will submit names for the following week NLT COB Friday the week before to BDE S3 IOT ensure full assessment classes. 3. Uniform: Assessment will be conducted in workout attire (Black on Black athletic apparel or APFU) 4. Feedback: During the assessment individual SMs will receive follow on appointments with individual pillars for follow up feedback concerning their assessments and SMs desiring more information (i.e. Strength and conditioning program, financial, Social and Family Programs)

OPORD 19–XXX 528th SB (SO) (A) HPW Assessment

MI BN	1. Provide SMs for assessment on the following dates a. 10JAN23 through 31MAR23 • 389th will provide 11 SMs each day until complete, may be required to provide more depending on availability. 2. Conducting assessments every Tuesday and Thursday from 0630 until 1130. a. Each assessment day will include 35 SMs to complete the assessment. b. Coordination will be managed through the BN S3's and BDE S3. c. BN S3 will submit names for the following week NLT COB Friday the week before to BDE S3 IOT ensure full assessment classes. 3. Uniform: Assessment will be conducted in workout attire (Black on Black athletic apparel or APFU) 4. Feedback: During the assessment individual SMs will receive follow on appointments with individual pillars for follow up feedback concerning their assessments and SMs desiring more information (i.e. Strength and conditioning program, financial, Social and Family Programs)
CMD	
S-1	1. Coordinate with STB S3 and BDE S3 for assessment slots
S-2	1. Coordinate with STB S3 and BDE S3 for assessment slots
S-3	2. Provide coordination for roster 3. Manage and coordinate numbers and names for events.

S-4	1. Coordinate with STB S3 and BDE S3 for assessment slots
S-6	1. Coordinate with STB S3 and BDE S3 for assessment slots
SPO	1. Coordinate with STB S3 and BDE S3 for assessment slots
SPECIAL STAFF	1. Coordinate with STB S3 and BDE S3 for assessment slots

D. Coordinating Instructions.

4. SERVICE SUPPORT.

A. General: N/A

B. Material and Services:

1. N/A

- **5. COMMAND AND SIGNAL.** Action Officer for this event is BDE S3. Event Execution run through HPW / CPT Forte at joseph.forte@socom.mil or 908-5062

ANNEXES/ATTACHMENTS.

A – N/A

DISTRIBUTION
STAFF
STB, 528th (SO)(A)
112th SIG BN (SO)(A)
389th MI BN (SO)(A)

ACKNOWLEDGE

BRUNSON
COL

OFFICIAL:
MAJ
Philbin
S3

FW: HPW Tasker

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 7, 2023 at 03:51 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Partin, Skyler J SSG USARMY USSOCOM USASOC (USA) <skyler.j.partin.mil@socom.mil>
Sent: Friday, December 2, 2022 12:38 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: HPW Tasker

SFC Forbes,

Here is the entire tasker. The attachment is straight from TMT.

Requesting Org: 528th BDE HPW

Who: 528th SB / STB / 112th / 389th

When: Reference OPORD // Soft Start 29NOV22 // 0630-1130 Tues and Thurs based on OPORD

Where: 528th BDE HPTC

What: to complete HPW individual assessment

Why: To meet USASOC / 1st SFC directive // Capture Unit baseline

Report To: CPT Forte 910-908-5062

Uniform/Equipment: PT / Black on Black physical fitness cloths

Special Instructions: All 528 SB (SO) (A) service members will participate in HPW assessment from 29NOV22 through 31MAR23. BN S3 required submitting names with Civilian emails the Friday prior to assessment week. All service members utilize aBridge Athletics / Bridge Tracker. All SMs are required to start the initial assessment after fasting. This is a 10 hr fast, meaning that the SM does not eat or drink anything besides water after dinner. The SM should refrain from eating, drinking (other than water), tobacco prior to inbody assessment.

POC(s) Info: CPT Forte // [redacted] // joseph.forte@socom.mill

V/R
SSG Partin, Skyler
528 BDE CBRN and Tasking NCO
910-908-8774
skyler.j.partin.mil@socom.mil

smime.p7s
6.5kB

OPORD 22_ XXX 528th SB (SO) (A) HPW Assessment V2.docx
51.9kB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Tuesday, January 17, 2023 12:26 PM
To: Collins, Mark E MAJ USARMY USARCENT (USA)
Subject: RE: Friday

Sir

Do you mind if I call you tonight?

From: Collins, Mark E MAJ USARMY USARCENT (USA) <mark.e.collins26.mil@army.mil>
Sent: Friday, December 2, 2022 1:48 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: Friday

That's fantastic! While I wish she was there when I was there, I'm happier you had a role in hiring her and she's been a great partner-in-crime for you! Sometimes officers are stubborn/stupid and don't consult with their right hand NCO.

Have a Merry Christmas and I'll pop into see y'all sometime next year!

V/R,

Mark E. Collins, Jr.
MAJ, LG
USARCENT G4 Plans

NIPR: 803-885-7428
DSN: 312-889-7428
SIPR: [redacted]
Personal Cell: [redacted]

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Friday, December 2, 2022 1:45 PM
To: Collins, Mark E MAJ USARMY USARCENT (USA) <mark.e.collins26.mil@army.mil>
Subject: RE: Friday

Great to hear from you, Sir!

Getting a slow start this year, but getting ready.

Hope you and your family has made the transition to your new duty station with few issues.

My OIC is great? You would have loved having her work with you. I feel fortunate that LTC Furlow allowed me to be a part of the interview process, as she is everything I had hoped for: sensible, smart, some PSM experience and we agree on a lot of our Sections responsibilities and requirements. She even considers my guidance in her decision making.

Enjoy your holidays; may it bring you peace, joy and keep you in good health.

Merry Xmas!

Cordially,

Michael J. Forbes (Father Xmas)
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Collins, Mark E MAJ USARMY USARCENT (USA) <mark.e.collins26.mil@army.mil>
Sent: Friday, December 2, 2022 1:39 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: Friday

Hey SFC Forbes,

Just dropping a note to say I hope you and your family are doing well. Hopefully the new OIC has taken some of the burden off of you from being dual-hatted so long (even though you were great at it).

I hope y'all have a great Christmas and my unit's parking lot is definitely lacking a motorcycling riding, Father Christmas! I miss that and hearing the carols on your way in and out.

Take care brother and don't work too late!
MAJ Collins

V/R,

Mark E. Collins, Jr.
MAJ, LG
USARCENT G4 Plans

NIPR: 803-885-7428
DSN: 312-889-7428
SIPR: [redacted]
Personal Cell: [redacted]

FW: master code in SOMEDD door

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

To: paxmas2007@yahoo.com

Date: Saturday, June 10, 2023 at 08:37 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, December 6, 2022 1:01 PM
To: Meredith, Joseph R SSG USSOCOM USASOC (USA) <joseph.meredith@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>
Subject: master code in SOMEDD door

Please check to see if the master is in SOMEDD door. I attempted to assist CSM E gain access moments ago and the master would not work.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/



smime.p7s
6.5kB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Tuesday, December 6, 2022 11:40 AM
To: Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA)
Subject: FW: HPW program pending orders
Attachments: RE: HPW Assessment (65.6 KB); OPORD 22_ XXX 528th SB (SO) (A) HPW Assessment V2.docx; 25_Personal Cell Phone Policy 20191119.pdf; HPW posters.pdf
Signed By: michael.j.forbes7.mil@mail.mil

CSM E.

As promised and as you requested... here is the information I commented I was sent plus some other stuff.

Thank you for our impromptu chat yesterday after CSM Vs NCO meeting.

That said, I am attempting to get more regulatory and scope information on this HPW program, but having a little difficulty. Please see the attachments, which include the unsigned OPORD that is currently in implementation as seen by the attached email from our BDE Staff PSG and the cell phone policy which most, if not all have signed.

I know this is a second forced survey for BDE Staff (this one consisting of using IPADs with APS on them that ask, "spiritual, cognitive" and behavioral questions online from come ATL company). This one is per the POTFF website and a SM who took it. The Order states SMs have to provide a civilian email account, must participate using at least one outside provider app on there personal phone and use a QR Code (on a personal phone with a third party corporation called Bridge[unk]...and likely others). Also, I attended the MI BN Physical Pillar in-brief yesterday morning and the "Coach" had commented that there is "no problem in using the app offline while you are at work." I spoke up and commented that, "Ma'am, these are actually intel Soldiers and they work in a building in which they cannot take personal electronic devices in." she commented, "Well, that sucks." Mind you she is in a building in which she has her phone and it is forbidden and I know of no ETP for this HPW program. This will only become more problematic as I informed the S6 and HPW once we get our Authority to Connect (ATC) re: our TSCIF.

Attached the OPORD ← DO NOT KNOW IF THIS IS A FINAL but they are administering the program as seen by the email also attached.

I have also attached posters hanging on walls around the STB footprint for your perusal. Evidently, failure to arrive at a 2nd appointment with "Coaches"... "leadership will be contacted for further documentation." The third time a missed appointment occurs "a 60 day suspension of S&C privileges... and leadership will be informed once again." If this is a privilege how come SM aren't being told this is voluntary in nature?

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788

☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

FW: HPW program pending orders

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

To: paxmas2007@yahoo.com

Date: Tuesday, April 18, 2023 at 08:55 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, December 6, 2022 11:43 AM
To: Howsden, Christopher L LTC USSOCOM USASOC (USA) <Christopher.Howsden@socom.mil>
Subject: FW: HPW program pending orders

Sir

Here is communication with BN leadership. SEE THE POSTERS. You have the rest of this.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Tuesday, December 6, 2022 11:40 AM
To: Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>
Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: FW: HPW program pending orders

CSM E.

As promised and as you requested… here is the information I commented I was sent plus some other stuff.

Thank you for our impromptu chat yesterday after CSM Vs NCO meeting.

That said, I am attempting to get more regulatory and scope information on this HPW program, but having a little difficulty. Please see the attachments, which include the unsigned OPORD that is currently in implementation as seen by the attached email from our BDE Staff PSG and the cell phone policy which most, if not all have signed.

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Attached the OPORD ← DO NOT KNOW IF THIS IS A FINAL but they are administering the program as seen by the email also attached.

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Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]

☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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smime.p7s
5.4kB

Untitled
86.4kB

OPORD 22_ XXX 528th SB (SO) (A) HPW Assessment V2.docx
51.9kB

25_Personal Cell Phone Policy 20191119.pdf
364.5kB

HPW posters.pdf
850.1kB

smime.p7m
60.5kB

FW: Legal Briefing

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

To: paxmas2007@yahoo.com

Date: Saturday, June 10, 2023 at 08:35 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Sent: Tuesday, December 6, 2022 10:00 AM
To: Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Cc: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>
Subject: RE: Legal Briefing

Sir,

Good morning, would Thursday late afternoon around 1530 works for in person meeting? Due to SGT Henkel being out from Staff Duty recovery and with the BDE staff doing MDMP and supporting Co. events this week, we may have to push right to facilitate this session. Worst case scenario would be Friday morning, the staff will finish with MDMP on Thursday.

Have a great day!

V/R,

Patrina (Ana) Lowrie
Brigade S2
528th SB (SO) (A)
1st Special Forces Command
Office: +1-910-908-8789

Mobile: +1-910-639-9012
NIPR: patrina.a.lowrie.mil@socom.mil
SIPR Email: patrina.a.lowrie.mil@mail.smil.mil
SIPR DSN: [redacted]

From: Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Sent: Monday, December 5, 2022 12:31 PM
To: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>; Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: Legal Briefing

Gentlemen,

Before I forget, we need to schedule a battle rhythm meeting to go over DEROGs. Right now we have a legal brief every wed and alternates to in person and digital weekly. When we are in a digital legal meeting LTC Furlow wants to set up an in person DEROG brief from the S2. Lets plan to be in person this week on WED at 1000 down here in LTC Furlow's office.

Andy Weber
MAJ, LG
Battalion XO
Special Troops Battalion
528th Sustainment Brigade (Special Operations) (Airborne)

NIPR: andrew.j.weber.mil@socom.mil
NIPR: 910-432-2707
SIPR: andrew.j.weber.mil@socom.smil.mil
SIPR [redacted]

smime.p7s
6.5kB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Wednesday, December 7, 2022 8:30 AM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA)
Subject: INFOSEC and USASOC Policy 18-19
Signed By: michael.j.forbes7.mil@mail.mil

Ma'am

I posted the cell phone policy signs at all outside entry doors and at various locations within our X-4047, given the misinformation re: offline APP use on PEDs inside USASOC buildings. I am going to re-enforce this with the MI BN once I reconfirm that ETPs have not been signed when I inquired about ETPs for PEDs to our S6 months ago. Some MI SMs were directly delivered this misinformation on Monday. I intend on letting 112th know too.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

Personal Cell Phone Policy
USASOC Policy 18-19

DOD designated USSOCOM and USASOC are sensitive units, as defined by Title 10 US Code (USC) Section 552 (10 USC 552). In keeping with this designation, any unclassified information related to USSOCOM or any of its component commands, will be designated and identified as Controlled Unclassified Information (CUI).

All personnel entering and exiting any USASOC facility that processes classified information are subject to search and must declare all electronic equipment and devices. Government-owned recording/transmitting devices may only enter/exit a facility if deemed mission essential by the Commander or his designated representative in writing. **Privately-owned cell phones, PEDs/PDAs or similar devices are not authorized for entry into USASOC facilities.**

By order of the Commanding General, USASOC prohibits any unauthorized possession or use of PDAs, PEDs, cell phones, cordless phones, wireless phone headsets or other electronic devices inside this facility. Unauthorized electronic devices found during routine searches may result in seizure.

This policy is punitive in nature. Violations may result in prosecution under the Uniform Code of Military Justice (UCMJ), as well as adverse administrative and/or other actions authorized by the United States Code or Federal regulations.

PEDS/PDAs: Any non-stationary electronic apparatus with capabilities of recording, storing, and/or transmitting (radio frequency or infrared) date, voice, video or photo images. This includes but is not limited to pager, laptops, cellular phones, cordless phones, wireless phone headsets, radios (FM, satellite radios), compact disc and cassette players/recorders, portable assistants (palm top, iPhone, blackberry, etc.), digital audio devices (MP3 Players), cameras, camcorders, calculators, and electronic watches with input capability and reminder recorders.

FW: Mask Confidence Training Memo

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 7, 2023 at 04:53 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Thursday, December 8, 2022 3:25 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Partin, Skyler J SSG USARMY USSOCOM USASOC (USA) <skyler.j.partin.mil@socom.mil>; Cisneros, Juanita SFC USARMY CHEMICAL SCHL (USA) <juanita.cisneros.mil@army.mil>
Subject: Mask Confidence Training Memo

SFC Forbes-

As requested, FY22's (the June Gas Chamber) Mask Confidence Training Memo.

GO HEADHUNTERS!

Very Respectfully,

DK

David Korista
CPT, CM
Commander
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command

NVOIP: 910.432.4194
Blackberry: 910.929.0117
Personal Cell: [redacted]
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.smil.mil





smime.p7s
6.5kB



FY22 Mask Confidence Training MFR.pdf
998.8kB

FW: Sensing Sessions changed

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 14, 2023 at 01:50 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
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: Thursday, December 8, 2022 4:45 PM
To: Taveras, Luis D MSG USARMY USSOCOM USASOC (USA) <luis.d.taveras.mil@socom.mil>; 528SB-STB-Members <528SB-STB-Members@socom.mil>
Subject: RE: Sensing Sessions changed

STB,

Everyone that is available will be in attendance! This is place of business!

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: [redacted]
SVOIP: 239-3066

From: Taveras, Luis D MSG USARMY USSOCOM USASOC (USA) <luis.d.taveras.mil@socom.mil>
Sent: Thursday, December 8, 2022 3:21 PM
To: 528SB-STB-Members <528SB-STB-Members@socom.mil>
Subject: FW: Sensing Sessions changed

TEAM,

COL Brunson and CSM Vargas will be hosting sensing sessions on 12 December 2023.

~~STB :13 December, 0900 – 1230~~
STB: 12 December, 0900 - 1230

Breakdowns:
0900 – 0945: E1-E4
0955 – 1035: E5 & E6
1045 – 1130: Senior NCOs
1140 – 12:35: Officers

We will be expecting max participation.

Do not hesitate to contact me if you have any questions or concerns.

Thanks in advance for your support.

V/r,

Luis D. Taveras
MSG, USA
528th Special Troop Battalion (SO) (A)
S3 Shop
Work (910) 908-4109
Blackberry [redacted]
Personal Cel[redacted]
Luis.d.taveras.mil@socom.mil
Luis.d.taveras.mil@socom.smil.mil

smime.p7s
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image001.png
36.7kB

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-HHC-CO

01 June 2022

MEMORANDUM FOR RECORD

SUBJECT: 3rd Quarter FY22 CBRN (Chemical Biological Radiation Nuclear) Training Record

1. On 01 June 2022, HHC, 528th Sustainment Brigade (SO) (A) conducted 3rd Quarter FY22 CBRN Training. SFC Demarko, Snow instructed 60 personnel (see attachment).

2. Point of contact for this memo is SGT Nathan Venturino at nath.s.venturino.mil@socom.mil or (916) 517-7325.

DAVID K. KORISTA
CPT, CM
Commanding

Rank	Name	PLATOON	Rank	Name	PLATOON
SSG	ACOSTA, ANTHONY CHRISTOPHER	BATTALION	PFC	LEWIS, ISAIAH K.	HHC
SPC	BEVER, BRAEDEN SCOTT	RIGGER	SSG	LOWE, DAVID MAURICE, JR	SPO
SFC	BROWN, TABATHA		SGT	MANTUJAC, LEROY ABITONA	SPECIAL STAFF
MSG	BURGOSSANTIAGO, EDWIN AMEDT	BRIGADE	SFC	MORRIS, DANAVON NIGEL	BRIGADE
PFC	CHRISTIE, MARC ANTHONY	RIGGER	SGT	NJUKANG, NINA NJANG	RIGGER
SFC	COFFEY, JAMES	HHC	SPC	ORTIZ, RICHARD	BRIGADE
PFC	COHOON, CULLEN ALEXANDER	RIGGER	SGT	PALMER, CAMERON ALEXANDER	RIGGER
SGT	CUNNINGHAM, RUSSELL MAC	HHC	SSG	PARTIN, SKYLER JAMES	BRIGADE
PV2	CURRY, ALEXANDRIA REETTA	RIGGER	SFC	PETERS, YORK	RIGGER
CSM	EMEKAEKWUE, EMMANUEL A.		SSG	PLUMMER, TIERA JANAY	SOMEDD
SFC	EMERY, MATTHEW DAVID	BRIGADE	SPC	PORTELA, MIKEBRANDON BARRIENTOS	RIGGER
SGT	FITCHPATRICK, SHARMELLE	RIGGER	PFC	RAMSEY, KEDRICK TEVON	BATTALION
SFC	FORBES, MICHAEL JEFFREY	BRIGADE	SPC	ROBLES, MARVIN MANUEL	RIGGER
LTC	FURLOW, BURTON, JR	BATTALION	CPL	ROJAS, CARLOS ALBERTO	RIGGER
SSG	GARNERSPAIN, RICHARD JORDAN	HHC	SGT	ROLAND, ANDREW ALEXANDER	SPECIAL STAFF
PVT	HALL, TOBY D.	HHC	SGT	ROWAN, NICHOLAS ALAN	RIGGER
SPC	HAMILTON, JOSHUA BRANDON	BRIGADE	PFC	SCHEFFING, MATTHEW J.	BRIGADE
SPC	HANCOCK, CHANCE DANIEL	HHC	SPC	SIXBEY, EVAN THOMAS	BRIGADE
SPC	HERNANDEZ, JESSICA ELAINE	RIGGER	SFC	SNOW, DEMARKO BRANDONEUGENE	BRIGADE
SSG	HILBERT, QUARET L.	RIGGER	SSG	SPENCER, HUNTLEY RECARDO	SPECIAL STAFF
PFC	HUNT, JALEN	HHC	PV2	STAHL, LOGAN J.	RIGGER
PFC	JARQUIN, RICARDO RAMSES	BATTALION	SFC	SUTTON, JUSTIN DAVID	SPO
MAJ	JOHNSON, TIMOTHY J	SPECIAL STAFF	SPC	SWEENEY, QUYNN A.	HHC
SGT	KING, EMERY	RIGGER	MSG	TAVERAS, LUIS DANIEL	BATTALION
SFC	KINGLOCK, DAVID MOSSIAH	SPO	PFC	VAZQUEZ, JANIE E.	BRIGADE
PFC	KISTLER, AUSTIN JAMES	HHC	SGT	VENTURINO, NATHAN SCOTT	HHC
SPC	LANDRENEAU, JACOB KYLE	HHC	PFC	WILLIAMS, CODY CHRISTOPHER	RIGGER
PFC	LARDAS,GEORGE N.	HHC	SSG	WILLIAMS, WILLIAM R.	SPO
SSG	LAWSON, JAMAL T.	SPECIAL STAFF	SFC	YODER, JOEL A	HHC
SFC	RIVERA, ALEXANDER	SPO	1LT	RICHARD, PHILADARRIAN D.	HHC

FW: Thank you

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

To: paxmas2007@yahoo.com

Date: Tuesday, April 18, 2023 at 10:22 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
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, December 8, 2022 12:29 PM
To: Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>
Subject: Thank you

Sir:

BLUF: PED violations are cyber security incidents that can lead to security clearance suspension, leading to the denial of access to 1st SFC (A) buildings, classified information, or revocation of security clearance.

References (not comprehensive list): USASOC Policy 11-19 and USASOC Policy 25-2 Ch. 9 (replaced USASOC 18-19)

During our conversation about CPT Lowrie ordering me in closed door verbal counseling to come see her prior to performing an on-the-spot PED violation, you commented, "Did we need to go from 1 to 100?" USASOC 25-2 requires reporting this, I only did an on-the-spot-correction as the SM was in the gym with the nearest SIPR Drops were the HHC OPS offices and I hadn't reconfirmed the reporting process in regulation as yet (the first institutional guidance given to our SMs by a Civilian Contractor occurred this past Monday and I expediently corrected that on-the-spot as well. Also, I found out this morning that USASOC Policy 11-19, Ch 6, para 2 states, "2. All personnel and information storage media (ISM) entering and exiting USASOC facilities are subject to search and must declare all electronic equipment and devices." I assess my response, to date, is at a 25 level range as reporting this to the Cyber Security Officer per USASOC 25-2 (attached) could result in suspense of a user's accounts, retraining, investigation, confiscation the SM's phone, and notifying the 1SFC ISSO, which I assume is the 100 you were referring to. This

happened yesterday and I haven't reported it yet; I have reported this to you and LTC Furlow and a coach watched me provide the on-the-spot-correction. Let me know how you want me to proceed.

I only spoke with you in an attempt to quell the characterizations by MAJ Racaza, CSM Emekaekwue and CPT Lowrie that I am being perceived as "Angry, Aggressive and Dominant," respectively. I can assure you that I have been professional with everyone here in dealing with these serious issues.

CPT Lowrie informed me yesterday that if I see another phone in our footprint, I must, "notify her" and that "any further behavior like this will be dealt with." As I stated to you, I fear this is the beginning of a perception onslaught because I am professionally and confidently reminding SMs of what they agreed to being informed of in USASOC 18-19 in-processing here (I am upgrading this soon with USASOC 25-2 and will execute a TMT Tasker to repaper our SMs). I was polite, confident and serious in my directive to immediately comply with USASOC Policy. Interestingly, the SM did not leave the facility with her phone until I went the entire perimeter of the building and LTC Furlow was in the same area and witnessed this request to remove the phone.

Someone ripped down my signs today and I checked with USASOC G22 INFOSEC Director this morning whom remarked that it was a good preventative measure given what I have been witnessing. Let me know if you would like me to put them back up; SMs do regularly use these doors as their primary entrance and egress. We have a similar sign on our front door for visitors. FYI, arguably, our SMs use the back doors likely more than visitors use the front.

I will continue my on-the-spot-correction, as needed, since I am the primary (soon to be alternate) INFORMATION SECURITY Officer for our BDE until relieved.

Regarding the SDI training, you stated that "[I] didn't want to be part of the team." I feel I am part of the team and stated as much in my communication with our BDE CDR. I shouldn't have to be forced to take a corporate third party's data gathering behavioral health assessment on how I deal with conflict to be part of a team. There are myriad ways to build a team and mandated behavioral assessments in which my Government may possibly gather the data, are not necessary; nor do I comprehend value in them. I also shouldn't be mandated to arbitrarily engage with any third parties, especially with my personal devices that are paid for by me and currently forbidden to use in our work environment.

Thanks again for your time yesterday, Sir. I think we have a good team and I will steadfastly endeavor to continue to serve our BDE CDR's interests by ensuring that we are attempting to "do the right thing."

Please help me not be accused of being aggressive when I will passionately and professionally do everything I can to protect our unit and its members from undue scrutiny by reinforcing lawful regulations and policy directives.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-

favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
5.4kB

USASOC Regulation 25-2, USASOC Cybersecurity Program.pdf
1.9MB

USASOC Wireless Detection Report

Date/Time: 9 December 2022 / 1300 - 1530

Personnel Scanning: Charles A. Ransom & Jorde Neri

Unit: 528th Sustainment Brigade **Building(s):** X-4047 **Floor(s):** 1st and 2nd floor

Escorted by: SFC Forbes, Michael j – 528th SB S-2 NCOIC, SGT Henkel, Eric – MTOE Battalion S-2 NCOIC

Monitoring Devices Used: YORKIE PRO 1.7

Summary: A wireless scan was conducted in 528th Sustainment Brigade (SB) in the Headquarters facility X-4047 in 1st and 2nd floor by USASOC Cybersecurity to assist in collecting data for an auditable item that falls under Army's DODIG Inspection. Our Security Compliance team was escorted throughout the facility during the scan to identify rogue devices & personnel in violation of USASOC Cybersecurity Program Regulation 25-2. This scan was conducted to assist in identifying outlying devices and personally contributing to the security posture within all USASOC. The Yorkie pro device was used to detect and determine the location of cellular, WiFi, and Bluetooth signals of any unauthorized electronic devices within the buildings of X-4047. The overall results of the scans were informative of the Cybersecurity stance of 528th SB. We scanned everywhere we could get into including the lockboxes, and we only found 2 prohibited devices (See **Location, Device type, and Names of those who were caught:** for more information).

Problems

- 1 Personnel were caught with prohibited devices. (See **Location, Device type, and Names of those who were caught:** for more information)
- Personnel are not turning off cell phones when storing them in the lockbox and leaving phones unsecure. Not only does this violate USASOC Regulation 25-2, chapter 2-3 but also provides false positives when scanning the AOR increasing the duration of scanning.

Suggestions/Recommendations/Actions

- We strongly recommend posting on all entrances and exits the section on USASOC regulation 25-2 Chapter 2-3 Section a. "*Personal electronics are not permitted inside*

USASOC Facilities. If a storage area is provided at the building entrance, visitors may use it to temporarily store their cell phones or other small electronic devices. All stored devices must be turned off."

Location, and [Device type | Names] of those who were caught:

1ST FLOOR	2ND FLOOR
121B **GOVERNMENT PHONE**	**204** **[Phone | Cpt Blosser, Gavin]**


6 of 6
528th Special Troops Battalion
9h
Message 528th Special Troops Batt...
Like
Comment
Share

FW: thank you

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

To: paxmas2007@yahoo.com

Date: Monday, December 12, 2022 at 05:21 PM EST

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Monday, December 12, 2022 5:19 PM
To: Hylton, Jesse R SFC USSOCOM USASOC (USA) <jesse.r.hylton@socom.mil>; Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil>
Subject: FW: thank you

SFC Hylton and Mr. Smith:

I just sent the below email to try and get some support to be able to employ my INFOSEC prevention efforts and enforce the no PED policy ISO National Security. I will get this 1559 done as soon as possible. I am very tired now after this stressful day speaking to so many people (not just in your office) and researching items. I appreciated both your time today; sorry I took up so much time in explaining the many issues I have faced here. I have attempted to serve my unit and my CDRs professionally in all I have done.

1559 to follow tomorrow after I get some rest. Thank again Gentlemen.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC

SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Monday, December 12, 2022 5:01 PM
To: Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>; Lukens, Phillip H LTC USARMY USSOCOM <lukensph@socom.mil>; Noland, Vance D CIV USSOCOM USASOC (USA) <vance.noland@socom.mil>; McDougald, Brandon CIV USSOCOM USASOC (USA) <brandon.mcdougald.civ@socom.mil>; Williamson, Isaiah J CIV USSOCOM USASOC (USA) <isaiah.williamson@socom.mil>
Subject: thank you

Sir

Thank you for meeting with me last Friday afternoon when LTC Furlow was out. I appreciate your listening to my concerns re: National Security issues pertaining to PEDs. We discussed:

1. My ADO as INFOSEC Officer
2. “Covered Individuals” defined by USASOC 25-2
3. Paragraph 3.a., USASOC 25-2
4. Paragraph 9, USASOC 25-2
5. My request for a way forward regarding the signs removed by CPT Korista, which destroyed my time and effort to prevent the results that we got from the Wireless Scan (that I could not tell anyone about IET not destroy the value of the ‘sweepers’ efforts). Our unit also posted pics of phones on tables during the Holiday Party the night he removed the signs. Families evidently did not know about he restriction of PEDs in our Classroom. I asked the PAO (who was on leave at the time of the posting) to ensure the pics were removed this morning prior to CSM E counseling me that I am not allowed to “not confront” personnel in our BDE footprint but to “report them to [my] OIC.”

I spoke with LTC Furlow about this immediately after I CSM E placed both hands on my shoulders and pushed me back towards my platoon formation as I was attempting to reenforce the PED restriction in our building to our entire formation. This action caused many in the formation to laugh at me and unfortunately diffused this important National Security message. We then immediately saluted a not sounding flag.

I have cc’d 1SFC G2, USASOC TECHSEC, G6 and INFOSEC.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]

☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil



smime.p7s
5.4kB

FW: Office Call at 1000am

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

To: paxmas2007@yahoo.com

Date: Monday, December 12, 2022 at 03:33 PM EST

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA) <emmanuel.a.emekaekwue.mil@socom.mil>
Sent: Monday, December 12, 2022 9:02 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: Office Call at 1000am

Team,

Please come to my office at 1000am.

V/R
EMMANUEL A. EMEKAEKWUE (eh-meh-kah-eh-kwã)
CSM, USA
SPECIAL TROOPS BATTALION
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
NIPR: emmanuel.a.emekaekwue.mil@socom.mil
SIPR: emmanuel.a.emekaekwue.mil@mail.smil.mil
Office: 910-432-8856

Gov't Cell: [redacted]
Personal Cell: [redacted]
SVOIP: 239-0063



smime.p7s
5.4kB

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)*	Rank/Grade	Date of Counseling
FORBES, MICHAEL J	SFC/E7	12 December 2022

Organization	Name and Title of Counselor
STB, 528th SB	CSM Emekaekwue, Emmanuel

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.)*

Event Oriented: Implementation of USASOC Policy 25-2

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

- Thank you for taking the initiative to get the battalion in compliance with USASOC Policy 25-2.

- Going forward, follow all directions from your OIC, CPT Lowrie, on how to implement the plan of action to get us to full compliance with USASOC Policy 25-2

- In the event that you notice someone out of compliance, report them to your OIC. Do not confront them.

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)*

- Immediately get with your OIC for further guidance on the way forward on compliance of USASOC Policy 25-2

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:

AS AN-ORDER PSM WHO CAN REPORT (REPORTABLE ACTIVITIES) DRUGS IN SITUATIONS WHICH THE REPORTING (CDR) AUTHORITY ~~DOES~~ USES DISCRETION IN REPORTING A PSM CAN REPORT WITHOUT COR OR ~~REVOKE~~ SUMMARIZE ON 524E. NEVER HAVE I BEEN UNPROFESSIONAL, I ASKED TWO SMS ON STAFF DUTY HERE TODAY TO REMOVE PHONES. THIS DOES NOT ALLOW ME TO REMEDIATE NATIONAL SECURITY ~~VIOLATIONS~~ IMMEDIATELY.

Signature of Individual Counseled: _____ Date: 12 DEC 2022

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

I will continue to monitor SM's compliance with this counseling.

-SM states that he will comply with the plan of action, but will consult IG as soon as possible.

Signature of Counselor: _____ Date: 12 DEC 22

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.

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
Sent: Monday, December 12, 2022 12:16 PM
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Subject: MEALS: My Six Takeaways from the Brigade SMAP
Attachments: CAP24-Prep-Guide.pdf
Signed By: emmanuel.a.emekaekwue.mil@mail.mil

Happy Holidays, Team:

In November 2022, I attended the 6-day brigade Sergeants Major Assessment Program (SMAP) at Fort Knox, KY. Here are six takeaways you may find useful:

Background:
Now, more than ever, every Soldier must understand that all roads to becoming a senior leader goes through the Command Assessment Program (CAP). "The CAP measures attributes and competencies articulated in the Army Leadership Requirements Model found in ADP 6-22, Army Leadership and the Profession, and enables the Army to hold leaders accountable to our leadership doctrine" (CAP, 2022). As of June 2022, the CAP consists of six assessment programs, namely the Colonels Command Assessment Program (CCAP) the Battalion Commander Assessment Program (BCAP), the Acquisition Leader Assessment Program (ALAP) the Medical Command Assessment Program (MCAP), the Colonel and Division Chaplain Assessment Program (CCHAP/DCHAP), and the Sergeants Major Assessment Program (SMAP). There is an ongoing pilot program for the battalion Sergeant Major Assessment Program. Additionally, Project Athena assessments are also becoming prevalent at PME schools, across all cohorts.

1. **Embrace the culture of assessment:** The Army bet big on the CAP. It is a means for achieving a multi-domain-ready Army by 2035. So, with an increasing number of assessment programs, career-minded Soldiers are certain to experience some type of assessment. A benefit of CAP – and self-assessments in general – is an increase in leader

self-awareness. And, according to CAP, "In fact, the most important insight gained thus far from the CAP is that self-awareness is strongly correlated with both increased leader effectiveness and less frequent exhibition of counterproductive leadership behavior."

2. **Embrace the culture of feedback:** A currency of leadership is feedback. Feedback promotes self-awareness, which, in turn, informs behavioral changes. How well you know yourself and understand others could affect your outcome at CAP. CAP notes that "Candidates with high self-awareness and a willingness to receive feedback, benefit the most from the CAP."

3. **Study your past:** Your experiences reflect who you are. Arguably, reflecting on past experiences to gain a better understanding of self is not something we do enough in the Army. Still, the importance of self-reflection can never be overstated. At CAP, behavioral questions like, "Describe a situation where your initial assumptions about a task turned out to be wrong," look to understand your skills and potential for success. Here, the adage "past performance predicts future performance" is at play.

4. **Leadership is a deliberate activity:** The emphasis on behavioral questions highlights the importance of engaged leadership. More than just your presence, CAP invites you to articulate deliberate actions taken to promote mission accomplishment, and how you provided purpose, direction, and motivation to teammates.

5. **The paradox of strengths:** While it is customary to wholly embrace your strengths, the operational psychologist did a good job of pointing out how one's strengths can become a liability. For example, a can-do attitude toward task accomplishments at the expense of developing subordinates that can carry out the tasks could hinder organizational effectiveness.

6. **The program is well-run:** From notification to attending SMAP to arrival, execution, and departure, the program managers left no details to "needs improvement." I could find no fault in the operation. My sponsors were very professional. The Soldiers tasked to usher candidates at each event were very professional. The behavioral experts were very professional. And I thought the voluntary LPD sessions were insightful and value-added. The lessons here are planning and rehearsals.

Let's Talk:

- What are your thoughts about the CAP or the new assessments in general?

- If you've attended any of the CAP programs, what are your takeaways?

- Please send your thoughts to me

How to prepare for CAP: The attached CAP literature offers insights on how to prepare for CAP. Of note is the key point emphasized in the literature: **"The secret to success at the CAP is to lead in accordance with the Army's leadership doctrine throughout your career."**

Additional Resources:

CAP Website: https://talent.army.mil/cap/

Social Awareness & Influence Assessment (SAIA): https://aeas.army.mil/program/TokenAccess.aspx?code=107311xFF2FBB (CAC required).

Project Athena: https://capl.army.mil/Project-Athena/

HAPPY HOLIDAYS!

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Subject: MEALS: Measuring What we do

"If we don't measure what we are doing against a standard, we will never know what we are doing right."

This week's topic is about measuring what we do.

Top Lines:

- The measures of effectiveness measure the effectiveness of organizations, teams, squads, sections, systems, etc., in terms of purpose, goals, and objectives.
- As an indicator, measures of effectiveness denote changes in what is measured.
- The measure of performance supports the execution of the measures of effectiveness. In other words, measures of performance are your metrics, checklists, matrixes, etc., that confirm/deny whether the actions put in place to affect the measures of effectiveness are working.
- The measure of performance is also an indicator, as it shows the status of tasks.
- Reference: ADP 5-0

An often-over-looked aspect of leadership is measuring the effectiveness of organizations, systems, and things. Absent a means for measuring and assessing what we do, organizations suffer. Fortunately, Army frameworks exist that can help establish a means for measuring and assessing effectiveness and performance: The measure of effectiveness (MOE) and the measure of performance (MOP).

Within the organizational context, measures of effectiveness measure the effectiveness of organizations, teams, squads, sections, systems, etc., in terms of purpose, goals, outcomes, and objectives. For example, a measure of effectiveness for the HHC, STB, is the administrative readiness of the STB. For the S3, a measure of effectiveness is training readiness. Of course, leaders can establish measures of effectiveness in their squads, teams, section, platoons, etc. As a platoon sergeant and 1SG, a measure of effectiveness for me was the availability and

deployability of my personnel. The same remains true for me as a command sergeant major. Units can also view each mission essential task (MET) as a measure of effectiveness.

As an indicator, measures of effectiveness denote changes in what is measured. For example, increases in the availability and deployability of Soldiers in the STB inform me that we are moving in the right direction in terms of deployability readiness.

The measure of performance, on the other hand, supports the execution of the measures of effectiveness. It is the "How to get after what you are doing." In other words, measures of performance are your metrics, checklists, matrixes, systems, etc., that confirm/deny whether the actions put in place to affect the measures of effectiveness are working. The measure of performance is also an indicator, as it shows the status of tasks. For example, a measure of effectiveness for the STB is the accurate accountability of assigned Soldiers. The measures of performance that evaluate the accuracy of accountability include the PERSTAT, Defense Readiness System, leave discrepancy metric, accountability formations, etc. These systems and processes are equally useful for monitoring the progress toward goals and objectives.

In sum, the importance of MOEs and MOPs cannot be overstated. If we don't measure what we are doing against a standard, we will never know what we are doing right. Ignoring MOEs and MOPs amounts to leading blindly with no sense of how effective the organization is performing.

So, let's talk:

- What are the MOEs and MOPs for your section?
- How are you measuring and assessing them?
- Send me your thoughts

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Subject: MEALS: Unpacking the Notion of "Holding Someone Accountable"

Teammates,

There's plenty of conversation across our formation about holding people accountable for their work. As is often the case, conversations about holding someone accountable generally centers on applying some sort of disciplinary action against the individual. A recent article on "MasterClass" brings some depth to the conversation. Here's a summary of the article:

- **Benefits of holding someone accountable**
  - Better team dynamics
  - Greater clarity of purpose
  - Improved performance

- **How to hold someone accountable**
  - Hold yourself accountable
  - Implement consequences when necessary
  - Make expectations clear
  - Offer constructive feedback
  - Set manageable goals

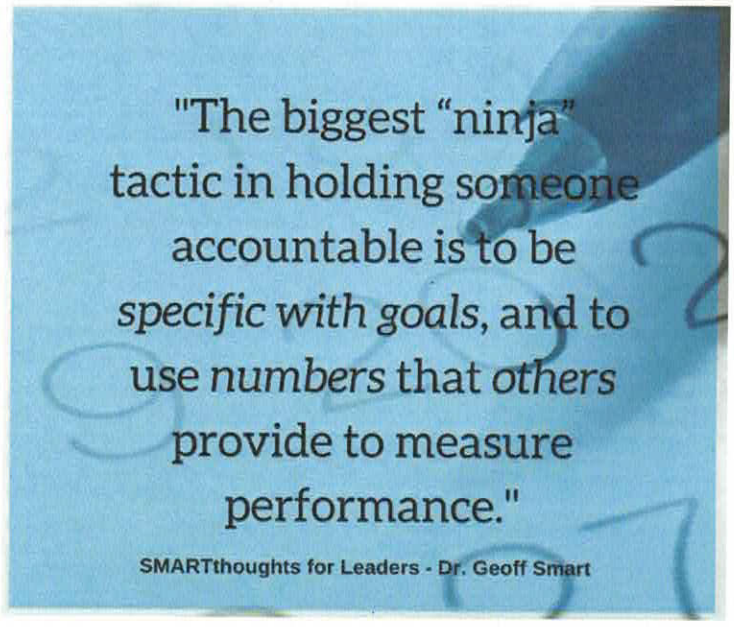
Personally, I found that having a good reputation helps in a leader's ability to hold someone accountable. Your "audio must match your video," in terms of what your say and what you do. This ties in with holding yourself accountable before holding others accountable.

For You:

- Please read the 3-min article – link below
- What does holding someone accountable mean to you?
- How are you holding someone accountable?
- Any thoughts on how we can improve as an organization in holding people accountable?

Please send your responses to me. I will summarize and share.

How to hold someone accountable: 5 Accountability Tips (3 mins read):
https://www.masterclass.com/articles/how-to-hold-someone-accountable





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Subject: MEALS: Best practices on getting after the Enduring Priorities

Team,

I appreciate the feedback from many of you. Here are some best practices shared:

- **Readiness (training, equipment, personnel):**
  - For those on Fort Bragg, maximize the convenience of the S1/Surgeon Cell in building to get after readiness
  - Include readiness discussions in section hurdles
  - Conduct a knowledge/skills gap analysis to ascertain readiness gaps in your sections

- **Leader Development (Outcomes that improve the organization and individual performance)**
  - Coaching approach to leader development, where the leader uses open-ended questions to help subordinates reach solutions or recommendations to problems. *The Coaching Method* by Michael Bungay Steiner talks in detail about this method.
  - Mini-Learning Moments: Take about 5 minutes to discuss new materials with the team or take about 5 minutes to learn a new material
  - Allow junior Soldiers to assume higher responsibilities within the section as it accelerates development
  - Avail Soldiers the opportunity to attend MOS-specific and non-MOS-specific courses.
  - Seek mentors outside the sections

- **Team building & partnership (Cohesive teams)**
  - Did you know the Chaplain can assist with team building activities? Take advantage of the HPW resources
  - Incentivize a winning attitude in your section by allowing for competitive events

- **Soldier and Family Care (Create a conducive environment for Soldier and Family success)**
  - Foster a predictable work environment
  - When appropriate, have flexible suspense dates on actions
  - Be aware that some married service members are responsible for dropping off/picking off their children from school
  - Have section leave plans to help with work predictability
  - Pay attention to the training calendar

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Subject: MEALS: Weekly Leadership Hack: Enduring Priorities

Team,

For this week's leadership hack, "How are you executing the brigade commander's FOUR ENDURING PRIORITIES in your sections and/or individual work?" Please send your thoughts to me ONLY. I will summarize and share best practices. Thank you.

ICYMI: The FOUR ENDURING PRIORITIES (The Big Four) are:

- **Readiness (training, equipment, personnel)** *How are you getting after MEDPROS, S1 metrics, etc.?*
- **Leader Development (Outcomes that improve the organization and individual performance)** *What does leader development look like in your section?*
- **Team building & partnership (Cohesive teams)** *When was the last time you had a team event in your section? What was it?*

- **Soldier and Family Care (Create a conducive environment for Soldier and Family success)** *What are you doing to foster Soldier and Family success? Do you have a relatively predictable work schedule in your section?*

Successful execution should be measured against your **professionalism, proficiency, and enthusiasm (P2E)** – the STB's three core competencies

MEALS: Let's Talk!

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Subject: Introducing M.E.A.L.S.

Team,

Introducing M.E.A.L.S: *Motifb32 Engaged and Active Leadership Series.

MEALS is the STB's umbrella brand for our leader development program. MEALS encompasses all the STB's leader development programs, including NCOPD, LPD, OPD, mentorship programs, etc. Using emails, newsletters, articles, writing workshops, reading clubs, seminars, quarter boards, ceremonies, SOPs, policies, and so on, MEALS seeks to foster a climate conducive to learning and development – collectively and individually.

Goals and end states of MEALS

- *Enable the STB to accomplish its mission*
- *Improve the STB*
- *Improve personnel capabilities for unit duties*
- *Increase personnel capabilities beyond current assignment*

On tap in the coming weeks/months:

- Weekly informational emails focused on leader development
- Five things you don't know about a service member spotlight
- Female mentorship program
- Reading club
- Quarterly HPW team building event
- NCO induction ceremony
- Town halls

**Motif b32 is the anthropology classification of the Phoenix bird.*

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Command Assessment Program (CAP) Preparation Guide

Version 3.0
03 June 2022

Fellow Army Leaders,

The Army's Command Assessment Program (CAP) marks a bold step toward ensuring that our most talented leaders are selected for command and other key billets. The Chief of Staff of the Army clearly articulated that the CAP is how we select our future commanders, command sergeants major, and other key leaders. CAP currently consists of the following programs: the Colonels Command Assessment Program (CCAP), the Battalion Commander Assessment Program (BCAP), the Acquisition Leader Assessment Program (ALAP), the Medical Command Assessment Program (MCAP), the Colonel & Division Chaplain Assessment Program (CCHAP/DCHAP), and the Sergeant Major Assessment Program (SMAP). Additional programs are under development.

This guide assists candidates for all populations to prepare for the CAP and helps units integrate activities into their broad leader development program. The CAP measures attributes and competencies articulated in the Army Leadership Requirements Model found in ADP 6-22, *Army Leadership and the Profession* and enables the Army to hold leaders accountable to our leadership doctrine. All CAP events are conducted with clear standards. The physical fitness, written communication, and verbal communication assessments are conducted with full transparency. However, a few events are opaque to preserve the long-term integrity of the assessments so the CAP continues to identify the most talented leaders for our Army. For participating leaders, we encourage you to prepare for the CAP. We designed this preparation guide to help you achieve that end. Your invitation to the CAP indicates that you have the ability to achieve strong results as a leader. CAP assists the Army in understanding **how** you achieve those results. While your record of evaluations will not be considered at CAP, that record remains the most heavily weighted component of the CAP system. Your scored past performance, which got you invited to CAP, gets added to several other scored events to produce the order of merit list (OML) for the Chief of Staff of the Army's approval. However, your past performance as calculated from the CSL board is different than that calculated on a promotion board. In many cases, the CSL board has the ability to consider additional information that was added to your file after the promotion board.

CSL selection and participation in the CAP as a part of that selection is an important milestone for leaders. We understand the importance of the CAP and that each candidate has individual circumstances that impact the decision to participate. Over the past three years, we have handled a number of cases requiring individual accommodations for candidates who are injured, wounded, pregnant, pending or recovering from surgery, or have individual life circumstances that impact the timing of taking command or key leader positions. We encourage candidates to communicate those circumstances with your HRC assignment manager and your identified CAP sponsor and, if necessary, request exceptions to policy. Early and accurate communication with your assignment officer and your CAP sponsor is essential to ensure we can consider your individual situation.

As a foundation, you should arrive at CAP well-rested, clear-headed, focused, physically fit, and ready to perform your best on a series of events that span four days. The CAP is designed to allow you to showcase your many strengths. The only person you are competing against is yourself. Regardless of the outcome from your participation in the CAP, you will emerge a more insightful, self-aware, and well-informed leader.

You should mentally prepare yourself to receive feedback. There are ample opportunities for developmental feedback. Candidates with high self-awareness and a willingness to receive feedback, benefit the most from the CAP. You will also have the

opportunity to volunteer for confidential executive coaching to assist you in your professional development.

We recommend that Army leaders develop their units and all Soldiers and Civilians, including CAP candidates, to assume leadership positions through their traditional leader development programs by modeling a positive, high standards command climate. We recommend against providing unit level, CAP-specific preparation or rehearsal events, as this effort may inadvertently steer candidates in the wrong direction. Instead, focus on the Army Leadership Requirements Model in ADP 6-22. This guide has some suggested activities to incorporate into unit leader development programs.

The secret to success at the CAP is to lead in accordance with the Army's leadership doctrine throughout your career. Please take the time to review this guide to assist in your preparation. If you have any additional questions, do not hesitate to contact the Army Talent Management Task Force. If you have difficulty with getting information specific to your situation, you may contact COL Bob O'Brien, robert.a.obrien12.mil@army.mil or COL Townley Hedrick, townley.r.hedrick.mil@army.mil.

Talent Wins!

Brett Funck
Brigadier General, U.S. Army
Director, Army Talent Management Task Force

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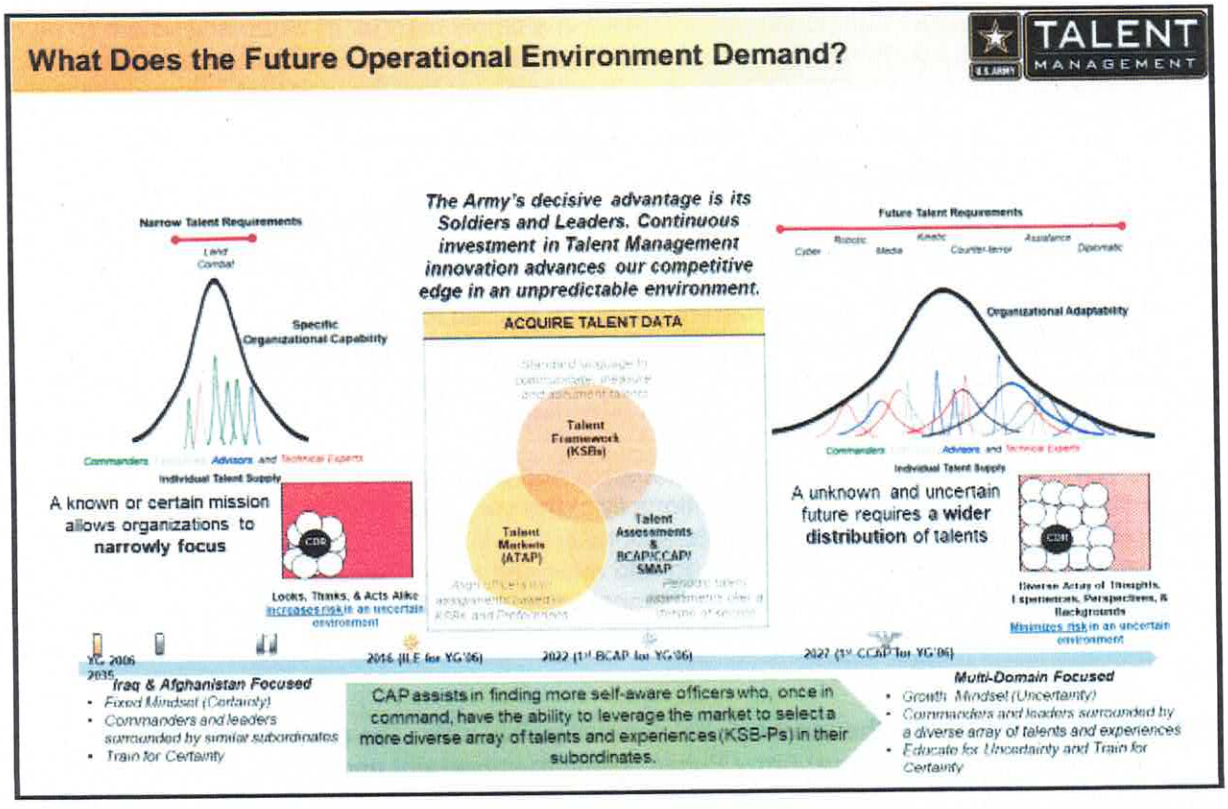
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Why the Command Assessment Program?

The Army adopted the Centralized Selection List (CSL) process in 1975 to address the challenge of selecting the best officers to command our battalion- and brigade-level formations. It was designed to ensure fairness and meritocracy during these critical personnel decisions. The CSL process is a good system that served the Army well for decades. However, CSL board members make a momentous decision when casting their vote about an individual on behalf of the Army with very little information in an average time of less than two minutes. With the rise of great power competitors that are eroding our economic and technological advantages, good is no longer good enough. We must ensure that we select the *best* leaders for our most significant leadership positions and, since the path to senior leadership commonly passes through battalion and brigade-level CSL positions, select leaders who also possess strong strategic potential.

The information age talent management system the Army is developing enables us to move beyond the narrowly focused mission set of the last two decades. Understanding People's individual talents allows us to build teams of commanders, executives, advisors, and technical experts that have a wider diversity of talents to better enable commanders and leaders to understand complex and vague problems. Predictive assessments, like those conducted at the CAP, provide each person a better opportunity to understand his/her own unique talents, as well as giving the Army more options to consider for employing its People.



Methodology

CAP provides additional, relevant information for the Army to make the best possible selection decisions for command, primary general staff, command sergeant major, and strategic leader positions. Woven throughout execution of the CAP is a process designed to create a holistic picture of a candidate's leadership readiness and potential, while collecting this information in a bias-reduced manner. The CAP uses a multitude of objective assessments to measure cognitive and non-cognitive abilities, written and verbal communications, physical fitness, leadership effectiveness, and counterproductive leadership frequency. The culminating assessment is the Army Comprehensive Talent Interview (ACTI), wherein senior Army leaders fuse together additional, relevant information to decide if a CAP candidate is *Ready* or *Not Yet Ready* for the selected position.

World-class, fair, consistent, and safe.

The standard for the CAP is a world-class, fair, consistent, and safe event and epitomizes professionalism and prioritizes the candidate experience from initial contact with the welcome letter through departure from Fort Knox.

First, it is ***world-class*** (but not gold-plated). The VCSA validates the conduct of every assessment and all aspects of the CAP candidate environment prior to execution, making it the best assessment and selection program of its size. For example, sponsor teams are assigned to every cohort to ensure candidates are informed in a timely manner of when and where to be for all events, and to assist with any issues that might detract from a candidate's experience. This allows all candidates to focus solely on putting their best foot forward and showcasing their many talents.

Second, it is ***fair***. The experience and assessments will neither advantage nor disadvantage any candidate based on their past experiences or current assignment. This is because all assessments are based on foundational Army leadership requirements found in the Army's doctrine. Examples of ensuring fairness includes authorizing OCONUS candidates to arrive early to acclimate, providing different reference articles for the argumentative essay, wearing business casual attire for all events except for the ACFT and Height/Weight assessment, and changing the questions used for the Army Comprehensive Talent Interview (ACTI) to ensure that later cohorts do not gain advantage over early cohorts.

Third, it is ***consistent***. The CAP experience and assessments are all conducted to the same standard and under the same conditions from the very first cohort to the last. For example, all standard cadre-candidate interactions are scripted to ensure consistency. The physical fitness assessment is administered and executed under the same conditions for all candidates and uses the same graders. Additionally, these graders conduct hundreds of rehearsals to ensure tight calibration including cross-checking video recordings of all assessed events.

Lastly, considering the recent global pandemic, it is ***safe***. The cadre employ the latest best practices from the CDC and Army Public Health to implement and enforce mitigation measures against COVID-19 transmission, ensuring that cadre, candidates, and their families will be safe. CAP 22 was executed with zero transmission cases at the height of the pandemic and CAP 23 concluded with an extremely limited number of transmission cases due to following these best practices.

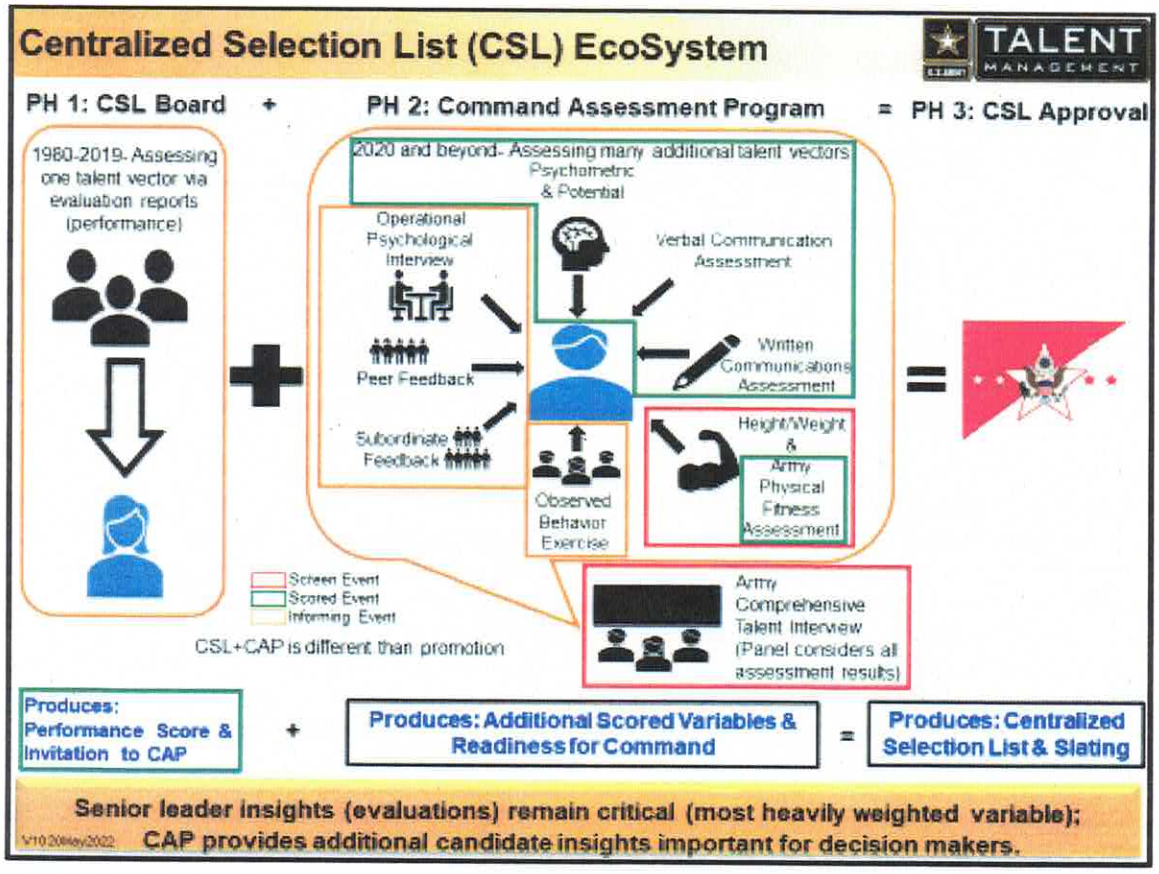
The Three-Phase CSL System.

Selection to fill these critical assignments occurs in three phases:

1. The Centralized Selection List (CSL) Board determines an invitation score which generates an invitation to the Command Assessment Program (CAP). This invitation score represents the vote of the chain of command and the candidate's record of past performance.

2. The CAP objectively assesses and recommends candidates to fill these critical positions and produces additional scored variables that get added to a candidate's performance score.

3. The Chief of Staff, Army (CSA), or the appropriate principal official for ALAP and SMAP, reviews the combined performance score and CAP scored results, validates the order of merit list (OML), then selects the leaders who have earned command or key billet positions and will be slated into those positions.



Army Comprehensive Talent Interview (ACTI).

The last assessment at the CAP is the ACTI, where a panel of senior Army leaders interviews all CAP candidates and considers the CAP assessment data. Because performance data found in candidate evaluation reports and record brief is already used during the CSL board to create the CAP invite list, this information is not made available for reuse at the CAP –

only assessments executed at the CAP and the peer-subordinate assessments are used. The panel members are responsible for two things: they score a candidate's verbal communication talents using the rubric found in this guide and each panel member makes an independent determination of whether the candidate is *Ready* or *Not Yet Ready* for a CSL or key billet position.

Crucial to the execution of the ACTI are the bias mitigation measures implemented to ensure a fair and consistent interview. The bias mitigation measures are based on decades of research and practice throughout academia, industry, and the military. This includes the use of a screen between the candidate and panel, creating a "double blind" interview where the candidate cannot see the panel members and the panel members cannot see the candidate. This focuses the panel on listening to the candidate's verbal communication and leadership experiences and prevents them from making decisions based on tabs, badges, combat patches, appearance, etc. Additionally, information presented is anonymized – no names or units. – All panel members receive bias mitigation training prior to panel operations and conduct a daily refresher. Finally, panel members use rubrics to further increase the consistency and reliability of their decisions.

Growth and Development.

The guidance from the CSA is clear about the CAP; it should be a redemptive process that allows a leader to identify "holes in their swing" then return in subsequent years, if eligible, to compete having had an opportunity to develop from the experience. For example, a large percentage of leaders determined NYRFC during previous CAPs were determined RFC in a second attempt.

While the primary purpose of the CAP is to assess and make recommendations, the Army has gradually built developmental opportunities into CAP that do not compromise the long-term integrity of the assessments. The CAP provides candidates a chance for self-reflection during preparation for, execution, and following the experience. Using a guided self-reflection worksheet, candidates participate in a developmental out-brief with a trained operational psychologist who provides the candidate with a holistic review of their leadership strengths and developmental needs using the information gathered at the CAP. Candidates are allowed to take detailed notes during this out-brief. Candidates are also offered the opportunity for confidential, professional coaching post CAP. The CAP will not provide any data to the coaches – most of them are not certified to handle data from the assessments. However, candidates may pass on any information they have received and have the opportunity to take the Emotional Quotient Inventory 2.0, or EQI-2.0, providing assessment data similar to some of the CAP assessments. Lastly, a candidate who is determined *Not Yet Ready* will be notified in person. **The first general officer in a candidate's chain of command may request additional information to assist in follow-on mentoring.**

The Army continues seeking potential developmental opportunities. However, in keeping with the primary purpose of using the CAP for predictive assessment and not compromising the long-term integrity of the instruments, candidates are not provided specific, granular performance feedback. This includes the peer and subordinate assessment (e.g., comments, number of assessors, number of yes/no recommendations) to maintain the anonymity of assessors and protect their input, the Command Assessment Program Strategic Assessment (CAPSA) (the SMAP equivalent is the Sergeant Major Assessment Battery, or SGM-AB), and the psychometrics. This does not prevent candidates from receiving relevant, useful insights

gained from these assessments. Candidates should approach the feedback opportunities ready to receive that feedback and ask questions about **how to apply** that feedback.

Building a Culture of Assessments.

The CAP events are predictive assessments in the broader context of a 21st Century Army Talent Management System. The Army is implementing a talent maximization structure inculcating a culture of assessments throughout a leader's career. While the initial CAP cohorts' first experience with assessments is the CAP, TRADOC is leading efforts through Project Athena to build a culture of assessments at professional military education (PME) venues. Project Athena assessments give leaders an opportunity to complete assessments and receive feedback, with the primary purpose being self-development. Assessment ratings enable leaders to develop the competencies and attributes of the Army Leadership Requirements Model - the areas the CAP assesses. For example, officers commissioned this year complete assessments at the Basic Officer Leader's Course (BOLC), the Captain's Career Course (CCC), and the Command and General Staff College (CGSC) before competing at the CAP over a decade and a half later. Enlisted Soldiers becoming Noncommissioned Officers (NCOs) this year will complete assessments at the Basic Leaders Course (BLC), Advanced Leaders Course (ALC), Senior Leaders Course (SLC), Master Leaders Course (MLC) and the Sergeants Major Course (SMC) before competing at the Sergeants Major Assessment Program approximately 20-27 ½ years later. This will provide our NCO corps five opportunities to leverage their strengths and improve on their leader development needs prior to CAP. In addition, the Army is currently conducting the 1SG Talent Alignment Assessment (TAA) to select NCOs for leadership positions.

Benefits of the CAP

Implementation of the CAP is yielding several benefits for the Army. The CAP selects leaders with proven leadership qualities for command and key billets. The data from the CAP reveals selected leaders are more cognitively capable, more effective in both written and verbal communication, more physically fit, and possess fewer counterproductive and ineffective leadership traits.

Because the CAP assesses readiness for command and potential, it ensures those leaders on the path to strategic leadership possess the requisite talents to be both successful field grade and strategic leaders.

Candidates participating in the CAP become more self-aware. In fact, the most important insight gained thus far from the CAP is that self-awareness is strongly correlated with both increased leader effectiveness and less frequent exhibition of counterproductive leadership behavior. While the CAP is designed as a predictive assessment program (as opposed to a developmental program), several CAP events provide opportunities to reflect deeply on past experiences and grow in substantial ways. Additionally, the developmental out-brief provides feedback tailored for each candidate to engender further reflection and self-improvement. The data collected during the CAP allows the Army to improve the management and development of its leader cohorts. This data is analyzed to identify cohort-wide or specific branch trends driving changes to programs of instruction (POIs) at professional military education venues. For example, the School for Command Preparation (SCP) uses select information from an officer's CAP performance to create tailored developmental opportunities for leaders attending the Pre-Command Courses (PCCs).

The CAP is driving positive behaviors amongst our leaders and formations. The inclusion of the peer and subordinate assessments influences leaders to follow the Army's leadership doctrine (ADP 6-22) while striving to treat all with dignity and respect. The Army now sees trends in training individual leaders and units on integral components of effective leadership, including verbal and written communication skills. In short, achieving results is no longer the only thing that matters for CSL selection. **How leaders achieve those results has risen in importance**.

How to Prepare

Candidates experience multiple assessments at the CAP. Preparation, though not required, may assist a leader to perform to his or her highest potential. Both individual leaders and units can create development plans, ideally as part of the overall leader development plan, to improve candidate performance at the CAP.

Lead in accordance with Army doctrine over time. The single-most influential thing that leaders can do to be successful at CAP is to be a productive and effective leader. This means more than just achieving strong results through leadership. **How leaders achieve those results in all jobs is important.** Candidates who arrive at CAP with a reputation for being highly effective while leading in a productive manner tend to be highly successful at CAP. This is more than just how candidates behave in the months prior to CAP. A career of productive and effective leadership is readily apparent to the voting panel. Similarly, those who consistently lead using counterproductive or ineffective methods may have difficulty. The voting panels understand that there will be instances in which leaders have made tough decisions and they can clearly see the long-term trend of each leader's style. ADP 6-22 is a candidate's best reference to understand productive and effective leadership.

LTC/GS-14, COL/GS-15, and SGM/CSM Assessments. Practice taking timed, conceptual assessments to improve your ability to focus on one task. Develop your ability to concentrate on a specific mental task and resist temptations to think about other things, such as checking your phone or a challenge you are experiencing at work. Additionally, review Chapter 10, "Strategic Leadership," ADP 6-22. Ensure you are engaging in balanced nutrition. At the CAP, make sure you are well rested and hydrated before and during each assessment.

Peer/Subordinate Assessment. Peers and subordinates have the ability to communicate to the voting panel how candidates lead and achieve results. It is normal for candidates to have some negative feedback on these reports. Panel members understand that leaders must make tough decisions and those instances stand out as anomalies in the vast majority of these assessments. The CAP uses three different instruments to collect peer and subordinate assessments. The **Army Commander Evaluation Tool (ACET)** is the instrument for the BCAP, CCAP, MCAP, DCHAP, and CCHAP populations. The ACET is slightly different for each population. It is tailored to the unique demands and challenges of battalion- and brigade-level leadership. The **Army Leader Assessment Tool (ALAT)** is the instrument for the Acquisition Corps in the BCAP and CCAP populations competing for primary general staff and key billet positions. The **Enlisted Leader Assessment Tool (ELAT)** is the instrument for the SMAP population. These instruments provide an opportunity for peers and subordinates to assess you based on past observable leadership behaviors. These instruments also provide a more complete understanding of your capabilities relative to the demands of command and key positions from those who have unique insight into your leadership effectiveness. These behaviors are grouped by leader attributes and competencies found in FM 6-22, *Leader Development,* and on the OER and NCOER support forms. You will also complete a self-

assessment. While these instruments – the ACET, ALAT, and ELAT – focus on capturing positive aspects of your leadership. They also assess the frequency with which you may engage in counterproductive leadership. We recommend:

Leaders

- Read FM 6-22. Reflect and assess your leadership in comparison to the Army leadership requirements model. Think of experiences over the past several years that give insight into your strengths and developmental needs—maybe a critical decision, an important task you led or were a part of, or a significant personal interaction.
- Sincerely ask your peers and subordinates to candidly tell you about your leadership strengths and developmental needs. Use the leadership requirements model to facilitate the conversation. Do not seek out peers and subordinates whom you perceive will provide positive feedback. Cast your net widely so you can receive tough, useful feedback. This can help identify strengths and developmental needs which went unnoticed or which you have been reluctant to acknowledge. One technique is to ask subordinates at the end of a counseling session what you can do to improve your performance. It might invite a conversation identifying you are not communicating effectively.
- Initiate a Social Awareness & Influence Assessment (SAIA) at this link: https://aeas.army.mil/program/TokenAccess.aspx?code=107311xFF2FBB (if the link does not work, copy and paste it into the internet browser). The SAIA provides an opportunity to assess your self-awareness and ability to influence others. Social awareness is the process leaders follow to perceive, analyze, and evaluate social interactions. Self-awareness entails monitoring yourself, others, and situations. Influence is how leaders shape what others think and do. Leaders use influence to energize others and accomplish tasks through others. Both self-awareness and influence are essential skills for leaders to master. The assessment takes approximately ten minutes to complete. This assessment is for self-development only and your report is confidential. You own this feedback and can share it with whomever you think may assist with your development (e.g., a coach, counselor, trusted peer, etc.). You are not required to share this feedback with anyone.

Units

- Create a unit-level LPD that incorporates the leadership requirements model and counterproductive leadership. Potential strategies and plans are in Chapter 2, "Program Development," FM 6-22.
- Work with units across your installation to combine efforts and provide unbiased feedback and assessment of your officers.
- Set up an anonymous, developmental peer and subordinate feedback system in your unit and have leaders take it at least yearly and following major training events. Ensure the chain of command does not have access to this data – for the program to be effective, all must know that the data will only be seen and given directly to the subjects by a confidential facilitator.

Written Communication. The written communication assessment is critical to ensure leaders can concisely and effectively communicate intent, orders, guidance, and feedback.

Written exercises assess, for all CAP populations, your ability to formulate a response to a specific writing task, to support and structure your response effectively, and to communicate your meaning to others. For BCAP, including all O-5/GS-14 special populations, the assessment also measures your ability to craft an argument. For CCAP, including all O-6/GS-15 special populations, the assessment measures your ability to craft an argument and your capacity for strategic thinking. We recommend the following preparation:

Leaders

- Read professional journal articles across a variety of disciplines. Identify best practices in organizing and communicating an effective argument. Seek out arguments that challenge your current thinking and think carefully about those arguments' construction. What was/wasn't persuasive? How did the author organize his or her evidence and analysis? What techniques did the author use to help you follow his or her logic? How is the article structured? Consider developing reverse outlines for the articles you read to help you pay attention to their specific elements.
- Read the published written exercise rubrics carefully. After studying each of the rubric criterion, practice identifying each of the moves in the professional articles you read (taking note that the rubrics are designed for specific writing assessments; not all articles, for instance, may be strategic in nature or present a distinct argument).
- Consider all job-related writing, including emails, to be practice for the written communication assessment. Assess your job-related writing using the written communication scoring rubrics in this guide.
- Practice sustained reading and writing tasks. In a single sitting, read a professional journal article and compose a response. As you read, take notes on the central thesis and lines of argument, paying careful attention to how the author uses evidence to make his or her argument. Practice identifying claims and conclusions and consider how they develop from the author's use of evidence. Then, take 45 minutes to write your response: select one of the claims or conclusions you've identified and explain in detail why it is persuasive (or why it isn't). What evidence was particularly effective? How did that evidence connect to the claim or conclusion you identified? How would you have made the same argument differently? How would you argue against the author?

Units

- Provide feedback on job-related writing, including emails and memoranda. Identify effective writing as well as writing that needs development and describe, constructively, why you find specific elements of others' writing to be effective or ineffective. As possible, include suggestions for improvement or models of effectiveness.
    - Conduct a professional writing LPD session. Assign a strong writer from your unit to select a professional article to read. Align the topic to your leader development program.
    - Provide 45 minutes to your leaders to read, and then provide them with the relevant CAP written exercise rubric (included below). As a group, discuss each of the rubric categories; where does the article succeed or fall short against each criterion? Through this discussion, ensure a

common understanding of the rubric and what the elements look like in practice. Schedule small-group follow-on sessions for leaders who have difficulty identifying rubric criterion (evidence, structure) in the article.
    - OR, practice composing a persuasive argument as a group. After reading the article, identify a different argument one could make on the same topic, using the evidence in the article. As a group, choose one or two arguments. For each, develop a thesis, lines of argumentation, and then discuss potential evidence and analysis that would support the thesis. Develop an outline that uses the discussion points. Schedule small-group follow on sessions for leaders who struggle to compose an outline or assemble evidence to support a thesis.
    - Repeat regularly.

Physical Fitness Assessment. Physical fitness is the cornerstone of combat readiness and represents an essential element of command and leadership. The APFT served as the physical fitness assessment at BCAP21, CAP22, and CAP23. The Secretary of the Army has approved the Army Combat Fitness Test (ACFT) for use as the physical assessment instrument for CAP24. Candidates will be required to take the Army Combat Fitness Test (ACFT) in accordance with Army Directive 2022-05. Candidates are expected to take the full six event ACFT unless they are on a permanent or temporary profile. Guidance for those on profile is outlined in respective population CAP MILPERs. Graders adhere to ACFT event grading standards and go through rigorous validation and calibration procedures to ensure they are grading events fairly and consistently. Graders video every candidate's performance on each event to check consistency and give candidates the opportunity to fairly challenge the results of failing an event. The CAP24 ACFT is "For Record" and is a scored event that counts toward a candidate's order of merit score. Based on this, we recommend:

Leaders

- Accurately assess where you are physically and set challenging goals.
- When training, ensure you complete each ACFT event to published standard.
- Work with an experienced ACFT grader who will correct your form and periodically film your events so you can check your form.
- Set monthly goals and check your progress with full diagnostic ACFTs.

Units

- Train your graders on the movement/range of motion standards articulated in ATP 7-22.01: *Holistic Health and Fitness (H2F) Testing*, or *https://www.army.mil/acft/.*
- Ensure graders enforce these standards during the execution of the ACFT so the CAP candidates have an accurate assessment on their current level of fitness.
- Video record the events and visually instruct leaders on correct form (as required) to meet standards.

The Army Comprehensive Talent Interview (ACTI). The ACTI is a structured, behavior-based interview conducted by a panel of senior Army leaders. A behavior-based interview uses past behavior to project how someone will behave in the future; this contrasts with hypotheticals not necessarily grounded in past behavior. The interview is double blind, meaning neither you

nor the panel members see each other. Additionally, information the panel sees is anonymous – they only see your roster number. The panel will know nothing about your branch, past experiences, former units, evaluation pattern, etc. The interview process and questions are consistent for all candidates to ensure a fair experience. The panel assesses your verbal communication using the rubric included in this guide. The double blind interview technique focuses the panel on your verbal communication skills. Your non-verbal communication is not assessed. You will have thirty seconds to formulate a response, after the panel moderator or panel member asks a question. At the conclusion of the thirty seconds, the person who asked the question will restate the question and await your response. After reviewing the CAP assessment results and the interview, each voting panel member makes an independent determination on whether you are *Ready* or *Not Yet Ready*. To help prepare for the verbal communication assessment that is part of the ACTI, we recommend:

Leaders

- Review the verbal communication rubric provided with this guide.
- Practice interviewing and answering behavior-based questions with another person. Use the rubric to assess whether you provide a complete and concise answer (argument). If helpful, you may use the STAR method (Situation, Task, Action, Result) provided with this guide to ensure you provide a complete response. Note, the STAR method is not required to provide an excellent response. Record your practice interviews so you can watch and self-assess. Focusing solely on your verbal communication, replicating the CAP experience, either erect a screen or conduct the interview via phone or an online platform with the video off.
- Ask for feedback on your verbal communication skills. Provide the rubric to colleagues and ask them to comment on your strengths and developmental needs for verbal communication.
- Create a plan to work on your development needs. Periodically ask those same colleagues (and others) for feedback on your progress. Review Chapter 7, "Learning and Development Activities", FM 6-22 which gives specific suggestions on how to improve your communication skills (paragraphs 7-33 through 7-39).

Units

- Develop an interview training plan.
  - Conduct mock interviews for leaders using behavior-based questions that explore leadership experiences (Note: The ACTI is not a knowledge-based quiz of doctrine or tactics).
  - Score the interviews using the verbal communication rubric in this guide.
  - Record these mock interviews and provide them to your leaders so they can compare how the panel scored the interview versus their own self-assessment.
  - Go beyond scoring the interview's verbal communication by discussing the leadership lessons available from the interview conversation.
- Provide feedback on verbal communication regularly using standard meetings and interactions. Use the rubric to articulate strengths and development needs.
- Integrate behavior-based interviewing techniques for your assignment marketplace interviews.

SUGGESTED REFERENCES

Links

ADP 6-22, *Army Leadership and the Profession*

FM 6-22, *Leader Development*

Center for Army Profession and Leadership (CAPL), https://capl.army.mil and Interactive Leader Development Guide (army.mil)

Articles

"Reinventing the Leader Selection Process"
https://hbr.org/2020/11/reinventing-the-leader-selection-process

"Battalion Commanders Are the Seed Corn of the Army"
https://warontherocks.com/2019/12/battalion-commanders-are-the-seed-corn-of-the-army/

"The Army's NFL Combine: The Battalion Commander Assessment Program"
https://mwi.usma.edu/armys-nfl-combine-battalion-commander-assessment-program/

Podcasts

"The Battalion Commander Assessment Program Results Explained"
https://fromthegreennotebook.com/2021/01/21/season-2-ep-4-major-general-jp-mcgee-the-battalion-commander-assessment-program-results-explained/

"The CAP Experience: Feedback, Reflection, and Army Coaching"
https://talent.army.mil/podcast/episode-2/

Videos

Battalion Commander Assessment Program (8 minutes):
https://www.youtube.com/watch?v=TY8yRyhlYS4

Inaugural Battalion Commander Assessment Program Results (3 minutes):
https://www.youtube.com/watch?v=tMYfdnPTOJU

Paving the Way: The BCAP Experience (4 minutes)
https://www.youtube.com/watch?v=svX_eFzrUS8

BCAP Documentary (30 minutes)
https://www.youtube.com/watch?v=qUWncCpSQF0

Articles from BCAP Candidates

"What I Learned from the Army's New Battalion Commander Assessment Program"
https://www.armytimes.com/news/your-army/2020/02/10/what-i-learned-from-the-armys-new-battalion-commander-assessment-program/

"I Took Part in the Army's New Battalion Commander Assessment Program: Here's What I Learned"
https://mwi.usma.edu/took-part-armys-new-battalion-commander-assessment-program-heres-learned/

"The Hidden Benefit of the Army's New Commander Assessment Program"
https://fromthegreennotebook.com/2020/11/10/the-hidden-benefit-of-the-armys-new-commander-assessment-program/

WRITTEN COMMUNICATION RUBRIC (Officer & Civilian CAP)

The Army assesses your written communication abilities during the CAP. Part of the written communication assessment will involve constructing an essay in response to a specific writing task. Graders assess essays using the relevant rubric outlined below. The CAP will not release specific scores and weights for this assessment.

Substance:

A. Does the essay advance a compelling and clear thesis that answers the prompt?

B. Does the essay effectively incorporate evidence, logic, and reasoning that supports its claims?

C. Overall, does the essay demonstrate insight and/or originality?

D. (***CCAP only***) Does the essay demonstrate comprehension of strategic issues and clear, effective deployment of strategic thinking?

Organization:

A. Does the essay employ an organizational pattern/structure that is coherent and systematically developed?

B. Are transitions between arguments/elements/paragraphs of the essay evident?

C. Does the essay end with a conclusion/statement that reinforces the thesis?

Style and Mechanics:

A. Does the essay demonstrate economy and clarity of language?

B. Does the essay demonstrate facility with conventional writing with respect to grammar and mechanics, to include spelling, punctuation, subject-verb agreement, etc.?

WRITTEN COMMUNICATION RUBRIC (SMAP)

Substance:

A. Does the essay answer the prompt in a clear, effective, and compelling way?

B. Does the essay effectively incorporate evidence, logic, and reasoning that supports its claims?

C. Overall, does the essay demonstrate insight and/or originality?

Organization:

A. Does the essay employ an organizational pattern/structure that is coherent and systematically developed?

B. Do the essay's transitions between elements, paragraphs, and ideas provide appropriate emphasis and control over meaning?

Style and Mechanics:

A. Does the essay demonstrate economy and clarity of language?

B. Does the essay demonstrate facility with conventional writing with respect to grammar and mechanics, to include spelling, punctuation, subject-verb agreement, etc.?

VERBAL COMMUNICATION RUBRIC

The CAP includes the Army Comprehensive Talent Interview (ACTI), where a panel of senior Army leaders interviews candidates. The panel assesses a leader's verbal communication skills and overall readiness for command. Panel members will use the following rubric to assess each candidate's verbal communication. The CAP will not release specific scores and weights for this assessment.

Key Behaviors	Ineffective	Somewhat Effective	Effective	Exceptional
**Clearly communicates thoughts and ideas to others*	Thoughts and ideas lack coherence to each other and are disorganized or random; difficult to follow answer or train of thought.	Thoughts and ideas are listed or ordered without clear structure; wandering at times.	Thoughts and ideas are connected.	Thoughts and ideas flow logically from one to another; building cohesive answers.
**Uses logic, relevant facts, and examples in dialogue; expresses well-organized ideas*	Rationale for positions or courses of action are unclear, disorganized, or missing; points, decisions, and conclusions left unsupported.	Argument for positions or courses of action lack sufficient detail, relevance, or feasibility; points and conclusions supported with examples, which may or may not be pertinent.	Singular or limited argument made to support position or course of action; points and conclusions often supported with relevant examples, analogies, vignettes, etc.	Builds sound arguments for position or course of action; points and conclusions enhanced and/or clarified by germane examples, analogies, vignettes, etc.
**Avoids miscommunication; verifies shared understanding*	Follow-up responses negate or contradict prior statements or arguments.	Follow-up responses repeat previous statements or arguments; misses opportunities to clarify and extend shared understanding.	Follow-up responses provide new insights and further clarity to earlier points.	Follow-up responses extend shared understanding by expounding upon previous statements and reframing ideas to better reach diverse audiences.
**Communicates articulately and with confidence*	Verbal disfluencies and/or use of fillers (e.g., hmm, ah, huh, er, etc.) render the message ineffective. Speaks hesitantly or stutters, insecure in delivery of answer.	Verbal disfluencies and/or use of fillers (e.g., hmm, ah, huh, er, etc.) limit understanding and/or creditability. Stumbles in delivery.	Speaks with confidence and composure; message is understandable.	Articulate; speaks with confidence and enthusiasm, maintaining listener interest.

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STAR Method

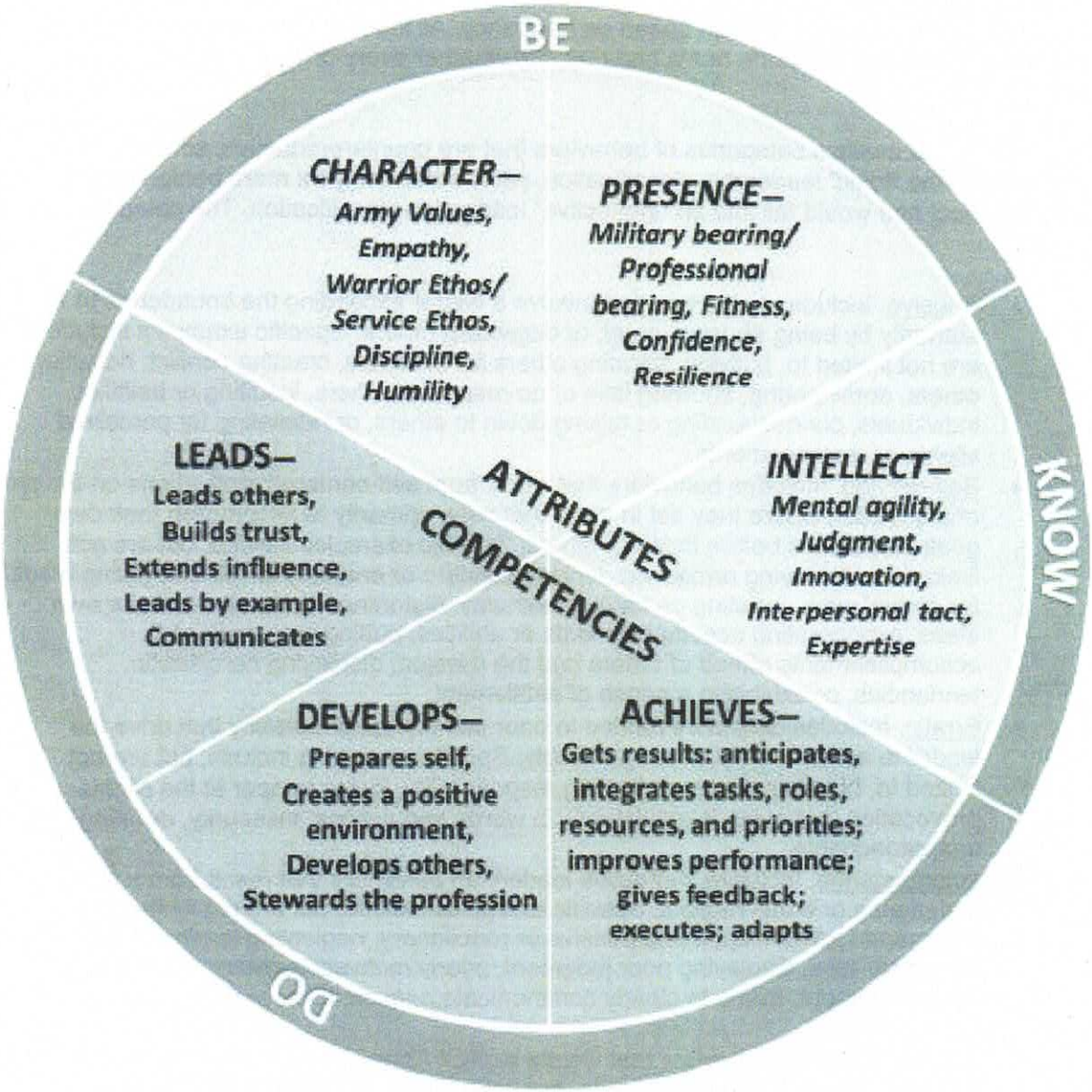


Situation – Briefly describe the specific Situation you experienced. Seek relatively recent situations.
Task – Briefly describe the Task you needed to accomplish. It should be work-related.
Action – Describe the Action you took. If it was a team environment, it is important to describe your specific role and actions - describe what you, not the team, did.
Result – Describe the Results. How does the story end? Did you accomplish the goal?

Examples of Behavior-based Interview Questions

1. Describe a situation where your initial assumptions about a task turned out to be wrong.
2. Tell us about a leadership decision where you had to consider serious risks.
3. Describe a situation where you were in a leadership position and had to put your views aside to help your team complete an assignment.
4. Give us an example where your listening skills proved important to an outcome.
5. Most assignments are fast paced. Provide an example of when you were in a leadership position and managed to "get everything done" in a very busy time.
6. Tell us about a time when you set a goal to improve your professional performance.
7. Describe a time when were in a leadership position and you developed and implemented a vision.
8. Tell us what you have done recently to stay on top of professional trends and issues.

ARMY LEADERSHIP REQUIREMENTS MODEL, FM 6-22, *Leader Development*

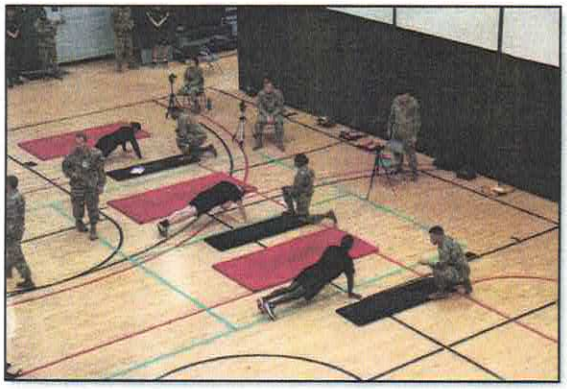


Counterproductive Leadership

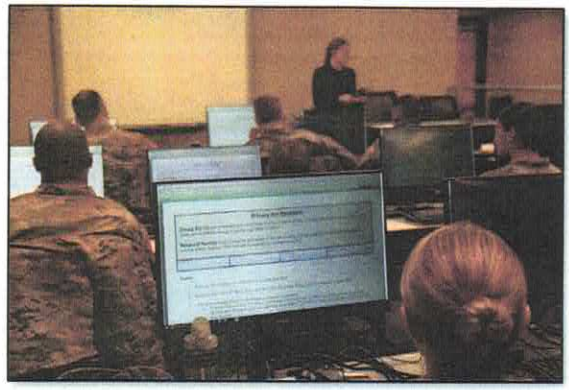
ADP 6-22 defines counterproductive leadership as "the demonstration of leader behaviors that violate one or more of the Army's core leader competencies or Army Values, preventing a climate conducive to mission accomplishment" and states that it generally leaves organizations in a worse condition than when the leader arrived and has a long-term effect on morale and readiness. All leaders are susceptible to demonstrating counterproductive leadership, and so it is a continuum based on frequency. All leaders can have a bad day, and so it is not about whether someone has a bad day, but whether every day with that leader is a bad day.

There are multiple categories of behaviors that are counterproductive, some of which would fall into the "toxic" leadership classification, while others may be more benign but have the same effect and would fall into an "ineffective" leadership classification. The categories include:

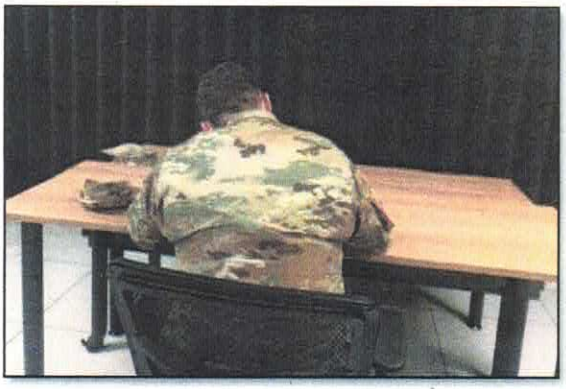
- Abusive. Includes behaviors that involve a leader exceeding the boundaries of their authority by being abusive, cruel, or degrading others. Specific examples include, but are not limited to, bullying, berating others for mistakes, creating conflict, ridiculing others, domineering, showing little or no respect to others, insulting or belittling individuals, condescending or talking down to others, or retaliating for perceived slights or disagreements.
- Self-serving. Includes behaviors that result from self-centered motivations on the part of the leader, where they act in ways that seek primarily to accomplish their own goals and needs before those of others. Specific examples include, but are not limited to, displaying arrogance, lacking concern or empathy for others, taking credit for others' work, insisting on having their way, distorting information to favor own ideas, exaggerating accomplishments or abilities, putting own work and accomplishments ahead of others and the mission, displaying narcissistic tendencies, or exhibiting a sense of entitlement.
- Erratic. Includes behaviors related to poor self-control or volatility that drive the leader to act erratically or unpredictably. Specific examples include, but are not limited to, blaming others, deflecting responsibility, losing temper at the slightest provocation, behaving inconsistently in words and actions, insecurity, or being unapproachable.
- Incompetence. Includes ineffective leadership behaviors that result from a lack of experience or willful neglect. Specific examples include, but are not limited to, unengaged leadership, being passive or reactionary, neglecting leadership responsibilities, displaying poor judgment, poorly motivating others, withholding encouragement, failing to clearly communicate expectations, or refusing to listen to subordinates.
- Corrupt. Includes behaviors that violate explicit Army standards, regulations, or policies. Specific examples include, but are not limited to, dishonesty, misusing government resources or time, creating a hostile work environment, EEO/SHARP violations, or violating UCMJ.



CAP ACFT Hand Release Push-up Event



CAP Computer-based Assessment Session



CAP Candidate View of ACTI



CAP Panel Members

FW: ADO for DEROG delegation

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 14, 2023 at 01:56 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Monday, December 12, 2022 4:14 PM
To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: FW: ADO for DEROG delegation

Sir.

You appointed the XO to be a software program. Is that what you wanted??

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil

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

From: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>
Sent: Monday, December 12, 2022 8:44 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Subject: FW: ADO for DEROG delegation

SFC Forbes,

Here was the ADO again as requested.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Cell) 864-556-4053

From: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA)
Sent: Thursday, December 8, 2022 3:12 PM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Cc: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>
Subject: FW: ADO for DEROG delegation

Please see attached ADO for STB. LTC Furlow will delegate reportable actions down to Maj Weber unless they are O-4 or the recommendation is to take the soldiers' clearance.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Cell) [redacted]

From: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Sent: Thursday, December 8, 2022 2:52 PM
To: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>; Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Subject: RE: ADO for DEROG delegation

Signed

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: [redacted]
SVOIP: 239-3066

From: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>
Sent: Thursday, December 8, 2022 2:41 PM
To: Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: ADO for DEROG delegation

Sir,

Attached is the ADO for the DEROG delegation we discussed earlier. Let me know if you need me to make any changes.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Cell) [redacted]

smime.p7s
6.5kB

STB ADO Defense Information System.pdf
184.8kB

FW: ADO for DEROG delegation

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

To: paxmas2007@yahoo.com

Date: Wednesday, June 14, 2023 at 01:51 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Monday, December 12, 2022 5:41 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: ADO for DEROG delegation

SFC F,

Yeah, no worries will see if I can work it through there channels.

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: Monday, Dec 12, 2022 at 5:39 PM
To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: RE: ADO for DEROG delegation

No Sir

Between spending 1.4 hours on C-cure due to manning issues and about an hour on being counselled out of on the spot corrections, which is a direct part of my appointed duties as INFOSEC Officer, by the time I got to 1SFC I only had time to catch an important office that was open prior to everyone closing for the day. I will not be able to attempt this tomorrow as my OIC has a meeting and lunch scheduled for me after 389th S2 comes up for some requested guidance. Can the S6 help as they would have likely put it up through their channels?

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
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From: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Sent: Monday, December 12, 2022 5:34 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: ADO for DEROG delegation

SFC F,

Also any luck with tracking down the policy in reference to the ETP?

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: Monday, Dec 12, 2022 at 4:14 PM
To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: FW: ADO for DEROG delegation

Sir.

You appointed the XO to be a software program. Is that what you wanted??

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
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NIPR: michael.j.forbes.mil@socom.mil
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Subject: FW: ADO for DEROG delegation

SFC Forbes,

Here was the ADO again as requested.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Cell) [redacted]

From: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA)
Sent: Thursday, December 8, 2022 3:12 PM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Cc: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>; Scheffing, Matthew J PFC USARMY USSOCOM USASOC (USA) <matthew.j.scheffing.mil@socom.mil>
Subject: FW: ADO for DEROG delegation

Please see attached ADO for STB. LTC Furlow will delegate reportable actions down to Maj Weber unless they are O-4 or the recommendation is to take the soldiers' clearance.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Cell) [redacted]

From: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Sent: Thursday, December 8, 2022 2:52 PM
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Subject: RE: ADO for DEROG delegation

Signed

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: [redacted]
SVOIP: 239-3066

From: Henkel, Eric C SGT USARMY USSOCOM USASOC (USA) <eric.c.henkel.mil@socom.mil>
Sent: Thursday, December 8, 2022 2:41 PM
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Cc: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: ADO for DEROG delegation

Sir,

Attached is the ADO for the DEROG delegation we discussed earlier. Let me know if you need me to make any changes.

SGT Henkel, Eric
Security Manager
528th Sustainment BDE
(Office) 910-432-0827
(Cell) [redacted]

smime.p7s
6.5kB

DEPARTMENT OF THE ARMY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
UNITED STATES ARMY SPECIAL OPERATIONS COMMAND
FORT BRAGG, NORTH CAROLINA 28310

AOSC-FM

28 November 2022

MEMORANDUM FOR RECORD

SUBJECT: Brigade Staff Duty Roster

1. The following individuals are scheduled to perform Staff Duty (SD) for the following dates IAW the published Brigade SD SOP, 5 Jan 15:

DATE	RANK	SDO	RANK	SDNCO	RANK	SD RUNNER
1-Dec-22	2LT	Farmer	SFC	LICONTE, L	PFC	Armour, Xavier
2-Dec-22	1LT	RAMIREZ, J	SSG	Johnson, Eric	SPC	SIXBEY, E
*3-Dec-22	CW3	WAVE, WILLIAMS	SFC	Lloyd	SPC	Wright, Caleb
*4-Dec-22	CW2	DIAZ, R	SSG	HURLEY, ZACHARY	SPC	AYERS, TYLER
5-Dec-22	CW2	HAMMOND, JUSTIN	SFC	KINGLOCK, D	SGT	Garcia
6-Dec-22	MAJ	DEBAUGH, L	SSG	Jones, Jesse	SGT	HENKEL, E
7-Dec-22	MSG	HENDRICKSON, CECI	SSG	Bruckner, M	SPC	Scott, Barion
8-Dec-22	MSG	TAVERAS, L	SSG	LAWSON, J	PFC	Eagles, Joseph
9-Dec-22	1LT	IM, WILLIAM	SFC	Mowatt, Daniel	SGT	Schleis
*10-Dec-22	CW3	GORDON, R	SFC	MAINVILLE, R	SPC	RANDLETT, GRAHAM
*11-Dec-22	MAJ	LEGGETT, JULIE ANN	SFC	Balancier	SGT	HAMILTON, J
12-Dec-22	MSG	GOLLARDO, E	SSG	Hallmark, Spencer	SPC	MAMIE, ANTHONY
13-Dec-22	MSG	MAJESTIC, WILLIAM	SSG	ROWE, J	SPC	Toronto
14-Dec-22	CPT	MELENDEZ, A	SFC	Orosco, Stephen	SPC	Bright, Kent
15-Dec-22	1LT	Maldonado	SSG	Bruckner, B	PFC	Colomenares, Luis
16-Dec-22	MSG	MORRIS, D	SFC	Parker, Rick	SGT	VENTURINO, N
*17-Dec-22	1LT	MIDGETT, JONATHA	SSG	JOHNSON, E	SPC	RICHARDSON, JULIUS
*18-Dec-22	CPT	FORTE, J	SSG(P)	Maguire, Kortland	SGT	Reid
19-Dec-22	1LT	MATTHEWSON, JONA	SSG	PARTIN, S	SPC	Peterson, Tilmon
20-Dec-22	MAJ	PHILBIN, J	SSG	Davis	PFC	Cobban, Brian
21-Dec-22	CW2	REUTER, SEAN	SFC	Serrano, Marco	SGT	WILKINS, J
22-Dec-22	MSG	SANTAMARIA, A	SSG	NAJAFISHOSHTARI, R	PFC	Johnson, Michael
*23-Dec-22	CW2	Lopez	SSG	Hansen, Joshua	SPC	HODKINS, CAL
*24-Dec-22	CPT	FRENCH, B	1SG	Sherling	SGT	QUINONES, M
*25-Dec-22	CPT	CLAYTON, ANTHONY	SFC	DERBY,	SGT	Luo
*26-Dec-22	CPT	LAVIN, M	SFC	Dejesus, Antonio	PFC	Patterson, Jessica
27-Dec-22	2LT	Langan	SSG	Polk	SGT	GOWDY, HUNTER
28-Dec-22	CPT	WINTER, D	SSG	Harper, Zachery	SSG	Taylor, Nate
29-Dec-22	1LT	SPARROW, BRANDON	SFC	BOHLER, D	PFC	AARON, SHAWNA
*30-Dec-22	MAJ	DEAL, R	SSG	Caderao, Justin	SPC	Pennicoy, Codae
*31-Dec-22	CW2	TORRESBONILLA, DA	SSG	PLUMMER, T	PFC	MEIJAHERNANDEZ, M

2. Tour of duty and uniform, all days: 0900-0900; weekend/holidays are indicated by *.

FW: your requested regulation

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

To: paxmas2007@yahoo.com

Date: Thursday, June 8, 2023 at 12:30 PM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, December 13, 2022 8:58 AM
To: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>
Subject: your requested regulation

1SG Morgan

Here is the regulation that you requested during yesterday's event-oriented counseling.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

“In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;” – William Shakespeare

Recommended reading from LTC Hamman’s farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
6.5kB

USASOC Regulation 25-2, USASOC Cybersecurity Program.pdf
1.9MB

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Tuesday, December 13, 2022 10:10 AM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA)
Subject: FW: Facebook PICs of phones
Attachments: USASOC Regulation 25-2, USASOC Cybersecurity Program.pdf
Signed By: michael.j.forbes7.mil@mail.mil

Ma'am:

Forgot to add you.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Tuesday, December 13, 2022 7:34 AM
To: Furlow, Burton LTC USARMY USSOCOM USASOC (USA) <burton.furlow.mil@socom.mil>
Subject: Facebook PICs of phones

Sir

You may want to investigate the posting of PICs depicting phones on the Internet. I am reporting what I witnessed and was informed of. I recommend notifying the ISSO as well.
The PAO informed me yesterday that the PAO was on leave last Friday when these posts were made. Someone else, evidently, posted pictures of Cell Phones on tables located inside the BN Classroom. Here are references out of the attached document.

10-3. Information Safeguards

a. The PAO is the only authorized release authority for the command and will post reviewed, approved, and releasable USASOC information on systems and websites that are publicly available....

c. Internet use will not reflect adversely on USASOC or DoD. Prohibited examples include, but are not limited to, engaging in the activities listed in chapter 9, table 9-1 Examples of Security Infractions and Violations. These activities may trigger a cybersecurity incident (see chapter 9). Refer to USASOC policy 10-18, AR 25-13, AR 360-1, and DoD 5500.07-R, Joint Ethics Regulation for additional guidance.

Table 9-1 (continued) Examples of Cybersecurity Infractions and Violations Security Infractions: • Examples: Using or possessing unauthorized PEDs or other unauthorized electronic devices in USASOC facilities: • Entering with or using unauthorized electronic equipment in USASOC facilities • Using Government issued mobile devices within USASOC facilities without approval or proper documents.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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	2. GRADE / RANK	3. DOD ID	4. COMPONENT / DUTY STATUS
FORBES, MICHAEL J.	E-7/SFC	[redacted]	USA/ACTIVE

5. PREFERRED CONTACT TELEPHONE *(Duty, home, and / or cell)*	6. E-MAIL ADDRESS(ES)
[redacted]	michael.j.forbes.mil@socom.mil

7. UNIT AND COMPLETE MILITARY ADDRESS *(Point of Contact/Telephone if applicable)*	8. PREFERRED MAILING ADDRESS *(If different from military address, including ZIP Code)*
528th Sustainment Brigade (SO) (A) X-4047 New Dawn Drive Fort Bragg, NC 28310	[redacted]

9. SPECIFIC ACTION REQUESTED *(What do you want the IG to do for you?)*
Company/BN Support of USASOC 25-2/INFOSEC Security Officer Prevention Programs, Co. CDR to stop destroying INFOSEC Officer's work and posting phones on Facebook, all w/ no retaliation, BN CSM/CDR to rescind restrictions on INFOSEC Officer's responsibility to immediately remediate PED violations in our BN work areas. BN CSM to not ever touch me without proper cause.

10. HAVE YOU CONTACTED YOUR CHAIN OF COMMAND OR ANY AGENCY CONCERNING THIS REQUEST? *(Explain for both yes and no responses.)*
☑ Yes ☐ No Attempted to get support from the Acting BN CDR, MAJ Weber, BN CDR LTC Furlow, BDE DCO LTC Sanchez, currently reaching out to 1SFC G2, USASOC G6, TECHSEC, and INFOSEC Personnel and IG (LTC Howsden, SFC Hylton and Mr. Smith)

11. INFORMATION PERTAINING TO THIS REQUEST *(Be specific and detailed. List any supporting documentation or enclosures if applicable.)*
There is a lot of documentation to include paperwork, videos, Facebook screenshots, Wireless Detection Reports, internal signage and reported verbal/text/email communications, and more to follow this initial complaint. I delivered the event-oriented counseling from CSM Emekaekwue (20221212) and my Non-Standard Physical Security and Information Security Officer ADOs to you personally at the IG office yesterday (20221212). The Co. CDRs actions should be reported for adjudication per USASOC 25-2. I have confidence in the DCSA's adjudication process. The more I attempt to proactively promote INFOSEC programs the more resistance and perceived allegations are levied at me verbally and now it seems it is getting physical. I was invited upon request to stand in front of BN formation during our last formation of the CY22 and was physically pushed back into formation prior to completion and not asked back to complete this important message This action caused many in the formation to laugh at me and, unfortunately, diffused this important National Security message. I professionally direct SMs to remove PEDs when discovered. More evidence to follow.

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)*	16. IG / INTAKE REMARKS
FORBES.MICHAEL.JEFFREY.[redacted] Digitally signed by FORBES.MICHAEL.JEFFREY[redacted] Date: 2022.12.13 06:56:40 -05'00'	20221213	

DA FORM 1559, APR 2021
PREVIOUS EDITIONS ARE OBSOLETE.

FW: SGT Henkel's files

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

To: paxmas2007@yahoo.com

Date: Tuesday, April 18, 2023 at 08:34 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, December 13, 2022 9:58 AM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: SGT Henkel's files

Ma'am

A SFC asked me to badge CPT David Winter this morning. IET badge him I went to BN S2 to check with SGT Henkel; he was not available. I looked for the SM file and his trainings were not present so I provided the SFC with the training sheet. Upon opening the file to support this SM I noticed a "derog" file quite easily. I took the file out of the filing cabinet as they cannot be openly stored nor can they be comingled with daily PSM personnel files.

SGT Henkel came to our office and asked me not to go into his files. I said, I won't anymore.

We need an RFS system for support to the BN S2 IOT stem any of these issues. If we do support, we need a way forward to correct serious deficiencies such as this. I will await your way forward.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: [redacted]

☎ NIPR: (910) 908-8788

☎ BB: [redacted]

☎ Staff Office: (910) 908-8787

☎ SIPR: [redacted]

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

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

“In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;” – William Shakespeare

Recommended reading from LTC Hamman’s farewell email to 528th staff:

https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
5.4kB

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Fort Bragg LEC	20221214 MF	0755 MF	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Forbes, Michael, J	[redacted]	E-7/AC

8. ORGANIZATION OR ADDRESS
528th Sustainment BDE Special Operations (ABN) (WJTDAA)

9. I, MF SFC FORBES, MICHAEL J., WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

ON 12DEC2022 @ NO615 I WAS IN 528TH SB (SO)(A), (BN FORMATION) ADJACENT TO PARKING LOT SEGMENT AREA DIRECTLY BEHIND X-4047, NEW DAWN DR. FT BRAGG NC 28310. 1SG MORGAN WAS PUTTING OUT INFORMATION TO THE ENTIRE BN PRESENT AT THAT TIME. UPON COMPLETION HE ASKED IF ANYONE HAD ANYTHING TO PUT OUT. GIVEN THE IDENTIFIED SMALL & LARGE ISSUES IDENTIFIED RECENTLY BY ME, THE APPOINTED INFORMATION SECURITY OFFICE FOR THE BDE, I REQUESTED AND WAS GIVEN PERMISSION BY 1SG TO COME FORWARD AND ADDRESS WHAT I SAID WAS A "COMMERCIAL" HE SAID, "COME ON UP!" I PROCEEDED TO THE FRONT OF THE FORMATION AND SAID "GOOD MORNING [EVERYONE]," AND NO ONE RESPONDED. I INFORMED THE BN THAT "PEDS CANNOT BE BROUGHT INTO OUR BUILDING (AS I POINTED AT OUR BDE HQ BUILDING). I KNOW I AM NOT THE MOST FAVORITE PERSON RT NOW BUT THAT'S OK. I PUT THIS OUT WITH POSTED SIGNS ON THOSE DOORS BUT SOMEONE TOOK THEM DOWN. WE CAN'T... THIS WHEN THE BN CSM (EMEKAEKWUE) CAME UP FROM BEHIND ME FROM THE RIGHT SIDE, PLACED BOTH HANDS ON MY SHOULDERS AND BEGAN PUSHING ME BACK TOWARDS THE FORMATION SAYING "OK, SERGEANT MF

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 5 PAGES
	MF	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC FORBES, MICHAEL J TAKEN AT FORT BRAGG, NC DATED 20221214

9. STATEMENT (Continued)

MF FORBES, THAT'S ENOUGH." I WAS TRYING TO FINISH AND WAS SAYING "INSTITUTIONALIZE THE USE OF PHONES IN OUR BUILDING!" I STOOD IN FORMATION AND SALUTED A FLAG THAT DID NOT SOUND AT THAT TIME IMMEDIATELY FOLLOWING MY ARRIVAL BACK IN FORMATION. HE PUSHED ME, MANDHANDLED ME, ASSAULTED ME FOR A DISTANCE OF OVER 10 FT WHICH RESULTED IN MEMBERS OF THE FORMATION TO LAUGH AT ME WHICH FURTHER DIFFUSED THE IMPORTANT NATIONAL SECURITY MESSAGE THAT I AM APPOINTED TO PROMOTE PER USAREC 25-2, PARA 9. THIS IS IMPORTANT BECAUSE I REQUESTED A WIRELESS DETECTION SCAN THROUGH 1SFC IG AND ANTICIPATE AN IMMINENT VISIT FROM THE [redacted] PRIOR TO THIS EVENT, THURSDAY 8 DEC 2022 MY OIC WAS NOTIFIED OF A SCAN OR "SWEEP." THE SWEEP WAS TO OCCUR ON 9 DEC 2022. THE SWEEP RESULTED IN 2 CELL PHONES FOUND IN THE BEX-4047 AND TWO WIRELESS SIGNALS OUTSIDE THE SCIF CRISES FOR THE INSPECTORS DURING THE "SWEEP." THE IMPORTANCE WAS FURTHER COMPOUNDED BY THE POSTING OF A PICTURE ON FACEBOOK OF (OUR BAE FB PAGE) A TABLE, LOCATED IN OUR BN CLASSROOM DURING A HOLIDAY PARTY CONDUCTED THE NIGHT OF 8 DEC 2022 IN WHICH 1-2 PHONES ARE VISIBLE IN THE PICTURE WHICH IS NOT IN ACCORDANCE WITH USAREC 25-2, PARA 10-3. THE BDE CDR & CSM, BN CDR & CSM, THE CO. CDR (HHC) & 1SG MORGAN WERE DEPICTED IN OTHER PICS AT THIS HOLIDAY PARTY. THE BN CDR & [redacted] WERE NOT IN THE PICTURE WITH THE PHONES. THESE OCCURRENCES LIKELY CONSTITUTE THE NEED FOR MORE PREVENTION MESSAGES AS TOLD INFOSEC OFFICER SI I ATTEMPTED TO ACCOMPLISH THAT. THE BDE CDR & CSM WERE PRESENT AT THIS FORMATION AND HAVE NOT OR DID NOT DO ANYTHING TO REMEDIATE OR STOP SFC E.'S ASSAULT TO THE TIME OF THIS STATEMENT. I AM FILING AN EO COMPLAINT TODAY. AFTER LATER THAT DAY I WAS ORDERED TO CSM E.'S OFFICE IN 1SG MORGAN PRESENCE WHERE I WAS PRESENTED WITH A EVENT-ORIENTED COUNSELING IN WHICH I WAS NOTIFIED "IN THE EVENT MF

INITIALS OF PERSON MAKING STATEMENT MF

DA FORM 2823, NOV 2006

APD LC v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC FORBES, MICHAEL I TAKEN AT FORT BRAGG NC DATED 20221214

9. STATEMENT (Continued)

MF THAT YOU NOTICE SOMEONE OUT OF COMPLIANCE, REPORT THEM TO YOUR OIC. DO NOT CONFRONT THEM." THIS DOES NOT PERMIT ME TO SUPPORT USASOC 25-2 OR AR 380-5 OR ANY OF THE MANY PERTINENT REGULATIONS OR POLICIES THAT SUPPORT OUR NATIONAL SECURITY OR CLEARANCE SUITABILITY PROGRAMS. I WANT HE TO REPORT THIS ON MONDAY 12 DEC 2022.

PRIOR TO THIS, ON TUESDAY, 6 DEC 2022, ~~THE~~ CSM E AND I HAD A DISCUSSION ABOUT MY [redacted] AND HE ASKED ME OVER & OVER AGAIN WHY DIDN'T YOU NOTIFY THE BDE CDR ABOUT THE COACH ENCOURAGING PHONES ~~DURING~~ IN OUR BUILDING. TO PRESERVE THE INTEGRITY OF AN UPCOMING "SWEEP" I COULD NOT DIVULGE TO THE CSM E THAT A SWEEP WAS COMING. HE TOLD ME I SHOULD HAVE DISCUSSED THIS WITH THE BDE CDR. TO SATISFY HIS CONCERN I TOLD HIM I WILL CONSIDER THIS AND, EVEN THOUGH I CAN'T GO BACK IN TIME I WILL NOTIFY ALL CHAIN FORWARD. I HUNG THE SIGNS ON ALL OUTER (AND SOME INNER SPACES) ~~THROUGHOUT~~ THE EXTERIOR DOORS. THIS WAS THE BDE CDR'S ALL SMS ARE AWARE OF MY PREVENTIVE EFFORTS.

~~LAST~~ YESTERDAY @ N 1630 I REALIZED THAT FOOTAGE OF THE INCIDENT WAS MISSING FROM 3 MOTION DETECTION CAMERAS IN OUR C-CURE 9000 SYSTEM. THIS ASSAULT WAS LIKELY ERASED.

NOTE: IMMEDIATELY FOLLOWING THE COUNSELING'S SIGNATURE BY BOTH CSM E AND ME. THE CSM DISMISSED ISG MORGAN AS HE REACHED FOR THE DOOR I REQUESTED HE STAY TO ~~[redacted]~~ MF ~~[redacted]~~'S MY NEXT COMMENT. I SAID, "CSM, THIS MORNING, AT FORMATION, WHEN YOU CAME UP FROM BEHIND ME & PLACED BOTH OF YOUR HANDS ON BOTH OF MY SHOULDERS AND PUSHED ME BACK ~~INTO~~ TOWARDS THE FORMATION, THIS MADE ME UNCOMFORTABLE. I WOULD APPRECIATE IF YOU NEVER TOUCH ME AGAIN UNLESS I DISPLAY BEHAVIORS THAT COULD INDICATE I AM SUICIDAL OR VIOLENT, WHICH I AM NOT." HE APOLOGIZED. MF

INITIALS OF PERSON MAKING STATEMENT MF

DA FORM 2823, NOV 2006

APD LC v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF SFC FORBES, MICHAEL J TAKEN AT Fort Bragg NC DATED 2022 12 14

9. STATEMENT (Continued)

MF ON 13 DEC 2022, AT I WAS WALKING IN THE BUILDING MY CAC CARD WOULD NOT WORK AT 2 OF THE BACK DOORS. INTERESTINGLY, CSM E CAME WALKING IN. I WAS NERVOUS AS HE APPROACHED BUT INFORMED HIM I COULDN'T GET IN AN REGEAN WALKING TOWARDS HIM TO ENSURE THE ACTUATION OR THE CAMERAS BETWEEN BOTH DOORS (CSM & BN DOOR SUITE). I FOLLOWED HIM IN AND IMMEDIATELY GOT UPSTAIRS. I DO NOT FEEL COMFORTABLE TO BE ALONE W/ HIM BECAUSE HE WAS BOLD ENOUGH FOR THIS UNPROVOKED ASSAULT IN FRONT OF EVERYONE. THIS IS COUNTERPRODUCTIVE (TOXIC) BEHAVIOR AND MUST BE STOPPED. MF

MF
Q: PFC Starr
A: SFC FORBES
Q: In detail how did the CSM "put his hands on you"?
A: AS I DEPICTED IN THE STATEMENT ABOVE.
Q: What is the BN CSM's Contact Information?
A: HE IS THE SPECIAL TROOPS BN. CSM OF 528TH SB (SO) (A); I DON'T HAVE HIS CONTACT INFORMATION ON MY PERSON AT THIS TIME.
Q: Would you like to add anything to this Statement?
A: YES. SOMEONE SHOULD HELP ME PRESERVE ~~THE~~ OR RETRIEVE THE CAMERA FOOTAGE DEPICTING THIS EVENT.
Q: Would you like to add anything else to this Statement?
A: NO. MF /// End of Statement /// MF

INITIALS OF PERSON MAKING STATEMENT MF

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF SFC FORBES, MICHAEL J TAKEN AT Fort Bragg NC DATED 20221214

9. STATEMENT *(Continued)*

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 14 day of December , 2022 at Fort Bragg, NC, 28310

(Signature of Person Administering Oath)

Starr, Declan, R
(Typed Name of Person Administering Oath)

Article 136(b)(4) UCMJ
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT MP

DA FORM 2823, NOV 2006

APD LC v1.01ES

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MF Forbes, Michael J SFC USARMY USSOC... 2/9
You: Sent an image

Recent

KM Masiero-Ferguson, Kristen L CIV USSOC... 6/7
You: i don't want tyou to be pressed for time on t...

NL Lloyd, Nicholas T SFC USARMY USSOC... 5/22
Sent a file

MZ Zorn, Martin R SFC USARMY USSOCOM... 5/3
https://spectrumlocalnews.com/nc/charlotte/new...

CK Keneda, Charles E SPC USARMY USSOC... 5/3
https://spectrumlocalnews.com/nc/charlotte/new...

DT Tyrpin, David A SSG USARMY USSOCO... 3/29
Thank you

Phyall, Bobby M SSG USARMY USSOC... 3/29
https://hr.ippsa.army.mil/psp/hcpdc/?cmd=login

Johnson, Johanna M MAJ USARMY US... 3/22
The POC for 389th is LT Lyon's, they should be a...

JP Paris, Justin J MSG USARMY USSOCOM ... 3/8
You: smiley face here

JP Philbin, Jeffrey M MAJ USARMY USSOC... 3/2
You: what is the preferred method for a couple of...

SV Vincent, Shaun C CIV USSOCOM USAS... 2/14
You: ok

IC Chustek, Ian L MAJ USARMY USSOCO... 2/13
You: Sir

Smith, Chase E CIV USSOCOM USASOC ... 2/8
You: ok

Williamson, Isaiah J CIV USSOCOM USASOC (USA)

Chat | Files | Organization | Activity

5/21/21 10:58 AM
i have a quick question for you when you have time

December 15, 2022

12/15/22 3:54 PM
do you have time for a quick call

December 16, 2022

12/16/22 8:33 AM
Sir Let me know when you send it cause my email is slooooooow

thank you so much

Williamson, Isaiah J CIV USSOCOM USASOC (USA) 12/16/22 8:59 AM Edited
sent

12/16/22 2:22 PM
that was great information thank you.

Type a new message

Sent Items ... | Williamson ... | Williamson,...

12:39 PM
6/8/2023

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Williamson, Isaiah J CIV USSOCOM USASOC (USA)
Sent: Friday, December 16, 2022 8:59 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Cc: Portable Electronic Request; 1SFC-G2-SECURITY; Vargas, Sandrea A CSM USSOCOM USASOC (USA)
Subject: PED use is restricted in locations used to store/process/discuss CUI and Classified
Attachments: 20221017_USASOC Regulation 25-2 Final.pdf
Signed By: isaiah.j.williamson.civ@mail.mil

SFC Forbes,

I'm adding the team that process command wide PED ETPs here at USASOC HQ, 1SFC G2 security managers, and CSM Vargas on this email for situational awareness.

This is a follow up email regarding the use of portable electronic (phones, electronic medical devices, cameras, etc) at locations such as gyms, barracks, and dining facilities.

****

USASOC Regulation 25-2 on page 4 defines secure and non-secure facilities:
a. USASOC facilities are defined for this document as:
(1) *USASOC secure facilities*: include any USASOC site used to discuss, store, process, or access controlled unclassified information (CUI) or classified data, including USASOC HQ, CSCs, and CSUs.
(2) *USASOC non-restricted facilities*: include any USASOC site not used to discuss, store, process, or access CUI or classified data do not have restrictions on the use of wearable fitness devices, such as barracks, gyms, and dining facilities.
****

Gyms, barrack, or dining facility are considered non-restricted if they are NOT used to discuss, store, process, or access CUI or classified data. If a barracks, gym, or dining facility (which were only used as examples of potential non-sensitive locations in USASOC policy) is used for anything regarding CUI or classified data, then it is considered a secure area and PED use is restricted without an exception to policy. Facility exemptions have only been granted in the past when SIPR was completely removed from the facility.

v/r,

Isaiah J Williamson, CISSP
IT Program Manager (INFOSEC)
HQ ISSM, ALT
USASOC G6, Cybersecurity

NOTICE: This email may contain, CONTROLLED UNCLASSIFIED INFORMATION (CUI), PLEASE HANDLE ACCORDINGLY. Under the Privacy Act of 1974, you must safeguard personnel information. Disclosure of information is governed by Title 5, United States Code, Section 552a Public Law 93-579, DoDD 5400.11, DoDR 5400.11-R and applicable service directives. Do not release outside of DoD channels without the consent of the originator's office. Any misuse or unauthorized disclosure may result in either civil or criminal penalties. If you receive this message in error, please notify the sender by reply e-mail and delete all copies of the message.

PERSONNEL ACTION

For use of this form, see PAM 600-8; the proponent agency is DCS, G-1.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: Title 10, USC, Section 3013, E.O. 9397 (SSN), as amended

PRINCIPAL PURPOSE: To request or record personnel actions for or by Soldiers in accordance with DA PAM 600-8.

ROUTINE USES: The DoD Blanket Routine Uses that appear at the beginning of the Army's compilation of systems of records may apply to this system.

DISCLOSURE: Voluntary; however failure to provide Social Security Number may result in a delay or error in processing the request for personnel action.

1. THRU *(Include ZIP Code)*	2. TO *(Include ZIP Code)*	3. FROM *(Include ZIP Code)*
	Commander 389th MI BN (SO) (A) ATTN: S1 Fort Bragg, NC 28310	Commander 528th Sustainment Brigade (SO) (A) ATTN: S1 Fort Bragg, NC 28310

SECTION I - PERSONAL IDENTIFICATION

4. NAME *(Last, First, MI)*	5. GRADE OR RANK/PMOS/AOC	6. SOCIAL SECURITY NUMBER
FORBES, MICHAEL J.	SFC/ 35F	[redacted]

SECTION II - DUTY STATUS CHANGE *(AR 600-8-6)*

7. The above Soldier's duty status is changed from _____ to _____ effective _____ hours, _____ _____

SECTION III - REQUEST FOR PERSONNEL ACTION

8. I request the following action: *(Check as appropriate)*

	Service School *(Enl only)*		Special Forces Training/Assignment
	ROTC or Reserve Component Duty		On-the-Job Training *(Enl only)*
	Volunteering For Oversea Service		Retesting in Army Personnel Tests
	Ranger Training		Reassignment Married Army Couples
	Reassignment Extreme Family Problems		Reclassification
	Exchange Reassignment *(Enl only)*		Officer Candidate School
	Airborne Training		Asgmt of Pers with Exceptional Family Members

	Identification Card
	Identification Tags
	Separate Rations
	Leave - Excess/Advance/Outside CONUS
	Change of Name/SSN/DOB
X	Other *(Specify)* INTRA-POST MOVE

9. SIGNATURE OF SOLDIER *(When required)*

10. DATE *(YYYYMMDD)*

SECTION IV - REMARKS *(Applies to Sections II, III, and V)* *(Continue on separate sheet)*

You are reassigned as indicated below. No travel involved.

Reassigned from: 528th Sustainment Brigade (SO) (A) (WJTDAA) Fort Bragg, NC 28310
Assigned to: 389th Military Intelligence Battalion (Airborne) (WKENT0) Fort Bragg, NC 28310
Reporting Date: 20 December 22
Movement Designator Code: NZO9
Additional Instructions: This is a brigade directed move, No Cost Move (NCM), Early Reporting is authorized. Point of contact is 528th SB (SO) (A) S1 at 910-908-8297.

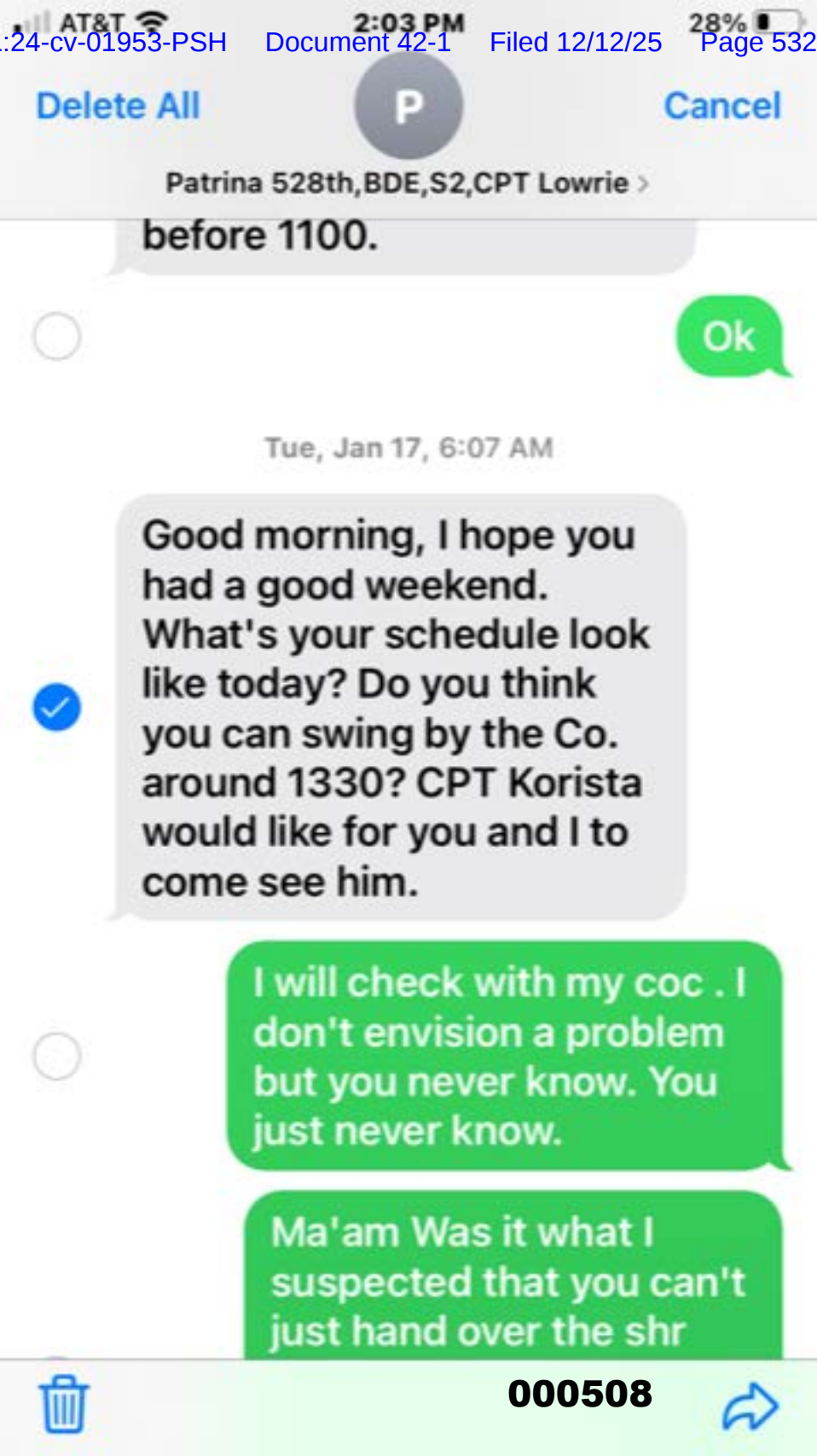
Distribution:
1- Soldier
1- Cdr, 528th (SO) (A) ATTN: S1
1- Cdr, 389th MI BN (A) ATTN: S1
1- File

SECTION V - CERTIFICATION/APPROVAL/DISAPPROVAL

11. I certify that the duty status change *(Section II)* or that the request for personnel action *(Section III)* contained herein -

☐ HAS BEEN VERIFIED ☐ RECOMMEND APPROVAL ☐ RECOMMEND DISAPPROVAL ☒ IS APPROVED ☐ IS DISAPPROVED

12. COMMANDER/AUTHORIZED REPRESENTATIVE	13. SIGNATURE	14. DATE *(YYYYMMDD)*
TRINITY M. MARKLE, SFC, BDE, S1 NCOIC	MARKLE.TRINITY.M. [redacted] Digitally signed by MARKLE.TRINITY.M. [redacted] Date: 2022.12.20 10:34:53 -05'00'	20221220


AT&T
2:03 PM
28%
Delete All
P
Cancel
Patrina 528th,BDE,S2,CPT Lowrie
before 1100.
Ok
Tue, Jan 17, 6:07 AM
Good morning, I hope you had a good weekend. What's your schedule look like today? Do you think you can swing by the Co. around 1330? CPT Korista would like for you and I to come see him.
I will check with my coc . I don't envision a problem but you never know. You just never know.
Ma'am Was it what I suspected that you can't just hand over the shr

PERSONNEL ACTION

For use of this form, see PAM 600-8; the proponent agency is DCS, G-1.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY:	Title 10, USC, Section 3013, E.O. 9397 (SSN), as amended
PRINCIPAL PURPOSE:	To request or record personnel actions for or by Soldiers in accordance with DA PAM 600-8.
ROUTINE USES:	The DoD Blanket Routine Uses that appear at the beginning of the Army's compilation of systems of records may apply to this system.
DISCLOSURE:	Voluntary; however failure to provide Social Security Number may result in a delay or error in processing the request for personnel action.

1. THRU *(Include ZIP Code)*	2. TO *(Include ZIP Code)*	3. FROM *(Include ZIP Code)*
	Commander 389th MI BN (SO) (A) ATTN: S1 Fort Bragg, NC 28310	Commander 528th Sustainment Brigade (SO) (A) ATTN: S1 Fort Bragg, NC 28310

SECTION I - PERSONAL IDENTIFICATION

4. NAME *(Last, First, MI)*	5. GRADE OR RANK/PMOS/AOC	6. SOCIAL SECURITY NUMBER
FORBES, MICHAEL J.	SFC/ 35F	[redacted]

SECTION II - DUTY STATUS CHANGE *(AR 600-8-6)*

7. The above Soldier's duty status is changed from _____ to _____ effective _____ hours, _____ _____

SECTION III - REQUEST FOR PERSONNEL ACTION

8. I request the following action: *(Check as appropriate)*

☐ Service School *(Enl only)*	☐ Special Forces Training/Assignment	☐ Identification Card
☐ ROTC or Reserve Component Duty	☐ On-the-Job Training *(Enl only)*	☐ Identification Tags
☐ Volunteering For Oversea Service	☐ Retesting in Army Personnel Tests	☐ Separate Rations
☐ Ranger Training	☐ Reassignment Married Army Couples	☐ Leave - Excess/Advance/Outside CONUS
☐ Reassignment Extreme Family Problems	☐ Reclassification	☐ Change of Name/SSN/DOB
☐ Exchange Reassignment *(Enl only)*	☐ Officer Candidate School	☒ Other *(Specify)* INTRA-POST MOVE REVOKE
☐ Airborne Training	☐ Asgmt of Pers with Exceptional Family Members	

9. SIGNATURE OF SOLDIER *(When required)*	10. DATE *(YYYYMMDD)*

SECTION IV - REMARKS *(Applies to Sections II, III, and V) (Continue on separate sheet)*

The following orders are revoked:

Assigned to: 389th Military Intelligence Battalion (Airborne) (WKENT0) Fort Bragg, NC 28310
Reporting Date: 20 December 22
Movement Designator Code: NZE8
Additional Instructions: This revocation supersedes all previous DA Form 4187s regarding this reassignment. Point of contact is 528th SB (SO) (A) S1 at 910-908-8297.

Distribution:
1- Soldier
1- Cdr, 528th (SO) (A) ATTN: S1
1- Cdr, 389th MI BN (A) ATTN: S1
1- File

SECTION V - CERTIFICATION/APPROVAL/DISAPPROVAL

11. I certify that the duty status change *(Section II)* or that the request for personnel action *(Section III)* contained herein -

☐ HAS BEEN VERIFIED ☐ RECOMMEND APPROVAL ☐ RECOMMEND DISAPPROVAL ☒ IS APPROVED ☐ IS DISAPPROVED

12. COMMANDER/AUTHORIZED REPRESENTATIVE	13. SIGNATURE	14. DATE *(YYYYMMDD)*
TRINITY M. MARKLE, SFC, BDE, S1 NCOIC	MARKLE.TRINITY.M [redacted] Digitally signed by MARKLE.TRINITY.M [redacted] Date: 2023.01.17 15:54:08 -05'00'	20230117

DA FORM 4187, MAY 2014 SUPERSEDES DA FORM 4187, JAN 2000 AND REPLACES DA FORM 4187-1-R, APR 1995

PERSONNEL ACTION

For use of this form, see PAM 600-8; the proponent agency is DCS, G-1.

DATA REQUIRED BY THE PRIVACY ACT OF 1974

AUTHORITY: Title 10, USC, Section 3013, E.O. 9397 (SSN), as amended

PRINCIPAL PURPOSE: To request or record personnel actions for or by Soldiers in accordance with DA PAM 600-8.

ROUTINE USES: The DoD Blanket Routine Uses that appear at the beginning of the Army's compilation of systems of records may apply to this system.

DISCLOSURE: Voluntary; however failure to provide Social Security Number may result in a delay or error in processing the request for personnel action.

1. THRU *(Include ZIP Code)*	2. TO *(Include ZIP Code)*	3. FROM *(Include ZIP Code)*
	Commander 389th MI BN (SO) (A) ATTN: S1 Fort Bragg, NC 28310	Commander 528th Sustainment Brigade (SO) (A) ATTN: S1 Fort Bragg, NC 28310

SECTION I - PERSONAL IDENTIFICATION

4. NAME *(Last, First, MI)*	5. GRADE OR RANK/PMOS/AOC	6. SOCIAL SECURITY NUMBER
FORBES, MICHAEL J.	SFC/ 35F	[redacted]

SECTION II - DUTY STATUS CHANGE *(AR 600-8-6)*

7. The above Soldier's duty status is changed from _____ to _____ effective _____ hours, _____ _____

SECTION III - REQUEST FOR PERSONNEL ACTION

8. I request the following action: *(Check as appropriate)*

	Service School *(Enl only)*		Special Forces Training/Assignment		Identification Card
	ROTC or Reserve Component Duty		On-the-Job Training *(Enl only)*		Identification Tags
	Volunteering For Oversea Service		Retesting in Army Personnel Tests		Separate Rations
	Ranger Training		Reassignment Married Army Couples		Leave - Excess/Advance/Outside CONUS
	Reassignment Extreme Family Problems		Reclassification		Change of Name/SSN/DOB
	Exchange Reassignment *(Enl only)*		Officer Candidate School	X	Other *(Specify)* ATTACHMENT ORDERS
	Airborne Training		Asgmt of Pers with Exceptional Family Members		

9. SIGNATURE OF SOLDIER *(When required)*

10. DATE *(YYYYMMDD)*

SECTION IV - REMARKS *(Applies to Sections II, III, and V) (Continue on separate sheet)*

You are attached as shown below:

Attached to: 389th Military Intelligence Battalion (Airborne) (WKENT0) Fort Bragg, NC 28310
Effective Dates: 20 December 22 - until properly released from attachment.
Additional Instructions: This is a brigade directed move, No Cost Move (NCM). Point of contact is 528th SB (SO) (A) S1 at 910-908-8297.

Distribution:
1- Soldier
1- Cdr, 528th (SO) (A) ATTN: S1
1- Cdr, 389th MI BN (A) ATTN: S1
1- File

SECTION V - CERTIFICATION/APPROVAL/DISAPPROVAL

11. I certify that the duty status change *(Section II)* or that the request for personnel action *(Section III)* contained herein -

☐ HAS BEEN VERIFIED ☐ RECOMMEND APPROVAL ☐ RECOMMEND DISAPPROVAL ☒ IS APPROVED ☐ IS DISAPPROVED

12. COMMANDER/AUTHORIZED REPRESENTATIVE	13. SIGNATURE	14. DATE *(YYYYMMDD)*
TRINITY M. MARKLE, SFC, BDE, S1 NCOIC	MARKLE.TRINITY.M [redacted] Digitally signed by MARKLE.TRINITY.M. [redacted] Date: 2023.01.17 15:55:33 -05'00'	20230117

Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	E35F NO INSIGNIA
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Career Mapping

2024 PZ 2025 2026 2027 2028 PZ 2029 2030

SFC MSG

Deployable

Readiness

MRC Code:	MRC2	Current Asgt. End:	20280430	Security Clearance Type:	
MRC Reason:	ITEMS THAT CAN BE CORRECTED IN LESS THAN 72 HOURS	YMAV Date:	202310	Clearance Effective Date:	
MRC Reason Start Date:	20221205	EFMP End Date:	-----	Investigation Type:	
PHA Exam Date:	20220606	MACP Date:	-----	Investigation Status:	
PULHES:	111111	ETP Date:	-----	Investigation Status Date:	

SFPA FLAGS

Restriction	Code	Begin Date	End Date
-----	-----	-----	-----

Skills

0 Self-Professed

PROFESSIONAL LICENSES		PROFESSIONAL CERTIFICATIONS		DEFENSE LANGUAGE PROFICIENCY TEST (DLPT)				LANGUAGES (SELF-PROFESSED)			
License	Expiration Date	Certification	Certified Date	Language	Listening	Reading	Speaking	Language	Listening	Reading	Speaking
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

ATTRIBUTES (SELF-PROFESSED)

Attribute	Rating	Date
-----	-----	-----

Experience

0 Self-Professed

DEPLOYMENTS

Short Tours:	0	CBT:	5
Long Tours:	0	OPN:	0
DROS:	-----	RES:	0
DEROS:	-----	Dwell Start:	-----
		Dwell Duration:	-----

MILITARY EXPERIENCE: ***DEPLOYMENTS*** / ASSIGNMENTS

Asgt	From	# Months	UIC	Organization	Station	Location	Cmnd	Duty Title	MOS
Current	20230104	1	WKENT0	-----	FORT BRAGG	NC	SP	INTELLIGENCE ANALYST	E35F
1st Prev	20210305	23	WJTDAA	-----	FORT BRAGG	NC	SP	STANDARD EXCESS	99999Z
2nd Prev	20200928	5	WKENA0	-----	Invalid Location - Placeholder	VA	SP	SR INTEL SERGEANT	E35F
3rd Prev	20170929	36	WAC8T0	-----	CP EDERLE	AE	E1	SR INTEL SERGEANT	E35F
4th Prev	20160827	13	WAC8D0	-----	CP EDERLE	AE	E1	INTELLIGENCE SERGEANT	E35F
5th Prev	20151031	10	WHQLF0	-----	FT BRAGG	NC		INTELLIGENCE SERGEANT	E35F

See STP online for additional 24 rows.

CIVILIAN WORK EXPERIENCE (SELF-PROFESSED)

Employment	Job Title	Start Date	End Date	Duration
-----	-----	-----	-----	-----

ADDITIONAL DUTIES (SELF-PROFESSED)

Duty Title	Start Date	End Date
-----	-----	-----

Knowledge

0 Self-Professed

CIVILIAN EDUCATION

Degree	School	Location	Level	Graduation Date
MASTER OF BUSINESS ADMINISTRATION	U PITTSBURGH	PA USA		19960101
BACHELOR OF SCIENCE	PENN ST U ERIE-BEHREND CLG	PA USA		19900101

THESIS & CAPSTONE (SELF-PROFESSED)

Title	Year
-----	-----

MILITARY EDUCATION

Course Title	Code	Start	End	Duration	CMDT List
SR LEADER CRS	SMH	20200117	20200228	6 weeks	
MIL DECEPT PLN CRS	AYS	20170818	20170825	1 week	
USAF AIRLIFT PLAN CRS	DER	20170707	20170714	1 week	

See STP online for additional 5 rows.

HOBBIES / INTERESTS (SELF-PROFESSED)

Hobby / Interest	Genre	Proficiency	Date
-----	-----	-----	-----

SELF STUDY (SELF-PROFESSED)

Self Study	Genre	Proficiency	Date
-----	-----	-----	-----

000511

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Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	E35F NO INSIGNIA
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	[redacted]
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	[redacted]

Deployable

Cultural Experience & Proficiency

0 Self-Professed

Date	Location	Type	Duration
----	----	----	----

ACCESSIONS DATA

BASD:	20070212	Commissioning Year:	-----	Regular Ret Dt:	20271030
Current PPN:	-----			Non-Reg Ret Dt:	20271030
End Current Assignment:	20280430	Type of Original Apt:	-----		
		Mo/Days Afcs:	/	Current Statutory Auth:	-----

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
DA FORM 7801 M4A1 5.56MM CARBINE 1 OCT 20	20220916	SHARPSHOOTER
Army Physical Fitness Test	20191202	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
-----	-----	-----

PERSONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
-----	-----	-----

FAMILY GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
-----	-----	-----

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
-----	-----	-----	-----

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)

Station	City	State
----	----	----

COUNTRY PREFERENCES (SELF-PROFESSED)

Country	Rank
-----	-----

DUTY PREFERENCES (SELF-PROFESSED)

Duty Name	Date Entered
-----	-----

ENDORSEMENTS (SELF-PROFESSED)

Endorsement	Endorser
----	----

DESIRED FUTURE ASSIGNMENTS (SELF-PROFESSED)

Assignment

TEXT RESUME (SELF-PROFESSED)

Date	Category	Description
----	----	----

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REQUEST FOR MENTAL HEALTH EVALUATION
(Unit Referral of Active Duty Soldier)

TO: **Service Member Behavioral Health**
Womack Army Medical Center
Ft. Bragg, NC 28310

☐ WHSC ☐ East Bragg EBH
☐ West Bragg EBH ☐ Robinson EBH
☐ Smoke Bomb Hill EBH ☐ 3rd Group EBH

Commander	Unit
CPT David Korista	HHC, 528th SB
Commander's Phone Number	**Unit Phone Number**
315 486 9235	910 432 4194

Last Name	First Name	MI	Rank	DOB (DD/MMM/YYYY)	SSN
Forbes	Michael	J	SFC	[redacted]	

Marital Status	Medical Profile	GT Score	MOS	Current Job
M	☐ Yes ☒ No		35F	BDE S2 NCOIC

Clearance	Flight Status	Personnel Reliability Program (PGM)
☐ None ☐ Secret ☒ Top Secret	☐ Yes ☒ No	☐ Yes ☒ No

Time in Unit	Time in Service
2 YEARS MONTHS	YEARS MONTHS

1. PURPOSE OF REFERRAL: (Check One)

☐ Personnel Separations Under AR 635-200/100
Chapter_____ Para _____
☐ Pretrial Evaluation
☐ Security Clearance (IAW AR 380-67)
☐ Conscientious Objector
☐ Drill SGT or Recruiter Duty

DoDI 6490.4 Applies to the following

☒ Emergency Evaluation (Safety to self/others)
☐ Command request
☐ Evaluations/Consultation
RE: _____
☐ Others: _____

2. From a Commander's viewpoint, what problems are you seeing and what information do you need?
SM exhibits increasing rates of paranoia and erratic behavior, both of which are negatively impacting the Brigade's mission.

3. Military Performance

a. Past:	☐ Excellent	☐ Good	☐ Marginal	☒ Poor
b. Present:	☐ Excellent	☐ Good	☐ Marginal	☒ Poor

4. The following positive traits have been observed: (*Check all that apply*)

☐ Physically Healthy	☐ Helps Others	☒ Able to Express Self
☐ Desirable Attitude	☐ Dependable	☐ Willing to correct self
☐ Shows Initiative	☐ Intelligent	☐ Other: _____

5. The following concerns have been observed : (*Check all that apply*)

☐ Chronic Complaining	☐ Excessive Indebtedness	
☒ Frequent Fights	☒ Cheating and/or Lying	
☒ Refusing Effort	☐ Marital/Family Problems	
☐ Excessive Alcohol Use	☒ Difficulty with Authority	
☐ Illicit Drug Use	☒ Isolative	
☐ Encourages Insubordination		
☐ Desire for Discharge	☒ Other: Thievery	

Forbes, Michael Jeffrey
DOB: 04/12/1968 Male / 54 Ye
DOS: 01/18/2023
DoD ID: 1295918507
FIN: 50073916

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6. The following evidence of emotional/adjustment difficulty has come to command attention: *(Check those applicable and describe in Block 11)*

- ☐ "Homesickness"
- ☑ Nervousness
- ☐ Abnormal Sexual Behavior
- ☐ Blackouts
- ☑ Feelings of Persecution
- ☒ Excessive Aggression
- ☐ Depression (Blues)
- ☑ Fearfulness
- ☒ Unusual Irritability
- ☐ Problems with Concentration
- ☒ Extreme Mood Swings
- ☐ Shyness/Timid
- ☒ Unusual Behavior
- ☐ Excessive Fatigue
- ☐ Cries Excessively
- ☑ Constant Worrying
- ☒ Strange Ideas
- ☐ Carelessness
- ☐ Insomnia
- ☐ Withdrawal
- ☒ Poor Hygiene
- ☐ Sleepwalking
- ☐ Other: _____

7. Disciplinary Actions *(ie. Negative counseling statements, Article 15s, or Court Martial):*

TYPE	DATE	CHARGES	DISPOSITION
15-6 INV	12JAN 23	Counter-productive leadership	on-going

8. Measures already taken to assist the individual in rehabilitation:

a. Counseling By:
- ☑ CO
- ☐ 1SG
- ☐ Plt Ldr/OIC
- ☐ Plt SGT/NCOIC
- ☐ Chaplain
- ☐ JAG
- ☐ Red Cross
- ☐ ACAP
- ☐ ADAPCP
- ☐ Family Advocacy
- ☐ ACS
- ☐ AER
- ☐ Other:

Forbes, Michael Jeffrey
DOB: 04/12/1968 Male / 54 Ye
DOS: 01/18/2023
DoD ID: 1295918507
FIN: 50073916

b. Administrative Actions:
- ☐ Rehabilitative Transfer
- ☐ Duty Change
- ☐ Leave or Pass

9. a. Have you personally counseled this Soldier? ☒ Yes ☐ No
b. Have reasons for referral to behavioral health been discussed with the Soldier? ☑ Yes ☐ No
c. Soldier wants to be separated from the service. ☐ Yes ☒ No
d. Is it your opinion that the Soldier is suitable for retention in the service. ☐ Yes ☒ No

10. Your future plans for dealing with this soldier are:

-Making sure the Soldier recieves adequate care for his paranoia and erratic behavior.
- Remove him from USASOC / levels of responsibility

11. Add any remarks that would be helpful in assisting you.

NOTE: By signing this form below, you acknowledge that are aware of and abiding by the requirements stipulated in DODi 6490.4 and DODi 6490.8.

12. Signature of Commanding Officer *(Must be original)*	Printed/Typed Name, Rank, and Title	Date
	David K. Koriste CPT, CM Commanding	18JAN23

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REPORT OF MENTAL STATUS EVALUATION

For use of this form, see AR 40 - 66; the proponent agency is OTSG

SECTION I – REASON FOR BEHAVIORAL HEALTH EVALUTION

Select Reason for MSE

☒ Other:

SECTION II – BEHAVIORAL HEALTH DISPOSITION DETERMINATION

☐ SM shows no evidence of an impairing behavioral health (BH) condition. SM is cleared for advanced military training.

☒ No duty limitations due to behavioral health reasons. SM currently meets behavioral health medical retention standards (IAW AR 40-501).

☐ BH condition meets retention standards but may require waiver for deployability within specific areas of operation.

☐ SM is on a Profile which expires _____ See Profile for details.

☐ SM currently does NOT meet medical retention standards, has reached medical retention determination point, and a Disability Evaluation System referral is:

☐ indicated or ☐ has already occurred.

☐ Further assessment is needed to determine behavioral health medical readiness status.

For Ch. 5-13/17, AR 635-200

☐ SM meets criteria for Ch. 5-13/17 administrative. SM currently meets medical retention standards.

☐ Yes ☐ No SM deployed to an imminent danger pay area IAW MEDCOM Policy 19-001 (**YES** Requires OTSG-Level approval using BHAR).

☐ There is no evidence of a documented change in diagnosis from a boardable to a non-boardable condition within the past 90 days.

☐ The condition is of sufficient severity to interfere with the SM's ability to function in the military. The SM is not amenable to BH treatment and is unlikely to respond to Command efforts at rehabilitation.

SECTION III – PERTINENT FINDINGS ON MENTAL STATUS EVALUTION

Screening performed:	☐ Post-Traumatic Stress Disorder	☒ Depression	☐ Traumatic Brain Injury	☒ Substance Misuse	☐ Sexual Trauma				
COGNITION:	☒ Not Impaired	☐ Impaired		BEHAVIOR:	☒ Normal	☐ Abnormal			
PERCEPTIONS:	☒ Not Impaired	☐ Impaired		IMPULSIVITY:	☒ Normal	☐ Abnormal			
BH RISK FOR HARM TO SELF:	☒ Not Elevated	☐ Low	☐ Intermediate	☐ High					
BH RISK FOR HARM TO OTHERS:	☒ Not Elevated	☐ Low	☐ Intermediate	☐ High					

Positive Screens/Findings/Elevated Risks *(Use further Comment section if space is needed)*:

SECTION IV - DIAGNOSES

(ONLY REPORT DIAGNOSES REQUIRED FOR SUPPORTING SECTION II FINDINGS)

BH DIAGNOSES:

R45.89 OTHER SYMPTOMS AND SIGNS INVOLVING EMOTIONAL STATE

OTHER MEDICAL DIAGNOSES:

SECTION V - FOLLOW-UP RECOMMENDATIONS

☒ No follow-up needed ☐ Follow-up recommended *(see below)* ☐ Follow-up as already scheduled *(see below)*

Clinic:	Phone:	Location:	Date:	Time:

☐ Recommend Command referral to: ☐ Family Advocacy Program ☐ Substance Use Disorder Evaluation ☐ Other:

PATIENT INFORMATION

Patient Name:		Rank/Grade:	Status:
FORBES, MICHAEL J		SFC	AD
Prefix:	**DOB *(YYYYMMDD)*:**	**Sponsor DOD ID:**	**MTF:**	**Date:**
20	[redacted]	[redacted]	MCXC	20230119

SECTION VI - RECOMMENDATIONS AND COMMENTS FOR COMMANDER

☐ No safety precautions are indicated.

☒ Yes ☐ No SM can understand and participate in administrative proceedings and appreciate the difference between right and wrong.

☐ Yes ☐ No SM's behavioral health condition was likely a mitigating factor in the alleged behavior leading to administrative separation.

☐ Ch. 10,14 & Officer elimination: The effects of PTSD and TBI likely constitute matters in extenuation that relate to the basis for separation.
☐ Yes ☐ No

☐ Ensure SM attends all follow-up appointments.

☐ Prohibit use of alcohol. Alcohol can interfere with medication, decrease rational judgment, and increases risk for impulsive behavior.

☐ Increase leader/supervisory support with intent of keeping SM engaged with unit members and other sources of support.

☐ Consider placement of Service member in barracks for increased support and potentially reduced access to weapons.

☐ Encourage SM to use gun locks and gun safes or temporarily secure personal weapons with MPs, unit arms room, or other trusted source.

☐ Restrict access to or disarm all military weapons and ammunition. No range duties.

☐ Consider no contact order between Service member and _____ to limit risk of harm to self/others.

☒ If Service member shows concerning changes in mood, behavior, or safety, then Command should call: Name: 3RD SFG EBH
Phone: 908.2256 during duty hours. After hours, Command should escort Service member to the nearest emergency room.

☐ The Service Member has a condition that is likely to impair his/her judgment or reliability to protect classified information. (If checked, Commanders will ensure prompt notification to the Army Central Clearance Facility IAW AR 380-67 DA Personnel Security Program, by providing an incident report via the Joint Personnel Adjudication System (JPAS) or its successor.

For Recruiting Command Assessments:

☐ The Service member's current needs can be met in geographically dispersed environment. Recommend USAREC assignment.

☐ The Service member's current needs cannot be met in geographically dispersed environment. Recommend Behavioral Health reevaluation no earlier than Month _____ Year _____

☐ The Service member's historical and current needs cannot be met in a geographically dispersed environment. USAREC assignment is not recommend.

For CID Candidate Assessments:

☐ The Service member appears suitable for CID assignment at this time.

☐ The Service member is not suitable for CID assignment at this time.

☐ The Service member has been treated for a behavioral health condition and has demonstrated stability _____ (months/years), per the requirements outline in the CID applicant matrix . Recommend consideration of a behavioral health waiver for CID assignment.

For Positions of Significant Trust and Authority:

SHARP VAs, SARCs, Drill Sergeants, AIT Platoon Sergeants, Army National Guard Recruit Sustainment Program Cadre.

☐ At the time of evaluation, the Service member does not have a BH condition of sufficient severity to impair his/her judgment and reliability or that otherwise prevent him/her from serving in the assigned or nominated position. This evaluation is neither capable of nor intended to detect the predilection towards sexual or other violence or other unethical or illegal conduct. These conclusions are made solely on the SM's current BH status. He/She is cleared for assignment to this position of significant trust and authority.

Further Comments:

SM exhibits no current evidence of significant risk of harm towards self or others. Further evaluation may be obtained, if warranted, through 3RD SFG EBH to address other behavioral issues (e.g., Administrative Separation, Fitness-for-Duty, etc).

Command representative contacted:

Name:	Duty Position:	Phone:
CPT DAVID KORISTA	COMMANDER	(315) 486-9235

BEHAVIORAL HEALTH PROVIDER SIGNATURE(S)

Behavioral Health Provider's Signature	Date	Behavioral Health Supervisor Signature *(if needed)*:	Date
Digitally signed by LANIER.BRIAN.DARREL[redacted] Date: 2023.01.19 02:45:29 -05'00'	20230119		

PATIENT INFORMATION

Patient Name:			Rank/Grade:	Status:
FORBES, MICHAEL J			SFC	AD
Prefix:	**DOB *(YYYYMMDD)*:**	**Sponsor DOD ID:**	**MTF Code:**	**Date:**
20	[redacted]	[redacted]	MCXC	20230119

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)*	Rank/Grade	Date of Counseling
FORBES, MICHAEL, J.	SFC/E-7	07 FEB 2023

Organization	Name and Title of Counselor
HHC, 528TH SUSTAINMENT BRIGADE (SO) (A)	CPT DAVID KORISTA, CO CDR

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.)*

EVENT ORIENTED COUNSELING - COMMANDER'S INVESTIGATION FLAG (L)

You are being flagged for being the subject of a Commander's Investigation. A Flag is the temporary suspension of favorable personnel actions such as promotions or special duty assignments. The Flag will remain in effect until the proceeding is complete and the issue resolved or adverse action is complete. The DA Form 268 which initiates the Flag is attached.

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

SFC Forbes, on 12 January 2023, the Chain of Command determined that your recent actions merited the necessity of a Commander's Investigation, in order to investigate and bring to light misconduct, if any.

The purpose of this counseling is not to assign blame, serve as punishment, or document improper behavior. Its sole purpose is to notify you of a personnel Flag action and its possible consequences.

General Policy
a. The purpose of a Flag is to prevent and/or preclude:
(1) Execution of favorable actions to a Soldier who may be in an unfavorable status
(2) Movement of a Soldier when it is in the best interests of the Army for the Soldier to remain in his or her current location until cleared of ongoing actions.

Effective Date of the Flag: 12 January 2023

If this conduct continues, action may be initiated to separate you from the service per AR 635-200. If you are involuntary separated, you could receive, an Honorable Discharge, a General (Other than Honorable Conditions) Discharge, or Under Other than Honorable Conditions Discharge. An Honorable Discharge is a separation with honor based on the quality of service, which meets the standards of acceptable conduct and performance of duty. A General Discharge is a separation under honorable conditions, based on military record being satisfactory but not sufficiently meritorious to warrant an Honorable Discharge. A discharge Under Other Than Honorable Conditions is based upon a pattern of behavior of one or more acts or omissions that constitutes significant departure from the conduct expected from a soldier. An Honorable Discharge may be awarded under any provisions. A General Discharge may be awarded for separation under Chapter 5, Chapter 9, Chapter 13 and Chapter 14. Am Under Other Than Honorable Conditions Discharge, you will be qualified for most benefits resulting from military service. An involuntary honorable discharge, however, will disqualify you from reenlistment for some period of time and may disqualify you from receiving transitional benefits (e.g., commissary, housing, health benefits) and the Montgomery GI Bill if you have not met other program requirements. If you receive a General Discharge, you will be disqualified from reenlisting in the service for some period of time and you will be ineligible for some military and VA administered benefits, including the Montgomery GI Bill. If you receive a discharge Under Other Than Honorable, you will be eligible for reenlistment and for most benefits, including payments of accrued leave, transitional benefits, the Montgomery GI Bill, and possibly transportation of dependents and household goods to home. In addition you could face difficulty in obtaining civilian employment as employers have a low regard for General and Under Other Than Honorable conditions discharge. There are agencies which you may apply in attempt to change the characterization of your discharge; it is unlikely that such application would be successful. _____(Soldier's initials)

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)*

o SFC Forbes will continue his daily duties while temporarily attached to 389th MI BN, and provide daily Duty Status updates to his PSG, SFC Suro, for purposes of accountability.

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:

REQUESTED COUNSEL PRIOR TO SIGNATURE. DON'T HAVE PHONE NUMBER. FORCED TO SIGN NOW. REFUSED! MF

On 07 FEB23, SFC Forbes refused to sign. CPT David Kofista, HHC CO CDR 07 FE

Signature of Individual Counseled: _____ Date: _____

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

Signature of Counselor: _____ Date: 07 FEB 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.)*

Counselor: _____ Individual Counseled: _____ Date of Assessment: _____

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

REPORT TO SUSPEND FAVORABLE PERSONNEL ACTIONS (Flag)

For use of this form, see AR 600-8-2; the proponent agency is DCS, G-1.

SECTION I - ADMINISTRATIVE DATA

a. NAME (Last, First, Middle Initial)	b. DoD ID No.	c. RANK	d. DATE OF RANK	e. SPECIALTY/PMOSC	f. COMPONENT
FORBES, MICHAEL, J.	[redacted]	SFC	04/01/2020	35F	RA

g. UNIT, ORG., STATION, ZIP CODE OR APO, MAJOR COMMAND	h. UIC	i. FLAGGED SOLDIER'S EMAIL ADDRESS (.gov or .mil)
HHC, 528th SUST BDE (SO) (A), Fort Bragg, NC 28310	WJTDAA	michael.j.forbes.mil@socom.mil

j. HR OFFICE CONTROLLING FLAGGING ACTION	k. TELEPHONE NUMBER	l. THIS ACTION IS TO:
528th Special Troops Battalion (SO) (A) Battalion S1	910-432-4194	☑ INITIATE A FLAG (Sections II and IV only) ☐ REMOVE A FLAG (Sections III and IV only)

SECTION II - INITIATE A FLAG

a. NON-TRANSFERABLE FLAG

☑ A FLAG IS INITIATED, EFFECTIVE 20230112 FOR THE FOLLOWING REASON:

- ☐ Adverse Action (A)
- ☐ Involuntary Separation - field initiated (B)
- ☐ Referred OER, AER, or Relief for Cause NCOER (D)
- ☐ Security Violation or Loss of Security Clearance (E)
- ☐ HQDA - Delay of Promotion or Removal from a Selection List (F)
- ☐ AMEDD Lack of License or Certification (I)
- ☑ Commander's Investigation (L)
- ☐ Law Enforcement Investigation (M)
- ☐ Reserve Components Non-compliance with 10 USC §10206 (N)
- ☐ JAG Lack of License or Certification (O)
- ☐ Deny Auto Promotion to PV2/PFC/SPC (P)
- ☐ Lautenberg Amendment (Q)
- ☐ Administratively Non-deployable for Retention (R)
- ☐ No Family Care Plan (S)
- ☐ Deny Auto Promotion to 1LT/CW2 (T)
- ☐ Drug Abuse (U)
- ☐ Alcohol Abuse (V)
- ☐ HQDA - Involuntary Separation (W)

b. TRANSFERABLE FLAG

- ☐ ACFT Failure (J)
- ☐ Army Body Composition Program (K)
- ☐ Punishment Phase (H) Date Punishment Complete: _____

SECTION III - REMOVE A FLAG

a. FLAG TO REMOVE

☐ A FLAG (Two-Digit Flag Code) _____, WITH AN EFFECTIVE DATE OF _____) IS HEREBY REMOVED.

EFFECTIVE DATE OF THIS FLAG REMOVAL IS _____, FOR THE FOLLOWING REASON:

b. DISPOSITION

- ☐ Final Action Favorable (C)
- ☐ Final Action Unfavorable (D)
- ☐ Final Action Specified (E)
- ☐ Erroneous (Z)

SECTION IV - AUTHENTICATION

a. UNIT COMMANDER'S NAME (Last, First, Middle Initial)	b. DoD ID No.	c. RANK	d. UIC	e. COMPONENT
KORISTA, DAVID K.	[redacted]	CPT	WJTDT1	RA

f. UNIT, ORG., STATION, ZIP CODE/APO, MAJOR COMMAND	g. UNIT COMMANDER'S EMAIL ADDRESS (.gov or .mil)		
Headquarters Headquarters Company 528th Special Troops Battalion (SO) (A) Fort Bragg, NC 28310	david.k.korista.mil@socom.mil		
	h. UNIT COMMANDER'S SIGNATURE		i. DATE
	KORISTA.DAVID.KIRK[redacted]3 Digitally signed by KORISTA.DAVID.KIR[redacted] Date: 2023.01.15 17:05:26 -05'00'		20230115

SECTION V - VALIDATION (Required for any Flag over 6 months old)

a. BN COMMANDER'S NAME (Last, First, Middle Initial)	b. DoD ID No.	c. RANK	d. UIC	e. COMPONENT
FURLOW, BURTON JR.	[redacted]	LTC	WJTDT1	RA

f. UNIT, ORG., STATION, ZIP CODE/APO, MAJOR COMMAND	g. BN COMMANDER'S EMAIL ADDRESS (.gov or .mil)	
HQ, 528th Special Troops Battalion (SO) (A) Fort Bragg, NC 28310	burton.furlow.mil@socom.mil	
	h. BN COMMANDER'S SIGNATURE	i. DATE

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: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
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 [redacted]
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

Basic Data

AC

SFC(P)

MRC2



Job Code(P/S): E35F NO INSIGNIA
SQI(P/S): EP/ES
ASI(P/S):
Date of Birth: [redacted]
Birth Country: USA
Country of Citizenship: USA
Gender: M
Ethnicity: Others
Height: 66
Weight: 175
Religion: UMTHC
Marital Status: Married
# of Dependents (Adults/Children): 1/0
Home Address: [redacted]

Deployable

Readiness

MRC Code: MRC2
MRC Reason: ITEMS THAT CAN BE CORRECTED IN LESS THAN 72 HOURS
MRC Reason Start Date: 20221205
PHA Exam Date: 20220606
PULHES: 111111

Current Asgt. End: 20280430
YMAV Date: 202310
EFMP End Date: -----
MACP Date: -----
ETP Date: -----

Security Clearance Type: [redacted]
Clearance Effective Date: [redacted]
Investigation Type: [redacted]
Investigation Status: P
Investigation Status Date: [redacted]

SFPA FLAGS

Restriction	Code	Begin Date	End Date
-----	-----	-----	-----

Skills

0 Self-Professed

PROFESSIONAL LICENSES		PROFESSIONAL CERTIFICATIONS		DEFENSE LANGUAGE PROFICIENCY TEST (DLPT)				LANGUAGES (SELF-PROFESSED)			
License	Expiration Date	Certification	Certified Date	Language	Listening	Reading	Speaking	Language	Listening	Reading	Speaking
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

ATTRIBUTES (SELF-PROFESSED)

Attribute	Rating	Date
-----	-----	-----

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Career Mapping

2024 PZ | 2025 | 2026 | 2027 | 2028 PZ | 2029 | 2030

SFC | MSG

Experience

0 Self-Professed

DEPLOYMENTS

Short Tours: 0
Long Tours: 0
DROS: -----
DEROS: -----

CBT: 5
OPN: 0
RES: 0
Dwell Start: -----
Dwell Duration: -----

MILITARY EXPERIENCE: ***DEPLOYMENTS*** / ASSIGNMENTS

Asgt	From	# Months	UIC	Organization	Station	Location	Coord	Duty Title	MOS
Current	20230104	1	WKENT0	-----	FORT BRAGG	NC	SP	INTELLIGENCE ANALYST	E35F
1st Prev	20210305	23	WJTDAA	-----	FORT BRAGG	NC	SP	STANDARD EXCESS	99999Z
2nd Prev	20200928	5	WKENA0	-----	Invalid Location - Placeholder	VA	SP	SR INTEL SERGEANT	E35F
3rd Prev	20170929	36	WAC8T0	-----	CP EDERLE	AE	E1	SR INTEL SERGEANT	E35F
4th Prev	20160827	13	WAC8D0	-----	CP EDERLE	AE	E1	INTELLIGENCE SERGEANT	E35F
5th Prev	20151031	10	WHQLF0	-----	FT BRAGG	NC		INTELLIGENCE SERGEANT	E35F

See STP online for additional 24 rows.

CIVILIAN WORK EXPERIENCE (SELF-PROFESSED)

Employment	Job Title	Start Date	End Date	Duration
-----	-----	-----	-----	-----

ADDITIONAL DUTIES (SELF-PROFESSED)

Duty Title	Start Date	End Date
-----	-----	-----

Knowledge

0 Self-Professed

CIVILIAN EDUCATION

Degree	School	Location	Level	Graduation Date
MASTER OF BUSINESS ADMINISTRATION	U PITTSBURGH	PA USA		19960101
BACHELOR OF SCIENCE	PENN ST U ERIE-BEHREND CLG	PA USA		19900101

THESIS & CAPSTONE (SELF-PROFESSED)

Title	Year
-----	-----

MILITARY EDUCATION

Course Title	Code	Start	End	Duration	CMDT List
SR LEADER CRS	SMH	20200117	20200228	6 weeks	
MIL DECEPT PLN CRS	AYS	20170818	20170825	1 week	
USAF AIRLIFT PLAN CRS	DER	20170707	20170714	1 week	

See STP online for additional 5 rows.

HOBBIES / INTERESTS (SELF-PROFESSED)

Hobby / Interest	Genre	Proficiency	Date
-----	-----	-----	-----

SELF STUDY (SELF-PROFESSED)

Self Study	Genre	Proficiency	Date
-----	-----	-----	-----

000523

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Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	E35F NO INSIGNIA
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	19680412
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	8836 PERRY HWY MEADVILLE PA USA 163350000

Deployable

Cultural Experience & Proficiency

0 Self-Professed

Date	Location	Type	Duration
----	----	----	----

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)			COUNTRY PREFERENCES (SELF-PROFESSED)		DUTY PREFERENCES (SELF-PROFESSED)	
Station	City	State	Country	Rank	Duty Name	Date Entered
----	----	----	----	----	----	----

ENDORSEMENTS (SELF-PROFESSED)		DESIRED FUTURE ASSIGNMENTS (SELF-PROFESSED)	TEXT RESUME (SELF-PROFESSED)		
Endorsement	Endorser	Assignment	Date	Category	Description
----	----	----	----	----	----

ACCESSIONS DATA

BASD:	20070212	Commissioning Year:	----	Regular Ret Dt:	20271030
Current PPN:	----			Non-Reg Ret Dt:	20271030
End Current Assignment:	20280430	Type of Original Apt:	----		
		Mo/Days Afcs:	/	Current Statutory Auth:	----

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
DA FORM 7801 M4A1 5.56MM CARBINE 1 OCT 20	20220916	SHARPSHOOTER
Army Physical Fitness Test	20191202	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)			PERSONAL GOALS (SELF-PROFESSED)			FAMILY GOALS (SELF-PROFESSED)		
Goal	Goal Date	Actual Date	Goal	Goal Date	Actual Date	Goal	Goal Date	Actual Date
----	----	----	----	----	----	----	----	----

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
----	----	----	----

000524

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 548 of 950

FW: Question re confusing flag counseling?

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: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Wednesday, February 8, 2023 8:27 AM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: RE: Question re confusing flag counseling?

You will continue to communicate duty status to 1SG Kelley and the BDE Staff PSG.

GO HEADHUNTERS!

Very Respectfully,

DK

David Korista
CPT, CM
Commander
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
NVOIP: 910.432.4194
Blackberry: [redacted]
Personal Cell: [redacted]
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.mil@socom.smil.mil

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Wednesday, February 8, 2023 7:17 AM
To: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Subject: Question re confusing flag counseling?

Sir:

May I attempt to clarify our verbal comments about the written "plan of action" instructions on the DA Form 4856 that you presented me yesterday that you signed 07FEB23 with the signed DA Form 268 signed on 15JAN23.

You stated, "SFC Forbes will continue his daily duties while temporarily attached to 389th MI BN, and provide daily Duty Status updates to his PSG, SFC Suro…."

You verbally said that all pertinent activities are to be reported to 1SG Kelly at 389th MI BN and she will notify SFC Surorodriguez and he will notify CPT Lowrie and CPT Lowrie with notify you. But that conflicts with the written instructions. Are you confident that I should not inform PSG Surorodriquez of my status and appointments as the time involved notifying you may have a severe lag. There has been some miscommunications in the past. I don't want you to be not know of something I inform 1SG Kelly of as I have been in constant comms with her since you notified me of this when we met and you ordered me to the CDBHE. I fear your not knowing important information could impact this investigation in some way.

Any clarification is respectfully requested.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

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6.5kB

FW: vincent

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

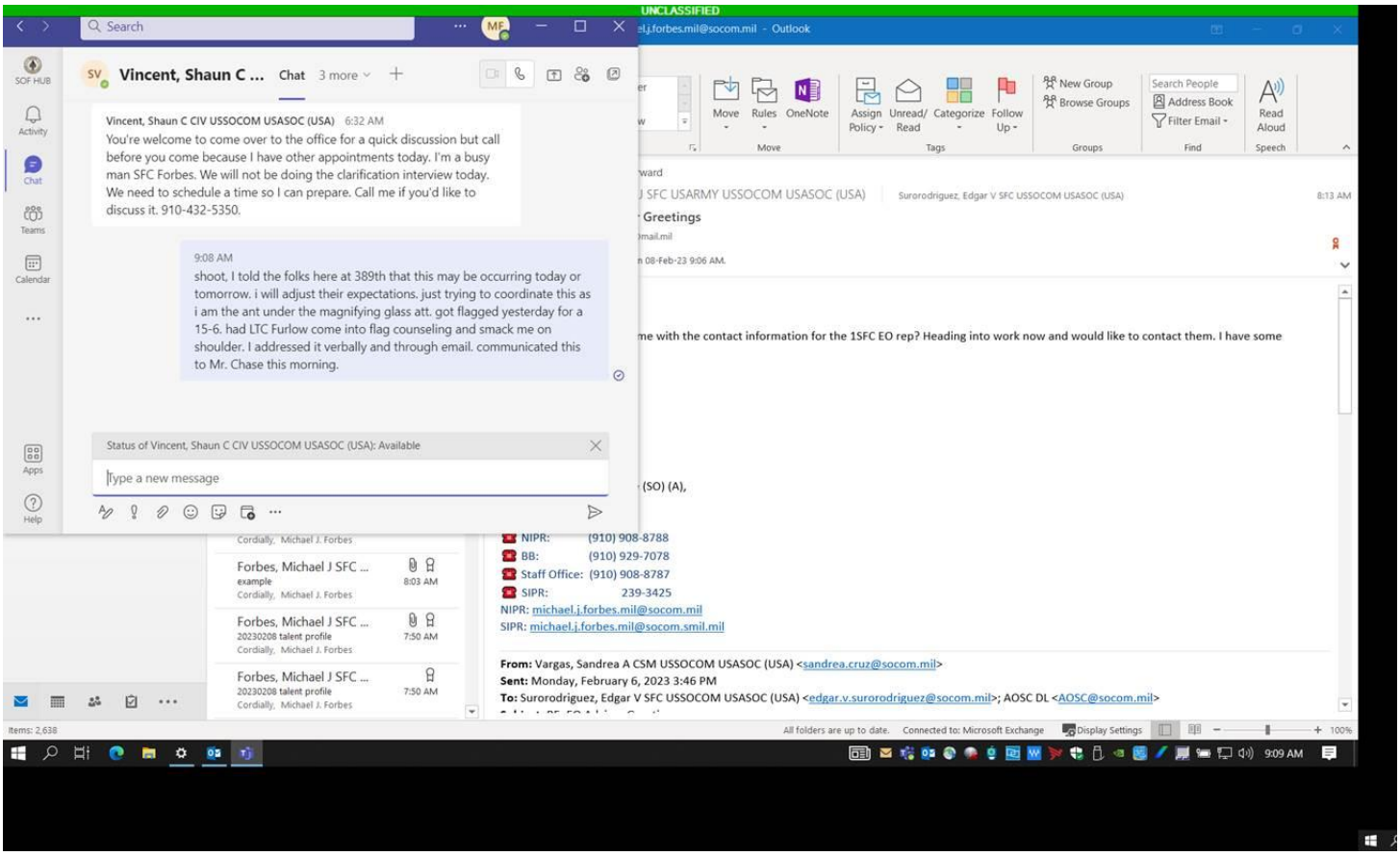
To: paxmas2007@yahoo.com

Date: Monday, June 12, 2023 at 08:51 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
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, February 8, 2023 9:11 AM
To: paxmas2007@yahoo.com
Subject: vincent



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6.5kB

image001.jpg
126.3kB

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: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: [redacted]
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

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From:	Emekaekwue, Emmanuel A CSM USARMY USSOCOM USASOC (USA)
Sent:	Monday, February 13, 2023 8:43 AM
To:	528SB-STB-Members DL; Allen, Shantae R MSG USARMY USSOCOM USASOC (USA); 'NG Ft Bragg TXANG List 528SB-STB-197th-TXNG'; NG Ft Bragg WVANG List 528SB-STB-1528th-WVNG
Cc:	Furlow, Burton LTC USARMY USSOCOM USASOC (USA)
Subject:	MEALS: The Big Boy Rule is Dead
Signed By:	emmanuel.a.emekaekwue.mil@mail.mil

Teammates,

A rash of misconducts across our formation has left me searching for answers. What are we doing wrong? Are we holding people accountable enough? Do we have enough resources to support underperforming Soldiers? Are leaders empowered to uphold standards and enforce discipline? When was the last time we reviewed the Army Values, the brigade command philosophy, and the battalion values.

While the number of misconducts is not endemic, I fear that any attempt to continue business as usual is tone-deaf and leadership malpractice. We have to take action now rather than later.

BACKGROUND

Here are two vignettes to underscore the situation:

- Two different misconducts were brought to my attention where subordinates snapped at their supervisors for providing feedback about their work.

- Recently, a leader disrespectfully raged at senior leaders in an email.

These vignettes, and several others, are red flags that portend a counterproductive climate if we fail to act now.

PLAN OF ACTION

To this end, I ask that section NCOs/team leaders take sometime this week or next week to discuss the following in their sections:

- **Discuss the seven Army Values (LDRSHIP),**

- **Discuss the brigade command philosophy (Do the Right Thing; Do your Best; Get Better Every Day),**

- **And discuss the STB's values (Professionalism, Proficiency, Enthusiasm, Efficiency #P2E2).**

- **Section NCOs/Team Sergeants, notify your 1SGs once complete**

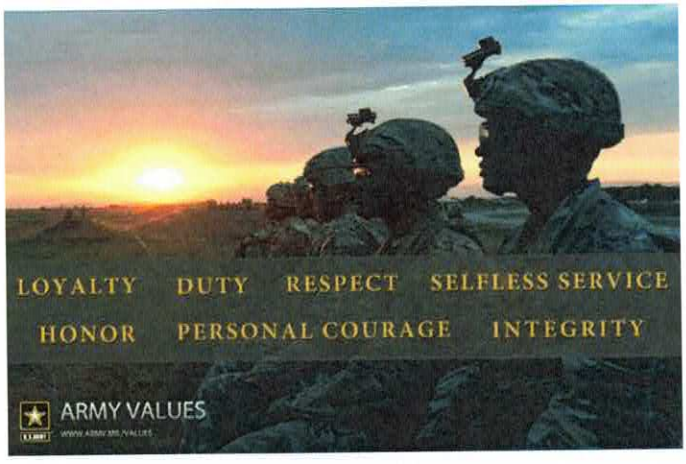
THE BIG BOY RULE
The so called Big Boy Rule is Dead here. Indifference to standards and discipline is unacceptable. What is not dead here is the Army and organizational standards.

As a way of also getting after this, I offer the following from the NCO Creed as the Creed of the STB Soldier:

- **No one is more professional than I.**
- **I will strive to remain technically and tactically proficient.**
- **I will not forget, nor will I allow my comrades to forget that we are professionals, STB Soldiers, Leaders!**

On a Separate NOTE:
Thanks to SSG Baker, you can now catch-up on MEALS on our Facebook page #MEALSMONDAY

Thank you for all that you do!



V/R
EMMANUEL A. EMEKAEKWUE (eh-meh-kah-eh-kwã)
CSM, USA
SPECIAL TROOPS BATTALION
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
NIPR: emmanuel.a.emekaekwue.mil@socom.mil

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

February 21, 2023

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

Dear Representative Hudson,

Thank you for your recent letter regarding the issues raised by Sergeant First Class Michael Forbes. We take these allegations very seriously. As a matter of fact, prior to your inquiry, the 1st Special Forces Command addressed these allegations through appropriate channels. Sergeant First Class Forbes' whistleblower complaint is already addressed through the Inspector General's office at the United States Army's Special Operations Command, in accordance with Army Regulation 20-1. Furthermore, on February 9, 2023, the command initiated an inquiry to investigate the other allegations raised by Sergeant First Class Forbes. The senior commissioned officer appointed as the Investigating Officer is a disinterested party appropriately selected to conduct a thorough investigation.

For your awareness, the Fort Bragg Military Police already investigated the assault allegation raised by Sergeant First Class Forbes. The military police found that Sergeant First Class Forbes was not assaulted, and they closed the investigation. Despite that, the appointed Investigating Officer is tasked to investigate the circumstances surrounding that incident and all the allegations raised by Sergeant First Class Forbes, to ensure that his concerns are thoroughly investigated and addressed. Currently, the command's investigation is still ongoing.

In summary, once Sergeant First Class Forbes' allegations came to our attention, our command took every prudent measure to inquire into these allegations. 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,

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

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
[redacted]

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 and initial release of information from this 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,

Encls

DOUGLAS E. MOORE
FOIA/PRIVACY ACT OFFICER

Date: 28FEB2023

Name: SFC Michael J. Forbes
Company Name: N/A
Complete Address: [redacted]

Telephone [redacted]
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

7442-23

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 al processing costs associated with processing my request. (Not to exceed $50.)

Sincerely

FORBES.MICHAEL.JEFFREY [redacted] Digitally signed by FORBES.MICHAEL.JEFFREY [redacted] 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

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

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; [redacted] Age 54; Male; White; WJTDAA, 528th Sustainment Bde,

Offense		
Offense Description	**Offense Address**	**Entity Involvement**
Assault (Unfounded) - [5C2]	[redacted]	

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 Officer 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	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
LEC Fort Bragg, NC	2022-12-14 (b)(7)(C)	1325 (b)(7)(C)	7442-2022-MPC023

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN (min. last 4)	7. GRADE/STATUS
(b)(7)(C)	(b)(6) (b)(7)(C)	(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 elsewhare in any other statement and/or document.

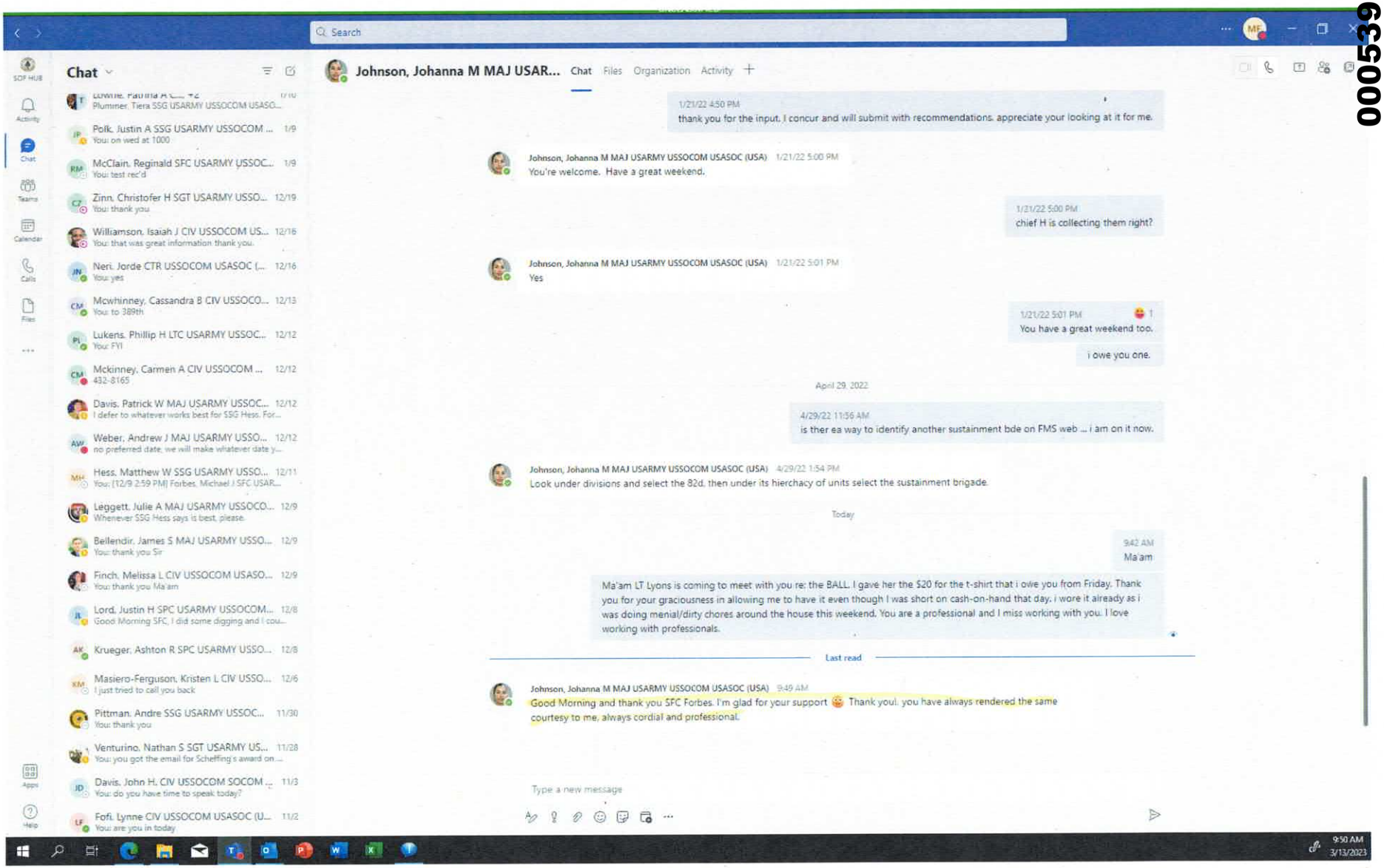
On 14 Dec 22 at 0534 I 1-1 (b)(7)(C) was dispatched to the Fort Bragg LEC in reference to a walk in for assault after the fact. Upon my arrival at 0540 I made contact with a SFC Forbes in the front of the LEC I then got his verbal statement in which he said he believes he was assaulted by his (b)(6) 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) 14Dec2022

Military Police

10.EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 of 1
	(b)(7)(C)	

LEC FORM 2823, FEB 2021


Search
Chat
Johnson, Johanna M MAJ USAR...
Chat
Files
Organization
Activity
1/21/22 4:50 PM
thank you for the input. I concur and will submit with recommendations. appreciate your looking at it for me.
Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 1/21/22 5:00 PM
You're welcome. Have a great weekend.
1/21/22 5:00 PM
chief H is collecting them right?
Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 1/21/22 5:01 PM
Yes
1/21/22 5:01 PM
You have a great weekend too.
i owe you one.
April 29, 2022
4/29/22 11:56 AM
is ther ea way to identify another sustainment bde on FMS web ... i am on it now.
Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 4/29/22 1:54 PM
Look under divisions and select the 82d. then under its hierchacy of units select the sustainment brigade.
Today
9:42 AM
Ma'am
Ma'am LT Lyons is coming to meet with you re: the BALL. I gave her the $20 for the t-shirt that i owe you from Friday. Thank you for your graciousness in allowing me to have it even though I was short on cash-on-hand that day. i wore it already as i was doing menial/dirty chores around the house this weekend. You are a professional and I miss working with you. I love working with professionals.
Last read
Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 9:49 AM
Good Morning and thank you SFC Forbes. I'm glad for your support Thank you!. you have always rendered the same courtesy to me, always cordial and professional.
Type a new message
9:50 AM
3/13/2023

13 March 2023

U.S. Special Operations Command Teammates,

Every individual assigned to U.S. Special Operations Command (USSOCOM) is a national treasure and entrusted with great responsibility. One of those responsibilities is to ensure the resources and assets we are entrusted with are applied to our missions in the most efficient manner. Trust and credibility are the "currency" that allows USSOCOM the freedom of maneuver as needed to accomplish our mission. Fraud, waste, and abuse degrade that trust and credibility jeopardizing our reputation.

We must scrutinize our processes and implement internal controls to monitor our numerous programs, ensuring they are compliant and operate effectively and efficiently. In this light, USSOCOM established the Risk Management and Internal Control Program, with executive oversight from USSOCOM leadership (through the Senior Management Council and Senior Assessment Team) to ensure management directives, attitudes, and behaviors reflect the integrity and ethical values expected from all members of our USSOCOM team. Furthermore, the Risk Management and Internal Control Program is managed by Special Operations Financial Management office, who reports directly to me on the productivity of the program via our annual Statement of Assurance submitted to Office of the Secretary of Defense. The program allows me an opportunity to ensure we are properly assessing potential vulnerabilities, the risks they may hold for USSOCOM and address them quickly.

Each of us is charged with the responsibility to "say something if you see something" that appears improper, represents the potential for willful or negligent abuse of resources or is an ineffective process. We operate as a team of teams here in SOCOM, and this program requires a team effort. If you have seen something as described above, please repair it or pass your submission to the chain of command. The Department of Defense Hotline at (800) 424-9089 also offers a confidential, reliable means to report fraud, waste and abuse, and violations of laws, rules, or regulations.

Thank you for doing our part to be great stewards of the resources our nation provides us.

Shane W. Shorter
Command Sergeant Major, U.S. Army
Command Senior Enlisted Leader

Bryan P. Fenton
General, U.S. Army
Commander

Search

SOF HUB
Activity
Chat
Teams
Calendar
Calls
Files
Apps
Help

Chat

- Masiero-Ferguson, Kristen L CIV USSOC... 6/9
  You: are you in today
- Lloyd, Nicholas T SFC USARMY USSOC... 5/22
  Sent a file
- Zorn, Martin R SFC USARMY USSOCOM... 5/3
  https://spectrumlocalnews.com/nc/charlotte/new...
- Keneda, Charles E SPC USARMY USSOC... 5/3
  https://spectrumlocalnews.com/nc/charlotte/new...
- Tyrpin, David A SSG USARMY USSOCO... 3/29
  Thank you
- Phyall, Bobby M SSG USARMY USSOC... 3/29
  https://hr.ippsa.army.mil/psp/hcpdc/?cmd=login
- Johnson, Johanna M MAJ USARMY US... 3/22
  The POC for 389th is LT Lyon's, they should be a...
- Paris, Justin J MSG USARMY USSOCOM ... 3/8
  You: smiley face here
- Philbin, Jeffrey M MAJ USARMY USSOC... 3/2
  You: what is the preferred method for a couple of...
- Vincent, Shaun C CIV USSOCOM USAS... 2/14
  You: ok
- Chustek, Ian L MAJ USARMY USSOCO... 2/13
  You: Sir
- Smith, Chase E CIV USSOCOM USASOC ... 2/8
  You: ok
- Morgan, Larry 1SG USARMY USSOCO... 1/23
  You: he is a stray with no tag.
- Pickering, Colton M SGT USARMY USS... 1/23
  You: not yet. have heard nothing from CPT Lowri...
- Salazar, Adam A LTC USARMY USSOCO... 1/20

Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA)

Chat | Files | Organization | Activity

Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 4/29/22 1:54 PM
Look under divisions and select the 82d, then under its hierchacy of units select the sustainment brigade.

March 13

3/13 9:42 AM
Ma'am

Ma'am LT Lyons is coming to meet with you re: the BALL. I gave her the $20 for the t-shirt that i owe you from Friday. Thank you for your graciousness in allowing me to have it even though I was short on cash-on-hand that day. i wore it already as i was doing menial/dirty chores around the house this weekend. You are a professional and I miss working with you. I love working with professionals.

Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 3/13 9:49 AM
Good Morning and thank you SFC Forbes. I'm glad for your support Thank you!, you have always rendered the same courtesy to me, always cordial and professional.

March 22

3/22 9:26 AM
Ma'am who is managing the setup teardown for ball. i want to get a replacement for a SM who would like to go with his wife but is on the detail and will not go because of the detail.

Johnson, Johanna M MAJ USARMY USSOCOM USASOC (USA) 3/22 9:42 AM
The POC for 389th is LT Lyon's, they should be able to accommodate. Let me know.

Type a new message

Inbox - mic... | Johnson, Jo...

6/11/2023

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 566 of 950

000542

Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	35F
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	[redacted]
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Race:	White
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	[redacted]

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Career Mapping

2024 PZ — 2025 — 2026 — 2027 — 2028 PZ — 2029 — 2030

SFC — MSG

Experience

Self-Professed

DEPLOYMENTS

Short Tours:	0	CBT:	5
Long Tours:	0	OPN:	0
DROS:	—	RES:	0
DEROS:	—	Dwell Start:	20150307
		Dwell Duration:	88Mo 28D

MILITARY EXPERIENCE: ***DEPLOYMENTS*** / ASSIGNMENTS

Asgt	From	# Months	UIC	Organization	Station	Location	Comd	Duty Title	MOS
Projected	20231010	-7	W1E8H8	—	FT HUACHUCA	AZ	TC	#7 SR INSTR	35F
Projected	20230104	2	WKENT0	—	FT BRAGG	NC	SP	INTELLIGENCE ANALYST	35F
Current	20210305	24	WJTDAA	—	FT BRAGG	NC	—	STANDARD EXCESS	99999Z
1st Prev	20200928	5	WKENA0	—	Invalid Location - Placeholder	VA	SP	SR INTEL SERGEANT	35F
2nd Prev	20170929	36	WAC8T0	—	CP EDERLE	AE	E1	SR INTEL SERGEANT	35F
3rd Prev	20160827	13	WAC8D0	—	CP EDERLE	AE	E1	INTELLIGENCE SERGEANT	35F

See STP online for additional 25 rows.

CIVILIAN WORK EXPERIENCE (SELF-PROFESSED)

Employment	Job Title	Start Date	End Date	Duration
—	—	—	—	—

ADDITIONAL DUTIES (SELF-PROFESSED)

Duty Title	Start Date	End Date
—	—	—

Deployable

Readiness

MRC Code:	MRC2	Current Asgt. End:	20280430	Security Clearance Type:	[redacted]
MRC Reason:	ITEMS THAT CAN BE CORRECTED IN LESS THAN 72 HOURS	YMAV Date:	202310	Clearance Effectiv Date:	[redacted]
MRC Reason Start Date:	20230216	EFMP Eval Date:	—	Investigation Type:	[redacted]
PHA Exam Date:	20220606	MACP Date:	—	Investigation Status:	[redacted]
PULHES:	111111	ETP Date:	—	Investigation Status Date:	[redacted]

SFPA FLAGS

Restriction	Code	Begin Date	End Date
—	—	—	—

Knowledge

Self-Professed

CIVILIAN EDUCATION

Degree	School	Location	Level	Graduation Date
MASTER OF BUSINESS ADMINISTRATION	U PITTSBURGH	PA USA		19960101
BACHELOR OF SCIENCE	PENN ST U,ERIE-BEHREND CLG	PA USA		19900101

THESIS & CAPSTONE (SELF-PROFESSED)

Title	Year
—	—

MILITARY EDUCATION
MEL: DLC/SSD 4 / **MES:** GRADUATED

Course Title	Code	Start	End	Duration	CMDT List
SR LEADER CRS	SMH	20200117	20200228	6 weeks	
MIL DECEPT PLN CRS	AYS	20170818	20170825	1 week	
USAF AIRLIFT PLAN CRS	DER	20170707	20170714	1 week	

See STP online for additional 5 rows.

HOBBIES / INTERESTS (SELF-PROFESSED)

Hobby / Interest	Genre	Proficiency	Date
—	—	—	—

SELF STUDY (SELF-PROFESSED)

Self Study	Genre	Proficiency	Date
—	—	—	—

Skills

Self-Professed

PROFESSIONAL LICENSES

License	Expiration Date
—	—

PROFESSIONAL CERTIFICATIONS

Certification	Certified Date
—	—

DEFENSE LANGUAGE PROFICIENCY TEST (DLPT)

Language	Listening	Reading	Speaking
—	—	—	—

LANGUAGES (SELF-PROFESSED)

ATTRIBUTES (SELF-PROFESSED)

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 567 of 950

000543

Basic Data

AC

SFC(P)

MRC2



PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Job Code(P/S): E3SF
SQI(P/S): EP/ES
ASI(P/S):
Date of Birth: [redacted]
Birth Country: USA
Country of Citizenship: USA
Gender: M
Race: White
Ethnicity: Others
Height: 66
Weight: 175
Religion: UMTHC
Marital Status: Married
# of Dependents (Adults/Children): 1/0
Home Address: [redacted]

Deployable

Service Data

ACCESSIONS DATA

BASD: 20070212 | Commissioning Year: --- | Regular Ret Dt: 20270212
Current PPN: ---
End Current Assignment: 20280430 | Type of Original Apt: --- | Non-Reg Ret Dt: 20271030
Mo/Days Afcs: / | Current Statutory Auth: ---

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
DA FORM 7801 M4A1 5.56MM CARBINE 1 OCT 20	20220916	SHARPSHOOTER
DA FORM 7801M4 5.56MM CARBINE 1 OCT 20	20201008	MARKSMAN
Army Physical Fitness Test	20191202	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
---	---	---

PERSONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
---	---	---

FAMILY GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
---	---	---

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
---	---	---	---

Cultural Experience & Proficiency

0 Self-Professed

Date	Location	Type	Duration
---	---	---	---

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)

Station	City	State
---	---	---

COUNTRY PREFERENCES (SELF-PROFESSED)

Country	Rank
---	---

DUTY PREFERENCES (SELF-PROFESSED)

Duty Name	Date Entered
---	---

ENDORSEMENTS (SELF-PROFESSED)

Endorsement	Endorser
---	---

DESIRED FUTURE ASSIGNMENTS (SELF-PROFESSED)

Assignment

TEXT RESUME (SELF-PROFESSED)

Date	Category	Description
---	---	---

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 568 of 950

000544

Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	35F
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	[redacted]
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Race:	White
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	[redacted]

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
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SFC — MSG

Deployable

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MRC Reason Start Date:	20230216	EFMP Eval Date:	—	Investigation Type:	[redacted]
PHA Exam Date:	20220606	MACP Date:	—	Investigation Status:	[redacted]
PULHES:	111111	ETP Date:	—	Investigation Status Date:	[redacted]

SFPA FLAGS

Restriction	Code	Begin Date	End Date
—	—	—	—

Skills

Self-Professed

PROFESSIONAL LICENSES

License	Expiration Date
—	—

PROFESSIONAL CERTIFICATIONS

Certification	Certified Date
—	—

DEFENSE LANGUAGE PROFICIENCY TEST (DLPT)

Language	Listening	Reading	Speaking
—	—	—	—

LANGUAGES (SELF-PROFESSED)

ATTRIBUTES (SELF-PROFESSED)

Experience

Self-Professed

DEPLOYMENTS

Short Tours:	0	CBT:	5
Long Tours:	0	OPN:	0
DROS:	—	RES:	0
DEROS:	—	Dwell Start:	20150307
		Dwell Duration:	88Mo 28D

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3rd Prev	20160827	13	WAC8D0	—	CP EDERLE	AE	E1	INTELLIGENCE SERGEANT	35F

See STP online for additional 25 rows.

CIVILIAN WORK EXPERIENCE (SELF-PROFESSED)

Employment	Job Title	Start Date	End Date	Duration
—	—	—	—	—

ADDITIONAL DUTIES (SELF-PROFESSED)

Duty Title	Start Date	End Date
—	—	—

Knowledge

Self-Professed

CIVILIAN EDUCATION

Degree	School	Location	Level	Graduation Date
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BACHELOR OF SCIENCE	PENN ST U,ERIE-BEHREND CLG	PA USA		19900101

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Title	Year
—	—

MILITARY EDUCATION
MEL: DLC/SSD 4 / **MES:** GRADUATED

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MIL DECEPT PLN CRS	AYS	20170818	20170825	1 week	
USAF AIRLIFT PLAN CRS	DER	20170707	20170714	1 week	

See STP online for additional 5 rows.

HOBBIES / INTERESTS (SELF-PROFESSED)

Hobby / Interest	Genre	Proficiency	Date
—	—	—	—

SELF STUDY (SELF-PROFESSED)

Self Study	Genre	Proficiency	Date
—	—	—	—

Basic Data

AC

SFC(P)

MRC2



PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Job Code(P/S): E35F
SQI(P/S): EP/ES
ASI(P/S):
Date of Birth: [redacted]
Birth Country: USA
Country of Citizenship: USA
Gender: M
Race: White
Ethnicity: Others
Height: 66
Weight: 175
Religion: UMTHC
Marital Status: Married
# of Dependents (Adults/Children): 1/0
Home Address: [redacted]

Deployable

Service Data

ACCESSIONS DATA

BASD: 20070212 | Commissioning Year: — | Regular Ret Dt: 20270212
Current PPN: — | Type of Original Apt: — | Non-Reg Ret Dt: 20271030
End Current Assignment: 20280430 | Mo/Days Afcs: / | Current Statutory Auth: —

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
DA FORM 7801 M4A1 5.56MM CARBINE 1 OCT 20	20220916	SHARPSHOOTER
DA FORM 7801M4 5.56MM CARBINE 1 OCT 20	20201008	MARKSMAN
Army Physical Fitness Test	20191202	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
—	—	—

PERSONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
—	—	—

FAMILY GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
—	—	—

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
—	—	—	—

Cultural Experience & Proficiency

0 Self-Professed

Date	Location	Type	Duration
—	—	—	—

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)

Station	City	State
—	—	—

COUNTRY PREFERENCES (SELF-PROFESSED)

Country	Rank
—	—

DUTY PREFERENCES (SELF-PROFESSED)

Duty Name	Date Entered
—	—

ENDORSEMENTS (SELF-PROFESSED)

Endorsement	Endorser
—	—

DESIRED FUTURE ASSIGNMENTS (SELF-PROFESSED)

Assignment
—

TEXT RESUME (SELF-PROFESSED)

Date	Category	Description
—	—	—

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 569 of 950

000545

FW: Forbes HPW response

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

To: paxmas2007@yahoo.com

Date: Thursday, June 15, 2023 at 09:35 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
NIPR: (910) 908-8788
BB: [redacted]
Staff Office: (910) 908-8787
SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Sent: Tuesday, April 11, 2023 5:47 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Bell, Joshua D CPT USARMY USSOCOM USASOC (USA) <joshua.d.bell.mil@socom.mil>
Subject: RE: Forbes HPW response

Sergeant First Class Michael J. Forbes:

Attached you will find my response to you, in rebuttal to the inquiry you made into the HPW "Assessed the Unassessed" Program.

v/r, Tavi

COL Tavi N. Brunson
Commander, 528th SB (SO)(A)
1st Special Forces Command (A)
Office: (910) 432-4649 (DSN 239)
BB: [redacted]

NIPR Email: tavi.n.brunson.mil@socom.mil
SIPR Email: tavi.n.brunson.mil@socom.mil
VoSIP (706) 239-4650
Tandber[redacted]

DO THE RIGHT THING | DO YOUR BEST | GET BETTER EVERYDAY

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Tuesday, April 4, 2023 12:13 PM
To: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Subject: RE: Forbes HPW response

Thank you, Sir.

From: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Sent: Monday, April 3, 2023 11:01 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Bell, Joshua D CPT USARMY USSOCOM USASOC (USA) <joshua.d.bell.mil@socom.mil>
Subject: RE: Forbes HPW response

SFC Forbes:

1. **The ball was phenomenal.**
2. **I acknowledge receipt of your message; I will respond in due course.**

BRUNSON

COL Tavi N. Brunson
Commander, 528th SB (SO)(A)
1st Special Forces Command (A)
Office: (910) 432-4649 (DSN 239)
BB: [redacted]

NIPR Email: tavi.n.brunson.mil@socom.mil
SIPR Email: tavi.n.brunson.mil@socom.mil
VoSIP (706) 239-4650
Tandberg: [redacted]

DO THE RIGHT THING | DO YOUR BEST | GET BETTER EVERYDAY

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Friday, March 31, 2023 5:21 PM

To: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Subject: Forbes HPW response

Sir:

I hope our unit ball went well and all in attendance enjoyed themselves.

Here is a memorandum and associated enclosures for your perusal and response.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
NIPR: michael.j.forbes.mil@socom.mil

smime.p7s
6.5kB

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

THE LAW FIRM OF JAMES M. BRANUM
GIRightsLawyer@gmail.com - 405-494-0562 (cell) - 580-414-3140 (fax) - PO Box 721411, Oklahoma City, OK 73172
www.JMBranum.com

To: COMMANDER, 528th SB (SO)(A), 1st Special Forces Command, Fort Bragg, NC
From: SFC Michael Forbes through James M. Branum, Attorney at Law
Date: March 31, 2023
Subject: Response to request for SFC Forbes to participate in "Human Performance and Wellness Assessment" as part of the USASOC HPW Program, submitted pursuant to UCMJ Article 138 and AR 27-10.

Through legal counsel, SFC Forbes submits this brief (with attachments) as an explanation for why he will not be consenting to participate in portions of the "Human Performance and Wellness Assessment" (hereafter "HPW") via a third party cell phone app,[1] to gather personally identifiable (via DoD ID number) information and subjectively assess initial baseline and subsequently collected data in the HPW research project, as well as why the order given for all members of 528th SB (SO)(A) to participate in the HPW assessment is an unlawful order.[2]

Please note that this brief is also submitted as an appeal for redress under the provisions of UCMJ Article 138 and AR 27-10.

Statement of Wrongs

1. **The HPW Assessment (in its current form), violates military regulations involving the protection of PII (personally identifiable information).**

According to DoDI 5400.11 part 5.1 (a)(3) (ref. A), information gathered by a DOD component about an individual may only be "collected, used, maintained, or disseminated" if certain criteria are met, including:

A. The information gathered must be "legally authorized, relevant and necessary to accomplish an established DoD mission or function,"

B. The information must be "accurate, relevant, timely, and complete for its stated purpose,"

[1] See encl. 1.

[2] See commentary on UCMJ article 90, page IV-24 (ref. D).

C. The information must be "collected directly from the individual to the greatest extent practicable when the information may result in adverse determinations about the individual's rights, benefits and privileges," and that this information can only be gathered if the subject of the information has been informed of:

   a. "The specific purpose or purposes" for the information being gathered and record,

   b. The legal authority for the use of this information,

   c. How the information will be used,

   d. Whether participation is mandatory or voluntary, [and]

   e. The actual consequences of not providing the requested information."

It is also important to note that all of these provisions apply in the current situation, despite the fact that much of the HPW assessment is being done by way of a third-party app[3] because according to DoD 5400.11-R part C1.3 (ref. B), the rules regarding the gathering and retention of data also apply equally to government contractors such as the app owner/developer. Unfortunately, the End-User License Agreement (EULA) for the *BridgeTracker* app[4] does not mention that the protections of DOD regulations apply to data entered into this app, but does include a mandatory arbitration clause, which prevents a user from suing the company in the event of wrongdoing by the company, such as a data leak or any possible illegal or unauthorized distribution and/or use of the data.

Moreover, the use of third-party surrogates or internal HPW delegates to gather and store data in a personally identifiable database[5] without required procedural requirements or oversight degrades Soldiers' protections afforded by the code of federal regulations[6] and US Army regulation.[7] This also has the possibility to result in the ever-present danger of "scope-creep."[8]

---

[3] The app in question is called BridgeTracker and is developed by Bridge Athletic. (https://play.google.com/store/apps/details?id=com.bridgeathletic.tracker).

[4] See https://www.bridgeathletic.com/terms-of-use-agreement.

[5] The US Army Futures Command's Combat Capabilities Development Command (DEVCOM) Soldier Center conducted a field test of the Smartabase with a 10th Mountain Division. (https://f.hubspotusercontent40.net/hubfs/6443997/Download%20Assets%20for%20the%20website/Smartabase_OHWS_Customer_Story.pdf).

According to the schedule for the USASOC Human Performance+Wellness Anual Summit dated May 16-20, 2022 (encl. 5), USASOC's HPW program will also using the Smartabase.

[6] See 32 CFR 219 (ref. E).

[7] See AR 70-25 (ref. G).

[8] See Posard, Marek, et. al "Reducing the Risk of Extremist Activity in the U.S. Military." (ref. J).

Unfortunately, it appears that many of the above-mentioned criteria were not, in fact, satisfied in a prior similar "requirement"/"directive" by the Command, an ad hoc behavioral health assessment entitled, "Strength Deployment Inventory" which was coordinated by the unit Psychologist in the week prior to the HPW order.

SFC Forbes requested further information of the scope and statutory support, and then learned that the online third party sponsored entity not only gathered and assessed the data but also produced an identifiable report that is distributed back to the sponsor. Based on this information, SFC Forbes chose to not give his consent to the third party "Terms of Service" and "Privacy Policy," until he could confirm his findings. Moreover, the Psychological Officer also did not provide the scope or statutory support for the assessment and redirected to question his motivation for his request. This request resulted in the Psychological Officer erroneously reporting SFC Forbes to the Command, having not answered either of his questions.

Subsequently, the imminent HPW order and its general opaqueness as demonstrated by the restriction of access to the USASOC HPW portal pages to non-HPW staff[9] did not provide SFC Forbes with answers to similar privacy concerns. SFC Forbes attempted to determine the statutory support and scope of the sponsored event outside his unit due to the aforementioned consequences he experienced.

2. **The HPW Assessment (in its current form) violates military regulations that prohibit the creation of records involving the exercise of first amendment rights by a servicemember, except in limited circumstances.**

According to encl. 2, the HPW Assessment will include inquiries into "POTFF" domains[10] including "social & family, spiritual," and "psychological."

This is a problem. According to DoD 5400.11-R part C.1.5 (ref. B), the DOD is forbidden from creating records that record information about an individual's exercise of First Amendment rights including "freedom of religion, freedom of political beliefs, freedom of speech, freedom of the press, the right to assemble, and the right to petition."

The only exceptions to this policy are if the request for such information is: (1) expressly authorized by Federal statute, (2) expressly authorized by the individual,[11] or (3) within the scope of authorized law enforcement activity.

Moreover, assessing "spirituality" is by its nature a violation of two constitutional provisions: (1) the

[9] See email correspondence dated Dec. 16, 2022 (encl. 4).

[10] See https://www.socom.mil/POTFF/Pages/default.aspx.

[11] This exception does not apply here, as the members of SFC Forbes unit are being told they must complete the HPW assessment. This means any "consent" given by assessment subjects was not given voluntarily.

Establishment clause of the First Amendment of the US Constitution (ref. K), as well as the "religious test" clause of the Article VI of the US constitution (ref. K).

It is important to note, that while the military (through its chaplain corps, endorsed by religious organizations) provides opportunities for servicemembers to engage in religious free exercise, the military is not allowed to promote any specific religion (or even religion in the abstract). It also may not judge a servicemember based upon his or her religion, or lack of religion. This hybrid system (with denominational endorsement and supervision of the religious functions of the chaplain's position, and military supervision of the military-specific provisions of service as a chaplain) was specifically created to ensure that competing tensions of the Establishment and Free Exercise clauses are respected.[12] This is very different from the HPW's spiritual assessment, which is created by and supervised by the military itself.

Furthermore, the use of third-party apps to collect unauthorized information would indicate a surrogate relationship to accomplish a prohibited activity. For instance, DoDI 6490.04 (3)(d) (ref. H), highlights the three situations in which a psychological assessment in a Command Directed Behavioral Health Evaluation (CDBHE) can be required. HPW (as currently implemented) does not satisfy these requirements, and hence the command-directed baseline assessment referenced in encl. 1 pertaining to the "psychological" pillar requires both notification and consent pursuant to the code of federal regulations and US Army regulation.[13]

3. The HPW Assessment (in its current form) is a form of research, and as such requires the informed consent of all participants. "Consent" given under compulsion is not consent.

According to encl. 3, the HPW pilot project of USASOC is a research project. As such, the project is subject to relevant federal statutes and regulations that govern human research,[14] including the requirement for actual informed consent that is free of coercion,[15] which includes an outright bar on "(m)ilitary and civilian supervisors, officers, and others in the chain of command" from "influencing their subordinates to participate in HSR" (human subject research). [16]

Moreover, the DOD Patients' Bill of Rights[17] requires that military patients to be protected from breaches

[12] See Tuttle, Robert W. "Accommodation: The constitutional ground of chaplaincy" *Human Rights* (July 5, 2022), Vol. 47, No. 3/5) (ref. I).

[13] See 32 CFR 219 (ref. E) and DoDI 3216.02 (ref. F).

[14] See 32 CFR 219 (ref. E) and DoDI 3216.02 (ref. F).

[15] See 32 CFR 219 § 219.116 (ref. E)

[16] See DoDI 3216.02 § 3.9 (f)(3) (ref. F)

[17] See DoDI 6000.14 (ref. C)

of privacy and security[18] and to have the right to informed consent, including the right to consent or "refuse participation in clinical trials or other research investigations as may be applicable."[19]

The relevant provisions of the DOD Patients' Bill of Rights are further amplified by the provisions of AR 70-25 (ref. G), which include:

1. A requirement that all participants in research be fully informed and (with a few exceptions) provide voluntary consent,[20]

2. A requirement that commands publish appropriate directives and regulations to ensure that research subjects are provided with appropriate disclosures to ensure that participation in said research is done in a lawful and consensual manner.[21]

Conclusion and Request for Redress

SFC Forbes is a good soldier and a good NCO. He does his best to follow the law and regulations, because it is the right thing to do. It is not easy for him to decline this order, but it is within his rights under federal law and DOD regulations to decline to participate in portions of the USASOC HPW Pilot program, and that is what he is doing.

For the sake of all members of the unit, you are urged to withdraw the unlawful order for all to participate in the USASOC HPW pilot program at this time.



James M. Branum
Attorney at Law

[18] See DoDI 6000.14, enclosure 2, (1)(c) (ref. C)

[19] See DoDI 6000.14, enclosure 2, (1)(f) (ref. C).

[20] See AR 70-25 (3-1)(a)(ref. G).

[21] See AR 70-25 (3-2)(ref G).

Enclosures:

1: OPORD 22-XXX 528th SB (SO) (A)
2: Poster “Assess the Unassessed”
3: Memorandum for record dated June 25, 2021 re: USASOC Warfighter Alliance
4: Email correspondence dated Dec. 16, 2022
5: Schedule of USASOC Human Performance+Wellness Annual Summit dated May 16-20, 2022.

References:

A: DoDI 5400.11
B: DoD 5400.11-R
C: DoDI 6000.14
D: Manual for Courts-Martial
E: 32 CFR 219
F: DoDI 3216.02
G: AR 70-25
H: DoDI 6490.04
I: Tuttle, Robert W. "Accommodation: The constitutional ground of chaplaincy" *Human Rights* (July 5, 2022), Vol. 47, No. 3/5) online at: https://www.americanbar.org/groups/crsj/publications/human_rights_magazine_home/intersection-of-lgbtq-rights-and-religious-freedom/accommodation/.
J: Posard, Marek, et. Al “Reducing the Risk of Extremist Activity in the U.S. Military” online at: (https://www.rand.org/pubs/perspectives/PEA1447-1.html).
K: US Constitution

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

AOSC-CO 5 April 2023

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

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

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

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

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

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

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

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

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

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

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

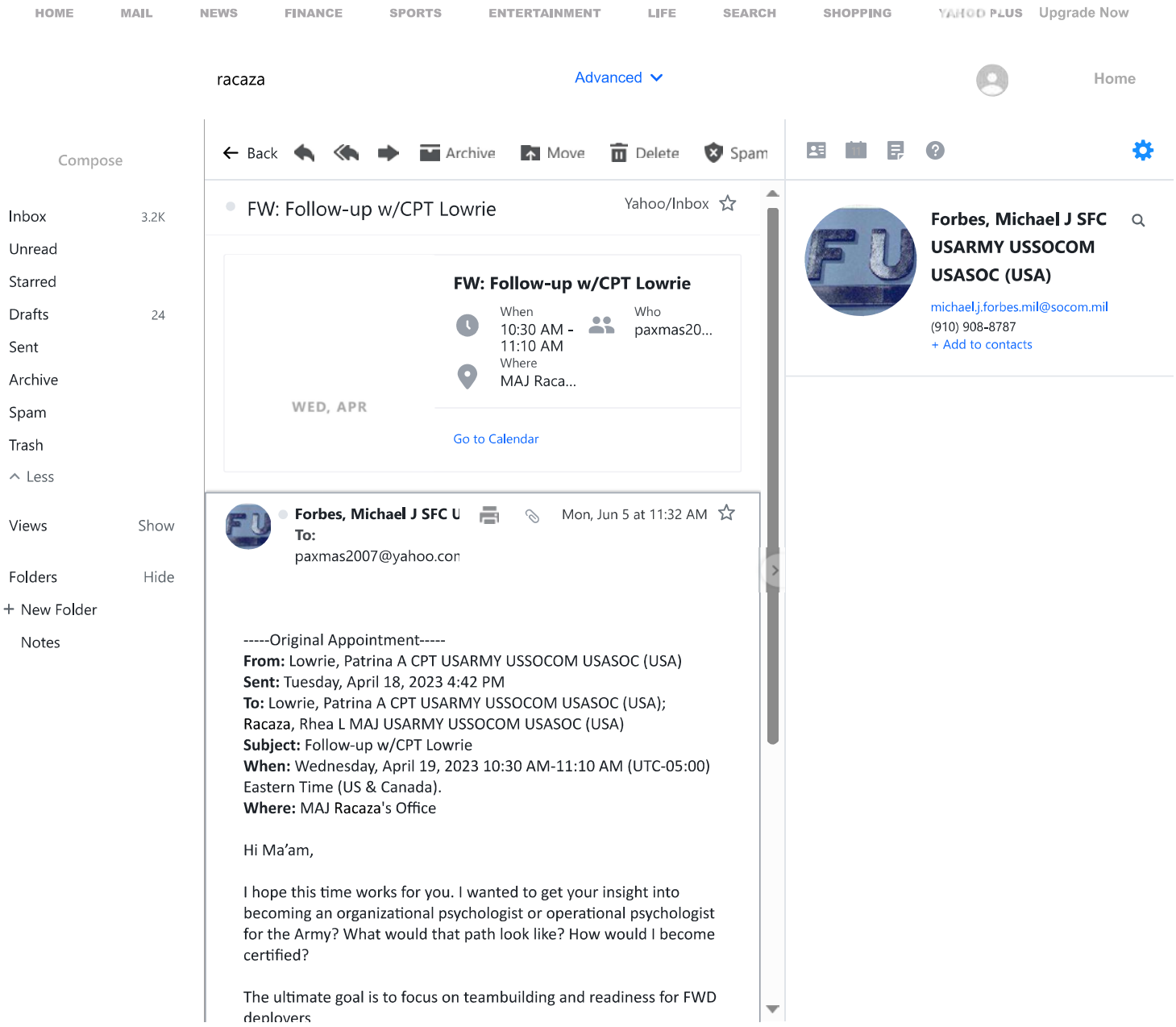
AOSC-CO
SUBJECT: Response to Initial Request for Redress Under Article 138, Uniform Code of Military Justice, and In Accordance with Army Regulation 27-10

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

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

BRUNSON.TAVI.NIGEL. Digitally signed by BRUNSON.TAVI.NIGEL. Date: 2023.04.11 15:17:40 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding


HOME MAIL NEWS FINANCE SPORTS ENTERTAINMENT LIFE SEARCH SHOPPING YAHOO PLUS Upgrade Now
racaza
Advanced
Home
Compose
Inbox 3.2K
Unread
Starred
Drafts 24
Sent
Archive
Spam
Trash
Less
Views Show
Folders Hide
New Folder
Notes
Back
Archive
Move
Delete
Spam
FW: Follow-up w/CPT Lowrie
Yahoo/Inbox
FW: Follow-up w/CPT Lowrie
When
10:30 AM - 11:10 AM
Who
paxmas20...
Where
MAJ Raca...
WED, APR
Go to Calendar
Forbes, Michael J SFC U
To:
paxmas2007@yahoo.com
Mon, Jun 5 at 11:32 AM
-----Original Appointment-----
From: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA)
Sent: Tuesday, April 18, 2023 4:42 PM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA); Racaza, Rhea L MAJ USARMY USSOCOM USASOC (USA)
Subject: Follow-up w/CPT Lowrie
When: Wednesday, April 19, 2023 10:30 AM-11:10 AM (UTC-05:00) Eastern Time (US & Canada).
Where: MAJ Racaza's Office
Hi Ma'am,
I hope this time works for you. I wanted to get your insight into becoming an organizational psychologist or operational psychologist for the Army? What would that path look like? How would I become certified?
The ultimate goal is to focus on teambuilding and readiness for FWD deployers
Forbes, Michael J SFC
USARMY USSOCOM
USASOC (USA)
michael.j.forbes.mil@socom.mil
(910) 908-8787
+ Add to contacts

Prescribed by: DoDM 6025.18 CONTROLLED when filled

AUTHORIZATION FOR DISCLOSURE OF MEDICAL OR DENTAL INFORMATION

PRIVACY ACT STATEMENT

In accordance with the Privacy Act of 1974 (Public Law 93-579), the notice informs you of the purpose of the form and howit will be used. Please read it carefully.

AUTHORITY: Public Law 104-191; E.O. 9397 (SSAN); DoD 6025.18-R.

PRINCIPAL PURPOSE(S): This form is to provide the Military Treatment Facility/Dental Treatment Facility/TRICARE Health Plan with a means to request the use and/or disclosure of an individual's protected health information.

ROUTINE USE(S): To any third party or the individual upon authorization for the disclosure from the individual for: personal use; insurance; continued medical care; school; legal; retirement/separation; or other reasons.

DISCLOSURE: Voluntary. Failure to sign the authorization form will result in the non-release of the protected health information.

This form will not be used for the authorization to disclose alcohol or drug abuse patient information from medical records or for authorization to disclose information from records of an alcohol or drug abuse treatment program. In addition, any use as an authorization to use or disclose psychotherapy notes may not be combined with another authorization except one to use or disclose psychotherapy notes.

SECTION I - PATIENT DATA

1. NAME (Last, First, Middle Initial)	2. DATE OF BIRTH (YYYYMMDD)	3. SOCIAL SECURITY NUMBER
FORBES MICHAEL J.	[redacted]	[redacted]

4. PERIOD OF TREATMENT: FROM - TO (YYYYMMDD)	5. TYPE OF TREATMENT (X one)
20230119 - 20230328	☐ OUTPATIENT ☐ INPATIENT ☒ BOTH

SECTION II - DISCLOSURE

6. I AUTHORIZE WOMACK ARMY MEDICAL CENTER TO RELEASE MY PATIENT INFORMATION TO:
(Name of Facility/TRICARE Health Plan)

a. NAME OF PERSON OR ORGANIZATION TO RECEIVE MY MEDICAL INFORMATION	b. ADDRESS (Street, City, State and ZIP Code)
MICHAEL J. FORBES	[redacted]
c. TELEPHONE (Include Area Code)	d. FAX (Include Area Code)

7. REASON FOR REQUEST/USE OF MEDICAL INFORMATION (X as applicable)

☒ PERSONAL USE ☐ CONTINUED MEDICAL CARE ☐ SCHOOL ☐ OTHER (Specify)

☐ INSURANCE ☐ RETIREMENT/SEPARATION ☐ LEGAL

8. INFORMATION TO BE RELEASED

"EMBAFR" POSSIBLE EMERGENCY DEPARTMENT BEH. HEALTH FINAL REPORT. ATTACHED ATTORNEY MEMO. (CAARAS) 4TH REQUEST (2ND FORMAL) EMAIL: paxmas2007@yahoo.com

9. AUTHORIZATION START DATE (YYYYMMDD)	10. AUTHORIZATION EXPIRATION DATE (YYYYMMDD)	
~~20230326~~ ~~20240328~~ 20230329	MF 20240329	☐ ACTION COMPLETED

SECTION III - RELEASE AUTHORIZATION

I understand that:

a. I have the right to revoke this authorization at any time. My revocation must be in writing and provided to the facility where my medical records are kept or to the TMA Privacy Officer if this is an authorization for information possessed by the TRICARE Health Plan rather than an MTF or DTF. I am aware that if I later revoke this authorization, the person(s) I herein name will have used and/or disclosed my protected information on the basis of this authorization.

b. If I authorize my protected health information to be disclosed to someone who is not required to comply with federal privacy protection regulations, then such information may be re-disclosed and would no longer be protected.

c. I have a right to inspect and receive a copy of my own protected health information to be used or disclosed, in accordance with the requirements of the federal privacy protection regulations found in the Privacy Act and 45 CFR 164.524.ss

d. The Military Health System (which includes the TRICARE Health Plan) may not condition treatment in MTFs/DTFs, payment by the TRICARE Health Plan, enrollment in the TRICARE Health Plan or eligibility for TRICARE Health Plan benefits on failure to obtain this authorization.

I request and authorize the named provider/treatment facility/TRICARE Health Plan to release the information described above to the named individual/organization indicated.

11. SIGNATURE OF PATIENT/PARENT/LEGAL REPRESENTATIVE	12. RELATIONSHIP TO PATIENT (If applicable)	13. DATE (YYYYMMDD)
[signature]	SELF	MF 20230329

SECTION IV - FOR STAFF USE ONLY (To be completed only upon receipt of written revocation)

14. X IF APPLICABLE:	15. REVOCATION COMPLETED BY	16. DATE (YYYYMMDD)
☐ AUTHORIZATION REVOKED		

17. IMPRINT OF PATIENT IDENTIFICATION PLATE WHEN AVAILABLE	
	SPONSOR NAME: MICHAEL J. FORBES
	SPONSOR RANK: SFC (P5)
	FMP/SPONSOR SSN: N/A
	BRANCH OF SERVICE: RA
	PHONE NUMBER: [redacted]

DD FORM 2870, DEC 2003

000558

Reset

AUTHORIZATION FOR DISCLOSURE OF MEDICAL OR DENTAL INFORMATION

PRIVACY ACT STATEMENT

In accordance with the Privacy Act of 1974 (Public Law 93-579), the notice informs you of the purpose of the form and how it will be used. Please read it carefully.
AUTHORITY: Public Law 104-191; E.O. 9397 (SSAN); DoD 6025.18-R.
PRINCIPAL PURPOSE(S): This form is to provide the Military Treatment Facility/Dental Treatment Facility/TRICARE Health Plan with a means to request the use and/or disclosure of an individual's protected health information.
ROUTINE USE(S): To any third party or the individual upon authorization for the disclosure from the individual for: personal use; insurance; continued medical care; school; legal; retirement/separation;or other reasons.
DISCLOSURE: Voluntary. Failure to sign the authorization form will result in the non-release of the protected health information.
This form will not be used for the authorization to disclose alcohol or drug abuse patient information from medical records or for authorization to disclose information from records of an alcohol or drug abuse treatment program. In addition, any use as an authorization to use or disclose psychotherapy notes may not be combined with another authorization except one to use or disclose psychotherapy notes.

SECTION I - PATIENT DATA

DOB: [redacted]

1. NAME (Last, First, Middle Initial)	2. DATE OF BIRTH (YYYYMMDD)	3. SOCIAL SECURITY NUMBER
FORBES, MICHAEL j	[redacted]	[redacted]

4. PERIOD OF TREATMENT: FROM - TO (YYYYMMDD)	5. TYPE OF TREATMENT (X one)
20230118 - 20230223	[ ] OUTPATIENT [ ] INPATIENT [X] BOTH

SECTION II - DISCLOSURE

6. I AUTHORIZE Womack Army Medical Center TO RELEASE MY PATIENT INFORMATION TO:
(Name of Facility/TRICARE Health Plan)

a. NAME OF PERSON OR ORGANIZATION TO RECEIVE MY MEDICAL INFORMATION	b. ADDRESS (Street, City, State and ZIP Code)
MICHALE J. FORBES	614 NORTHHAMPTON RD FAYETTEVILLE, NC 28303
c. TELEPHONE (Include Area Code)	d. FAX (Include Area Code)

7. REASON FOR REQUEST/USE OF MEDICAL INFORMATION (X as applicable)

[X] PERSONAL USE [ ] CONTINUED MEDICAL CARE [ ] SCHOOL [ ] OTHER (Specify)
[ ] INSURANCE [ ] RETIREMENT/SEPARATION [ ] LEGAL

8. INFORMATION TO BE RELEASED
ALL BH RECORDS

9. AUTHORIZATION START DATE (YYYYMMDD)	10. AUTHORIZATION EXPIRATION
20230329	[ ] DATE (YYYYMMDD) 20240329 [ ] ACTION COMPLETED

SECTION III - RELEASE AUTHORIZATION

I understand that:
a. I have the right to revoke this authorization at any time. My revocation must be in writing and provided to the facility where my medical records are kept or to the TMA Privacy Officer if this is an authorization for information possessed by the TRICARE Health Plan rather than an MTF or DTF. I am aware that if I later revoke this authorization, the person(s) I herein name will have used and/or disclosed my protected information on the basis of this authorization.
b. If I authorize my protected health information to be disclosed to someone who is not required to comply with federal privacy protection regulations, then such information may be re-disclosed and would no longer be protected.
c. I have a right to inspect and receive a copy of my own protected health information to be used or disclosed, in accordance with the requirements of the federal privacy protection regulations found in the Privacy Act and 45 CFR §164.524.
d. The Military Health System (which includes the TRICARE Health Plan) may not condition treatment in MTFs/DTFs, payment by the TRICARE Health Plan, enrollment in the TRICARE Health Plan or eligibility for TRICARE Health Plan benefits on failure to obtain this authorization.
I request and authorize the named provider/treatment facility/TRICARE Health Plan to release the information described above to the named individual/organization indicated.

11. SIGNATURE OF PATIENT/PARENT/LEGAL REPRESENTATIVE	12. RELATIONSHIP TO PATIENT (If applicable)	13. DATE (YYYYMMDD)
[signature]	SELF	20230329

SECTION IV - FOR STAFF USE ONLY (To be completed only upon receipt of written revocation)

14. X IF APPLICABLE:	15. REVOCATION COMPLETED BY	16. DATE (YYYYMMDD)
[ ] AUTHORIZATION REVOKED		

17. IMPRINT OF PATIENT IDENTIFICATION PLATE WHEN AVAILABLE	
	SPONSOR NAME: Michael J. Forbes SPONSOR RANK: SFC (P) FMP/SPONSOR SSN: N/A [redacted] BRANCH OF SERVICE: RA PHONE NUMBER: [redacted]

DD FORM 2870, DEC 2003

e Professional 8.0

11:35

11:35 am - SFC Forbes returned with another request - As advised by Mr. Castillon to give him his written document to him. SFC Forbes stated he did not want the document - he put on his paperwork that he gave us this MFR

REPORT OF MENTAL STATUS EVALUATION

For use of this form, see AR 40 - 66; the proponent agency is OTSG

SECTION I – REASON FOR BEHAVIORAL HEALTH EVALUTION

Select Reason for MSE

☒ Other:

SECTION II – BEHAVIORAL HEALTH DISPOSITION DETERMINATION

☐ SM shows no evidence of an impairing behavioral health (BH) condition. SM is cleared for advanced military training.

☒ No duty limitations due to behavioral health reasons. SM currently meets behavioral health medical retention standards (IAW AR 40-501).

☐ BH condition meets retention standards but may require waiver for deployability within specific areas of operation.

☐ SM is on a Profile which expires _____ See Profile for details.

☐ SM currently does NOT meet medical retention standards, has reached medical retention determination point, and a Disability Evaluation System referral is:

☐ indicated or ☐ has already occurred.

☐ Further assessment is needed to determine behavioral health medical readiness status.

For Ch. 5-13/17, AR 635-200

☐ SM meets criteria for Ch. 5-13/17 administrative. SM currently meets medical retention standards.

☐ Yes ☐ No SM deployed to an imminent danger pay area IAW MEDCOM Policy 19-001 (**YES** Requires OTSG-Level approval using BHAR).

☐ There is no evidence of a documented change in diagnosis from a boardable to a non-boardable condition within the past 90 days.

☐ The condition is of sufficient severity to interfere with the SM's ability to function in the military. The SM is not amenable to BH treatment and is unlikely to respond to Command efforts at rehabilitation.

SECTION III – PERTINENT FINDINGS ON MENTAL STATUS EVALUTION

Screening performed:	☐ Post-Traumatic Stress Disorder	☒ Depression	☐ Traumatic Brain Injury	☒ Substance Misuse	☐ Sexual Trauma		
COGNITION:	☒ Not Impaired	☐ Impaired		BEHAVIOR:	☒ Normal	☐ Abnormal	
PERCEPTIONS:	☒ Not Impaired	☐ Impaired		IMPULSIVITY:	☒ Normal	☐ Abnormal	
BH RISK FOR HARM TO SELF:	☒ Not Elevated	☐ Low	☐ Intermediate	☐ High			
BH RISK FOR HARM TO OTHERS:	☒ Not Elevated	☐ Low	☐ Intermediate	☐ High			

Positive Screens/Findings/Elevated Risks *(Use further Comment section if space is needed)*:

SECTION IV - DIAGNOSES

(ONLY REPORT DIAGNOSES REQUIRED FOR SUPPORTING SECTION II FINDINGS)

BH DIAGNOSES:

R45.89 OTHER SYMPTOMS AND SIGNS INVOLVING EMOTIONAL STATE

OTHER MEDICAL DIAGNOSES:

SECTION V - FOLLOW-UP RECOMMENDATIONS

☒ No follow-up needed ☐ Follow-up recommended *(see below)* ☐ Follow-up as already scheduled *(see below)*

Clinic:	Phone:	Location:	Date:	Time:

☐ Recommend Command referral to: ☐ Family Advocacy Program ☐ Substance Use Disorder Evaluation ☐ Other:

PATIENT INFORMATION

Patient Name:			Rank/Grade:	Status:
FORBES, MICHAEL J			SFC	AD
Prefix:	**DOB *(YYYYMMDD)*:**	**Sponsor DOD ID:**	**MTF:**	**Date:**
20	[redacted]	[redacted]	MCXC	20230119

SECTION VI - RECOMMENDATIONS AND COMMENTS FOR COMMANDER

☐ No safety precautions are indicated.

☒ Yes ☐ No SM can understand and participate in administrative proceedings and appreciate the difference between right and wrong.

☐ Yes ☐ No SM's behavioral health condition was likely a mitigating factor in the alleged behavior leading to administrative separation.

☐ Ch. 10,14 & Officer elimination: The effects of PTSD and TBI likely constitute matters in extenuation that relate to the basis for separation.
☐ Yes ☐ No

☐ Ensure SM attends all follow-up appointments.

☐ Prohibit use of alcohol. Alcohol can interfere with medication, decrease rational judgment, and increases risk for impulsive behavior.

☐ Increase leader/supervisory support with intent of keeping SM engaged with unit members and other sources of support.

☐ Consider placement of Service member in barracks for increased support and potentially reduced access to weapons.

☐ Encourage SM to use gun locks and gun safes or temporarily secure personal weapons with MPs, unit arms room, or other trusted source.

☐ Restrict access to or disarm all military weapons and ammunition. No range duties.

☐ Consider no contact order between Service member and _____ to limit risk of harm to self/others.

☒ If Service member shows concerning changes in mood, behavior, or safety, then Command should call: Name: 3RD SFG EBH Phone: 908.2256 during duty hours. After hours, Command should escort Service member to the nearest emergency room.

☐ The Service Member has a condition that is likely to impair his/her judgment or reliability to protect classified information. (If checked, Commanders will ensure prompt notification to the Army Central Clearance Facility IAW AR 380-67 DA Personnel Security Program, by providing an incident report via the Joint Personnel Adjudication System (JPAS) or its successor.

For Recruiting Command Assessments:

☐ The Service member's current needs can be met in geographically dispersed environment. Recommend USAREC assignment.

☐ The Service member's current needs cannot be met in geographically dispersed environment. Recommend Behavioral Health reevaluation no earlier than Month _____ Year _____

☐ The Service member's historical and current needs cannot be met in a geographically dispersed environment. USAREC assignment is not recommend.

For CID Candidate Assessments:

☐ The Service member appears suitable for CID assignment at this time.

☐ The Service member is not suitable for CID assignment at this time.

☐ The Service member has been treated for a behavioral health condition and has demonstrated stability _____ (months/years), per the requirements outline in the CID applicant matrix . Recommend consideration of a behavioral health waiver for CID assignment.

For Positions of Significant Trust and Authority:

SHARP VAs, SARCs, Drill Sergeants, AIT Platoon Sergeants, Army National Guard Recruit Sustainment Program Cadre.

☐ At the time of evaluation, the Service member does not have a BH condition of sufficient severity to impair his/her judgment and reliability or that otherwise prevent him/her from serving in the assigned or nominated position. This evaluation is neither capable of nor intended to detect the predilection towards sexual or other violence or other unethical or illegal conduct. These conclusions are made solely on the SM's current BH status. He/She is cleared for assignment to this position of significant trust and authority.

Further Comments:

SM exhibits no current evidence of significant risk of harm towards self or others. Further evaluation may be obtained, if warranted, through 3RD SFG EBH to address other behavioral issues (e.g., Administrative Separation, Fitness-for-Duty, etc).

Command representative contacted:

Name:	Duty Position:	Phone:
CPT DAVID KORISTA	COMMANDER	(315) 486-9235

BEHAVIORAL HEALTH PROVIDER SIGNATURE(S)

Behavioral Health Provider's Signature	Date	Behavioral Health Supervisor Signature *(if needed)*:	Date
Digitally signed by LANIER.BRIAN.DARREL [redacted] Date: 2023.01.19 02:45:29 -05'00'	20230119		

PATIENT INFORMATION

Patient Name:			Rank/Grade:	Status:
FORBES, MICHAEL J			SFC	AD
Prefix:	**DOB *(YYYYMMDD)*:**	**Sponsor DOD ID:**	**MTF Code:**	**Date:**
20	[redacted]	[redacted]	MCXC	20230119

Rapid Triage Check in Sheet
***Refer to DEM SOPs for specific guidelines on when to activate standing orders
***Do not delay bed placement to completed standing orders in triage

Patient Name: Forbes, Michael — Male — Female — Age: 54

Chief Complaint: BH eval.

Subj: comm and directed

Rapid Triage Assessment

Appearance: ○ Alert, Well Appearing — Respiratory: ∅ Even and Unlabored

Weight (kg): _____

Comprehensive Triage: ∅ Routine (BLUE) — ∅ Expedited (RED)

10min EKG ○ Yes ○ No

EKG Requested (Time):
EKG Completed (Time):
EKG Provider Reviewed (Time):

Behavior Health Patient

Unit Guard Present: ⊗ Yes ○ No

Unit Guard Name/Phone #: MSG Emily Ginn (850) 748-4575

Security Brief Completed: ⊗ Yes ○ No

Comments:

Forbes, Michael Jeffrey
DOB: [redacted] Male / 54 Ye
DOS:
DoD ID:
FI [redacted]

Nurse Stamp/Signature: AB

Date: 1-17-23 Time:

Federal EHR/MHS GENESIS

Date	Document Title	Document Type	Site
Jan 19, 2023Details	ED BH Consultation	Behavioral Health Note-Not in Pt Portal	FEHR

Document Reference

Patient Name: Forbes, Michael Jeffrey

Document Type: Behavioral Health Note-Not in Pt Portal

Document Category: Clinical Note

Document Title: ED BH Consultation

Service End Date: Jan 19, 2023 7:28 A.M. CST

Document Status: Final

Verifying Provider: LANIER, BRIAN DARRELL, LCSW

NOTE ATTACHMENT #1 of 1

0089A-AMC Womack-Bragg
3500 100Th Reilly Rd
Bldg 42817
Fort Bragg, NC 28310-5000

Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

Document Type:	Behavioral Health Note-Not in Pt Portal
Service Date/Time:	1/19/2023 08:28 EST
Result Status:	Auth (Verified)
Perform Information:	LANIER,BRIAN DARRELL,LCSW (1/19/2023 08:30 EST)
Sign Information:	LANIER,BRIAN DARRELL,LCSW (1/19/2023 08:30 EST)

WAMC Department of Behavioral Health
Emergency Department Behavioral Health Consult

This note was completed by the undersigned

Service: Army	**Unit:** HHC, 528TH SB
Rank: SFC	**Commander's name & phone:** CPT David Korista 315.486.9235
MOS: 35F	

Session duration	50m
Client seen on	19Jan23

Reviewed Patient Rights and Confidentiality Statement and Privacy Act	¯21
Reviewed Chaperone policy for minors with guardian and emphasized the guardian's right to request a chaperone and/or to be present in the room.	¯20

Referral source

¯20 Self
¯21 Command
¯21 Emergency Department
¯20 Medical
¯20 Legal
¯20 Other

Controlled Unclassified Information (CUI)
Disclaimer: "The information contained in this document may contain privileged and confidential information including patient information protected by federal and state privacy laws."

Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

History of presenting issue (HPI):

SM presented to the ED for Emergent CDBHE. He was accompanied by NCO escort (MSG Grrix).. SM denied SI/HI at triage but acknowledged that he was at ED for BH evaluation. He received medical evaluation and routine labs (e.g., UDS, ETOH) were collected and reviewed. He was negative for all tested substances. BH consultation was requested once he was deemed medically cleared to r/o immediate safety concerns and to assist in establishing f/u tx as needed. SM initially arrived without FB 1462 but one was completed by the commander on instructions of this provider and this document was reviewed prior to assessment. Review of records indicate that he has not received BH tx but was previously seen for CDBHE on 14AUG2017

Collateral information was obtained from Commander (CPT Korista 315.486.9235) face-to-face and through documentation on FB 1462. Commander indicates that SM has exhibited increasing paranoia and erratic behavior. He reports that additional concerns were noted by senior leadership and CDBHE was being requested to address any potential safety issues. Commander was advised of limitations of Emergent CDBHE and informed that he would be provided feedback via DA 3822 in signed/sealed envelope delivered by NCO escort. He was also advised that further evaluation may be obtained, if warranted, through 3RD SFG EBH to address other behavioral issues (e.g., Administrative Separation, Fitness-for-Duty, performance problems, etc.)

SM was advised of LOC and the need to provide formal feedback to his commander. He readily engaged with this provider acknowledged the circumstances that led to him coming to the ED. He reports that he is currently struggling with distress associated with complicated occupational situation. Situation involves allegation of a physical assault perpetrated against him by another SM. SM explains that this incident occurred in the context of an attempt by him to address perceived electronic/physical security concerns in his workplace. He describes the incident as abusive and complains he was humiliated and professionally undermined. He has since initiated formal grievance process and believes that he is now being retaliated against via counseling statements, reassignment, and official investigations targeting him.

Despite this situation, SM maintains that he is coping relatively well and is utilizing appropriate strategies for addressing his concerns. He adamantly denies SI and cites multiple reasons to live including children, spouse, and optimistic outlook for the future. He denies significant depressive sx and/or substance misuse. He declines BH tx at this time but is aware of how to access tx if needed in the future.

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Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

MENTAL STATUS EXAM

Orientation	Alert and oriented in all domains. He did not appear to be under the influence at the time of evaluation.
Attn/concentration	WNL and SM remained focused throughout interview
Appearance	Appropriate attire and hygiene. SM is dressed in hospital scrubs per SOP.
Behavior	Client was cooperative and calm. He appeared forthcoming with information.
Psychomotor	WNL, no tics, tremors noted
Speech	WNL. Normal rate, rhythm, tone, and volume throughout the evaluation.
Mood reported	"okay but tired" congruent with affect
Affect	Euthymic, appropriate for mood
Thought process	Linear and goal-directed; logical associations
Thought content	No obsessions/compulsions; no delusions; no evidence of perceptual disturbances.
Insight	Adequate
Judgment	Adequate, No evidence of impulsive or risky behavior.

Physical pain: 0/10

RELEVANT MEDICAL SCREEN

Behavioral health history:
SM admits to hx of CDBHE in 2017 and attributes this to occupational conflict. He denies further action and did not engage in tx.

Psychotropic medications (including changes in past 6 months):
None

SUBSTANCE/ALCOHOL/HABITS

Item	Yes	No	Explanation of positive responses

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Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

Current illicit drug use	¯20	¯21	SM denies and UDS today was negative for all tested substances.
History of illicit drug use	¯20	¯21	
Current alcohol use	¯21	¯20	He describes infrequent use, 1-2 drinks
History of alcohol use	¯21	¯20	Consistent with above
History of ARIs, DUIs, SUDC-C, etc.	¯20	¯21	SM denies

RISK ASSESSMENT

Item	Yes	No	Explanation of positive responses
History of suicidal ideation	¯20	¯21	
History of suicidal intent	¯20	¯21	
History of suicidal planning	¯20	¯21	
History of suicidal self-directed violence	¯20	¯21	
History of interrupted self-directed violence	¯20	¯21	
History of suicide attempts	¯20	¯21	
Close friends or family members who have attempted or died by suicide	¯20	¯21	
History of intentionally hurting anyone or intentionally destroying property	¯20	¯21	
History of being arrested for violent behavior	¯20	¯21	
Current intentions or urges to engage in any above behaviors	¯20	¯21	

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Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

History of impulsive or risk-taking behaviors	¯20	¯21	

CURRENT RISK FACTORS

Behavioral Health Risk Assessment Tool

BASIS24 Total score = 0 **C-SSRS score = 0**
BASIS24 Ideation item (#11) = 0 **PHQ9 Total score = 0**
BASIS24 Self-harm thoughts item (#20) = 0 **PHQ9 Self-harm thoughts item (#9) = 0**

The client presented with the following risk factors:
| stressful events | male | ethnicity | access to lethal means | substance use

The following risk factors were considered but were not present:
| history of suicidal behaviors | required higher care level | age | legal issues | sense of injustice/betrayal | barriers/unwillingness for treatment | impulsivity | isolation | hopelessness | feelings of guilt | abuse history | history of behavioral health disorder | family/friend loss by suicide | physical illness |

Assessed risk based on total score of 9 / 75: Low Acute Risk

The assessed risk level is based on risk factors alone and does not account for any protective factors endorsed below. The Risk Assessment Tool is one data point among several that informs the overall whole person risk assessment detailed below.

CURRENT PROTECTIVE FACTORS

¯21	Easy access to interventions	¯21	Support for help seeking	¯21	Family and community support	¯21	Support from medical/BH relationships
¯21	Skills in problem solving	¯21	Beliefs discouraging suicide	¯20	Sobriety	¯21	Meaningful reasons for living

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Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

☐	21 Evidence of resiliency	☐	20 Evidence of medical compliance	☐	21 Positive marital relationship	☐	21 Parenthood responsibilities
☐	21 Evidence of impulse control						

RISK LEVEL FOR SUICIDE:

☐	21 No elevated	☐	20 Low	☐	20 Intermediate	☐	20 High

RISK LEVEL FOR HOMICIDE:

☐	21 No elevated	☐	20 Low	☐	20 Intermediate	☐	20 High

Safety plan:
SM was released under the supervision of Command. DA 3822 was provided to unit representative for delivery to commander.

DISPOSITION

Assessment:
SM is a 54yo male presenting to ED for Emergent CDBHE to r/o potential safety concerns stemming from observed behavior perceived as paranoid and erratic. SM exhibits significant emotional distress best explained as a reaction to recent occupational problems including an allegation of physical assault perpetrated against him by another SM and the belief that he is now a target for retaliation. SM adamantly denies SI and exhibits no evidence of risk towards self/others. He recognizes and appreciates the difference between right and wrong and can modify his behavior accordingly. No duty limitations are recommended due to BH reasons and he currently meets BH medical retention standards.

Diagnosis:
R45.89 OTHER SYMPTOMS AND SIGNS INVOLVING EMOTIONAL STATE

Diagnostic reconciliation:

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Patient Name: Forbes, Michael Jeffrey
MRN: [redacted]
FIN: [redacted]
DOB/Age/Sex: [redacted] Male

Date of Service: 1/18/2023
Provider: ANDERSON,CHRISTOPHER A,MD

Confidential Documents

N/A

Behavioral health measures administered at this encounter:
PHQ-9: 0 (No depressive symptoms detected)
C-SSRS: 0 (Past month suicidal ideation denied)

Interdisciplinary care/collaboration:
ED physician

Referrals:
None

Status:
This case is clinically closed to this provider and Acute Assessment Team.

Electronically Signed on: 01/19/2023 08:30 EST

LANIER, BRIAN DARRELL, LCSW

Controlled Unclassified Information (CUI)
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Your inquiry during the LOR recommendation counseling this morning

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

To: hollis.davenport.mil@socom.mil; amanda.f.kelley.mil@socom.mil

Date: Monday, May 1, 2023 at 01:11 PM EDT

Ma'am and 1SG:

During our the 1SG's LOR recommendation counseling session this morning, you helped clarify the question of, 'if I was on assignment?' To answer your question definitively, I attached my TP from today.

Yes, I am on assignment att. Even though I misunderstood the question initially, I wanted to answer you thoroughly. Does this help?

SFC Forbes

smime.p7s
5.3kB

20230501 Forbes Soldier Talent Profile.pdf
306.7kB

DEPARTMENT OF THE ARMY
HHC, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
1ST SPECIAL FORCES COMMAND (AIRBORNE)
X-4047 NEW DAWN ROAD
FORT BRAGG, NORTH CAROLINA 28307

AOSC-MI 17 November 2022

MEMORANDUM FOR RECORD

SUBJECT: (U) Initial Senior Non-Commissioned Officer Counseling

1. For access to the following items, check with the Company for all references and policy letters.

a. Organization history, structure, and mission.
b. Organizational Standards (such as discipline, maintenance, training, and fitness).
c. Organizational policies (USASOC, 1SFC (A), and 528th SB (SO) (A)).
d. Chain of Command familiarization/NCO support channel familiarization.
e. On and off duty conduct.
f. Off limit and danger areas.
g. Soldier programs within the organization, such as Soldier of the Month/Quarter/Year and educational and training opportunities.
h. Security and safety issues.
i. Personnel procedures.
j. Initial and special clothing issue.
k. On and off post recreational, educational, cultural, and historical opportunities.
l. Support activities functions and locations.

2. **Communication**. Over communication, not possible, ineffective communication, highly possible! Communication is the key for success, so our relationship is critical to being open and transparent with each other.

3. **Your priorities in the S2 Section**: Serves as the Senior All Source Intelligence NCOIC responsible for Personnel Security management and providing crucial and reliable information about enemy threats that may impact the force; primary duties include ensuring all matters concerning Personnel Security are accurately managed and reported to higher headquarters and DCSA for further processing; responsible for preparing and submitting Intelligence reports and summaries in order to assist the Brigade Command Team in the decision-making process; maintain personnel readiness; support 1SFC (A) personnel security operations; responsible for supervising, training, coaching, mentoring, and managing two Soldiers; responsible for maintenance and accountability of sensitive and tactical operations equipment valued in excess of $___,___; teamwork and collaboration; being an Army professional; and **fostering an environment of humility, empathy, resiliency, and moral and ethical courage**.

4. **Purpose**. To provide you with some insight and initial guidance as to how I will serve as the Brigade S2 and to highlight areas of utmost importance to me.

5. **Intent**. I am here to lead, coach, mentor, and support you as we work together as a team to maintain readiness (mission, training, personnel, equipment, and family). I will support you and

our team because we are a team of teams. Below is my guidance and some of my thoughts in no particular order.



Vision: The Brigade is posture to conduct personnel security management IAW the Personnel Security Accountability Program (PSAP) NLT April 2023 and permanent SCIF is fully operational NLT September 2023.

Top 3 Priorities:

1. Personnel Security Management (Derogatory reporting and periodic clearance reinvestigations)
2. OPLAN Updates and threat assessment as needed
3. Teambuilding and promoting holistic health and fitness (H2F)

S2 Key Tasks:

a. Conduct monthly battle drills for reporting derogatory information.
b. Create Brigade Policy Letter for reporting derogatory information.
c. Ensure Battalions are trained and equipped to execute their duties as Security Managers.
d. Establish SCIF including obtaining computers for use.
e. Obtain non-standard physical security card readers.
f. Establish an Intelligence Hot Topics Program.
g. Conduct Monthly All Source Intelligence Training IAW the Army Foundry Intelligence Training Program.
h. Develop and maintain contingency tracking systems.

End State: Brigade policies and procedures updated to reflect new operating considerations IAW the Personnel Security Accountability Program (PSAP) and Commanders, Supervisors, Security Managers, and Coworkers are trained and equipped to report derogatory information.

6. **Enduring Initiatives**: To achieve our mission, we will set the standard by actively engaging in the following initiatives:

a. ***Build Leaders***: **People are my top priority**. I am committed to serving you always and remain focused on constantly improving Talent Management within our MI Branch. I realize this is no easy feat, as it involves both the initial recruitment and subsequent retention of our Officers, Warrant Officers, NCOs, and Enlisted within our force. I will do my part by continuing to teach, coach, and mentor fellow MI professionals within our ranks.

b. ***Mutual Trust and Respect***: It takes great time and effort to establish, but only one poor selection of word or action to destroy. The core of our team will be based on mutual trust and respect because without it our team will not succeed.

c. ***Disciplined and Sound Character***: Walk in integrity and treat people with the utmost dignity and respect; Do what is legal, moral, and ethical; and always take a tactical pause between a stressor and response.

d. ***Communication***: Be present, focus, and listen empathically. Listen more, Talk less! Communication is the key for success, so we will work as a team to ensure we are both on the same page at all times.

e. ***Reputation and Relationships matter***: Make it your duty not to burn bridges, ensure you are building the team and not tearing it apart with your thoughts, attitudes, motives, and actions. This is a Special Operation assignment, so you will be working with people who think and operate differently, so make it a priority to first understand people then to be understood. Also, be open-minded about our operating environment because change is the only constant in life.

f. ***Ready and Resilient***: Maintain holistic health and fitness (H2F) by maintaining physical fitness, practicing self-care, resiliency, and mindfulness. Do not compromise sleep, energy, and sanity. Strive to maintain a positive attitude daily!

7. **Rater Guidance**:

a. **Accountability**: This is a vital component to maintaining personnel, equipment, and readiness. Without accountability, the Army is unable to perform its mission of fighting and winning America's wars. You are responsible for maintaining 100% accountability of S2 property and daily status report. At all times, all personnel should be accounted for, and the section admin actions must manage in a timely and efficient manner.

b. **Physical Fitness**. Physical Training should be a foundation of what we do. I expect you to conduct physical training on a consistent basis. Our bodies need to be ready for any type of environment and conditions and we must be fit to get there. ACFT is Army's new physical

testing record for Soldiers. We will actively seek developmental opportunities as we find new ways to train and maintain holistic health and fitness (H2F). 360 on the ACFT is manageable to obtain; however, we must maintain a consistent workout schedule that is designed to prepare us for combat at any given time. Therefore, I expect you to earn at least 270 or above on all

record ACFT. If you have a permanent profile, do what is required in your profile. Remember, your spiritual, mental, sleep, nutrition, and physical readiness are nonnegotiable.

c. **SHARP and Military Equal Opportunity (MEO)**: I will not tolerate any violations of Sexual Harassment and Assault and MEO. You are a professional Army leader, and you will act like it. You will treat all Leaders, Soldiers, and Civilians with the utmost dignity and respect. Become knowledgeable of the Sexual Harassment/Assault Response and Prevention Program and the Military Equal Opportunity Policy and Program (MEO) by reading AR 600-20 Chapters 6 and 7 respectively.

d. **Drive Change**: Army Futures Command and the Intelligence – Capabilities Development and Integration Directorate (I-CDID) continue to aggressively pursue modernization to achieve the MDO- Capable force by Waypoint 2028 and the Multi-Domain Operations (MDO)-Ready force by Aimpoint 2035. Read about MI Artificial Intelligence (AI) Integration DOTMLPF-assessment that will drive change in this important aspect of MDO at https://www.armyupress.army.mil/Journals/Military-Review/English-Edition-Archives/November-December-2021/Ryder-Domain-Awareness/Journals/Military-Review/MR-War-Poetry-Submission-Guide/.

e. **Safety:** All activities both on and off duty must be conducted in a safe manner. When there is risk find ways to mitigate that risk at the lowest level. Safety activities are organized to protect the force and enhance warfighting capabilities through a systematic and progressive process of hazard identification and risk management. We will conduct risk assessments and keep them documented. We do not want individuals getting injured, especially if it can be avoided. Remember, everyone is a Safety Officer!

f. **Professional Development**: Make yourself better every day and read! Knowledge is power and that's how we win wars. Start by reading doctrine and I would begin with ATP 6-22.1 (Counseling Process), FM 6-22 (Leader Development), FM 3-22.9 (Weapons Qualification), ADP 7-0 (Training Units and Developing Leaders), AR 27-10 (Military Justice), AR 600-20 (Army Command Policy), AR 350-30 (Code of Conduct), AR 600-8-19 (Promotions and Reductions), AR 670-1 (Wear and Appearance), AR 623-3 (NCOER). TC 7-22.7 (The Noncommissioned Officer Guide) and then work to branch specific stuff. Such as FM 2-0 (Intelligence), ADP 2-0 (Intelligence), ATP 2-01.3 (Intelligence Preparation of the Battlefield), ATP 2-19.4 (Brigade Combat Team Intelligence Techniques), (Multi-Service Tactics, Techniques, and Procedures for Intelligence, Surveillance, and Reconnaissance Optimization), and ATP 2-33.4 (Intelligence Analysis). Next, I would find some history that interests you. For instance, famous battles with reference to Military Intelligence (i.e. All Source, HUMINT, CI etc.). Finally, don't be afraid to look up civilian books on how to tackle problems like leadership and anything else you can find.

g. **Off Duty**: Get a hobby, travel, and relax when you can. If you think about the same things repeatedly, you will ruminate through those thoughts, especially if you only think about work all the time. I enjoy foot marches, distance running, diving, yoga, travelling, reading, going to church, and mediating. I also FaceTime with my nine-year-old sister (Jeleon). I am engaged, so I spend most of my time with my fiancé over the phone and doing schoolwork.

h. **Family:** Don't forget about your family. Since 9/11 the Army has been running a marathon at a 5:30 pace. We started with constant deployments with a lot of troops in Iraq and Afghanistan and then decided to reduce the size of the Army while keeping up a high operational tempo. We have got to make the best with the time we've got. If you're not married yet, make sure you keep in touch with your family at home. If you are married ensure your family has all the ACS and SFRG resources and tools available to them. Finally, don't ever place your family on the sidelines, they should be your utmost priority, while ensuring you are supporting mission requirement. Also, you are here to build quality relationships and to become a subject matter expert in your area of expertise. Lastly, I expect you to know all your Soldiers and their families, always place their needs above your own at all times both on and off duty. I expect you to communicate consistently with your Soldiers and never leave them uninformed and also ensuring you foster an environment for Soldiers to train and serve to the best of their abilities. Be loyal to those with whom you serve, seniors, peers, and subordinates alike.

i. **Counseling**: I owe you a formal counseling quarterly / within 60 days (at a minimum). I will give you feedback daily, but every 30 days we need to talk about how you are doing overall, what you think your future looks like, and formulating a growth plan for your career progression. When it comes time for your NCOER there won't be any surprises.

7. Point of contact for this memorandum is CPT Patrina A. Lowrie at patrina.a.lowrie.mil@socom.mil.

LOWRIE.PATRINA.ANASTASIA [redacted] Digitally signed by LOWRIE.PATRINA.ANASTASIA [redacted] Date: 2022.11.17 09:35:31 -05'00'

PATRINA A. LOWRIE
CPT, MI
Brigade S2

Name: _____

Signature: _____

Date: _____

Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA)

Subject: FW: Initial Counseling - SFC Forbes
Location: S2 Conference Rm

Start: Fri 11/18/2022 2:30 PM
End: Fri 11/18/2022 3:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA)

-----Original Appointment-----
From: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA)
Sent: Wednesday, November 9, 2022 6:24 PM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA); Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Subject: Initial Counseling - SFC Forbes
When: Friday, November 18, 2022 2:30 PM-3:30 PM (UTC-05:00) Eastern Time (US & Canada).
Where: S2 Conference Rm

***Change 3

SFC Forbes,

During our meeting we will go over the following:

1. Initial guidance / Vision
2. Aimpoint for our team
3. Support form via EES
4. Top 3 focus for the next 6 months

Please bring a copy of the following:
1. Brief biography
2. SRB
3. Short and long term goals

Lastly, please fill out this form (Getting to know SFC Forbes) located here:
https://docs.google.com/forms/d/e/1FAIpQLScQupTkyoPvvu7njuqWL1a1YEnPtRYRyNIAds513MV0898B9w/viewform?usp=sf_link

Thank you!

V/R,

Patrina (Ana) Lowrie
Brigade S2
528th Sustainment Brigade (SO) (A)
1st Special Forces Command (A)
Office: +1-910-908-8789
Mobile: +1-910-639-9012
SVoIP: [redacted]
SOCOM NIPR: patrina.a.lowrie.mil@socom.mil
SIPR Email: patrina.a.lowrie.mil@mail.smil.mil

Urgent letter from Mrs. Michael J. Forbes

From: Michael Forbes (paxmas2007@yahoo.com)

To: christine.wormuth.civ@army.mil

Cc: jmb@jmb.bike

Date: Wednesday, May 24, 2023 at 06:17 PM EDT

Ma'am:

Please take to time to read my attached letter.

A Certified Mail hard copy of the same letter will be in the mail to you tomorrow.

If you need information about this situation, please feel free to contact myself or, better yet, my husband. We have been told USASOC IG has an open Whistleblower Reprisal case that can provide information as well. Thank you for your time; my apologies for feeling the need to have to contact you.

Mrs. Michael J. Forbes (Sabrina)
910.336.5457

20230523 Sabrina Forbes letter to SA Wormuth.pdf
688.6kB

May 23, 2023

Hon. Christine E. Wormuth
Secretary of the Army
101 Army Pentagon
Washington, DC 20310-0101

Mrs. S B. F
[redacted]

Honorable Christine E. Wormuth:

I am writing you about my husband. I decided that you were the right official to write, after I saw the pinned Twitter post you made on October 14, 2022, that said, "There has been confusion on an issue where there should be none. So let me be clear: I expect @USArmy leaders to stand up for women—and all Soldiers—who are unduly attacked or disrespected." I am very worried about the situation he is facing, so I'm hoping that writing to you, woman-to-woman, that you would be willing to look into his situation. I feel you are about to read a horrible series of events.

My husband, SFC Michael J. Forbes, of 528th Sustainment Brigade (Special Operations) (Airborne) has been retaliated and reprised against by his BDE CDR through and with his Unit Psychologist's help. They both have broken laws and conducted a series of unprofessional actions to attempt to entrap my husband and end his career. They have failed thus far, but I feel, given the BDE Commander's (CDR's) most recent action of a recommended GOMOR, that they will not stop this behavior. I'm reaching out to you because I do not know what else to do.

Let me start at the beginning. On November 28, 2022 My husband came home and told me that he could not watch the news with me (as we always do) because he had to read the terms of service of an online corporation that he was being required to participate in and answer questions about how he deals with conflict. It was called Strength Deployment Inventory (SDI). For two nights, he was in our office reading about what seemed to be some sort of mental evaluation (at least that is how I understood his comments to me). The day after that, he came home upset that he had been called into the BDE CDR's Office and scolded for asking questions to the unit's Psychologist about the online program that he was being ordered to participate in. After that (Thursday, December 1) he told me he got a reply to the long email he sent his BDE CDR and that he did not have to participate in that BDE event anymore. He was relieved.

The day of the offsite event above (Friday, December 2), my husband told me that his boss sent an email about another phone app from a 3rd-party about suicide prevention. He was upset again and did not know why this was happening so soon after being released from the other

one. He was afraid to ask anyone about being excused from this one because of what happened the last time. He told me it was mandatory, but he also told me they were not allowed under the law to make it mandatory. This one was called Health, Performance and Wellness (HPW).

A week later, he told me that he went to a meeting during his PT hours and found out they were encouraging Soldiers to use phones in his secure building to put 3rd party apps on the Soldiers' phones in support of HPW. He said it was brought up because of the Health Program they were starting. He went on tell me that it included more behavioral health questioning being forced on Soldiers without proper consent. This sounded so strange to me. I have been married to him for almost 8 years and he is an intelligence Soldier. I've been to his buildings and no one is allowed phones inside. He was stressed this week, as his job makes him responsible for this. My husband tried to stop Soldiers from bringing phones in the building by putting up signs; they were ripped down in one day. The Company Commander ripped his signs down (and my husband has proof).

After that, at the next Monday morning formation, my husband called me at work and informed me the BN CSM had put his hands around his neck and forced him back into formation while he was trying to tell the formation that phones are not allowed in the building. The CSM assaulted my husband. I have no idea how my husband controlled himself and didn't fight back.

My husband told me later that he couldn't believe no one stopped the BN CSM's assault and, even worse, that he was counseled not to correct people when he catches them with phones. Two days later, my husband couldn't sleep and went to the PMO to report the assault. He told me that morning that the BDE CDR and BDE CSM were both present during the assault and for two days just ignored that my husband was assaulted. A week later my husband was removed from his job as a BDE NCOIC.

Here is a complete list of what my husband's leaders have done to him over the above information (we have pieced this together by now):

1) An Army Psychologist reported my husband was angry because he asked questions about the first program,
2) A Company Commander ripped down the phone-signs that my husband went in early to post,
3) My husband was humiliated and assaulted during a BN formation,
4) He was removed from his BDE NCOIC job and assigned to a subordinate BN (389th),
5) The Psychologist lodged a complaint 6-weeks after the SDI event claiming that my husband disrespected her when he asked about the first program,
6) My husband was put under investigation by the BDECDR (but wasn't told about it until weeks later),
7) The STB Co. Commander called my husband in on 17JAN2023 and released him, upon realizing he was assigned to 389th BN (another BN in the BDE),
8) The next day my husband as ordered to meet with the STB Company CDR again after the BDE Commander revoked my husband's orders to 389th and put him back under STB Co. Commander,

9) During this meeting with the STB Company CDR and while we were in-the-dark about the BDE CDR's investigation of my husband, the STB Company CDR ordered my husband to be escorted to Womack for an emergency mental health evaluation,
10) The FB Form 1462-e the STB Company CDR stated his "future plans" for my husband were, "Removal from USASOC/levels of responsibility,'
11) My husband wasn't notified of the investigation for three weeks; he was finally notified on 7FEB2023 when he was flagged,
12) Yet, my husband has told me he still has never been flagged per IG and administrative Soldiers in S1
13) My husband notified me 3 weeks ago that the 389th CO. 1SG recommended him for a LOR,
14) My husband notified me last week that the BDE Commander is recommending a GOMOR,
15) As far as I know, investigation is still ongoing for an allegation of being toxic and disrespecting that Psychologist.
16) My husband has put in USASOC FOIA requests and was told he needed to contact the Pentagon,
17) My husband asked for an open-door meeting with the USASOC General and got one that will be after the GOMOR decision is made.

I feel this BDE Commander (that my husband had previously received excellent commentary on his NCOERs from) is coming after my husband for doing his job, which conflicted with the BDE Commander's disregard for regulations in order to put out his programs, as well as my husband's willingness to report violations of law and regulations by the command. Unfortunately the BDE Command is more focused on protecting bad actors (including the Psychologist, BN CSM, STB Co. Commander) rather than in actually remedying the situations.

Please help by stopping these people from railroading my husband's 16-plus year, unblemished career. We just want to PCS, as ordered, to his last duty station where he will finally get the opportunity to teach Soldiers in his job at Fort Huachuca. He doesn't deserve this for doing his job and doing it well. Please help us; they are hunting him!

With hope,

[redacted]

S[redacted]B. F[redacted]

GENERATE SUBJECT COPY | CUI (when filled in) Maintain in accordance with appropriate Service retention schedule. | GENERATE PROTECTED PERSON COPY

MILITARY PROTECTION ORDER

PRIVACY ACT STATEMENT

AUTHORITY: 10 U.S.C. 136, Under Secretary of Defense for Personnel and Readiness; DoDI 6400.06, Domestic Abuse Involving DoD Military and Certain Affiliated Personnel; and E.O. 9397 (SSN), as amended.
PRINCIPAL PURPOSE(S): To inform the Service member and the protected person that the commanding officer is issuing an order to the member prohibiting contact or communication with the protected person or members of the protected person's family or household and directing that the member take specified actions that support, or are in furtherance of, the prohibition.
ROUTINE USE(S): Information may be disclosed to Departments and agencies of the Executive Branch of government in performance of their official duties relating to coordination of Family Advocacy Programs, medical care and research concerning child abuse and neglect, and spouse abuse; to the Attorney General of the United States or his authorized representatives in connection with litigation, or other matters under the direct jurisdiction of the Department of Justice; to law enforcement officials to protect the life and welfare of third parties; see each applicable Military Service system of records notice for a complete listing of routine uses: A0608-18 DASG, Army Family Advocacy Program Files, https://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570082/a0608-18-dasg/; N01752-1, Family Advocacy Program System, https://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/570332/n01752-1/; F044 AF SG Q, Family Advocacy Program Record, https://dpcld.defense.gov/Privacy/SORNsIndex/DOD-wide-SORN-Article-View/Article/569871/f044-af-sg-q/; and DMDC 01, Defense Manpower Data Center Data Base, https://dpcld.defense.gov/Portals/49/Documents/Privacy/SORNs/OSDJS/DMDC-01.pdf?ver=2019-04-18-091612-550.
DISCLOSURE: Voluntary; however, failure to disclose/verify information will not delay either the issuance of the order or the enforceability of the order.

1a. DATE MPO ISSUED	1b. SELECT ONE: INITIAL MPO	MODIFICATION TO EXISTING MPO
20230601	◉	○

2. SUBJECT SERVICE MEMBER — a. MILITARY SERVICE: Army

b. GRADE	c. LAST NAME	FIRST NAME	MI	d. GENDER
E-7	Forbes	Michael	J	Male

e. UNIT	f. INSTALLATION
HHC, 528th STB (SO) (A)	Fort Bragg, North Carolina 28310

g. DOB (YYYYMMDD)	h. HEIGHT	i. WEIGHT	j. EYE COLOR	k. HAIR COLOR
[redacted]	66in	175lbs		

l. Race:	American Indian or Alaska Native	Asian	Black or African American	Hispanic or Latino	Native Hawaiian or Other Pacific Islander	White
	○	○	○	○	○	◉

m. EAS (YYYYMM)	n. OTHER DISTINGUISHING FEATURES (Scars, marks, tattoos, etc.)
202804	

o. DRIVER'S LICENSE NUMBER	p. STATE OF ISSUANCE	q. VEHICLE INFORMATION (Plate Number/State/Make/Model/Year)
[redacted]	[redacted]	

r. PASSPORT NUMBER	s. SSN	t. OTHER ID
		DODID: [redacted]

3. PROTECTED PERSON *(Omit any information from item 3 that could endanger the protected person, if known to the subject Service member in item 2).*

a. GRADE/CIVILIAN	b. LAST NAME	FIRST NAME	MI	c. GENDER
E-6	Henkel	Eric	C	Male

d. DRIVER'S LICENSE NUMBER	e. STATE OF ISSUANCE	f. OTHER ID
[redacted]	[redacted]	DoD ID# [redacted]

g. UNIT	h. INSTALLATION	i. DOB (YYYYMMDD)
HHC, 528th STB (SO) (A)	Fort Bragg, North Carolina 28310	[redacted]

j. Race:	American Indian or Alaska Native	Asian	Black or African American	Hispanic or Latino	Native Hawaiian or Other Pacific Islander	White
	○	○	○	○	○	◉

4. THE PROTECTED PERSON HAS ALSO BEEN ISSUED THE FOLLOWING COURT ORDERS

a. Civil protection order issued *(Date)*	Court, , in	County,
State of		
b. Civil protection order issued *(Date)*	Court, , in	**Property Settlement** ☐
County, State of		
c. Civil protection order issued *(Date)*	Court, , in	**Custody and/or Visitation** ☐
County, State of		
d. Civil protection order issued *(Date)*	Court, , in	**Restriction on Firearms Possession** ☐
County, State of		

5. INFORMATION SUPPORTING ISSUANCE OF THIS MILITARY PROTECTION ORDER

On 22 February 2023, an Army Regulation 15-6 investigation found SFC Forbes to have engaged in counter productive leadership with members of the Brigade S2 shop and disrespect of a Commissioned Officer. In the process of the investigation, the interviewees said on various occasions that they felt uncomfortable or even fearful in the presence of the Subject. The Subject was described on various occasions as hostile and aggressive.

6.a. IS THIS MILITARY PROTECTION ORDER BEING ISSUED FOR AN ALLEGATION OF ONE OR MORE OF THE FOLLOWING REASONS? *(If Yes, please indicate which below. If No, use "Other" below to indicate reason.)* ○ YES ◉ NO

6.b.

☐ DOMESTIC VIOLENCE	☐ DATING VIOLENCE	☐ SEXUAL ASSAULT
☐ STALKING	☐ CHILD ENDANGERMENT	☒ OTHER Fear of reprisal by Subject

7. As a Commanding Officer with jurisdiction over the above-named Service member, I find that there is sufficient reason to conclude the issuance of a protection order is warranted in the best interest of good order and discipline. It is hereby ordered that *(place initials in the appropriate portions)*:

INITIALS DK

a. The above-named Service member is restrained from assaulting, threatening, abusing, harassing, following, interfering with, or stalking the protected person and/or the additional listed protected parties.

INITIALS DK

b. The above-named Service member is restrained from initiating any contact or communication with the above-named protected person either directly or through a third party. For purposes of this order, the term "communication" includes, but is not limited to, communication in person, or through a third party, via face-to-face contact, telephone, in writing by letter, data fax, electronic mail or via the internet or social media. If the protected person initiates any contact with the Service member, the Service member must immediately notify me regarding the facts and circumstances surrounding such contact.

c. The above-named Service member shall remain at all times and places at least 150 feet away from the above-named protected person and additional protected person's family or household including, but not limited to, residences and workplaces. Additional protected persons includes the following individuals:

NAME	DOB (Date of Birth) *(YYYYMMDD)*	GENDER	RACE
SPC Matthew Scheffing	[redacted]	Male	White
MAJ Rhea Racaza	[redacted]	Female	RACE Native Hawaiian or Other Pacific Islander
			RACE
			RACE
			RACE

INITIALS

d. **The above-named Service member will vacate the military residence shared by the parties located at:**

INITIALS

e. **Until further notified, the above-named Service member will be provided temporary military quarters at:**

INITIALS	f. The Service member has visitation or custody rights of the child or children named:
INITIALS	g. The protected person has temporary exclusive custody of the child or children named:
INITIALS	h. The above-named Service member will attend the following counseling:
INITIALS	i. The above-named Service member will surrender his/her government weapons custody card at the time of issuance of this order.
INITIALS	j. The above-named Service member will dispose of his/her personal firearm(s) that are located or stored on the installation at the time of issuance of this order.
INITIALS	k. The above named individual will comply with any applicable law requiring him or her to dispose of his or her and privately owned firearms and ammunition and provide information that this order has been carried out.
INITIALS DK	l. Exceptions to this order will be granted only after an advance request is made to me and approved by me.
INITIALS DK	m. Other specific provisions of this order: This order will be re-evaluated every 45 days.

8. DURATION: This is a NON-EXPIRING ORDER
The terms of this order shall be effective until modified or rescinded in writing by me.
ENFORCEABILITY: Violation of this order shall constitute a violation of Article 90 of the Uniform Code of Military Justice.

a. COMMANDING OFFICER'S SIGNATURE	b. DATE *(YYYYMMDD)*
Dan K	20230601

STOP – GENERATE SUBJECT COPY BEFORE OBTAINING SERVICE MEMBER SIGNATURE.

9. I hereby acknowledge receipt of a copy of this order with such redactions as are appropriate and attest that I understand the terms and conditions it imposes on me.

a. SERVICE MEMBER'S SIGNATURE	b. DATE *(YYYYMMDD)*	c. TIME ORDER SERVED
ACKNOWLEDGE RECEIPT ONLY. DISAGREE W/ NDEA FOR DHS. WILL COMPLY W/ ORDER	20230601	1010R

10. DATE OF REVIEW *(Upon review, the order may be modified or terminated)*	11. DOD LAW ENFORCEMENT REPORT/ORIGINATING AGENCY CASE #

12. NATIONAL CRIME INFORMATION CENTER (NCIC) PROTECTION ORDER FILE (POF)

a. ORI	b. NCIC#	c. DATE PLACED IN NCIC

DISTRIBUTION:
Service member (Print Subject Copy)
Protected person (custodial parent of protected child)
Service member's local personnel file
Installation Law Enforcement for entry in the National Crime Information Center (NCIC)

INSTRUCTIONS

Complete as follows: Sections 1-8 and 11 are to be completed by the subject Service member's commanding officer. Section 12 is to be completed by the subject Service member and Sections 9 & 10 are to be completed by law enforcement.

Note: Utilize Generate Subject Copy function (top left of Page 1) before this form is digitally signed by the service member subject OR provided to subject. Do not email form to subject. The Service member subject will not be given the protected person's identifying information.

Section 1: Issuance or Modification of Order
1a-b. Self-explanatory.

Section 2: Service Member Data
2a-l. Self-explanatory.
2m. Provide EAS (End of Active Service) date.
2n. Self-explanatory.
2o-t. Provide information of an acceptable form of government identification, to include:
driver's license, state ID card, passport or naturalization number. The social security number is required when the Service Member does not have other acceptable identification.

Section 3: Protected Person
3a-c. Self-explanatory. (Omit any information from this section that, if known to the subject Service member, could endanger the protected person.)
3d-f. Driver's license, state ID card, passport or naturalization number are acceptable forms of identification.
3g-j. Self-explanatory.

Section 4: Protected Person Court Orders
4a-d. Provide information of current civil orders.

Section 5: Information Supporting Issuance of Military Protection Order
Avoid identifying anonymous sources and victim information that might endanger protected person, if known to the subject Service member.

Section 6: Reasons For Issuance of Order
6a. Self-explanatory.
6b. Check each applicable box that correlates with comments in item #5.

Section 7: MPO Orders
7a-m. Initial each applicable order and/or requirement.

Section 8: Commanding Officer's Signature
a-b. Self-explanatory.

STOP – GENERATE SUBJECT COPY USING BUTTON AT TOP LEFT OF PAGE 1 BEFORE OBTAINING SERVICE MEMBER SIGNATURE

Section 9: Service Member's Signature
a-c. Self-explanatory. (Obtain subject signature via external CAC reader to prevent unauthorized disclosure of protected person information.)

Section 10: Date of Review
Self-explanatory.

Section 11: Military Report Number
Self-explanatory.

Section 12: National Crime Information Center (NCIC) Protection Order File (POF)
10a. Originating Agency Identifier (ORI) - Self-explanatory.
10b. National Crime Information Center (NCIC) - Self-explanatory.
10c. Self-explanatory.

PRINT SUBJECT COPY TO DISTRIBUTE TO SUBJECT – DO NOT EMAIL FORM TO SUBJECT.

Basic Data

AC

SFC

MRC2

Job Code(P/S): E35F

SQI(P/S): EP/ES

ASI(P/S):



Date of Birth: [redacted]
Birth Country: USA
Country of Citizenship: USA
Gender: M
Race: White
Ethnic Group: Others
Height: 66
Weight: 175
Religion: UMTHC
Marital Status: Married
# of Dependents (Adults/Children): 1/0
Home Address: [redacted]

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Non-Deployable

Readiness

MRC Code: MRC2
MRC Reason: ITEMS THAT CAN BE CORRECTED IN LESS THAN 72 HOURS
MRC Reason Start Date: 20230216
PHA Exam Date: 20220606
PULHES: 111111

Current Asgt. End: 20280430
YMAV Date: 2023-10
EFMP Eval Date: -----
MACP Date: -----
ETP Date: -----

Security Clearance Type: [redacted]
Clearance Effective Date: [redacted]
Investigation Type: [redacted]
Investigation Status: P
Investigation Status Date: [redacted]

SFPA FLAGS

Restriction	Code	Begin Date	End Date
Commanders Investigation	A	20230112	-----

Skills

0 Self-Professed

PROFESSIONAL LICENSES		PROFESSIONAL CERTIFICATIONS		DEFENSE LANGUAGE PROFICIENCY TEST (DLPT)			
License	Expiration Date	Certification	Certified Date	Language	Listening	Reading	Speaking
-----	-----	-----	-----	-----	-----	-----	-----

LANGUAGES (SELF-PROFESSED)				ATTRIBUTES (SELF-PROFESSED)		
Language	Listening	Reading	Speaking	Attribute	Rating	Date
-----	-----	-----	-----	-----	-----	-----

Career Mapping

2024 PZ SFC | 2025 | 2026 MSG | 2027 | 2028 PZ SGM | 2029 | 2030

Experience

0 Self-Professed

DEPLOYMENTS

Short Tours: 0
Long Tours: 0
DROS: -----
DEROS: -----

CBT: 5
OPN: 0
RES: 0
Dwell Start: 20150307 00
Dwell Duration: 91Mo 5D

MILITARY EXPERIENCE: ***DEPLOYMENTS*** / ASSIGNMENTS

Asgt	From	# Months	UIC	Organization	Station	Location	Comd	Duty Title	MOS
Projected	20231010	-4	W1E8H8	-----	FT HUACHUCA	AZ	TC	#7 SR INSTR	E35F
Projected	20230104	5	WKENT0	-----	FT LIBERTY	NC	SP	INTELLIGENCE ANALYST	E35F
Current	20210305	27	WJTDAA	-----	FT LIBERTY	NC	-----	STANDARD EXCESS	99999Z
1st Prev	20200928	5	WKENA0	-----	Invalid Location - Placeholder	VA	SP	SR INTEL SERGEANT	E35F
2nd Prev	20170929	36	WAC8T0	-----	CP EDERLE	AE	E1	SR INTEL SERGEANT	E35F
3rd Prev	20160827	13	WAC8D0	-----	CP EDERLE	AE	E1	INTELLIGENCE SERGEANT	E35F

See STP online for additional 25 rows.

CIVILIAN WORK EXPERIENCE (SELF-PROFESSED)

Employment	Job Title	Start Date	End Date	Duration
-----	-----	-----	-----	-----

ADDITIONAL DUTIES (SELF-PROFESSED)

Duty Title	Start Date	End Date
-----	-----	-----

Knowledge

0 Self-Professed

CIVILIAN EDUCATION

Degree	School	Location	Level	Graduation Date
MASTER OF BUSINESS ADMINISTRATION	U PITTSBURGH	PA USA		19960101
BACHELOR OF SCIENCE	PENN ST U,ERIE-BEHREND CLG	PA USA		19900101

THESIS & CAPSTONE (SELF-PROFESSED)

Title	Year
-----	-----

MILITARY EDUCATION
MEL: DLC-SSD 4 / **MES:** GRADUATED

Course Title	Code	Start	End	Duration	CMDT List
SR LEADER CRS	SMH	20200117	20200228	6 weeks	
MIL DECEPT PLN CRS	AYS	20170818	20170825	1 week	
USAF AIRLIFT PLAN CRS	DER	20170707	20170714	1 week	

See STP online for additional 5 rows.

HOBBIES / INTERESTS (SELF-PROFESSED)

Hobby / Interest	Genre	Proficiency	Date
-----	-----	-----	-----

SELF STUDY (SELF-PROFESSED)

Self Study	Genre	Proficiency	Date
-----	-----	-----	-----

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FORBES, MICHAEL JEFFREY

SOLDIER TALENT PROFILE

IPPS-A

Basic Data

AC

SFC

MRC2



Job Code(P/S):	E35F
SQI(P/S):	EP/ES
ASI(P/S):	

Date of Birth:	19680412
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Race:	White
Ethnic Group:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	8836 PERRY HWY MEADVILLE PA USA 163350000

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Service Data

ACCESSIONS DATA

BASD:	20070212	Commissioning Year:	-----	Regular Ret Dt:	20270212
Current PPN:	-----				
End Current Assignment:	20280430	Type of Original Apt:	-----	Non-Reg Ret Dt:	20261030
		Mo/Days Afcs:	/	Current Statutory Auth:	-----

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
DA FORM 7801 M4A1 5.56MM CARBINE 1 OCT 20	20220916	SHARPSHOOTER
DA FORM 7801M4 5.56MM CARBINE 1 OCT 20	20201008	MARKSMAN
Army Combat Fitness Test Information	20220929	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)			PERSONAL GOALS (SELF-PROFESSED)			FAMILY GOALS (SELF-PROFESSED)		
Goal	Goal Date	Actual Date	Goal	Goal Date	Actual Date	Goal	Goal Date	Actual Date
-----	-----	-----	-----	-----	-----	-----	-----	-----

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
-----	-----	-----	-----

Non-Deployable

Cultural Experience & Proficiency

0 Self-Professed

Date	Location	Type	Duration
-----	-----	-----	-----

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)			COUNTRY PREFERENCES (SELF-PROFESSED)		DUTY PREFERENCES (SELF-PROFESSED)	
Station	City	State	Country	Rank	Duty Name	Date Entered
-----	-----	-----	-----	-----	-----	-----

ENDORSEMENTS (SELF-PROFESSED)		DESIRED FUTURE ASSIGNMENTS (SELF-PROFESSED)	TEXT RESUME (SELF-PROFESSED)		
Endorsement	Endorser	Assignment	Date	Category	Description
-----	-----	-----	-----	-----	-----

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 613 of 950

Re: IG Matter (Final Notification)

From: Michael Forbes (paxmas2007@yahoo.com)

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

Date: Friday, June 9, 2023 at 11:20 PM EDT

Thank you Mr. Smith

What level of Command were these referred back to? I do have questions about the due process review. Below is partly why:

---draft excerpt of a small portion of my Article 138 redress rebuttal to BG Ferguson below---

This investigation, with its procedural flaws, reinforces why a post-command CPT or higher should have been selected instead. The flaws are as follows:

1) The investigation findings and recommendations memo was dated 22FEB2023 but not signed by IO, 2LT Tolston (IO), until 13APR2023.

2) The IO was in possession of evidentiary allegations for months, even after the she requested an extension; the evidentiary allegations of multiple events were not brought forth to SFC Forbes to address during the investigation, thereby forcing these matters to be refuted in rebuttal of a Personnel Action because of incomplete assessment by the IO. This is highly unorthodox procedure.

3) Unit Psychologist (MAJ Racaza) complains about SFC Forbes on 30NOV2022 to the BDE CDR, SFC Forbes addressed this incident with a replied email from the BDE CDR; SFC Forbes understood the issue as resolved when released from the mandate in that email exchange.

4) MAJ Racaza brought the same 30NOV2022 complaint at an unknown time (circa 6 weeks later), which was at least part of the reason for the appointment of the IO on 12JAN2023 that SFC Forbes was the unwitting subject of, as MAJ Racaza was the named Officer that SFC Forbes allegedly disrespected in the IO appointment order; MAJ Racaza then submitted a sworn statement against SFC Forbes on 19JAN2023 for the same 30NOV2023 discussion in the same investigation she was a catalyst for.

5) The BDE CDR influenced the assignment of SFC Forbes back to STB to perform eCDBHE while he was an unwitting subject of 2LT Tolston's investigation.

6) MAJ Racaza's 3rd complaint of 30NOV2022 was in the form of a sworn statement provided to the IO after a "fit-for-duty" result from the eCDBHE that MAJ Racaza provided the regulatory basis for CPT Korista to order the unwitting SFC Forbes to participate in.

7) Notably, SFC Forbes documented the situation the same day whereas the only recorded documentation of MAJ Racaza's allegations occurred after the investigation began (over 6 weeks later).

8) The IO used a disputed allegation as evidence in her findings by stating "I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza…. This can be supported by MAJ Racaza[']s statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letter her explain or answer any questions."

9) The investigation is predominated by generalizations, uncorroborated opinions, hearsay, falsifications and the aforementioned ill-intent by leaders of the unit.

---draft excerpt of a small portion of my Article 138 redress rebuttal to BG Ferguson above---

SFC Forbes

On Friday, June 9, 2023 at 09:46:40 PM EDT, Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil> wrote:

CUI

SFC Forbes,

This email is a final response to your 13 December 2022 request for IG assistance concerning multiple numbed concerns below.

It's a bit of a long email but addresses all of the particular items that I'm tracking. If I missed one please advise.

Concern #1: Requesting IG assistance with concerns about CSM Emekaekwue's alleged assault (ref hands on shoulders and pushing) event on 12DEC22 during a unit formation. RESPONSE: Our office has referred allegations of impropriety (AR 600-20, Para 4-19) to the command for action. You previously reported allegations of assault to the Fort Bragg MP Station. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

Concern #2: . RESPONSE: We referred the

allegation to the command for action. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

-

Concern #3: Multiple leaders', Soldier's failure to act / intervene with alleged assault occurring at the 12DEC22 unit formation with approximately 150 persons present. RESPONSE: The circumstances surrounding the unit formation are being explored within concern #1 listed above. STATUS: Closed, our office will take no further action on this specific item at this time.

-

Concern #4: [redacted] RESPONSE: Our office understands that the terminology "hostile work environment" only falls within Equal Opportunity (EO) chapters within AR 600-20, CH6. The examples provided have been provided to the command for further exploration, reference concern #1 and #2 which are currently with the command for action. You mentioned you might speak with the EO office to explore further. STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #5: [redacted] RESPONSE: Our office has referred an issue to the command for action. We conducted a thorough inquiry into your request for assistance. Our inquiry determined that the command is taking the appropriate actions to address PED usage. STATUS: Closed, our office will take no further action on this specific item at this time.

-

Concern #6: [redacted]

that you were being flagged for being the subject of a Commander's Investigation.
RESPONSE: The primary function of any preliminary inquiry or administrative investigation is to ascertain facts, document and preserve evidence, and then report the facts and evidence to the approval authority. Commanders are authorized to direct these actions and they are routine actions that have many rules/procedures in place. Sometimes these fact-finding missions serve to clear a person's good name. If the BDE CDR discovered items of concern during town hall meetings, he may direct an action. Once the investigation is complete you may request the IG office conduct a due-process review. Due-process reviews do not litigate or overturn the results. While performing a due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. You may continue to utilize the legal assistance office to receive legal counsel. Other potentially helpful resources: 1. You may read AR 15-6, paragraph 1-12 that discusses the use of results of preliminary inquiries and administrative investigations in adverse administrative actions. 2. You may read AR 600-37 which sets forth policies and procedures to ensure the best interests of both the Army and Soldiers are served by authorizing unfavorable information to be placed in, transferred within, or removed from an individual's Army Military Human Resource Record (AMHRR). 3. You may request a copy of the Command's investigation/inquiry through the Freedom of Information Act (FOIA) by completing the attached form and emailing to: USASOC.FOIA@socom.mil. This link will provide you additional information on the USASOC FOIA process: http://www.soc.mil/FOIA/FOIA.html. If you have additional questions please contact the command FOIA points of contact:

Christopher Nesbitt

CIO G-6, FOIA/PA Officer

U.S. Army Special Operations Command

(910) 432-9233

christopher.nesbitt@socom.mil (NIPR)

Stephanie Osborne

FOIA Analyst

U.S. Army Special Operations Command

(910) 432-3774

(NIPR) stephanie.l.osborne@socom.mil

STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #7: ESPONSE: . STATUS: Closed, our office will take no further action on this item because you are working with USASOC IG.

Concern #8: RESPONSE: AR 15-6, paragraph 1-12 has particular rules that the command must follow for if the investigation is being used as a basis for a GOMOR and

While the counseling you received indicates that the BDE CDR recommended a GOMOR, it does not mean that the GOMOR has been initiated. AR 600-37 (Unfavorable Information), Chapter 7 outlines the pre-established appeals process for GOMORs. As a matter of policy, the IG does not normally become involved in complaints where an established avenue of redress is available to resolve a problem. Once the pre-established appeals process has been utilized, please contact the IG office if you're requesting additional IG assistance. Previously discussed, you can FOIA the material through the USASOC FOIA office (not associated with our office), I provided you with that information in an earlier email. STATUS: Closed, our office will take no further action on this specific item at this time. Please let me know if any new related topics arise.

Concern #9: You're requesting IG do a review of a eCDBHE. Response: The eCDBHE is part of your WBR as a personnel action. If your concerns are related to the quality of health care that a health care professional provided I can refer your concern to the appropriate IG office that handles quality of health care concerns or provide you with that IG office's point of contact. Status: Closed, our office will take no further action on this specific item at this time.

Concern #10: . RESPONSE: Our office has conducted a due-process review of the command investigation and determined that no fault was found. You did receive due-process. While performing the due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. Please give me a call for a more detailed explanation of what processes were used during the due-process review. Status: Closed, our office will take no further action on this specific item at this time.

Concern #11: You requested to file a complaint against PMO on Fort Bragg (now Liberty) and were willing to discuss your concerns directly with the servicing IG office for PMO (18th ABC IG office. RESPONSE: I provided you with two points of contact for the 18th ABC IG office. Status: Closed, our office will take no further action on this specific item at this time.

This office will take no further action pertaining to the concerns listed above and the case will be closed.

If you have any new matters you would like to discuss or need to request assistance from the IG office in the future, please give us a call.

V/R,

Chase

Mr. Chase E. Smith
Command Inspector General
1st Special Forces Command (A)

Fort Liberty, NC
OFFICE: 910-806-3318
FRONT DESK: 910-806-3316

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

Controlled by: 1st Special Forces Command (A) Inspector General (AOSO-IG)

CUI Category: WHSTL, PRIIG, PRVCY

Distribution/Dissemination Controls: FEDCON

POC: Mr. Chase Smith, 910-806-3318

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CUI

Re: IG Matter (Final Notification)

From: Michael Forbes (paxmas2007@yahoo.com)

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

Date: Friday, June 9, 2023 at 11:20 PM EDT

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SFC Forbes

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CUI

SFC Forbes,

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Concern #2: Requesting IG assistance with concerns about CPT Korista allegedly exhibiting counterproductive leadership. Some examples were the removal of phone signs in the building, event counseling attempt, painting skulls on the wall which represented the number of UCMJ actions taken, and ordering SMs to cut the grass with scissors. RESPONSE: We referred the

allegation to the command for action. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

-

Concern #3 RESPONSE: The circumstances surrounding the unit formation are being explored within concern #1 listed above. STATUS: Closed, our office will take no further action on this specific item at this time.

-

Concern #4: Examples provided were see concern #1 items, see concern #2 items, and CSM Emekaekwue's DA Form 4856 on 12DEC. RESPONSE: Our office understands that the terminology "hostile work environment" only falls within Equal Opportunity (EO) chapters within AR 600-20, CH6. The examples provided have been provided to the command for further exploration, reference concern #1 and #2 which are currently with the command for action. You mentioned you might speak with the EO office to explore further. STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #5: RESPONSE: Our office has referred an issue to the command for action. We conducted a thorough inquiry into your request for assistance. Our inquiry determined that the command is taking the appropriate actions to address PED usage. STATUS: Closed, our office will take no further action on this specific item at this time.

-

Concern #6: You had concerns about the BDE CDR notifying you of a command directed investigation into something (reference topics the BDE CDR discovered during town hall meetings) and also having been counseled (ref CSM Prewitt's DA Form 4856) that you were under investigation. You received a DA Form 4856 from CPT Korista on 7FEB23 informing you

that you were being flagged for being the subject of a Commander's Investigation.
RESPONSE: The primary function of any preliminary inquiry or administrative investigation is to ascertain facts, document and preserve evidence, and then report the facts and evidence to the approval authority. Commanders are authorized to direct these actions and they are routine actions that have many rules/procedures in place. Sometimes these fact-finding missions serve to clear a person's good name. If the BDE CDR discovered items of concern during town hall meetings, he may direct an action. Once the investigation is complete you may request the IG office conduct a due-process review. Due-process reviews do not litigate or overturn the results. While performing a due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. You may continue to utilize the legal assistance office to receive legal counsel. Other potentially helpful resources: 1. You may read AR 15-6, paragraph 1-12 that discusses the use of results of preliminary inquiries and administrative investigations in adverse administrative actions. 2. You may read AR 600-37 which sets forth policies and procedures to ensure the best interests of both the Army and Soldiers are served by authorizing unfavorable information to be placed in, transferred within, or removed from an individual's Army Military Human Resource Record (AMHRR). 3. You may request a copy of the Command's investigation/inquiry through the Freedom of Information Act (FOIA) by completing the attached form and emailing to: USASOC.FOIA@socom.mil. This link will provide you additional information on the USASOC FOIA process: http://www.soc.mil/FOIA/FOIA.html. If you have additional questions please contact the command FOIA points of contact:

Christopher Nesbitt

CIO G-6, FOIA/PA Officer

U.S. Army Special Operations Command

(910) 432-9233

christopher.nesbitt@socom.mil (NIPR)

Stephanie Osborne

FOIA Analyst

U.S. Army Special Operations Command

(910) 432-3774

(NIPR) stephanie.l.osborne@socom.mil

STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #7: [redacted] STATUS: Closed, our office will take no further action on this item because you are working with USASOC IG.

Concern #8: You're requesting to receive the command product associated with a potential GOMOR. RESPONSE: AR 15-6, paragraph 1-12 has particular rules that the command must follow for if the investigation is being used as a basis for a GOMOR and one of those rules is

that you would be provided with appropriate material from the investigation. While the counseling you received indicates that the BDE CDR recommended a GOMOR, it does not mean that the GOMOR has been initiated. If you receive a GOMOR you will have to sign for the GOMOR as a part of the many steps that the structured process must follow. AR 600-37 (Unfavorable Information), Chapter 7 outlines the pre-established appeals process for GOMORs. As a matter of policy, the IG does not normally become involved in complaints where an established avenue of redress is available to resolve a problem. Once the pre-established appeals process has been utilized, please contact the IG office if you're requesting additional IG assistance. Previously discussed, you can FOIA the material through the USASOC FOIA office (not associated with our office), I provided you with that information in an earlier email. STATUS: Closed, our office will take no further action on this specific item at this time. Please let me know if any new related topics arise.

Concern #9: You're requesting IG do a review of a eCDBHE. Response: The eCDBHE is part of your WBR as a personnel action. If your concerns are related to the quality of health care that a health care professional provided I can refer your concern to the appropriate IG office that handles quality of health care concerns or provide you with that IG office's point of contact. Status: Closed, our office will take no further action on this specific item at this time.

Concern #10: You requested IG do a due-process review of a command investigation that named you as a subject/suspect of the investigation. RESPONSE: Our office has conducted a due-process review of the command investigation and determined that no fault was found. You did receive due-process. While performing the due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. Please give me a call for a more detailed explanation of what processes were used during the due-process review. Status: Closed, our office will take no further action on this specific item at this time.

Concern #11: You requested to file a complaint against PMO on Fort Bragg (now Liberty) and were willing to discuss your concerns directly with the servicing IG office for PMO (18th ABC IG office. RESPONSE: I provided you with two points of contact for the 18th ABC IG office. Status: Closed, our office will take no further action on this specific item at this time.

This office will take no further action pertaining to the concerns listed above and the case will be closed.

If you have any new matters you would like to discuss or need to request assistance from the IG office in the future, please give us a call.

V/R,

Chase

Mr. Chase E. Smith
Command Inspector General
1st Special Forces Command (A)

Fort Liberty, NC
OFFICE: 910-806-3318
FRONT DESK: 910-806-3316

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

Controlled by: 1st Special Forces Command (A) Inspector General (AOSO-IG)

CUI Category: WHSTL, PRIIG, PRVCY

Distribution/Dissemination Controls: FEDCON

POC: Mr. Chase Smith, 910-806-3318

INSPECTOR GENERAL CONTROLLED UNCLASSIFIED INFORMATION
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CUI

Re: IG Matter (Final Notification)

From: Michael Forbes (paxmas2007@yahoo.com)

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

Date: Friday, June 9, 2023 at 11:20 PM EDT

Thank you Mr. Smith

What level of Command were these referred back to? I do have questions about the due process review. Below is partly why:

---draft excerpt of a small portion of my Article 138 redress rebuttal to BG Ferguson below---

This investigation, with its procedural flaws, reinforces why a post-command CPT or higher should have been selected instead. The flaws are as follows:

1) The investigation findings and recommendations memo was dated 22FEB2023 but not signed by IO, 2LT Tolston (IO), until 13APR2023.

2) The IO was in possession of evidentiary allegations for months, even after the she requested an extension; the evidentiary allegations of multiple events were not brought forth to SFC Forbes to address during the investigation, thereby forcing these matters to be refuted in rebuttal of a Personnel Action because of incomplete assessment by the IO. This is highly unorthodox procedure.

3) Unit Psychologist (MAJ Racaza) complains about SFC Forbes on 30NOV2022 to the BDE CDR, SFC Forbes addressed this incident with a replied email from the BDE CDR; SFC Forbes understood the issue as resolved when released from the mandate in that email exchange.

4) MAJ Racaza brought the same 30NOV2022 complaint at an unknown time (circa 6 weeks later), which was at least part of the reason for the appointment of the IO on 12JAN2023 that SFC Forbes was the unwitting subject of, as MAJ Racaza was the named Officer that SFC Forbes allegedly disrespected in the IO appointment order; MAJ Racaza then submitted a sworn statement against SFC Forbes on 19JAN2023 for the same 30NOV2023 discussion in the same investigation she was a catalyst for.

5) The BDE CDR influenced the assignment of SFC Forbes back to STB to perform eCDBHE while he was an unwitting subject of 2LT Tolston's investigation.

6) MAJ Racaza's 3rd complaint of 30NOV2022 was in the form of a sworn statement provided to the IO after a "fit-for-duty" result from the eCDBHE that MAJ Racaza provided the regulatory basis for CPT Korista to order the unwitting SFC Forbes to participate in.

7) Notably, SFC Forbes documented the situation the same day whereas the only recorded documentation of MAJ Racaza's allegations occurred after the investigation began (over 6 weeks later).

8) The IO used a disputed allegation as evidence in her findings by stating "I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza…. This can be supported by MAJ Racaza[']s statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letter her explain or answer any questions."

9) The investigation is predominated by generalizations, uncorroborated opinions, hearsay, falsifications and the aforementioned ill-intent by leaders of the unit.

---draft excerpt of a small portion of my Article 138 redress rebuttal to BG Ferguson above---

SFC Forbes

On Friday, June 9, 2023 at 09:46:40 PM EDT, Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil> wrote:

CUI

SFC Forbes,

This email is a final response to your 13 December 2022 request for IG assistance concerning multiple numbed concerns below.

It's a bit of a long email but addresses all of the particular items that I'm tracking. If I missed one please advise.

Concern #1: Requesting IG assistance with concerns about CSM Emekaekwue's alleged assault (ref hands on shoulders and pushing) event on 12DEC22 during a unit formation. RESPONSE: Our office has referred allegations of impropriety (AR 600-20, Para 4-19) to the command for action. You previously reported allegations of assault to the Fort Bragg MP Station. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

Concern #2: Requesting IG assistance with concerns about CPT Korista allegedly exhibiting counterproductive leadership. Some examples were the removal of phone signs in the building, event counseling attempt, painting skulls on the wall which represented the number of UCMJ actions taken, and ordering SMs to cut the grass with scissors. RESPONSE: We referred the

allegation to the command for action. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

Concern #3: Multiple leaders', Soldier's failure to act / intervene with alleged assault occurring at the 12DEC22 unit formation with approximately 150 persons present. RESPONSE: The circumstances surrounding the unit formation are being explored within concern #1 listed above. STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #4: Requesting IG assistance with alleged hostile work environment at 528th not related to race, color, sex (to include gender identity), national origin, religion, or sexual orientation. Examples provided were see concern #1 items, see concern #2 items, and CSM Emekaekwue's DA Form 4856 on 12DEC. RESPONSE: Our office understands that the terminology "hostile work environment" only falls within Equal Opportunity (EO) chapters within AR 600-20, CH6. The examples provided have been provided to the command for further exploration, reference concern #1 and #2 which are currently with the command for action. You mentioned you might speak with the EO office to explore further. STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #5: [redacted]
RESPONSE: Our office has referred an issue to the command for action. We conducted a thorough inquiry into your request for assistance. Our inquiry determined that the command is taking the appropriate actions to address PED usage. STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #6: You had concerns about the BDE CDR notifying you of a command directed investigation into something (reference topics the BDE CDR discovered during town hall meetings) and also having been counseled (ref CSM Prewitt's DA Form 4856) that you were under investigation. You received a DA Form 4856 from CPT Korista on 7FEB23 informing you

that you were being flagged for being the subject of a Commander's Investigation. RESPONSE: The primary function of any preliminary inquiry or administrative investigation is to ascertain facts, document and preserve evidence, and then report the facts and evidence to the approval authority. Commanders are authorized to direct these actions and they are routine actions that have many rules/procedures in place. Sometimes these fact-finding missions serve to clear a person's good name. If the BDE CDR discovered items of concern during town hall meetings, he may direct an action. Once the investigation is complete you may request the IG office conduct a due-process review. Due-process reviews do not litigate or overturn the results. While performing a due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. You may continue to utilize the legal assistance office to receive legal counsel. Other potentially helpful resources: 1. You may read AR 15-6, paragraph 1-12 that discusses the use of results of preliminary inquiries and administrative investigations in adverse administrative actions. 2. You may read AR 600-37 which sets forth policies and procedures to ensure the best interests of both the Army and Soldiers are served by authorizing unfavorable information to be placed in, transferred within, or removed from an individual's Army Military Human Resource Record (AMHRR). 3. You may request a copy of the Command's investigation/inquiry through the Freedom of Information Act (FOIA) by completing the attached form and emailing to: USASOC.FOIA@socom.mil. This link will provide you additional information on the USASOC FOIA process: http://www.soc.mil/FOIA/FOIA.html. If you have additional questions please contact the command FOIA points of contact:

Christopher Nesbitt

CIO G-6, FOIA/PA Officer

U.S. Army Special Operations Command

(910) 432-9233

christopher.nesbitt@socom.mil (NIPR)

Stephanie Osborne

FOIA Analyst

U.S. Army Special Operations Command

(910) 432-3774

(NIPR) stephanie.l.osborne@socom.mil

STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #7: Request to file a WBR complaint. RESPONSE: You are working with USASOC IG to file your WBR complaint. STATUS: Closed, our office will take no further action on this item because you are working with USASOC IG.

Concern #8: You're requesting to receive the command product associated with a potential GOMOR. RESPONSE: AR 15-6, paragraph 1-12 has particular rules that the command must follow for if the investigation is being used as a basis for a GOMOR and one of those rules is

that you would be provided with appropriate material from the investigation. While the counseling you received indicates that the BDE CDR recommended a GOMOR, it does not mean that the GOMOR has been initiated. If you receive a GOMOR you will have to sign for the GOMOR as a part of the many steps that the structured process must follow. AR 600-37 (Unfavorable Information), Chapter 7 outlines the pre-established appeals process for GOMORs. As a matter of policy, the IG does not normally become involved in complaints where an established avenue of redress is available to resolve a problem. Once the pre-established appeals process has been utilized, please contact the IG office if you're requesting additional IG assistance. Previously discussed, you can FOIA the material through the USASOC FOIA office (not associated with our office), I provided you with that information in an earlier email. STATUS: Closed, our office will take no further action on this specific item at this time. Please let me know if any new related topics arise.

Concern #9: You're requesting IG do a review of a eCDBHE. Response: The eCDBHE is part of your WBR as a personnel action. If your concerns are related to the quality of health care that a health care professional provided I can refer your concern to the appropriate IG office that handles quality of health care concerns or provide you with that IG office's point of contact. Status: Closed, our office will take no further action on this specific item at this time.

Concern #10: You requested IG do a due-process review of a command investigation that named you as a subject/suspect of the investigation. RESPONSE: Our office has conducted a due-process review of the command investigation and determined that no fault was found. You did receive due-process. While performing the due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. Please give me a call for a more detailed explanation of what processes were used during the due-process review. Status: Closed, our office will take no further action on this specific item at this time.

Concern #11: You requested to file a complaint against PMO on Fort Bragg (now Liberty) and were willing to discuss your concerns directly with the servicing IG office for PMO (18th ABC IG office. RESPONSE: I provided you with two points of contact for the 18th ABC IG office. Status: Closed, our office will take no further action on this specific item at this time.

This office will take no further action pertaining to the concerns listed above and the case will be closed.

If you have any new matters you would like to discuss or need to request assistance from the IG office in the future, please give us a call.

V/R,

Chase

Mr. Chase E. Smith
Command Inspector General
1st Special Forces Command (A)

Fort Liberty, NC
OFFICE: 910-806-3318
FRONT DESK: 910-806-3316

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Controlled by: 1st Special Forces Command (A) Inspector General (AOSO-IG)

CUI Category: WHSTL, PRIIG, PRVCY

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POC: Mr. Chase Smith, 910-806-3318

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CUI

MICHAEL JEFFREY FORBES

[redacted] Cell Phone

EXPERIENCE:

March, 2004 to February, 2007

Financial Planning Advisor, AIG Valic/ Valic Financial Advisors, Erie, Pennsylvania. Manage a $40 million book of business for retired clients. Attracted $4.4 million of assets consisting of $1.5 million of investment advisory business, $2.8 million of outside and proprietary annuity sales and the remainder of mutual funds. Sold approximately $3.3 million of proprietary advisory business to existing Valic retired annuity holders since approved for sale to them in 4th quarter of 2005. Ranked 16th "rookie" out of over 200 in the company during my first full year (2005). Supported the use of ETFs, which got approved for sale 4 months after my hire date. Provided extensive information for the internal creation of an indexed annuity on Valic "paper," which is slated for roll out in April. Current licenses are as follows:

General Securities Representative Exam	**Series 7**
Uniform Securities Agent State Law Exam	**Series 63**
Uniform Investment Advisor Law Exam	**Series 65**
PA Agent's Life, Accident & Health License	**Series 1603**

June, 2002 to January, 2004

Financial Advisor / Director of Financial Education, HBK Sorce, Erie, Pennsylvania. Managed a $20 million book of business. Attracted approximately $3.5 million of assets generating revenue over $170,000 for 2003. Of this, closed $1,250,000 of annuity business. Experienced a 93% closing ratio of qualified prospects. Presented approximately 60 seminars covering various topics such as investment strategies, employment transition and retirement, estate and financial planning. Created PowerPoint slides pertaining to the benefits of rebalancing, dollar-cost-averaging and passive vs. active investing to name a few. Prepared a Sales Book, which included market information, current tax statistics, all preferred products and financial planning initial interview presentation. Implemented a sales briefcase with everything needed to open or modify accounts while servicing retirement plan participants, in the field. Earned the privilege to be assigned over 30 retirement plans including over 1,500 participants.

January, 2002 to June, 2002

Financial Planner - Financial Planning Unit (FPU), HBK Sorce, Erie, Pennsylvania. Published comprehensive financial plans for high net-worth individuals, including retirement, survivorship, estate and education planning analysis. Recommended various financial strategies pertaining to tax and asset management, budgeting and asset accumulation, portfolio risk management, life insurance coverage and education funding. Allocated all potential client accounts utilizing the portfolio selection theory developed by Harry Markowitz; Mean Variance Optimization. Created and implemented a four stage tracking system to assess the speed of publishing plans-in-process. Conceived of and presided over biweekly, 1-2 hour work-ins utilizing a self-designed idea-tracking and -sorting spreadsheet which doubles as an agenda and minutes. Assisted accounting professionals of Hill, Barth & King on an as-needed basis.

March, 2001 to May, 2001

Equity Analyst - Consumer Retail, Research Dept., **HD Brous & Co.**, New York, NY. Created initiation reports for various hedge fund clients focusing primarily on short-sales. Analyzed multiple equities securities while focusing on identifying internal or external events, which, when combined, could materially and negatively affect these securities' stock prices.

March, 2000 to December, 2000

Equity Analyst - Special Situations, Research Dept, **First Albany Corp.**, New York, NY. Assisted Senior Analyst in covering 14 companies comprised of four Internet financial content companies, three transaction-processing companies, two Internet incubators, and various other technology companies. Created multiple First-Call notes as needed. Researched and wrote quarterly update reports on our Buy-rated companies, which included EPS projections, industry dynamics, competitors and recommendations (BUY-HOLD-SELL). Analyzed private placements for structure and overall impact on companies' projected financial performance and valuation. Presented proprietary analysis during daily (7:45 a.m.) trader/sales meeting, and during institutional client contacts. Monitored our client's quarterly 13-F filings for changes in positions held. Conveyed proprietary prognosis of covered companies' performance to multiple online and traditional media contacts.

August, 1999 to March, 2000

Equity Analyst - Financial Institutions, Research Dept., **ABN AMRO**, Chicago, Illinois. Assisted Senior Bank Analyst by covering nine out of 20 companies comprised of 11 banks and nine thrifts. Created First-Call notes and update reports on the quarterly performance of these companies, complete with EPS projections and recommendations. Handled all communication with management teams of the companies under my coverage. Assisted in resuming coverage of two companies in the fourth quarter of 1999. Continued to build a network of Midwestern management-team contacts. Gathered financial information for use in proprietary publications using the following:

Management Discussions and Conference Calls
SNL Quarterly Bank and Thrift Digests
SNL Datasource
FDIC Web-Site (call report data)
EDGAR Web-Site (10K & 10Qs)
Press Releases

December, 1997 to August, 1999

Equity Analyst - Financial Institutions. Research Dept., **Raymond James**, Detroit, Michigan. Assisted Senior Bank Analyst in tracking significant events & modeling the performance of 30 companies comprised of 14 regional banks, seven thrifts, seven de novo banks and two specialty finance companies. Participated in road shows for IPO/secondary offerings. Attended annual meetings and one-on-one meetings with management teams. Coordinated a two-day (eight location) internal road show for two merging financial institutions. Analyzed M&A announcements to determine their accretive/dilutive nature and to identify break-even cost savings/revenue enhancements needed. Tracked the financial performance of an additional 103 banks and thrifts in the tri-state area (including MI, IN, and OH) pertaining to asset growth, asset quality, profitability, capital ratios and various valuation metrics. Monitored company news and material facts daily. Gathered financial information using aforementioned tools listed under ABN AMRO.

July, 1996 to December, 1997

Commercial Loan Analyst. Corp. Banking Dept, **Old Kent Bank**, Grand Rapids, MI. Underwrote the credit worthiness of commercial customers and prospects that requested to borrow funds. Performed fundamental trend, industry and sensitivity analysis. Worked directly with the lead lender from initial contact through subsequent meetings with customers. Specialized in asset-based lending. Other duties included:

Corporate Loan Closings
Secretary of Metro Loan Committee
Team Leader from 3/97 – 12/97
Committee Presentations
Customer Call / Site Visits
Special Project Facilitator

March, 1993 to April, 1995

Personal Financial Advisor, Branch Office, **Prudential Securities**, Erie, Pennsylvania. Managed over $3 million for approximately 150 accounts. Specialized in Strategic Asset Management pertaining to my clients' unique needs. Recommended and executed trades for my clients using a variety of products that my licenses permitted; including equities, bonds, mutual funds, variable annuities and CDs. Created and articulated a personally designed seminar entitled**, "How to Invest for Growth and Protect Your Principal."**

SOFTWARE: Excel, PowerPoint, Word Perfect, Word, FactSet, FirstCall, ADP, ILX, Reuters, InSite, Bloomberg, MPlan, Allocation Master, Morningstar and Famas.

AWARDS Arthur and Eva Brosius Creativity Award - $1,000 University of Pittsburgh

EDUCATION:

July, 1995 to June, 1996

Masters in Business Administration, The University of Pittsburgh, Pittsburgh, PA. The Joseph M. Katz Graduate School of Business, Concentration in Finance (GPA = 3.47).

August, 1986 to December, 1990

Bachelor of Science, Pennsylvania State University, Erie, PA. Major in Accounting, Minor in Economics.

Michael J. Forbes

Senior Intelligence Sergeant
UNITED STATES ARMY
528th Sustainment Brigade (Special Operations) (Airborne)
S2 Intelligence / Personnel Security Office
NCOIC, acting OIC
X-4047 New Dawn Drive
Fort Bragg, NC 28310
Office: 910-432-8788

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

MILITARY BIOGRAPHY

Upon completion of his Advanced Individual Training (SEP 2007) and his Airborne Course (OCT 2007) SGT Forbes, left imminently for his first deployment of 5 thus far; he served during OEF XI, XIII, XV, XVII and XXI. He has spent 33 months of his military career in deployed in Afghanistan as an Intelligence Analyst for the Combined Joint Special Operations Task Force-Afghanistan (CJSOTF-A). He has acted in a liaison capacity during each deployment and was formally the Liaison Officer to SOTF-East during OEF XIII. His assessments are well received in the Intelligence Community; he has analyzed intelligence derived from multiple sources pertaining to RC North, for over 2 years. Officers have acknowledged his insightfulness as he is a well-spoken and detailed speaker during briefs. Moreover, he delivers an Educational Financial Planning Presentation to Soldiers during every deployment. In his short military career he has attended or has scheduled the following additional training:

Basic Non-Commissioned Officer Course (BNCOC) - anticipated graduation May 2011
Ace Block II Training - March 2010 (80 hours)
United States Central Command - Personality and Network Analysis Course - February 2010 (40 Hours)
National Intelligence for Analysis - Analysis 101 - October 2009 (80 Hours)
Warrior Leaders Course (WLC) - Commandant's List Graduate - November 2008
Joint Military Intelligence Training Center - Advanced Critical Thinking - September 2008 (40 Hours)

CIVILIAN BIOGRAPHY

Mr. Forbes' professional, corporate experience encompassed a 14-year career in the Financial Services industry as a sell-side (institutional) Financial Analyst and a buy-side (retail) Financial Planning Advisor, which provided him with a more comprehensive impression of the industry; his institutional experience gave him insight in the writing analytical reports recommending or dissuading the purchase/sale of common stocks consumed by mutual fund managers, and his retail experience encompassed licensure to recommend the use of fixed and, more significantly, variable products for well-over 1,000 clients. His civilian career spanned a total 8 years on the retail-side as a Financial Planner, serving Individual households, 4 years on the sell-side as a Financial Analyst, catering to institutional clients, and 2 years as a Commercial Loan Analyst. Some of the firms he has worked for are Prudential Securities, ABN AMRO, AIG/Valic Financial Advisors, Raymond James Financial, First Albany Corporation and HBK Sorce Financial; his commercial lending experience occurred at Old Kent Bank. Throughout his career he carried the following professional licensure and designations:

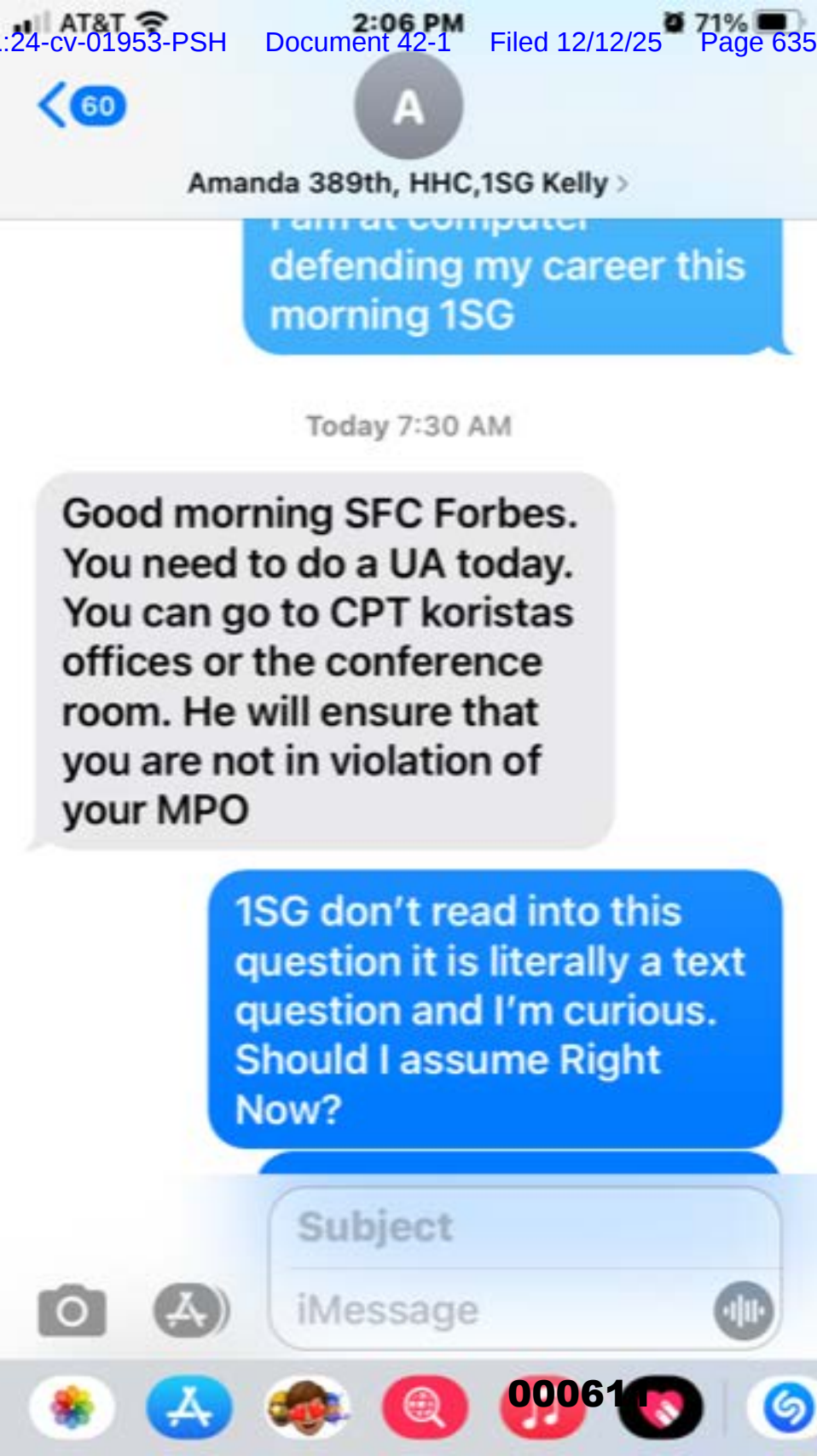
General Securities Representative Exam	Series 7	Uniform Investment Advisor Law Exam	Series 65
PA Agent's Life, Accident & Health License	Series 1603	Uniform Securities Agent State Law Exam	Series 63

PERSONAL INFORMATION

Sixteen years ago, he started a non-profit, unincorporated endeavor by dressing as historical 'Father Christmas,' which raises monetary donations and toys for the benefit of hospitalized children with psychological challenges illnesses or ailments during each Christmas Season. While attending Graduate School he earned the Arthur & Eva Brosius Creativity Award for work performed in the completion of a project white-paper. In 1997, he completed the Detroit Free-Press Marathon. He enjoys his Harley Davidson motorcycle and '67 Cadillac Calais in his spare time.

EDUCATION

- 1996 - Masters in Business Administration, The University of Pittsburgh, Pittsburgh, PA, The Joseph M. Katz Graduate School of Business, Competed for and won the Arthur and Eva Brosius Creativity Award - $1,000.
- 1990 - Bachelor of Science, Pennsylvania State University, Erie, PA, Major in Accounting, Minor in Economics
- 2007 - Associate of Applied Science, Cochise College, Sierra Vista, AZ, Major in Intelligence Operations


AT&T
2:06 PM
71%
60
A
Amanda 389th, HHC,1SG Kelly
defending my career this morning 1SG
Today 7:30 AM
Good morning SFC Forbes. You need to do a UA today. You can go to CPT koristas offices or the conference room. He will ensure that you are not in violation of your MPO
1SG don't read into this question it is literally a text question and I'm curious. Should I assume Right Now?
Subject
iMessage

MPO and UA today

From: Michael Forbes (paxmas2007@yahoo.com)

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

Date: Monday, June 12, 2023 at 02:07 PM EDT

Mr V

Here are facts:

Please don't make a big deal out of this unless CPT K does, but....

Showed up at assigned time.

Knocked on HHC side door so as not to accidentally run into any of the 3 Soldiers in MPO.

SPC Terry met me in civilians.

I asked him to escort me to UA (in BN classroom).

He took me down hall and i waited outside while checked room.

Over his shoulder I witnessed SSG Henkel.

i immediately turned and began retreating down hall to exit the building and leave.

SPC Venturino stuck his head out and said something to stop me.

He encouraged me to come back and I told him I could not.

He told me SSG Henkel left the room.

I changed mind and went to HHC office instead with SPC V to find CPT K.

I told CPT K what happened. he assured me "I did right thing," and "Everything is ok."

CPT K escorted me back to the BN classroom.

He briefed me.

I requested copy of brief.

He had someone provide it.

I successfully conducted the UA.

I was released.

I learned I was last and they were waiting for me and that I could have come earlier.

For God's sake, 1SG texted me the order this morning and assured me that [CPT K] will ensure that you are not in violation of your MPO."

SFC FORBES

FW: thank you

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

To: paxmas2007@yahoo.com

Date: Friday, June 9, 2023 at 09:01 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: [redacted]
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
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: Tuesday, November 15, 2022 5:14 PM
To: Lowrie, Patrina A CPT USARMY USSOCOM USASOC (USA) <patrina.a.lowrie.mil@socom.mil>
Subject: thank you

Ma'am

Thank you for letting me read my email to you that I am sending tonight CPT Dambeck. I attempted multiple times today for my colleague and mentor at 1SFC to get back with me for feedback with no luck.

Cordially,

Michael J. Forbes

528th Sustainment Brigade (SO) (A),

S2, NCOIC

SMO: [redacted]

☎ NIPR: (910) 908-8788

☎ BB: [redacted]

☎ Staff Office: (910) 908-8787

☎ SIPR: [redacted]

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

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

“In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;” – William Shakespeare

Recommended reading from LTC Hamman’s farewell email to 528th staff:

https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

smime.p7s
6.5kB

Name of Project: USASOC PSM Training

Project Manger: (Rank, LN)

Project Start Date:

Task Code	Priority	Task
Prep001	1	Create STEPP Account
Task001	2	Request Intro to National Security Adjudication (PS001.18)
DISS001	3	Prepare PSSAR DCSA, DD form 2962 vol 2 Jan2020 (See Instructions and Exam
PERSEC004	3	Identifying and Safeguarding Personally Identifiable Information (DS-IF101.06)
PERSEC005	3	Cybersecurity Awareness (CS130.16)
ALMS001	3	Information Security Program
DISS002	4	Request DISS Account on "G22 Account request" (ALL priority 3 must be comple
USASOC001	5	Request / Get Access to USASOC, G22, "Account Status"
USASOC002	5	Request / Get Access to USASOC, G22, "G22 RFI, SOR, CE Alert, DEROG ACT
PERSEC001	6	Intro to Personnel Security (PS113.16)
PERSEC002	6	Intro to National Security Adjudication (PS001.18)
PERSEC003	6	JPAS/JCAVS Virtual Training for Security Professionals (PS183.16)
INFOSEC001	6	Intro to Information Security (IF011.16)
INFOSEC002	6	Original Classification (IF102.16)
INFOSEC003	6	Derivative Classification (IF103.16)
INFOSEC004	6	Marking Special Categories of Classified Information (IF105.16)
INFOSEC005	6	Transmission and Transportation for DOD (IF107.16)
INDUSEC001	6	Intro to Industrial Security (IS011.16)
INDUSEC002	6	Facility Security Officer (FSO) Role in the NISP (IS023.16)
PHYSEC001	6	Intro to Physical Security (PY011.16)
PHYSEC002	6	Storage Containers and Facilities (PY105.16)
FDO001	6	Foreign Disclosure Training for DoD (GS160.16)
USASOC003	7	USASOC Security Managers Course
USASOC004	8	Deskside Training
PSIP001	9	Register for PSIP Account
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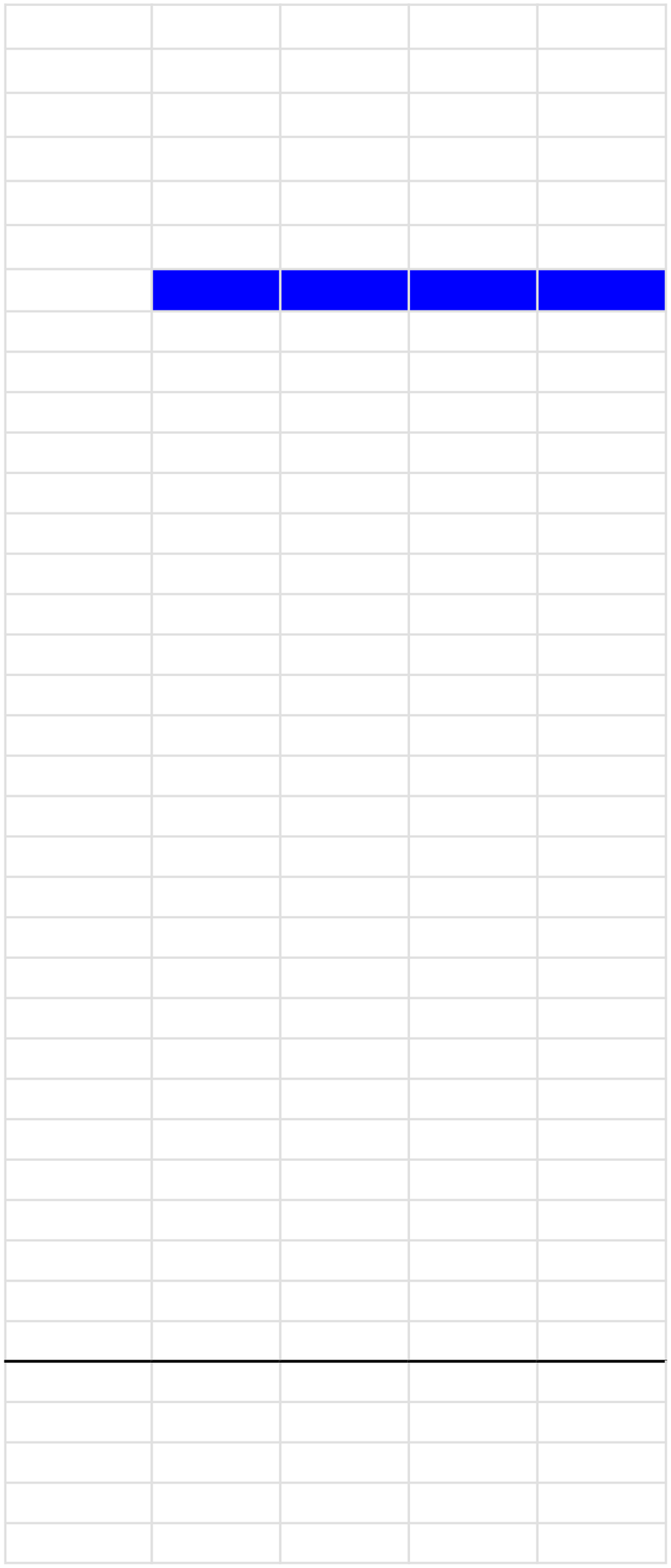
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2.01 Boundaries of Competence

(a) Psychologists provide services, teach, and conduct research with populations and in areas only within the boundaries of their competence, based on their education, training, supervised experience, consultation, study, or professional experience.

(b) Where scientific or professional knowledge in the discipline of psychology establishes that an understanding of factors associated with age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, or socioeconomic status is essential for effective implementation of their

services or research, psychologists have or obtain the training, experience, consultation, or supervision necessary to ensure the competence of their services, or they make appropriate referrals, except as provided in Standard 2.02, Providing Services in Emergencies (#202) .

(c) Psychologists planning to provide services, teach, or conduct research involving populations, areas, techniques, or technologies new to them undertake relevant education, training, supervised experience, consultation, or study.

(d) When psychologists are asked to provide services to individuals for whom appropriate mental health services are not available and for which psychologists have not obtained the competence necessary, psychologists with closely related prior training or experience may provide such services in order to ensure that services are not denied if they make a reasonable effort to obtain the competence required by using relevant research, training, consultation, or study.

(e)

(f) When assuming forensic roles, psychologists are or become reasonably familiar with the judicial or administrative rules governing their roles.

2.02 Providing Services in Emergencies

In emergencies, when psychologists provide services to individuals for whom other mental health services are not available and for which psychologists have not obtained the necessary training, psychologists may provide such services in order to ensure that services are not denied. The services are discontinued as soon as the emergency has ended or appropriate services are available.

2.03 Maintaining Competence

Psychologists undertake ongoing efforts to develop and maintain their competence.

2.04 Bases for Scientific and Professional Judgments

Psychologists' work is based upon established scientific and professional knowledge of the discipline. (See also Standards 2.01e, Boundaries of Competence (#201e) , and 10.01b, Informed Consent to Therapy (?item=13#1001b) .)

2.05 Delegation of Work to Others

Psychologists who delegate work to employees, supervisees, or research or teaching assistants or who use the services of others, such as interpreters, take reasonable steps to (1) avoid delegating such work to persons who have a multiple relationship with those being served that would likely lead to exploitation or loss of objectivity; (2) authorize only those responsibilities that such persons can be expected to perform competently on the basis of their education, training, or experience, either independently or with the level of supervision being provided; and (3) see that such persons perform these services competently. (See also Standards 2.02, Providing Services in Emergencies (#202) ; 3.05, Multiple Relationships (?item=6#305) ; 4.01, Maintaining Confidentiality (?item=7#401) ; 9.01, Bases for Assessments (?item=12#901) ; 9.02, Use of Assessments (?item=12#902) ; 9.03, Informed Consent in Assessments (?item=12#903) ; and 9.07, Assessment by Unqualified Persons (?item=12#907) .)

2.06 Personal Problems and Conflicts

(a) Psychologists refrain from initiating an activity when they know or should know that there is a substantial

likelihood that their personal problems will prevent them from performing their work-related activities in a competent manner.

(b) When psychologists become aware of personal problems that may interfere with their performing work-related duties adequately, they take appropriate measures, such as obtaining professional consultation or assistance, and determine whether they should limit, suspend, or terminate their work-related duties. (See also Standard 10.10, Terminating Therapy (?item=13#1010) .)

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3.01 Unfair Discrimination

In their work-related activities, psychologists do not engage in unfair discrimination based on age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, socioeconomic status, or any basis proscribed by law.

3.02 Sexual Harassment

Psychologists do not engage in sexual harassment. Sexual harassment is sexual solicitation, physical advances, or verbal or

nonverbal conduct that is sexual in nature, that occurs in connection with the psychologist's activities or roles as a psychologist, and that either (1) is unwelcome, is offensive, or creates a hostile workplace or educational environment, and the psychologist knows or is told this or (2) is sufficiently severe or intense to be abusive to a reasonable person in the context. Sexual harassment can consist of a single intense or severe act or of multiple persistent or pervasive acts. (See also Standard 1.08, Unfair Discrimination Against Complainants and Respondents (?item=4#108) .)

3.03 Other Harassment

Psychologists do not knowingly engage in behavior that is harassing or demeaning to persons with whom they interact in their work based on factors such as those persons' age, gender, gender identity, race, ethnicity, culture, national origin, religion, sexual orientation, disability, language, or socioeconomic status.

3.04 Avoiding Harm

(a) Psychologists take reasonable steps to avoid harming their clients/patients, students, supervisees, research participants, organizational clients, and others with whom they work, and to minimize harm where it is foreseeable and unavoidable.

(b) Psychologists do not participate in, facilitate, assist, or otherwise engage in torture, defined as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person, or in any other cruel, inhuman, or degrading behavior that violates 3.04(a).

3.05 Multiple Relationships

(a) A multiple relationship occurs when a psychologist is in a professional role with a person and (1) at the same time is in another role with the same person, (2) at the same time is in a relationship with a person closely associated with or related to the person with whom the psychologist has the professional relationship, or (3) promises to enter into another relationship in the future with the person or a person closely associated with or related to the person.

A psychologist refrains from entering into a multiple relationship if the multiple relationship could reasonably be expected to impair the psychologist's objectivity, competence, or effectiveness in performing his or her functions as a psychologist, or otherwise risks exploitation or harm to the person with whom the professional relationship exists.

Multiple relationships that would not reasonably be expected to cause impairment or risk exploitation or harm are not unethical.

(b)

(c) When psychologists are required by law, institutional policy, or extraordinary circumstances to serve in more than one role in judicial or administrative proceedings, at the outset they clarify role expectations and the extent of confidentiality and thereafter as changes occur. (See also Standards 3.04, Avoiding Harm (#304) , and 3.07, Third-Party Requests for Services (#307) .)

3.06 Conflict of Interest

Psychologists refrain from taking on a professional role when personal, , legal, financial, or other interests or relationships could reasonably be expected to (1) competence, or effectiveness in performing their functions as psychologists or (2)

3.07 Third-Party Requests for Services

When psychologists agree to provide services to a person or entity at the request of a third party, psychologists attempt to clarify at the outset of the service the nature of the relationship with all individuals or organizations involved. This clarification

includes the role of the psychologist (e.g., therapist, consultant, diagnostician, or expert witness), an identification of who is the client, [redacted]. (See also Standards 3.05, Multiple relationships (#305), and 4.02, Discussing the Limits of Confidentiality.)

3.08 Exploitative Relationships

[redacted] (See also Standards 3.05, Multiple Relationships (#305); 6.04, Fees and Financial Arrangements (?item=9#604); 6.05, Barter with Clients/Patients (?item=9#605); 7.07, Sexual Relationships with Students and Supervisees (?item=10#707); 10.05, Sexual Intimacies with Current Therapy Clients/Patients (?item=13#1005); 10.06, Sexual Intimacies with Relatives or Significant Others of Current Therapy Clients/Patients (?item=13#1006); 10.07, Therapy with Former Sexual Partners (?item=13#1007); and 10.08, Sexual Intimacies with Former Therapy Clients/Patients (?item=13#1008).)

3.09 Cooperation with Other Professionals

When indicated and professionally appropriate, psychologists cooperate with other professionals in order to serve their clients/patients effectively and appropriately. (See also Standard (javascript:goToItem(7);) 4.05, Disclosures (?item=7#405).)

3.10 Informed Consent

(a) [redacted] or provide assessment, therapy, counseling, or consulting services in person or [redacted] or other forms of communication, [redacted] except when conducting such activities without consent is mandated by law or governmental regulation or as otherwise provided in this Ethics Code. (See also Standards 8.02, Informed Consent to Research (?item=11#802); 9.03, Informed Consent in Assessments (?item=12#903); and 10.01, Informed Consent to Therapy (?item=13#1001).)

(b) For persons who are legally incapable of giving informed consent, psychologists nevertheless (1) provide an appropriate explanation, (2) seek the individual's assent, (3) consider such persons' preferences and best interests, and (4) obtain appropriate permission from a legally authorized person, if such substitute consent is permitted or required by law. When consent by a legally authorized person is not permitted or required by law, psychologists take reasonable steps to protect the individual's rights and welfare.

(c) When psychological services are court ordered or otherwise mandated, psychologists inform the individual of the nature of the anticipated services, including whether the services are court ordered or mandated and any limits of confidentiality, before proceeding.

(d) Psychologists appropriately document written or oral consent, permission, and assent. (See also Standards 8.02, Informed Consent to Research (?item=11#802); 9.03, Informed Consent in Assessments (?item=12#903); and 10.01, Informed Consent to Therapy (?item=13#1001).)

[redacted]

3.12 Interruption of Psychological Services

Unless otherwise covered by contract, psychologists make reasonable efforts to plan for facilitating services in the event that psychological services are interrupted by factors such as the psychologist's illness, death, unavailability, relocation, or retirement or by the client's/patient's relocation or financial limitations. (See also Standard 6.02c, Maintenance, Dissemination, and Disposal of Confidential Records of Professional and Scientific Work (?item=9#602c) .)

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4.01 Maintaining Confidentiality

Psychologists have a primary obligation and take reasonable precautions to protect confidential information obtained through or stored in any medium, recognizing that the extent and limits of confidentiality may be regulated by law or

established by institutional rules or professional or scientific relationship. (See also Standard 2.05, Delegation of Work to Others (?item=5#205) .)

4.02 Discussing the Limits of Confidentiality

(a) (including, to the extent feasible, persons who are legally incapable of giving informed consent and their legal representatives)

See also Standard 3.10, Informed Consent (?item=6#310) .)

4.03 Recording

Before recording the voices or images of individuals to whom they provide services, psychologists obtain permission from all such persons or their legal representatives. (See also Standards 8.03, Informed Consent for Recording Voices and Images in Research (?item=11#803) ; 8.05, Dispensing with Informed Consent for Research (?item=11#805) ; and 8.07, Deception in Research (?item=11#807) .)

4.04 Minimizing Intrusions on Privacy

(a) Psychologists include in written and oral reports and consultations, only information germane to the purpose for which the communication is made.

(b) Psychologists discuss confidential information obtained in their work only for appropriate scientific or professional purposes and only with persons clearly concerned with such matters.

4.05 Disclosures

(a) Psychologists may disclose confidential information with the appropriate consent of the organizational client, the individual client/patient, or another legally authorized person on behalf of the client/patient unless prohibited by law.

(b) Psychologists disclose confidential information without the consent of the individual only as mandated by law, or where permitted by law for a valid purpose such as to (1) provide needed professional services; (2) obtain appropriate professional consultations; (3) protect the client/patient, psychologist, or others from harm; or (4) obtain payment for services from a client/patient, in which instance disclosure is limited to the minimum that is necessary to achieve the purpose. (See also Standard 6.04e, Fees and Financial Arrangements (?item=9#604e) .)

4.06 Consultations

When consulting with colleagues, (1) psychologists do not disclose confidential information that reasonably could lead to the identification of a client/patient, research participant, or other person or organization with whom they have a confidential relationship unless they have obtained the prior consent of the person or organization or the disclosure cannot be avoided, and (2) they disclose information only to the extent necessary to achieve the purposes of the consultation. (See also Standard 4.01, Maintaining Confidentiality (#401) .)

4.07 Use of Confidential Information for Didactic or Other Purposes

Psychologists do not disclose in their writings, lectures, or other public media, confidential, personally identifiable information concerning their clients/patients, students, research participants, organizational clients, or other recipients of their services that they obtained during the course of their work, unless (1) they take reasonable steps to disguise the person or organization, (2) the person or organization has consented in writing, or (3) there is legal authorization for doing so.

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5.01 Avoidance of False or Deceptive Statements

(a) Public statements include but are not limited to paid or unpaid advertising, product endorsements, grant

applications, licensing applications, other credentialing applications, brochures, printed matter, directory listings, personal resumes or curricula vitae, or comments for use in media such as print or electronic transmission, statements in legal proceedings, lectures and public oral presentations, and published materials.

(b) Psychologists do not make false, deceptive, or fraudulent statements concerning (1) their training, experience, or competence; (2) their academic degrees; (3) their credentials; (4) their institutional or association affiliations; (5) their services; (6) the scientific or clinical basis for, or results or degree of success of, their services; (7) their fees; or (8) their publications or research findings.

(c) Psychologists claim degrees as credentials for their health services only if those degrees (1) were earned from a regionally accredited educational institution or (2) were the basis for psychology licensure by the state in which they practice.

5.02 Statements by Others

(a)

(b) Psychologists do not compensate employees of press, radio, television, or other communication media in return for publicity in a news item. (See also Standard 1.01, Misuse of Psychologists' Work (?item=4#101).)

(c) A paid advertisement relating to psychologists' activities must be identified or clearly recognizable as such.

5.03 Descriptions of Workshops and Non-Degree-Granting Educational Programs

To the degree to which they exercise control, psychologists responsible for announcements, catalogs, brochures, or advertisements describing workshops, seminars, or other non-degree-granting educational programs ensure that they accurately describe the audience for which the program is intended, the educational objectives, the presenters, and the fees involved.

5.04 Media Presentations

When psychologists provide public advice or comment via print, Internet, or other electronic transmission, they take precautions to ensure that statements (1) are based on their professional knowledge, training, or experience in accord with appropriate psychological literature and practice; (2) are otherwise consistent with this Ethics Code; and (3) do not indicate that a professional relationship has been established with the recipient. (See also Standard 2.04, Bases for Scientific and Professional Judgments (?item=5#204).)

5.05 Testimonials

Psychologists do not solicit testimonials from current therapy clients/patients or other persons who because of their particular circumstances are vulnerable to undue influence.

5.06 In-Person Solicitation

Psychologists do not engage, directly or through agents, in uninvited in-person solicitation of business from actual or potential therapy clients/patients or other persons who because of their particular circumstances are vulnerable to undue influence. However, this prohibition does not preclude (1) attempting to implement appropriate collateral contacts for the purpose of benefiting an already engaged therapy client/patient or (2) providing disaster or community outreach services.

▸ **Section 6: Record Keeping and Fees**

- **Section 7: Education and Training**
- **Section 8: Research and Publication**
- **Section 9: Assessment**
- **Section 10: Therapy**
- **History and Effective Date**
- **Amendments to the 2002 "Ethical Principles of Psychologists and Code of Conduct" in 2010 and 2016**

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Ethical Principles of Psychologists and Code of Conduct

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- **Introduction and Applicability**
- **Preamble**
- **General Principles**
- **Section 1: Resolving Ethical Issues**
- **Section 2: Competence**
- **Section 3: Human Relations**
- **Section 4: Privacy and Confidentiality**
- **Section 5: Advertising and Other Public Statements**
- **Section 6: Record Keeping and Fees**

8.01 Institutional Approval

When institutional approval is required, psychologists provide accurate information about their research proposals and obtain approval prior to conducting the research. They conduct the research in accordance with the approved research protocol.

8.02 Informed Consent to Research

(b) Psychologists conducting intervention research involving the use of experimental treatments clarify to participants at the outset of the research (1) the experimental nature of the treatment; (2) the services that will or will not be available to the control group(s) if appropriate; (3) the means by which assignment to treatment and control groups will be made; (4) available treatment alternatives if an individual does not wish to participate in the research or wishes to withdraw once a study has begun; and (5) compensation for or monetary costs of participating including, if appropriate, whether reimbursement from the participant or a third-party payor will be sought. (See also Standard 8.02a, Informed Consent to Research (#802a) .)

8.03 Informed Consent for Recording Voices and Images in Research

Psychologists obtain informed consent from research participants prior to recording their voices or images for data collection unless (1) the research consists solely of naturalistic observations in public places, and it is not anticipated that the recording will be used in a manner that could cause or harm, or (2) the research design includes deception, and consent for the use of the recording is obtained during debriefing. (See also Standard 8.07, Deception in Research (#807) .)

8.04 Client/Patient, Student, and Subordinate Research Participants

(b) When research participation is a course requirement or an opportunity for extra credit, the prospective participant is given the choice of equitable alternative activities.

8.05 Dispensing with Informed Consent for Research

protected; or (c) the study of factors related to job or organization effectiveness conducted in organizational settings for which there is no risk to participants' employability, and confidentiality is protected or (2) where otherwise permitted by law or federal or institutional regulations.

8.06 Offering Inducements for Research Participation

(a) Psychologists make reasonable efforts to avoid offering excessive or inappropriate financial or other inducements for research participation when such inducements are likely to coerce participation.

(b) When offering professional services as an inducement for research participation, psychologists clarify the nature of the services, as well as the risks, obligations, and limitations. (See also Standard 6.05, Barter with Clients/Patients (?item=9#605) .)

8.07 Deception in Research

(a) Psychologists do not conduct a study involving deception unless they have determined that the use of deceptive techniques is justified by the study's significant prospective scientific, educational, or applied value and that effective nondeceptive alternative procedures are not feasible.

(b) Psychologists do not deceive prospective participants about research that is reasonably expected to cause physical pain or severe emotional distress.

(c) Psychologists explain any deception that is an integral feature of the design and conduct of an experiment to participants as early as is feasible, preferably at the conclusion of their participation, but no later than at the conclusion of the data collection, and permit participants to withdraw their data. (See also Standard 8.08, Debriefing (#808) .)

8.08 Debriefing

(a) Psychologists provide a prompt opportunity for participants to obtain appropriate information about the nature, results, and conclusions of the research, and they take reasonable steps to correct any misconceptions that participants may have of which the psychologists are aware.

(b) If scientific or humane values justify delaying or withholding this information, psychologists take reasonable measures to reduce the risk of harm.

(c) When psychologists become aware that research procedures have harmed a participant, they take reasonable steps to minimize the harm.

8.09 Humane Care and Use of Animals in Research

(a) Psychologists acquire, care for, use, and dispose of animals in compliance with current federal, state, and local laws and regulations, and with professional standards.

(b) Psychologists trained in research methods and experienced in the care of laboratory animals supervise all procedures involving animals and are responsible for ensuring appropriate consideration of their comfort, health, and humane treatment.

(c) Psychologists ensure that all individuals under their supervision who are using animals have received instruction in research methods and in the care, maintenance, and handling of the species being used, to the extent appropriate to their role. (See also Standard 2.05, Delegation of Work to Others (?item=5#205) .)

(d) Psychologists make reasonable efforts to minimize the discomfort, infection, illness, and pain of animal subjects.

(e) Psychologists use a procedure subjecting animals to pain, stress, or privation only when an alternative procedure is unavailable and the goal is justified by its prospective scientific, educational, or applied value.

(f) Psychologists perform surgical procedures under appropriate anesthesia and follow techniques to avoid infection and minimize pain during and after surgery.

(g) When it is appropriate that an animal's life be terminated, psychologists proceed rapidly, with an effort to minimize pain and in accordance with accepted procedures.

8.10 Reporting Research Results

(a) Psychologists do not fabricate data. (See also Standard 5.01a, Avoidance of False or Deceptive Statements (?item=8#501a) .)

(b) If psychologists discover significant errors in their published data, they take reasonable steps to correct such errors in a correction, retraction, erratum, or other appropriate publication means.

8.11 Plagiarism

Psychologists do not present portions of another's work or data as their own, even if the other work or data source is cited occasionally.

8.12 Publication Credit

(a) Psychologists take responsibility and credit, including authorship credit, only for work they have actually performed or to which they have substantially contributed. (See also Standard 8.12b, Publication Credit (#812b) .)

(b) Principal authorship and other publication credits accurately reflect the relative scientific or professional contributions of the individuals involved, regardless of their relative status. Mere possession of an institutional position, such as department chair, does not justify authorship credit. Minor contributions to the research or to the writing for publications are acknowledged appropriately, such as in footnotes or in an introductory statement.

(c) Except under exceptional circumstances, a student is listed as principal author on any multiple-authored article that is substantially based on the student's doctoral dissertation. Faculty advisors discuss publication credit with students as early as feasible and throughout the research and publication process as appropriate. (See also Standard 8.12b, Publication Credit (#812b) .)

8.13 Duplicate Publication of Data

Psychologists do not publish, as original data, data that have been previously published. This does not preclude republishing data when they are accompanied by proper acknowledgment.

8.14 Sharing Research Data for Verification

(a) After research results are published, psychologists do not withhold the data on which their conclusions are based from other competent professionals who seek to verify the substantive claims through reanalysis and who intend to use such data only for that purpose, provided that the confidentiality of the participants can be protected and unless legal rights concerning proprietary data preclude their release. This does not preclude psychologists from requiring that such individuals or groups be responsible for costs associated with the provision of such information.

(b) Psychologists who request data from other psychologists to verify the substantive claims through reanalysis may use shared data only for the declared purpose. Requesting psychologists obtain prior written agreement for all other uses of the data.

8.15 Reviewers

Psychologists who review material submitted for presentation, publication, grant, or research proposal review respect the confidentiality of and the proprietary rights in such information of those who submitted it.

- **Section 9: Assessment**
- **Section 10: Therapy**
- **History and Effective Date**
- **Amendments to the 2002 "Ethical Principles of Psychologists and Code of Conduct" in 2010 and 2016**

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16 June 2023

MEMORANDUM FOR Record

SUBJECT: SFC Forbes, Michael J. rebuttal of 2LT Tolston findings and evidence

The following brief is submitted by James M. Branum, legal counsel for SFC Forbes as a rebuttal of the 15-6 investigation findings and evidence submitted by 2LT Tolston, as well as the recommendation of a GOMOR and the contemplation of a relief for cause.

Introduction

Any objective reader of the findings and evidence submitted by 2LT Tolston would have reason to be concerned, however, the reality is very different than the distorted picture painted by this report of a deeply flawed investigation conducted by a junior officer.[1]

This problematic investigation resulted in many pages of sworn statements and MFR's (see enclosure A for a detailed discussion of these documents by SFC Forbes and enclosure B for a detailed investigation timeline), but this brief will focus its response to the two central justifications made in the recommendation for a GOMOR, as well the significant errors in the investigation itself.

1. SFC Forbes did not engage in disrespectful communication with MAJ Racaza

As outlined by SFC Forbes in his statement (see exhibit 1), SFC Forbes spoke in a respectful manner with MAJ Racaza about his bona fide concerns about medical privacy. He treated her as a professional because she was one, and he rightfully expected her to fulfill her duty under both Army regulations[2] and the licensing rules of her jurisdiction (Arizona)[3] to provide the

[1] In my almost 17 years of practicing in the area of military law, I do not recall ever seeing a 2LT being given such a challenging AR 15-6 investigation to complete.

[2] *See* DoDI 5400.11 part 5.1 (a)(3) (ref. A). *Also see* DOD Patients Bill of Rights at DoDI 6000.14 (ref. C), and *see* 32 CFR 219 § 219.116 (ref. E).

[3] According to the Ariz. Admin. Code § 4-26-301(online at https://casetext.com/regulation/arizona-administrative-code/title-4-professions-and-occupations/chapter-26-board-of-psychologist-examiners/article-3-regulation/section-r4-26-301-rules-of-professional-conduct), the APA's "Ethical Principles of Psychologists and Code of Conduct" are binding on Arizona psychologists. This includes Rule 3.10 (online at https://www.apa.org/ethics/code) which provides that "When psychologists conduct research or provide assessment, therapy, counseling, or consulting services in person or via electronic

information needed for him to be able to make appropriate decisions about his privacy rights under the law. Unfortunately, this is not what happened, and MAJ Racaza chose to engage with SFC Forbes in a disrespectful and unprofessional manner.[4] As such, she effectively divested her status as a superior officer and was no longer protected by the provisions of UCMJ article 89.[5] As explained in the US Army's *Military Judges Benchbook*:

> *(When an officer) under all the circumstances departs significantly from the required standards of an officer and a (gentleman)(gentlewoman) appropriate for that officer's rank and position under similar circumstances is considered to have abandoned that rank and position."*[6]

The veracity of SFC Forbes' interaction with MAJ Racaza are also backed by his long history of conducting himself professionally and respectfully, as shown by several of the character reference letters, including that by CW4(R) Dane A. Bergeron,[7] who said:

> *SFC Forbes possesses excellent communication skills (both written and verbal), allowing him to effectively interact with all levels of personnel in the Chain of Command.*

This picture of SFC Forbes is also consistent with what is said in this excerpt from his most recent NCOER dated August 31, 2022:[8]

---

transmission or other forms of communication, they obtain the informed consent of the individual or individuals using language that is reasonably understandable to that person or persons except when conducting such activities without consent is mandated by law or governmental regulation or as otherwise provided in this Ethics Code. . ."

[4] For SFC Forbes' account of this interaction, s*ee* enclosure A.

[5] *See generally* Milhizer, Major Eurge R. "The Divestiture Defense and United States v. Collier" *The Army Lawyer* (March 1990; DA-PAM 27-50-207), online at: https://bit.ly/460vuf.

[6] DA PAM 27-9 at 1090.

[7] *See* enclosure C.

[8] This NCOER, as well as his previous ones can be found in the exhibits, in the folder entitled "CRL-Character reference letters"

From Part IV Section C (Comments):

** fully supported Army SHARP, EO, and MRT programs*
** model of the Army values; promoted these values with others and exemplified the highest standards of personal conduct both on and off duty*

2. SFC Forbes did not engage in "counterproductive or toxic leadership behaviors within brigade or battalion S2 sections."

The findings of the IO with regard to allegations of counterproductive and toxic leadership are based on weak and conflicting evidence, much of it based on hearsay, repeated rumors, and unsubstantiated opinions.

A different picture than the one painted by the IO, can be found by examining the past NCOER's (see attachments), as well as the testimony of those who have worked with SFC Forbes (see attached character reference letters). Here is one important except, from the letter by CSM Aubrey L. Crenshaw[9]:

> *To date, I have known SFC Forbes for the past eleven years through military positions held and through continued mentorship. I can personally attest to his intelligence, fortitude and professionalism. Others and I can confirm his exceptional qualities and potential as a leader, trainer and motivator. I have witnessed firsthand his growth in both military knowledge and experience, and as a person.*

SFC Forbes has a strong record of being a true leader, one who will speak the truth when it needs to be spoken, but also one who sees the potential of junior enlisted troops and helps them to get on track to get promoted and succeed in their MOS. [10]

Also worth noting are these remarks from SFC Forbes' most recent NCOER, dated August 31, 2022:

From part III, section j (Comments):

** stellar performance, dedication, and commitment to excellence during the rating period; finds most efficient and effective means to remain in regulatory compliance*

[9] *See* enclosure C.

[10] For evidence of this, *see* the NCOER's, as well as exhibit A.

> ** earned staff's respect with solid guidance, eagerness to learn other sections' functions, and interoperability; steadfast in protection of command team's decision-making process and reducing risk*
>
> **From Part V section b (Senior Rater Comments)[11]:**
>
> *SFC Forbes is a top 15% NCO with tremendous potential to excel. SFC Forbes' ably served as both OIC and NCOIC of the BDE S2 Section and revitalized our physical security programs; his performance validates his exceptional potential at the next level. Send to Master Leaders Couse and promote to Master Sergeant ahead of peers.*

3. SFC Forbes was subjected to a flawed and deficient investigation.

There have been several significant issues related to the process that SFC Forbes has been subjected to, including:

a. The failure of the IO to call all relevant witnesses (and to either provide sworn statements from all she interviewed) resulted in an inaccurate/distorted judgment of SFC Forbes.

In the sworn statement by 1SG Morgan (exhibit 4), there were several individuals listed by 1SG Morgan as relevant witnesses, however, it does not appear that the IO interviewed these people. The names provided by 1SG Morgan were: COL Brunson (BDE CDR), LTC Sanchez (BDE XO), CSM Vargas (BDE CSM), LTC Hamman, C. (former BDE XO), and MAJ Collins, M. (former BDE XO).

Also, according to the Findings memo by the IO (pages 5-6), the IO interviewed several witnesses for which she provided no sworn statements or summarized testimony by memorandum. These interviewees were: MAJ CH Rivera, 1LT Lyons, and Mrs. Margaret Lindquist. It is not clear why the IO chose to not provide some kind of MFR for these interviews, given her obligation to “

[11] The senior rater was COL Brunson.

b. The reliance of the IO on summarized statements rather than on sworn statements, resulted in an inaccurate/distorted judgment of SFC Forbes.

The IO in this investigation made frequent use of MFR's to summarize testimony. While this is permitted under the regulations, it is important to note that the stated intent of this permission is to primarily accommodate witnesses who are testifying telephonically.[12]

While the use of sworn statements is not required for an AR 15-6 investigation (unless otherwise required under the appointment orders), the use of MFR's in place of sworn statements (by MAJ Weber[13], LTC Furlow[14], and SFC Meredith[15]) does raise serious questions about whether this testimony should be treated with the same level of deference as one would otherwise provide to testimony done by way of an oath.

c. The decision of the IO to make use of unreliable, irrelevant and immaterial evidence, resulted in an inaccurate/distorted judgment of SFC Forbes.

In reviewing the totality of the evidence provided in the AR 15-6 investigation, a few themes keep recurring through multiple witness statements, including the use of generalizations and opinions (often by personnel who have not established on the record the factors that substantiate those opinions), the frequent use of hearsay and more generalized gossip, and the use of irrelevant but negative information.

According to the *Investigating Officers Guide*, AR 15-6 investigations are not bound by the MRE (Military Rules of Evidence), but there are still some limitations on appropriate evidence, most notably:

> *The information must be relevant and material to the matter or matters under investigation. Information not meeting this standard must not be included in the investigation.*[16]

Unfortunately, the IO in this case made extensive use of information that was irrelevant and immaterial, including remarks by witnesses about SFC Forbes' opinions on topics including race,

[12] *See Investigating Officers Guide*, (C-3)(c)(1), of App. C of AR 15-6.

[13] *See* exhibit 12.

[14] *See* exhibit 14.

[15] *See* exhibit 15.

[16] AR 15-6, App. C, (C-3)(g)(1).

ethnicity, sexual orientation, and gender,[17] all topics that were outside the scope of the matters of the investigation.

d. The failure of the IO to recognize that many of the allegations made against SFC Forbes, are made by personnel who have an obvious conflict of interest.

The IO failed to note in her report that SFC Forbes has a pending whistleblower reprisal case with IG against multiple RMO's (responsible management officials), as well as the fact that SFC Forbes had previously accused CSM Emekaekwue of a physical assault against him. This failure to recognize a potential conflict of interest of these two witnesses calls into question the objectivity of the investigation.

The IO also failed to note that MAJ Racaza violated the ethical rules of her practice by engaging in a conflict of interest by way of multiple relationships, in that she: (1) wrongfully accused SFC Forbes of disrespectful communication, (2) ordered an involuntary eCDBHE of SFC Forbes, and (3) testified against SFC Forbes in the AR 15-6 investigation.[18]

Conclusion

The evidence provided by SFC Forbes shows clearly that the allegations made against him are without merit. He did not engage in disrespectful or unprofessional communications with MAJ Racaza, and his leadership approach has been positive in nature, and is in no way toxic or counterproductive.

SFC Forbes has, however, been subject to illegal reprisals and retribution, which has unfortunately tainted the AR 15-6 investigation held against him.

It is for these reasons that you are urged to: (1) withdraw the recommendation of a GOMOR, (2) remove the flawed AR 15-6 proceedings from the record, (3) drop the relief for cause action, and (4) transfer SFC Forbes to another unit where he will not continue to be targeted.

[17] As discussed in exhibit 1, SFC Forbes did not make these statements.

[18] As discussed above, psychologists licensed by the state of Arizona are bound by the APA's "Ethical Principles of Psychologists and Code of Conduct" (online at https://www.apa.org/ethics/code). The relevant provisions are rules 3.05 and 3.06.

SUBJECT: SFC Forbes, Michael J. rebuttal of 2LT Tolston findings and evidence



James M. Branum
Attorney at Law

Enclosures:

A: Memorandum addressing select portions of the statements and other documents provided by the AR 15-6 investigation.
B: Timeline of AR 15-6 Investigation
C: Character Reference Letters

Exhibits:

These are all found in the zip file provided electronically but are also available via CD.

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AOSC-MI 16-June-2012

MEMORANDUM FOR RECORD

SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Introduction:
This memorandum is written for a simple but important purpose: to defend my reputation and career from a coordinated onslaught of wrongful personnel actions (including repeated counseling and graduated reprimand recommendations), culminating in a GOMOR being delivered by BG Ferguson.

This memorandum will be addressing each of the sworn statements and memoranda for record that were provided to me as the result of the AR 15-6 investigation. While this memorandum was drafted by myself, it will refer to me in the third person for the sake of consistency

These repeated attempts to justify an ill-intended prolonged investigation of a Soldier that was dutifully and professionally performing duties that his BDE CDR assigned him to perform should be used to modify existing regulations and authorities. This simple situation could have been remediated with appropriate actions at various stages throughout this document by CDRs at any echelon and the lack thereof can easily be assessed as a failure to act by responsible leaders.

I have had to lodge multiple complaints resulting in investigations that the BDE CDR may have no visibility of; I have identified other organizations that may have a vested or oversight interests in these events as well. Unfortunately, at nearly 6 months, my wife reached a frustration level that inspired her to write to Secretary of the Army, the Honorable Christine E. Wormuth (See “01-COL Brunson” folder) on 20230524. She did this because she saw her husband lose a position that he loves, one that he worked his whole Military career to be knowledgeable about to positively impact.

This situation, arguably, began on 20231130 with MAJ Racaza’s actions as she unjustifiably followed me upstairs to report me to the BDE CDR while ignoring her responsibility to follow Public Law, Regulations and the APA CoC as it related to the ad hoc SDI event. This led, due to no fault of myself, into what you are about to read. When a similar endeavor, the USASOC sponsored HPW rollout order, immediately followed, I knew better than to ask any 528th SB Special Staff for any information pertaining to making an ‘informed consent’ decision and attempted to get the information on my own. Those efforts resulted in being unjustly removed from my

NCOIC position and put under intense undue scrutiny at every echelon of two BNs over the last six months under the leadership and culture of COL Tavi Brunson.

The following responses/explanations are made for the witness statements and other supporting documents of the AR 15-6 investigation. Due to the lack of sufficient time to respond to all of the allegations, this memorandum should be understood as being a non-comprehensive response.

Notably, MAJ CH Rivera was interviewed by the IO but no SS or MFR by 2LT Tolston was produced, yet he is mentioned in other hearsay remarks in evidence as having seen SFC Forbes before speaking with MAJ Racaza. I did not meet with or see anyone other than MAJ Racaza until after was ordered to report to COL Brunson's office at the behest of MAJ Racaza; I met with MAJ CH Rivera later that day. Even though the IO MFRs should be excluded, I will address as many of the identifiable issues as I have time to respond.

Also please note: CPT Lowrie and SFC Meredith are not licensed mental health professionals and their purported diagnoses of "a lack of emotional fitness" and a "mental break," respectively, regarding me, are moot. Moreover, these statements coupled with MAJ Racaza's behaviors suggest a probative value into whether anyone was 'coached' to provide these highly charged opinions to the IO. Notably, CPT Lowrie is pursuing a PhD in Psychology and working with, MAJ Racaza on her dissertation questions.

ALL HIGHLIGHTS ARE QUOTED STATEMENTS PROVIDED TO IG

Exhibit A
MAJ Racaza Sworn Statement (20230119)

Summary: This is an impugned witness. See Exhibit H Folder of PMO the criminal assault that SFC Forbes submitted to the Fort Bragg PMO. MAJ Racaza should not have been allowed to submit evidence against SFC Forbes as it provides significant probative value in a different venue, which is likely the reason the BDE CDR recommended a GOMOR instead of UCMJ action (See the accompanying Investigation Timeline memo to identify the multiple actions that MAJ Racaza should have either, not acted until she fulfilled her Lawful and Principled responsibilities and, thereby, divested her authority as an Officer in the United States Army). Moreover, after violating this, MAJ Racaza further impugned herself (as seen in Exhibit E, CPT Korista's SS) when she recommended SFC Forbes after she had complained about him at least twice prior to an investigation in which she was a prominent and sole Officer that COL Brunson alleged SFC Forbes disrespected.

A week after that, MAJ Racaza exacerbated her impugned status by then recommending SFC Forbes (an unwitting suspect of the investigation) for an eCDBHE through the newly replaced (on BDE order, see Exhibit E, “para 7_Q4 eCDBHE” folder, 3x orders dated 20221220 & 20230117) authority of CPT Korista. If the outcome of what SFC Forbes deems a “unwarranted fishing expedition” had been, even remotely, negative (it was not, see Exhibit A, “WAMC” folder) it would have been used against him in the open investigation and could have affected SFC fit-for-duty status.

Having been a 14-year unblemished, licensed professional of FINRA prior to his joining the Army (See “10-CRL/BIO & CIV Resume” folder), SFC Forbes fully understands the most important professional act MAJ Racaza failed to accomplish, given her prior complaints about SFC Forbes. Her lack of recusing herself of anything pertaining to SFC Forbes’ eCDBHE and his mental health is troubling. She could have easily contacted another Psychologist on Fort Bragg to objectively assess any concerns in this situation of which she was centrally involved. Instead, she went ‘all-in’ and committed serious violations of what the APA CoC calls, “Conflict[-]of[-]Interest” and “Multiple Relationships” (See Exhibit A, “AZ BOPE” folder, “APA 3.0 Human Relations…3.05 and 3.06).

Yet, one day after SFC Forbes’ questionably ordered (by CPT Korista) eCDBHE evaluation, which was conducted by Mr. Lanier, at WAMC, MAJ Racaza quadrupled down in her likely narrow-minded or shortsighted and predetermined opinion of SFC Forbes that occurred within the less than 1-minute discourse with SFC Forbes on 20221130. MAJ Racaza decided to participate ***as a witness*** in the investigation (See Exhibit A); this was an investigation she already had a hand in starting on 20230112. MAJ Racaza’s motive is probative and may have been due to his favorable 3822 results and her need for him to be counterproductive or suffer from a diagnosed personality disorder to explain away her violations of Public Law, Regulations, Office of Management and Budget Memorandum (pertaining to 3rd Party Applications) and the APA CoC. She attempted to get an outside opinion that would align with hers and failed.

The reasons for her failure of a commonly used concept of ‘recusal’ or avoidance of a perceived ‘conflict-of-interest’ among licensed professionals will be reported to the Arizona Board of Psychologist Examiners (AZ BOPE) for consideration and possible adjudication following the resolution of this GOMOR rebuttal. In fact, I was, and would be still be, prepared to request a General Court Martial, as I feel the rules of evidence and oversight of his rights and due process in that venue would afford me the opportunity of transparently presenting the evidence provided herein.

The APA’s Code of Conduct (APA CoC) was adopted by the (AZ BOPE). Please reference the “Exhibit A, AZ BOPE” folder to find all (highlighted) violations that will be argued in front of this licensing body. Informed consent, an ad hoc event ombudsman and a privacy assessment are some of the items that will be addressed regarding the

SDI 2.0 event that she promoted through the BDE CDR. At no time, during SFC Forbes' failed (less than one minute) request-for-information (RFI) attempt, did he disrespect MAJ Racaza or "[angrily]" demand information; he simply wanted the information and she should have known, through her education and professional licensure, that his reasons "Why?" were irrelevant to her lawful obligation to answer them. She was bound by Public Law, Regulation and APA CoC to answer his two queries. She did not answer either of them then (20221130) and did not answer them up and through the culmination of the event on 20221202. SFC Forbes was relieved to not be included in this Command Directed Behavioral Health Data Gathering event that produced PII identifiable reports back "to the Sponsor" and MAJ Racaza. SFC Forbes has no confidence in MAJ Racaza's competency or professionalism after the ~1 minute exchange and her misperceptions associated of SFC Forbes 'anger' that she reported to the BDE CDR. SFC Forbes had professional exchanges with the BDE CDR over this issue and considered it closed immediately after the exchanges.

SFC Forbes will not be able to address many of the false statements and hearsay of unidentified persons contained in the MAJ Racaza's SS and does not concede or agree with MAJ Racaza's allegations of disrespect or counterproductive leadership behaviors.

SFC Forbes addresses her rendition of SGT Aldeguer's SS, which she was not a party to, or witness of, in Exhibit B narrative. Also, refer to the attached CD or zip-file provided by SFC Forbes (integral part of this rebuttal) for an email exchange between SFC Forbes and COL Brunson (see "01-COL Brunson" folder, email dated 20221201), wherein he documented a communication to COL Brunson; the email pertained to the discussion with MAJ Racaza on 20221130 that following his 'called-on-the-carpet' meeting in the BDE CDR's office, pertaining to MAJ Racaza misperceptions. SFC Forbes included detailed reasoning for asking his questions of her; he simply wanted to be afforded 'informed consent' (per Public Law and Regulation) prior to his participation in the ad hoc SDI data-gathering (and shared) behavior health oriented program. COL Brunson's codified (in the email) response was to state, "I will respect your request and excuse you." He immediately replied again and stated, "P.S. For the record, I read it all twice."

SFC Forbes has never removed or threatened to remove anyone's building access or suspend anyone's clearance without CDR recommendation and/or INSCOM direction in his entire 11+ year career as a highly successful (see all NCOERs in folder entitled "NCOERs)."As the NCOIC and BDE appointed Primary Personnel Security Manager (PSM), the only requirement SFC Forbes enforced was the incentive for Soldiers to fully in-process prior to receiving building access via the CAC Card readers on X-4047. He enforced this to justify the granting of access in DISS. People would go to SSG Meredith to in-process to circumvent this requirement and get access without appropriate training and access notification to DCSA, formerly known as DoD CAF (Please see the detailed issues with how SSG/SFC Meredith executed the S2 Programs

prior to SFC Forbes' arrival in Exhibit N narrative). These are issues MAJ Racaza would not be privy to in her official capacity: and her commentary, opinions, or assessments about these internal S2 issues would have been based only on hearsay, making them effectively moot.

Exhibit B
SGT Aldequer Sworn Statement (20230119)

Summary: SFC Forbes met with MAJ Racaza. Interestingly, SGT Aldeguer stated, "Chaplain Rivera saw him walk in and he called MAJ Racaza to answer his questions." This indicates coaching from someone; he is attesting to events of MAJ CH Rivera, down the hall and out of sight.

This Soldier is a direct subordinate to MAJ Racaza. Given her violations of Public Law, Army Regulation and the APA CoC (CoC issues will be adjudicated in a proper venue). It is in MAJ Racaza's interest to attempt to find corroboration of SFC Forbes as counterproductive or suffering from a diagnosed personality disorder, where none exists to divert any attention from her bad actions (or lack of lawful fulfillment of Public Law, Regulations and APA CoC). This case is a clear fabrication of this witness and there is no testimony to support it. Even if this discussion had occurred, as all of SFC Forbes Character Reference Letters (CRLs) (See "10-CRL" folder) indicate, he never has walked into anyone's office and begun demanding things; because it is not professional.

Furthermore, SFC Forbes would never comment on someone's "English." SFC Forbes was never the subject of an EO complaint related to this event because it did not occur.

Exhibit C
1SG Morgan Sworn Statement (20230120)

Summary: See narrative below. Not enough time to summarize.

para 1 - "2021 Motor pool Incident w/ CPT Valdez:" SFC Forbes created a SS pertaining to the 20210723 discussion as it was a catalyst to later issues with CPT Korista and 1SG Morgan. Separately, SFC Forbes dutifully had motor-pool personnel secure a GSA 2-drawer safe that he observed on the parking surface (outside) near the fence-line of the motor-pool; he immediately wrote an impromptu MFR (see Exhibit C folder), notified the S4 to attempt to identify the owner, and documented the situation. Contradicting 1SG Morgan's own SS is his own evidence submission of the corresponding DA 4856, dated 20210727, which noted in the closeout of the DA 4856 that "SM has not had any problems since the 27 July counseling session."

Interestingly, this close out occurred a couple of days before an investigation was launched against SFC Forbes, lodged erroneously by an unknown and likely

overzealous CDR, due to an overreaction by MSG Kazmierski, Sean that his IOTV went missing (see Exhibit C., “para 5” folder and narrative in this section para 5 for more on this topic).

para 2: - “HHC Supply Issues at S2 HRH:” SFC Forbes signed both initial counseling memoranda from both CPT Mansour and CPT Korista (see Exhibit C, “para 2” folder); statements to the contrary are false. Please see “para 1” evidence and SFC Forbes SS to appreciate the major issues in how equipment was inspected, documented, and accounted for in HHC, STB under both Company CDRS. SFC Forbes did not add to the CD 1 ½ years of monthly signed sub-hand receipt documents in his meticulously kept sub-hand receipt hard-copy binder, but he is willing to provide his records to anyone that needs to see or have them. Notably, on 20210720, SFC Forbes suggested and encouraged CPT Mansour to have a document with the Sub Hand Receipt Holder’s signature on it.

para 3: - “Conflicts with BDE Staff Leadership/Platoon Sergeant:” Please see the following paragraph, the first paragraph of “para 7” below and Exhibit M. “example” (x2) interactions therein and elsewhere throughout the entirety of this document, for reference evidence that refutes this allegation. SFC has a good memory but does not recall, nor did he document the conversation with MSG Burgos as it was inconsequential; it was one-of-many conversations he had with the BDE S3 NCOIC (MSG Burgos). They are S3 Operations cell after all. Notably, the lack of specificity on the part of 1SG Morgan does not help SFC Forbes recall the conversation either. The PSG issue can be summed up in the myriad exchanges both SFC Surorodriguez and SFC Forbes could print off; SFC Forbes decided that refuting this is self-evident and only selected examples that easily counter any allegation he did not want to communicate with the PSGs. The examples in Exhibit C, email dated 20220629 and 20220831 refutes any lack of communication on SFC Forbes’ part outside the norm. The only issue SFC Forbes ever verbalized was the difficulty in responding to after-hours texts (See Exhibit C, email dated 20220629) and SFC Suro indicated that it was not an issue; after-hours texts have since been discouraged in the unit.

There were minor conflicts, but not with BDE Staff. As this memorandum is rife with examples of CPT Korista and CPT Mansours questionable leadership decisions that are compounded by the lack of an HHD UIC on the MTOE, this email is yet another example. CPT Korista publicized to all on the “to:” and “cc:” lines of the email that SFC Forbes’ Soldier (PFC Scheffing) was on a list of Solders entitled “Failure to Train.” Moreover,it included threats of Personnel Actions or “future consequences” if the Soldiers repeatedly miss training. PFC Scheffing was a good and dutiful Soldier on Staff Duty, but everyone, other than the PSG (SFC Surorodriguez), SSG Meredith, SFC Markle (S1) and SFC Forbes were made aware that he was otherwise duty bound NOT to attend. This was never remediated by CPT Korista and SFC Forbes did not see this

as material to bring up at that time, given CPT Korista's reactions to Senior NCO guidance in the past.

para 4 – "Interactions with Company Staff:" This refers to the same allegations in CPT Korista's SS (para 2., c.). This is simply not true. This was yet another last minute tasking that CPT Korista and 1SG Morgan would pick Soldiers by name and SFC Forbes simply went down to inquire what the urgency was and upon learning this was a relatively short event and it had to do with the issue that CSM Vargas was intimately familiar with (she garnered some Garrison attention for standing up for our Soldiers in a bold way; SFC Forbes admires her for it) and had eventually received national press attention. SFC Forbes, he left and went back to work upstairs.

para 5 – "Abusive and Dishonest Behaviors:" This is a fabrication. See redacted Investigation report SFC Forbes received via FOIA and LTC Furlow DA 4856 of Forbes in reference to the outcome.

para 6 – "Inappropriate/Racist Statments:" This is categorically absurd. SFC Forbes has been married to his wife, Sabrina, a proud Native American of Lumbee heritage, for nearly 8 years. In fact, he is the only Caucasian family member in his wife's extended family (including both her foster and biological families). The family is approximately 60% Native American and 40% Black. This is untrue and just another instance of witnesses attempting to repeatedly use hearsay and inflammatory statements in the hopes to bolster an untrue statement.

para 7 – "Interactions with Officers:" MAJ Johnson, S1 OIC, 528th SB provided unsolicited feedback when SFC Forbes owed the unit $20, the remaining balance on two clothing items being sold ISO the BDE Ball. After 3 months of excluded from working with colleagues whom he had a working relationship with, he provided her the following feedback and reflection, "You are a professional and I miss working with you. I love working with professionals." MAJ Johnson responded, "Good morning and thank you SFC Forbes. I'm glad for your support. Thank you!, you have always rendered the same courtesy to me, always cordial and professional." MAJ Johnson never talked-down to SFC Forbes and always took his guidance seriously. SFC Forbes has always viewed the S1 shop as one of the only professional offices at BDE, STB and HHC (under UIC: WJTDAA) along with the BDE S3 under MAJ Lester 's leadership though he never expressed that to anyone until we worked on this writing. In fact, SFC Forbes feels that MAJ Lester was the epitome of professionalism due to comments made to SFC Forbes of "Sergeant Forbes, you do not have to schedule a meeting to quickly discuss anything, You are the S2 in my opinion and I will provide you the same courtesy I would provide any other OIC here. Just come and knock, if I can't meet right then I will tell you."

Moreover, MAJ Lester worked with SFC Forbes to get the Primary Physical Security Officer named in the S3 after a vibrant and positive email (See Exhibit F, email dated 20220331) and verbal exchanges over the course of several weeks. SFC Forbes, had not gotten approval for an attached SPO Analyst yet, the Command had tasked SFC Forbes with the TSCIF approval SFC Forbes idea was to support and train SFC Riley for a year and then MAJ Lester would find another Soldier in the S3 or elsewhere

para 8 – "Overall:" All repeated allegations have been addressed above and SFC Forbes does not agree with any of 1SG Morgan's opinions, conclusions, generalizations, hearsay allegations of unspecific events, or characterizations of how the units leadership "condoned" any inferred counterproductive behaviors; they simply didn't occur as perceived, embellished and/or purported. After all he has an excellent recorded history of his leadership of the BDE S2 Section as NCOIC and acting OIC over an 18-month period (See "CRL/NCOERs)", during which 1SG Morgan's commentary resides.

Exhibit D
CPT Lowrie Sworn Statement (20230124)

Summary: CPT Lowrie's SS pertaining to the 2 months (17OCT – 19DEC not three months) contained opinions, allegations, and fabrications of the following:

1) a counterproductive messaging and approach (opinion),
2) "my way or no way" attitude (discussed below),
3) "he may be an incompetent leader" (fabrication),
4) "… he is indecisive and lack[s] the ability to control his emotional center (non-psychologist opinion),"
5) "…[he] does not provide timely guidance," (fabrication)
6) "…but [he] often create[s] a frenzied, chaotic and hostile workplace (opinion),
7) "He engaged in self-serving behaviors…. For example, there was not a proper hand-off [of] duties and responsibilities, when I went through on-boarding," (fabrication) and
8) "I wasn't cc'd on some emails especially the emails he sent to 1SFC and USASOC."

It is recommended that you peruse all evidence that has been provided as examples of the level his professionalism and knowledgeable enforcement and management of S2 Programs over the years. SFC Forbes has embodied and earned the comments through performance of 18-months of work depicted in two NCOERs by his Supervisor, the XO, 528th SB. It is an absurdity for CPT Lowrie to feel competent enough to allege any level of incompetence on behalf of SFC Forbes especially given she can't begin to purport that she understands the unit, SO, or SFC Forbes enough to make such significant claims in a 2-month period. Moreover, it was not a full 2 months either; she

had a car accident upon arrival that had her out of the office for a week with injuries and car repair logistical decisions. Then she put in for another week of leave during this period as well. Other issues can be explained by the fact that ***she could not act in the capacity of a PSM*** until all training was completed and she was named as such on signed appointment orders and they were on file at USASOC.

SFC Forbes does not want to belabor the Initial Counseling (See Exhibit D, "0) Initial Counseling" folder) that CPT Lowrie provided him but it is worth mentioning that portions of the document contained items that lacked any forethought. She instructed SFC Forbes as if: 1) he were a lower enlisted Soldier "(…responsible for preparing and submitting intelligence reports)," 2) he was a youngster "(Get a hobby,...)" or, 3) he had not supported SOF units spanning a proud 12+year career by recommending "H2F" the conventional version of instead of USASOC funded HPW. Most notably, she also instructed SFC Forbes, "This is a Special Operations assignment, so you will be working with people who think and operate differently…." SFC Forbes doesn't believe she has SOF experience, however he gave her the benefit of the doubt. SFC Forbes is vigilant in knowing his Soldiers (See 2x Solder CRLs in "CLR" folder); it seems in the first month of the 2 months we worked together, before this presented counseling, she did not demonstrate any knowledge of his life or work. Earning trust is difficult as any leader can profess, so I offered to edit and revise her counseling so she could focus on DISS training, which she had not informed me was not complete yet. I wanted to save her some time.

Notably, as of 20221202, SFC Forbes was thrilled with LTC Furlow's selection of CPT Lowrie (See Exhibit D, "0) something changed in CPT Lowrie" folder).

Point 1): "counterproductive/destructive leadership" - Please see NCOERS (See "10-CRL/NCOERs" folder) and read entire document for SFC Forbes answer to this generalization. SFC Forbes reacts appropriately to unique situations and denies this generalization.

**Point 2): "my way or no way" - CPT Lowrie submitted her SS on 20230124 and PFC Scheffing submitted his 24 hours later on 20230125. The "my[his] way, no way" is very similar yet in fact inaccurate. See PFC Scheffing "Summary:" of Exhibit G below for the actual statement SFC Forbes has made to many Soldiers he has trained over the years.

Another problem with the investigation shows up in the order of investigating a known starting list of witnesses. COL Brunson named CPT Lowrie and PFC Scheffing on 2LT Tolston's appointment memorandum. Given that PFC Sheffing and SSG Henkel (not named originally) both work for CPT Lowrie, it would have been prudent and professional to interview the lower enlisted subordinates first to minimize any suggestion of coercion by a supervisor or incentive to please from a subordinate.

Notably, it was the newly and quickly promoted SSG Henkel who took SFC Forbes NCOIC position and they dissolved the BN position and moved him to the BDE office.

Point 3): "incompetent" **-** Based on the two month (not three as she stated) period of working with SFC Forbes, CPT Lowrie stated, "Based on my working relationship with SFC Forbes he may be an incompetent team leader because he has adequate cognitive abilities but lack[s] the emotional fitness to be support[ive] and lead his team." After setting aside the fact that CPT Lowrie was presented with SFC Forbes recent NCOERs upon her arrival, this comment is flatly absurd; CPT Lowrie is just unaware because she wasn't there for the 18 months SFC Forbes fulfilled an O-3 level Officer's (CPT's) position. Had she taken the time, she could have inquired about the 'bullet' in his NCOER for the period ending 20220226, which read, ""received 100% 'commendable' rating within 7 months for all S2 PSM programs after inheriting a shop that functioned at 60% (See Exhibit N, "State of the S2" folder, "ppt" dated 0210527, and "10-NCOERs" folder, NCOER dated 20220226)." Please refer to Exhibit N narrative below for more detailed explanation of the "State of the S2" SFC Forbes inherited from SSG Meredith, SFC Kristich and CPT Simkins.

It is SFC Forbes' opinion that CPT Lowrie was attempting to do too much too soon upon her arrival at 528th SB; evidently, she was trying to make a good impression with LTC Sanchez, the DCO and her new supervisor, all while also having been in a car accident upon arriving, and attempting to take leave for household issues (goods and setup). SFC Forbes did his best to insulate her and allow her to focus on her newfound obligations, household priorities, training, and emergencies. In contrast, when SFC Forbes took over in March 2021, he did not have these significant issues and did not PCS from overseas, so he fully expected that he would be doing most of the 'heavy lifting' for a little while in support of CPT Lowrie.

Upon taking over in 2021, SFC Forbes immediately began gathering data points of inefficiencies or failed S2 Programs as he had resurrected a BN S2 Shop at 3/3 SFG when he was a SPC. Therefore, he immediately began training for his new DISS account and created a prioritied tracker he used for every new S2 in the BDE from that day forward (see Exhibit D, "para 7)" folder, file dated 20210512). While in training, he excitedly explained his hasty approach to some glaring and serious issues to LTC Hamman, the DCO; he explained that he wanted to focus on his initial training requirements and quickly be put on orders. and get approval for his DISS account from the USASOC DISS Account Manager quickly (Mr. Vance Noland). Upon the DCO's querying, "Why?" He said, "So I can immediately begin fixing some of the identified and material faults he was finding daily the S2 section." INDUSEC was the issue that carried the most risk, in his professional opinion, as CTRs were working in the building, with access in DISS (that prior S2 personnel granted) but with no DD-254 on file (critical fail item) and sometimes with incomplete S2 personnel files (no NdAs or TS attestation forms properly signed, witnessed on one sheet of paper in each file) or no S2 personnel

file in the office at all! LTC Hamman appreciated his hasty assessment, his short-term plan, and encouraged SFC Forbes to "Hurry up!" LTC Hamman wanted SFC Forbes' complete assessment of the entire S2 Section. SFC Forbes sent him the read ahead on his complete assessment to include recent manning movements that SFC Forbes did not agree with but was facing resistance from the de-facto Senior 35F manning NCO, CSM Prewitt, 389th MI BN, and the STB CSM, CSM Kline.

CPT Lowrie did not fully support SFC Forbes with at least two of the recently emerging significant issues he requested her support to remediate. They were:

1) SSG Hess, the primary PSM, 112th SIG BN, refusing to own or service TSSC Soldiers (~130 pax) in DISS due to a SOCOM Directive and,

CPT Lowrie was notified of 112th's complete failure of a SAV on 20220505 (See Exhibit G, "Example of Conflict SSG Hess" folder ppt and SAV out-brief, both dated 20220714) and that the 112th PSM, SSG Hess' flatly refusing to comply with DCoS memorandum (See Exhibit G, "Example of Conflict SSG Hess, DAMI CD dated 20211015) mandated and communicated by the USASOC G22 Chief of Personnel Security Management (See Exhibit G, "Example of Conflict SSG Hess" emails dated 20221210. Other examples of her failing reasonably address SFC Forbes concerns and attempting to inhibit his enforcement efforts can be seen throughout this rebuttal packet, e.g. PED prohibition, recommendations to Command of reportable incidents, 112th refusal to conduct DISS Ownership, verbally counseling SFC Forbes not to conduct on-the-spot corrections (See "02 LTC Sanchez," email dated 20221208).

2) CPT Dambeck stonewalling of Soldier specific UCMJ and administrative actions tracker to support the impending INSCOM PSAP Program pilot program.

The only legacy unit issue that SFC Forbes feels CPT Lowrie verbally supported (albeit begrudgingly) upon her arrival was the request for the BDE SJA to begin having biweekly meetings to share UCMJ and administrative actions with S2 personnel. This has always been a regulatory necessity per AR 380-67 but became more important with the impending rollout of the INSCOM PSAP Program that relies on a synchronized BDE Staff Team approach (see evidence in Exhibit D "3)" folder, file dated 20211028). Essentially, SFC Forbes requested a tracker of what Soldier Personnel Actions CPT Dambeck was working in the BDE to compare to SFC Forbes' S2 Reportable Incident (formerly Derogatory Report) tracker, IET better support the BN PSMs and BN Command Teams. He responded that he couldn't because he has "Attorney/Client Privilege." Immediately alarmed by that response SFC Forbes spent his weekend researching the multiple JAG regulations to understand if this concept applied or whether he would have to try to reason with him. CPT Dambeck's assertion of

> "Attorney/Client Privilege" had never been encountered by SFC Forbes in his experience. His research yielded enough information that SFC Forbes deemed that and email was the only way to address this complex ruse. It got rectified, with no help from CPT Lowrie (that she ever indicated). The email he sent to CPT Dambeck while cc'ing LTC Sanchez and CPT Lowrie (See Exhibit D, "3, email dated 20221115) folder, email dated 20221115) was a professional success and spurred a series of permanently scheduled biweekly JAG/S2 sync meetings (See Exhibit D, "3, calendar acceptance dated 20221201) with the BDE SJA. SFC Forbes'had NEVER encountered that with any of the SJA Officers he ever worked with. Please refer to any of his 15 NCOERs to get a better picture of SFC Forbes competence than CPT Lowrie's 2-month old assessment that is a brash, incorrect, and incomplete at best.

Point 4): "frenzied" CPT Lowrie evidently wants to become an organizational Psychologist (see scheduled meeting CPT Lowrie allowed SFC Forbes access to) and would like to have a follow-up meeting with MAJ Racaza to this end. Respecting CPT Lowrie's goal and evident tertiary relationship with MAJ Racaza, SFC Forbes would appreciate if she would keep her unlicensed mental health opinions private (whether they come from an aspiring student's perspective, a book, some other unlicensed source, or MAJ Racaza for that matter), and not discuss his mental health with MAJ Racaza due to her divestiture of MAJ Racaza's authority by violating Public Law, Regulation and multiple principals of the APA CoC in her 20221130 ~60-second interaction. Another reason for this requirement is that SFC Forbes would not consent to any treatment or assessment by this licensed Psychologist as he has questions regarding her knowledge base and her ability to abide by the law, constitution, and the "do no harm" principle, which is commonplace understanding in all medical fields. He feels he controls his emotional center very well for many reasons that this forum is inappropriate to discuss. Moreover, the evidence he has provided throughout this rebuttal indicates decisiveness and more importantly successful implementation of remediation plans and improvements to his assigned duties, Section, and overall, the protection of all Soldiers at every echelon of his unit (528th SB).

Point 5): "…[he] does not provide timely guidance." SFC Forbes was constantly communicating ongoing and impromptu issues immediately upon CPT Lowrie's arrival, though he did attempt to insulate her so she could focus on the onerous training on the excel sheet (See Exhibit D, "para 7)" files dated 2021012) that SFC Forbes prioritized the training and created an excel tracker to ease the confusion with the USASOC training plan. This was his first act upon his installation as acting S2 OIC while he was conducting the same training himself. This USASOC G22 training is extensive and time-consuming and historically has taken S2 personnel a focused and diligent approach to accomplish in a few weeks. Other examples of his timely guidance were the emails notifying her he put up "posted security reminders" that morning per USASOC 25-2 on 20221207, prior to her arrival to work. A second example (of many more) was on

20221213 at 1010, ~1 ½ hours after he neglected to cc her on his advice in which he indicated that the STB CDR "may want to investigate the posting of PICs depicting phones on the Internet," (See Exhibit D, "5) timely guidance" folder, picture dated 20221209) which is in violation of USASOC 25-2. This claim is untrue and this this document should be completely consumed to get an accurate assessment of SFC Forbes work ethic and his 'flat-comms' approach.

Point 6): Regarding her statement, "create a frenzied, chaotic and unhealthy workplace," CPT Lowrie realized quickly upon her arrival, just how intense the optempo of 528th was. Her new unit was very busy and commented as such multiple times. At no time did SFC Forbes create an unhealthy workplace. In fact, he did everything he could to protect his Soldiers from highly questionable orders from many sources while attempting to run a BDE level S2 Sections and all of his appointed duties (See SFC Surorodriquez commentary herein, appointed duties in Exhibit D, "03-ADOs" folder and the complaint to 1SFC that was investigated by MAJ Chustek of 1SFC located in Exhibit D, "6)" folder).

Point 7): CPT Lowrie stated, "…there was not a proper hand-off [of] duties and responsibilities." Please see the evidence in the appropriate folder (on provided CD). SFC Forbes has evidence of coordinating the approval and scheduling of CPT Lowrie's TS read-on no less than 3 weeks prior to her arrival. Furthermore, he provided her with a personally designed (by SFC Forbes when he arrived and completed the extensive training) excel spreadsheet (See Exhibit D, "7)" folder, excel sheet dated 20221031) that provided all tasks in a prioritized order for efficiency.

Point 8): - "I was cc'd on some emails but not all" SFC Forbes cannot be expected to be perfect, as no one can be. That said, SFC Forbes did his best to balance what CPT Lowrie needed to be involved in vs her training requirements to get her DISS account. She was in fact learning a new unit and he has an extensive library of emails he cc'd her on over their 2-months working together.

Exhibit E
CPT Korista Sworn Statement (20230125)

Summary: CPT Korista is a central figure in this situation. Had he not spread his misinformation of his incorrect perception of the exemption of "Gyms" in USASOC 25-2 to all echelons of Command and even some Soldiers, a whole string of bad decisions and actions could have been averted and good decisions enacted instead; both follow:

1) He would not have ripped down SFC "posted security reminders,"
2) CSM Emekaekwue would have supported SFC Forbes National Security message to STB BN on 20221212,
3) The sweep would not have occurred,

4) The pics of phones on Facebook could have been removed with some professional verbal retraining,
5) A internal policy could have written by both the S2 and S6 and signed by BDE CDR for appropriate venues for Family and HPW events to allow phones,
6) SFC Forbes would still be in the BDE NCOIC slot to support his BDE CDR with his in-depth experience and insights,
7) Massive assets would not have been expended to unwittingly investigate to entrap SFC Forbes or gather evidence on him to deflect others bad actions,
8) An eCDBHE would not have been requested,
9) MAJ Racaza would not be intended to be named as the subject of an AZ BOPE complaint,
10) Falsifications would not have been needed to disparage a good and dutiful Soldier,
11) The temptation to violate laws and regulations through entrapment ploys (such as DA 4856 recommendations for LOR and GOMOR presented) would have been unnecessary (Note: agreeing to the counseling was an open investigation 'pitfall')
12) The BDE CDR would not have had to poorly navigate this corrupted situation because the decisions and guidance he received would not have occurred, and,
13) The BG would not have been bothered to adjudicate this rebuttal (note, may not be an inclusive list).

MAJ Racaza and CPT Korista provided the bad actions and likely bad guidance or perceptions that were the catalysts to a spiraling situation that has only grown, to date. All events were either driven by or connected to a prior event until the Commander decided to 'attack the person because they could not win the issue.' All of this to protect bad actors and cover the unit's reputation.

para 3_Q2., a.: SFC Forbes recalls this very differently. He keeps meticulous records and went to HHC Ops to request a copy of his training because he was being tasked by Co. Leadership to do it again only 6 months later. He asked SPC Terry for a copy of it and CPT Korista appeared out of SFC Yoder's office on the way to his makeshift "battle-room" (he commandeered the HHC conference room for a second office upon taking Command) and asked me, "Why I needed it? Is someone giving you a problem?" SFC Forbes replied, "Oh no, Sir. You know me. I always want my own copy for my 'love-me' book." He commented he can easily get it and send it to me. He did. His subsequent recollection of events is false. Please see Exhibit E, "para_3., a." folder, both files dated 20221208. SFC Forbes was never counseled verbally or otherwise and no mention was made in his email communication referenced in the prior sentence.

para 4_Q2b: SFC Forbes would never disparage people like this (See "CRL" & "CRL/NCOERs" respectively. He has NEVER been scrutinized and/or investigated in his entire 30+years of Professional work in the Army or as a licensed Financial

Professional, nor in his extensive Educational work. SFC Forbes was never the subject of an EO complaint related to this event, even though, if it occurred so blatantly as CPT Korista purported in writing (no less), any one of the 100 Soldiers present of all ranks (he indicated) down to a PVT could have easily lodged a complaint with our in-house EO representative. This would have launched an investigation. Why didn't that happen; because this is an embellishment and augmented statement differing in scope and content from what SFC Forbes did ask. SFC Forbes simply asked, "Will there be a schedule of any type if a Soldiers spouse is concerned about their Soldier showering with a member of the opposite sex?" CPT Korista's inaccurate and embellished recounting of what SFC Forbes did say is unbecoming of an officer under Article 133 of the Uniform Code of Military Justice.

para 5., Q2c: SFC Forbes has not experienced the level of success in the U.S. Army that he has by walking into anyone's work area and demanding anything. This claim by CPT Korista is another inflammatory and false allegation that not only wasn't documented contemporaneously, but also, was designed to bolster other unsubstantiated or uncorroborated opinions, perceptions, and/or generalizations located throughout this evidence. SFC Forbes prides himself in acting like an NCO as his CRL's, NCOERs, and awards show.

para 7: Notably, on 20230125, CPT Korista blatantly fabricated a meeting SFC Forbes had with MG Angle, in his SS with 2LT Tolston, likely, in an attempt to bolster the justification of the eCDBHE (See Exhibit Q and Exhibit A narratives, and this document in its entirety, for more information on the eCDBHE and how it fits in the overall situation) he ordered SFC Forbes to participate in, and filled out FB Form 1462-E to accomplish. This meeting was requested but never occurred and is consistent with other documented fabrications and embellishments of his (See Exhibit E, "para 4_Q2b)" throughout this rebuttal. To date, SFC Forbes has never met with MG Angle.

para 8: - "SFC Forbes should never be trusted with leading Soldiers ever again, in any form or fashion. He has total disregard for dignity and respect." SFC Forbes, out of a self-developed, longstanding strong sense of confident humility, would prefer to let his track record coupled with Supervisors, Colleagues and Subordinates answer this hateful, unsubstantiated and counterproductive, absolutist opinion (see "10-CRL" & "NCOERs" folder for professional assessments and direct, recalled observations).

para 9: - "His erratic behaviors and actions, in addition to his counterproductive outbursts …degrade the BDE's morale…and…poses a threat to the security of all those who work in the BDE." This is false (See "10-CLR/NCOERs" folder). This entire document serves as rebuttal to the "counterproductive" portion of his statement. CPT Korista may feel this way resulting from his unprofessional demeanor witnessed through his decisions and actions leading up to SFC Forbes' investigation.

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On 20221209, SFC Forbes asked to meet with MAJ Weber in SFC Forbes' office (208d, X-4047) to "keep this topic at the lowest level." MAJ Weber agreed. As SFC Forbes had done previously with the "skulls on the wall" and the Clean Sweep en masse "grass cutting incident" issues with LTC Furlow, SFC Forbes did not wish to codify the information in an email. SFC Forbes understood that CPT Korista was still learning how to lead in his relatively newfound role as Company CDR; after all, SFC Forbes has seen CPTs grow and learn many times in his 16+year career. In that meeting SFC Forbes discussed with the STB BN XO and CPT Korista's supervisor, MAJ Weber, the following 3 items: 1) SFC Forbes was the BDE appointed INFOSEC Officer, 2) excerpts from USASOC 25-2 (namely Ch. 10-3., c. then Ch 9 and Table 9-1), and 3) video evidence of CPT Korista ripping down all of SFC Forbes "posted security reminders" (re: PEDs prohibited on premises) on the morning of 20221208 (the morning of the BN holiday party). His actions, within 27 hours of his retaliatory action, resulted in 2 phones being found during a Wireless Detection Scan (WDS commonly called a "sweep)" on 20221209 (See Exhibit E, "counterproductive" folder, file dated 20221209) and arguably 2-4 phones depicted in a holiday party picture (See Exhibit E, "counterproductive" folder, files dated 20221209) of the BN classroom, located in X-4047. This picture was uploaded by someone other than the PAO on the morning of 20221209; the PAO, SSG Baker, Amanda, informed SFC Forbes on 20221212 at 0910 (after SFC Forbes was assaulted by CSM Emekaekwue at 0615) that she was on leave on 20221209 and "[she] did not post that picture" (See WDS in Exhibit E, para 9, "Overall 2)." SFC Forbes requested the XO's guidance on whose responsibility it should be to put the "posted security reminders," back up; SFC Forbes did not feel it was fair (or emanated a sense of dignity and respect) if he were ordered to put the signs back up for CPT Korista to rip them down again.

SFC Forbes is convinced that CPT Korista was disregarding his guidance and destroying his prevention efforts due to a CPT Korista's misreading or misunderstanding USASOC Policy 25-2. Regardless, SFC Forbes attempted to remediate this on many occasions but was unable to get CPT Korista to view him as a Subject Matter Expert (SME). After being assaulted by the CSM, SFC Forbes decided to request a concurrence confirmation from USASOC G6; he received it on 20221216 (See Exhibit E, para 9, "Overall 2" email dated 20221216).

Given the gravity of the situation as seen by the following attempts to minimize, thwart and obfuscate SFC Forbes PED prohibition prevention efforts that began as verbal discussions, and graduated into debates (see Exhibit M, email dated 20221212 and Exhibit H, "PEDs" email dated 20221206 & 2022212 "counseling form)," destroyed work (See Exhibit E., "counterproductive) 2x videos dated 20221208)," and ultimately in SFC Forbes being assaulted and humiliated in front of the entire BN.

SFC Forbes reported CSM Emekaekwue's assault 2 days later (See Exhibit H, "impugned witness" SS dated 20221214). This assault made many in the BN formation

outwardly laugh. SFC Forbes will never forget that morning. No leader of the STB or BDE HQ Command, at any echelon, ever professionally addressed the event with SFC Forbes to the date of this submission. CPT Korista's lack of adherence to regulation, or his not understanding it fully while he disregarded a seasoned PSM and INFOSEC Officer, was a central catalyst to the mistreatment of SFC Forbes. Moreover, it was indicative of bad behavior SFC Forbes came to expect from CPT Korista, yet he consistently attempted to professionally keep it within the unit and inspire interest in BN mentorship of him. It is for these reasons that any recommendation to revoke his clearance by CPT Korista should be met with the greatest of skepticism; he has proven he does not understand DCSA and USASOC will likely view SFC Forbes National Security Prevention efforts as dutiful and integral to his appointed duties.

Exhibit F
SGT Henkel Sworn Statement (20230125)

Summary: SPC/SGT/SSG Henkel is correct that "[he] experienced a lot of missed deadlines." While he worked at in the BDE S2 office, he would be assigned tasks by SFC Forbes and soon, disappear. One example was when SFC Forbes asked SPC Henkel to audit the files with SPC Farmer. This task takes an entire day for two people. Soon after SFC Forbes found him in the HHC OPs area sitting on a couch talking with SGT Rhodes. After receiving excuses, SFC Forbes went back upstairs and completed the task with SPC Farmer. This would happen on multiple occasions but SFC Forbes was working with SPC Henkel and he was improving rapidly. In fact, SFC Forbes found himself comfortable enough to sponsor and assist SPC Henkel to the Promotion Board and he was successful. SFC Forbes does not take credit where it is not due and would like to state that SPC Henkel worked hard for that Promotion. SFC Forbes provided him with his large box full of training notecards and worked with him but SPC Henkel's desire to be promoted was incredibly high.

CSM Kline had promised SGT Rhodes that he would serve as the BN S2 PSM for only one year; the CSM and SFC Forbes did not agree on this as the duties are intricate and it takes a minimum of 6 months to become, even remotely, to become fully functional. If every PSM did this the BDE S2 would be in a constant state of turnover and training. That said, SGT Rhodes went on leave for two weeks prior to coming back to the unit for 2 weeks and then being reassigned back to 389th MI BN. SGT Henkel and I decided he was ready to take the BN. PFC Scheffing had only been with us for a few months. Soon after SGT Rhodes left, SGT Henkel walked into SFC Forbes office (208d, X-4047) and verbally lobbied for an Request for Support RFS to take PFC Scheffing down to the BN to help him, "fix the mess that SGT Rhodes left me." SFC Forbes expressed to him that SFC Forbes was in the middle of training him and he had a list of things to do for the BDE. Moreover, SFC Forbes knew that the 2-week overlap of SGT Henkel and SGT Rhodes was "the perfect storm of an opportunity" for him to have "SGT Rhodes help you fix his mess." After a long discussion, SGT Henkel sulked out of the office.

SFC Forbes missed the email from SGT Henkel and found out that SGT Henkel went to LTC Furlow to get his leave approved instead of the BN S2/3 leadership or even the XO. SGT Henkel put in for leave for the same weeks SGT Rhodes was going to be back for 2 weeks thereby not gaining the help he said he so badly needed. SFC Forbes checked his emails and found Exhibit F email dated 20220519 and later went to see LTC Furlow. When SFC Forbes described the RFS that SGT Henkel wanted to LTC Furlow and his reasoning for not supporting it (the impact to BDE manning and PFC Scheffing's training) LTC Furlow apologized to SFC Forbes. He said, "Sergeant Forbes, Henkel didn't say anything to me about an RFS. He wanted to go church hunting with his fiancée. Had I known I would have spoken to his leadership." SFC Forbes told him we will provide normal support to SGT Henkel for the near term and, "Sir, this is a teachable moment." SFC Forbes asked one final question, "Do you normally approve leave, Sir?" He replied, "No, he came to me upset and I wanted to help him out." This was not the only time that SGT Henkel performed a 'working mom against dad' strategy to get his way. It was known throughout BDE and some staff leadership.

para 2.: SFC Forbes never yelled at SPC Henkel. Other allegations, in the form of generalizations, opinions, hearsay and mostly fabrications are dealt with below and throughout this document. Once SGT Henkel expressed an interest in becoming a BN asset, SFC was supportive as he felt he taught him all that SGT Henkel was willing to learn from him. SFC Forbes treated STB BN personnel the same way as the other two battalions; SGT Henkel did not need access to our offices, the non-standard physical security CAC card certificate computer or our BDE safe. In fact, SFC Forbes found an unused one-drawer safe and gave it the SGT Henkel for his S2 (only) use; he was very thankful that day. Furthermore, the CAC card reader (as discussed under Exhibit N.) it was the only "carrot" BDE had to incentivize Soldiers to ensure they brought back a completed in-processing packet; everyone wanted access through the doors in the rear of the building because they were the most direct route to the X-4047 parking area. This naturally segues into the Physical Security issues that SGT Henkel mentions.

para 3: SFC Forbes had begun to notice that SGT Henkel had been adopting SSG Meredith's disregard for our unit SOP and give Soldiers access immediately after handing them an in-processing packet. SFC Forbes retains his belief that this was the right answer so that the personnel files did not fall into the "State of the S2" also discussed in Exhibit N. Note: there was only one password for "the cameras" and SGT Henkel had it. SFC Forbes put in another one so that BDE S2 personnel could be tracked when they got on the system as BN and BDE both shared space in X-4047. It was the only way to attempt to identify issues, at a later date, if any arose regarding the granting of physical access to shared space; after all, we had sensitive areas, a motor pool and even a "drug locker" in X-4047 Later, SFC Forbes intended to have each one for each S2 PSM for the same reasons. SFC Forbes never yelled at SPC/SGT Henkel.

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para 4: SFC Forbes had a lot of Additional Duties (See “10-CRL/ADOs” folder). This folder does not have the BDE Motorcycle Mentor Additional Duty that required his planning, route reconnaissance, CONOP routing and approval, marketing, tracking of BDE riders and sitting in on quarterly Safety Council meetings.

SFC Forbes’ professional, doctrinal, and philosophical disagreement with SGT Henkel’s beliefs regarding Physical Security place in the war-fighting functions was understood by the former BDE S3, MAJ Lester and SFC Forbes would refer him to para 7 of Exhibit C above (and see Exhibit F email dated 20220331) for the same defendable argument again. That said, SFC Forbes has been a part of, and executed, inspections for this unit and multiple units in the past, never once withholding keys; they need to be audited after to complete the inspection. The fact remains that the spare set of keys in our safe likely needed to get downstairs, which implied the inspected unit must coordinate with the keeper of the keys (in this case BDE S2). Regardless of the oversight, SFC Forbes set aside his schedule and took the keys downstairs to be audited as PFC Scheffing was unavailable to accommodate this event. The safe was found for SGT Henkel immediately following this event as the spare keys should be at the BN level anyway. SFC Forbes yelled at no one; this is a fabrication. In fact, SFC Forbes helped with the audit.

para 5: SFC Forbes was never counseled for being late. In fact, SSG Meredith and I had an agreement and we constantly communicated to remediate any coverage issues. More details are located in Exhibit N, para 1 c.,(1) below for details.

para 6: SFC Forbes believe SSG Henkel means the ‘Shang-Chi’ movie and he and his wife loved the movie. They both loved ‘Eternals’ as well and have it on disc. SFC Forbes has never been racist and is not racist (See Exhibit C para 6 for more detailed explanation. SFC Forbes denies any assertion of inference that he is a Homosexual-phobic individual. The BDE CDR removed SFC Forbes from the BDE S2 NCOIC position due to similar fabricated allegations and authorized an investigation with SFC Forbes as the subject. SSG Henkel’s allegations are simply the falsifications, opinions and generalizations of a Soldier that did not take direction well and got promoted quickly and is now, due to the BDE CDR relying on fabrications like these, the BDE S2 NCOIC. SFC Forbes hopes he is successful, not only at this unit, but also over the long-term, in life.

Exhibit G
PFC Scheffing Sworn Statement (20230125)

Summary: PFC Scheffing is highly intelligent and a hard worker due to his desire to successfully complete missions. He is young and new to a professional workplace so I can understand his willingness to regurgitate the “his way or no way” comment that CPT Lowrie quoted in her sworn statement of “my way or no way” the day before PFC

Scheffing produced his sworn statement. The actual quote that I have used for years is "There is only one best way to do anything in life. Our job, as a team, is to always seek [strive, search] for it. We may never find it but the result will be closer than the 'more than one way to skin a cat' approach." I have brought many of the trackers and SOPs from my 11-plus years of PSM experience and as a BDE NCOIC did, with varying levels of success, improve almost every aspect of the state of S2 operations throughout 528th footprint by using these premade (by me) tools. I was met with resistance, for example, SSG Hess flatly refused, via emails to follow the TMT Tasker due to the Army DCoS and the responsibilities inherent in its adoption.

SFC Forbes enjoyed working with PFC Scheffing and feels he has a great future ahead of him, given his work ethic and intelligence. SFC Forbes always sought to protect PFC Scheffing in this unit.

Note: PFC Scheffing is not a Psychologist either so any decline he noticed is irrelevant and should not be considered (See Exhibit E, "para7_Q4 eCDBHE" folder, "infamous missing 10 pages" dated 20230420)

Exhibit H
CSM Emekaekwue Sworn Statement

Summary: This is an impugned witness. See Exhibit H Folder of PMO the criminal assault that SFC Forbes submitted to the Fort Bragg PMO (See Exhibit H, "impugned witness" SS dated 20221214). CSM Emekaekwue should not have been allowed to submit evidence against SFC Forbes as it provides significant probative value in a different venue, which is likely the reason the BDE CDR recommended a GOMOR instead of UCMJ action. In fact, SFC Forbes was, and would be still, prepared to request a General Court Martial. He feels the rules of evidence and oversight of his rights and due process in that venue would afford him the opportunity of transparently present the evidence provided here.

SFC Forbes had not been relieved from any position (See NCOER folder) as CSM Emekaekwue purports, especially GSB, 3/3 SFG where he served with then MSG Emekaekwue and knew him only to see him. CSM Emekaekwue was likely swayed by others to think the premature rollout of the USASOC HPW Program (See "01-COL Brunson" email dated 20221218), with its QR codes, intent to use PEDs in the X-4047 gym, historical use of IPADs in the BDE Classroom, and lackluster support to enforce USASOC 25-2 (See Exhibit E, para 9, "Overall 2" email dated 20221216), led him to commit his crime in front of the BN Formation on20221212. He humiliated SFC Forbes in front of everyone and now seeks to defame his character to deflect his bad decisions and actions. Regarding the aforementioned HPW Program, SFC Forbes, upon viewing 20221218 email (the email exchange referenced as 20221218 immediately above), immediately got in his POV, drove to the local office of the Hon. Richard Hudson and

filed a congressional complaint; he feared his discovery having been sent down to other members of STB, 528th SB, namely CPT Forte and 1SG Morgan, would result in a negative Personnel Action from the BDE CDR. After all, the email from the USASOC HPW Director, LTC Webb, showed that all inferences and statements on the unsigned 528th SB OPORD, which was distributed by S3, indicated that all references to purported support of the order at echelon, were inaccurate. Notably, one of the recipients of LTC Webb's email was COL Brunson's POC that was spearheading the premature 528th SB HPW rollout, CPT Forte, of the Surgeon's Cell (a part of 528th SB Special Staff). It turns out, ~3 hours later that, his fears were realized. He was removed from his position as the 528th SB, S2, NCOIC, as retaliation for the OPORD discovery that was communicated to Soldiers within the unit, and possibly also as reprisal (adjudication will occur in separate effort).

Please refer to "01-COL Brunson" Article 138 Redress memorandum, dated 20230331 and COL Brunson's response to it, dated 20230411, for more information about the HPW program and SFC Forbes requests to decline COL Brunson's order to participate in the HPW Program and to "withdraw the unlawful order" for other unit members to be unlawfully ordered to participate.

Exhibit I
2LT Tolston's CPT Lowrie MFR (20230222, S:20230413)

Summary: See Exhibit D and Exhibit N for any applicable commentary regarding the optempo of 528th SB. SFC Forbes is smart but yet struggled with the inflammatory nature of the dual metaphors contained within this augmented and questionable addition of the IOs characterization of CPT Lowrie's comments. Clarification, like that asked for in Exhiibit 1 is needed to respond appropriately. Otherwise, please consider SFC Forbes' assumption that this may be an attempt to address how SFC Forbes deals with the number of normal S2 Programs coupled with Additional Duties and Extraneous Duties (not typically S2 function, e.g. Passports in S1 at echelons above and Physical Security in S3 at echelons above) embedded in 528th SB's training plan and operations schedule.

Exhibit J
2LT Tolston's PFC Scheffing MFR (20230222, S:20230413)

Summary: Some of this was redundant. SFC Forbes addressed the "out to get him" comment in Exhibit M and in the "Investigation Timeline MFR that accompanies SFC Forbes Legal brief from his counsel and this document.

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Exhibit K
2LT Tolston's MAJ Weber MFR (20230222, S:20230413)

Summary: Please see portions of Exhibit D "point3)" referencing reportable activities and Exhibit E, "para 9" narratives above for rebuttal of MAJ Weber's MFR. SFC Forbes flatly rejects the complete contents of this MFR's characterization made by 2LT Tolston and notes MAJ Weber's unwillingness and or lack of confidence in his views to go 'on the record.' That said, SFC Forbes has never "gone after" anyone. The content is refuted throughout this entire document.

Exhibit L
2LT Tolston's CSM Emekaekwue's MFR (20230222, S:20230413)

Summary: For SFC Forbes rebuttal of this Exhibit, please see Exhibit H above and Exhibit O below and all references to CSM Emekaekwue found throughout this document. He is another central figure that this investigation was designed in an effort to deflect attention from his bad decisions and actions, found throughout this document.

Exhibit M
2LT Tolston's LTC Furlow MFR (20230222, S:20230413)

Summary of para 1. a.: This paragraph of 2LT Tolston's characterization of LTC Furlow's comments is full of uncorroborated opinions made by the BN CDR and, though opinions are less credible, these generalizations can be refuted with SFC Forbes' detailed and documented perspective found within this entire document.

Sentence 1: "By the book when it fits him." SFC Forbes has this similar perspective WRT LTC Furlow and his CSM as seen in the email exchange (See Exhibit M., "1) dated 20221102) evidence that SFC Forbes presents. On at least 3 occasions prior to the 20221102 SFC Forbes had impromptu conversations about the Soldiers in the subject line ('Soldier X' hereafter referred), that SFC Forbes redacted for use in this rebuttal. LTC Furlow asked each time, in one fashion or another, if they "had to put in a derogatory report" (now called a reportable activity) on Soldier X's prior criminal incident in 2012 that was uncovered in an internal 15-6. SFC Forbes answered "Yes" in every instance and, as he always does, explained why. This never seemed good enough as the issue kept resurfacing instead of them engaging their BN PSM, SGT Henkel to simply process the paperwork. Notably, SFC Forbes learned during the third Solder X discussion, in late October, that LTC Furlow had been informed by an unnamed SJA that the statute of limitations had passed and no action would be taken. SFC Forbes explained to him that that is correct; no action would be taken from a legal standpoint, but that has absolutely no bearing on how INSCOM or DCSA views it. They still want to know the details because it represents the "whole person" concept that they use to periodically adjudicate Soldier's clearance eligibility; moreover, they are going to want to

know why the Soldier did not report it for over a decade! SFC Forbes walked away still feeling like his expert opinion on the matter, as a seasoned PSM and the BDE S2 NCOIC, was ignored and not what LTC Furlow wanted to hear. This perception was confirmed in the email referenced above, where CSM Emekaekwue at 1410, on 2022102, repeated the same legal argument regarding Soldier X's 2012 incident was discovered through INSCOM's CE/CV program that feeds the PSAP report cards.

Coincidentally, SFC Forbes had debunked this legal argument directly to the LTC Furlow just days prior to INSCOM finding out about the 2012 incident. Most significantly, INSCOM's email sent at 1244 to SFC Forbes was also forwarded a second time to the BN Command team and SGT Henkel at 1326 as a reminder and offer to help. The entire BN Command Team and SGT Henkel had been informed what needed to occur, in detail, by both SFC Forbes and an INSCOM professional, no less.

Yet, CSM Emekaekwue, the BN CSM, still seemingly was trying to rationalize and believe what he wanted to, instead of the truth. Evidently, he wanted to make a point about it too! He addressed an email to SFC Forbes (who merely offered to help) that contained the following paraphrased summation, 'It's too old, what do you need from us?' A BN CSM and CDR should, at least minimally, understand the reporting requirements that pertain to clearance adjudications, and ask the BDE NCOIC vs. their assigned BN S2, SGT Henkel was curious. Later, after SFC Forbes went down to their office and went over this again with both of them; SGT Henkel begrudgingly put in the second 5248-R on Soldier X.

This is indicative of this unit, on a BDE cultural level. Soldiers in this unit just refused to believe the truth regardless of communicated regulatory support for it, and like a child, would ask you 5 different ways the same question hoping to get a different response or, at the very least, get one they wanted to hear. This is of paramount concern in this unit under this leadership. With the impending rollout of the Personnel Security Accountability Program (PSAP), which will begin to send 'report cards' to BN CDRs and above IOT document trends and scrutinize their performance, it becomes more important. CDRs will be expected to fulfill their non-transferable (per AR 380-67) obligation to report every incident is defined by the published and publicized 13 adjudicative guidelines; eventually they will be held accountable, which is necessary. INSCOM was likely frustrated in repeated incidents going unreported and underreported events that would show up during scheduled Periodic Reviews over the last few decades under the old system of Clearance adjudication.

They likely decided to build PSAP as an eventual enforcement tool to eradicate the prevalent misconception CDRs have that they can "decide" if and when to report a reportable incident. SFC Forbes was firmly committed to preparing his CDRs, whether it was appreciated or not; they needed to understand why they should be, as LTC Furlow cited in his SS on SFC Forbes, "willing to change…" and not be "hard-headed and

resistant to change." SFC Forbes was patiently exemplifying a competent and visionary professional by leaning forward on this to ensure our unit and its CDRs had the best possible initial performance, which should be pragmatically understood as, **in THEIR best interest**!

SFC Forbes has always supported Army Regulations, unit policies, Public Law and licensing boards to the best of his ability and achieved high success; he is even more effective when he receives the implicit and required regulatory support from leaders. Unfortunately, that was not the case at 528th SB; COL Brunson's cultivated culture espoused dignity and respect, but did not emulate it through the actions of Soldiers under his leadership. That said, SFC Forbes did the right thing, did his best, and got better every day: he didn't just read it and believe it, he LIVED it.

While a licensed 'wall-street' professional, SFC Forbes enjoyed a lucrative and unblemished 14 year Financial Services career because of his determined attention-to -detail. The Financial Industry Regulatory Authority (FINRA) BrokerCheck website is https://brokercheck.finra.org/ (records are removed from the website after 10 years) and phone number is 1 (800) 289-9999; SFC Forbes former CRD # of 2338630.

Sentence 3: "…he often thinks people are trying to undermine his actions." SFC Forbes does more than think this; he believes it because of the following non-inclusive list of examples that follow:

Example 1) CPT Korista had undermined SFC Forbes time by needlessly deciding to activate the Alternate SI Inspector (SFC Forbes) for a monthly SI Inventory (See Exhibit M "4 & 5)", email dated 20220708).

Example 2) CPT Mansour and CPT Korista undermined SFC Forbes' authority, which was granted by them via order, to be the SHR holder for HQ20 (S2 JLTV). See SFC Forbes' SS dated 20220207 which describes and codifies what SFC Forbes witnessed and experienced with the lackluster adherence of equipment accountability regulations and policies

Example 3) CPT Korista did undermine SFC Forbes as seen in the camera footage of CPT Korista going through the entire BDE HQ building (X-4047) and destroying 1 ½ hours of SFC Forbes' work (Exhibit E, 3) folder, "undermine his actions" videos x2 dated 20221208) to satisfy CSM Emekaekwue's repeated in-office questioning on 20221206 (see Exhibit H, "PEDs") to notify the BDE CDR of the institutionalization of PEDs in the building by HPW personnel in a BDE CDR mandated meeting "(01-COL Brunson, HPW" folder) for 389th personnel on 20221205. Notably, SFC Forbes was acting in his BDE Capacity of BDE INFOSEC OFFICER appointed IAW AR 380-5, Ch. 1-9. A., and Ch. 1-11. The following paragraphs are from SFC Forbes USASOC WBR submissions.

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Exhibit N
2LT Tolston's SFC Meredith MFR (20230222, S:20230413)

Summary: First, SFC Forbes has never suffered a "mental break" and SFC Meredith is incapable to make such a career-ending diagnosis. His statement is inflammatory and only serves to undermine SFC Forbes while assisting a coordinated effort to disparage SFC Forbes as he methodically addresses the following: His…

1) being misperceived by a licensed Psychologist and subsequently, lied about,
2) being called into the BDE CDR's office to "die on this hill"
3) having his work destroyed by a Company CDR,
4) being assaulted and humiliated in front of a BN Formation,
5) being removed from his successful work in as BDE S2 NCOIC position,
6) being unwittingly investigated for "disrespect/Officer" & toxic leadership,
7) being ordered to eCDBHE while an unwitting subject of an investigation,
8) being flagged but it not being implemented as leverage
9) having 1SFC misinform a Congressman that SFC Forbes "was not assaulted,"
10) having 1SFC not address privacy, 3rd Party Apps, and informed consent issues
11) being rebuked in 4 of 5 attempts to get DA 3822 from WAMC for 3 months,
12) being recommended for a LOR in a blatant reprisal attempt
13) being recommended for a GOMOR in another blatant reprisal attempt
14) being given a GOMOR
15) having to address myriad hidden allegations found in GOMOR rebuttal

SFC Forbes is resilient and will not stop pursuing justice until it manifests itself in any form. He has not suffered any mental break, even during all of the listed items above.

SFC Forbes disagrees with SFC Meredith's opinion that he is counterproductive; it is false. SFC Forbes would like to highlight an endemic pattern of behavior by SSG/SFC Meridiith within our BDE S2 that SFC noticed within weeks. His attitude and level of detail can be seen by starting with his simple statements made. In para 1, b., (1), of 2LT Tolston's characterization of SFC Meredith' alleged statement, was the statement, "[He] was the BDE S2 NCOIC before SFC Forbes. SFC Meredith gave SFC Forbes the wheel." There are a few falsifications in these two statements listed as follows:

1) SSG Kristich was the NCOIC until she ETS'd as seen in her signature block on the last email she sent to me on my birthday (See Exhibit N, "para 1, b., (1). Folder, emails dated 20210412 and 20210416), which clearly reads "S2 NCOIC." SFC Forbes gave up trying to find any evidence that SFC Meredith was the NCOIC of the BDE S2. This was false also.
2) SFC did an examination of the operations of the S2 at LTC Hamman's request (discussed below in "para 1, b., (1) ''State of the S2.)" This

> metaphorical comment infers that the wheel was attached to the car and the car was functional. Though it is true, a "wheel" was handed over by SSG Kristich, and arguably later even CPT Simkins, it is false that it was handed by SSG Meredith. Moreover, the "wheel" was broken and missing the car! SFC Forbes inherited a broken automobile as you will learn below. SFC Forbes had to rebuild the car and SFC Forbes rebuilt it, with reluctant but informative help from SSG Meredith, good work from SPC Henkel and diligence from SPC Farmer, within 7 months. This is merely another falsification within the testimony and MFRs provided by SFC Meredith or 2LT Tolston.

para 1, b., (1): SSG, now SFC, Meredith, Joseph R. and SSG Kristich, Tara A. ran the S2 Section supporting COL Summers, Michael G. prior to SFC Forbes' arrival with CPT Simkins, Erik N. My tertiary initial observation upon arrival was that the 2 SSGs ran the shop as I found CPT Simkins sleeping in his office on multiple occasions and was informed had some issues in the unit that were handled informally by giving him extra duties (like PAO).

SFC Forbes quickly learned that Personnel Security files were incomplete, access was being granted as soon as a Soldier was handed an in-processing packet and walked out of the office, and the Industrial Security Program was the "bane of [SSG Kristich's] existence. SFC Forbes' education and experience translated these procedural issues as straightforward, but intricate and time-consuming, challenges. Identifying procedural inefficiencies, after all, is one of the inherent capabilities that must be achieved to earn a Masters of Business Administration, and one of the first steps when taking over an operation of any size. This is why SFC Forbes proactively built a product for LTC Hamman entitled "State of the S2" (See Exhibit D, "3) incompetent)." He did this because the S2 section was in some state of failure in many programs and he wanted a product to present to the DCO (LTC Hamman, we had no XO ATT) and SSG Meredith so open dialogue without judgment could occur to fix the problems as fast as possible. SFC Forbes was able to lead a begrudged SSG Meredith and inexperienced SPC Henkel to earn the following bullet in an NCOER for the period ending 20220226, that stated, "received 100% 'commendable' rating within 7 months for all S2 PSM program after inheriting shop that functioned at 60% (See Exhibit D, "Incompetent" folder, NCOER dated 20220226). SFC Forbes customized an old training tracker for the unit, customized the in-processing packets to accommodate Soldiers, Contractors (CTRs) and Civilians, alike and implemented many other efficient SOPs to accomplish this feat.

As much as SFC Forbes attempted to get SFC Meredith to stop providing access to Soldiers after handing them an in-processing packet, SFC Forbes would constantly have people walking in with partially filled-out packed weeks and months after arrival. Upon CPT Lowrie's arrival, he requested that SFC Meredith go to 112th to fix the state it

had fallen into after SSG Rivera's ETS. SFC Forbes' request was denied. SFC Forbes never disturbed the fact that SFC Meredith was in an un-slotted billet as SFC Forbes felt the MTOE was too small for a BDE echelon S2 Section and there was not much he could do to affect that; he welcomed the extra body even though SFC Meredith regularly argued cutting corners on SOPs that he helped write.

As an example of this lackluster follow-through displayed by SFC Meredith, I would like to feature a formal document (112th WAAR report from a follow-up inspection on 20220810, after the SAV conducted by SFC Forbes on 20220714). I encourage you to compare the two documents. SFC Meredith not only, did not emphasize a DCoS mandate of DISS ownership as SFC Forbes had done, but moreover, failed to simply give the reader an idea of what programs were commendable, satisfactory, or unsatisfactory. This is a representative example of why SFC Meredith likely would not swear under oath that SFC Forbes "would make it a point that the faults of the unit were on SFC Meredith" but instead levied the allegation through 2LT Tolston. SFC Forbes would argue that it was no small feat to restore the BDE S2 Section to a fully operational support effort supporting Soldiers all over the globe. In order to accomplish these results, SFC Forbes said to SSG/SFC Meredith and SPC/SGT Henkel many times, "You can't be walking every office in the building every day, talking to people for hours, and get your to your goals as many do."

para 1, b., (2):SGT Lopez, STB BN S3 Soldier, came into SFC Forbes office (208d, X-4047) and interrupted him while he was on a phone call. SFC Forbes motioned and whispered to him that he was on an important call. SGT Lopez would not stop telling SFC Forbes that he "needed an immediate answer to the email that SFC Forbes received." SFC Forbes had to interrupt his call by letting the colleague know he would call them right back. SFC Forbes informed SFT Lopez that he had not been in his email yet that morning and will reply. SGT Lopez was adamant that SFC Forbes had the email. SFC Forbes learned that this situation was being escalated due to SGT Lopez feelings of pressure because the names were late for a tasking detail's planning. SFC Forbes attempted to explain that SGT Lopez should not interrupt phone calls, but SGT Lopez ignored that guidance and demanded to have PFC Scheffing (it could have been any STB Soldier, of any rank, see Exhibit N, para 1, b., (2) folder). SFC Forbes said he would review the tasker and email him back. SGT Lopez became agitated and verbally raised his voice in his next demand, citing, "S3 needs to know!" SFC Forbes asked him to leave his office. SSG/SFC Meredith agreed with SFC Forbes that SGT Lopez was "out-of line."

para 1. b., (3): The counseling forms SFC Meredith speaks of here are dealt with elsewhere in this rebuttal. SFC Forbes denies his opinion regarding SFC Forbes' meeting behavior and no counseling forms have ever been presented regarding any issue inside any meeting during his tenure as BDE S2 NCOIC.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

para 1, c., (1): "Workplace was not productive." SFC Forbes would like to reference SSG Meredith's draft NCOER and PCS award of an MSM, both signed and submitted by SFC Forbes (See Exhibit N, "para 1, c., (1)" folder, files dated 20220822 and 20221027. Also refer to SFC Forbes NCOERs to determine the credibility of SFC Meredith's statement. SFC Forbes vehemently disagrees with this statement as the improvement of the S2 Programs and the accomplishments therein are clearly delineated. Notably, SSG/SFC Meredith would be in the office at 0800 and leave every day at 1300 for regularly scheduled appointments for his son and 1500 on every other day. SFC Forbes would stay late regularly. SFC Forbes approved of this to support SSG/SFC Forbes family and it worked well for coverage for the entire workday.

"People would not talk to SFC Forbes" Certain Soldiers were likely encouraged (by other Soldiers) to engage SSG/SFC Meredith and preferred to work with him for in-processing, not because SFC Forbes was counterproductive, but SFC Forbes would enforce the incentive to complete the in-processing prior to granting access to the building; SSG/SFC Meredith would not. He would hand them the in-processing packet and immediately escort them to the PAO office computer and put the credentials to X-4047 on the Soldier's CaC card. This was many Soldier's first impression of SFC Forbes and his reputation was that of a professional and dutiful regulation-abiding Soldier (See "10-CRL/NCOERs" folder): he has been a law-abiding citizen his entire life.

para 1, d., (1): Please see Exhibit N summary above.

Exhibit O
CSM Emekaekwue DA 4856 to SFC Forbes (20221212)

Summary: SFC Forbes disagreed with this and CSM Emekaekwue acknowledged his protected communication. Not enough time to summarize but refer to this witness above. This is an impugned witness and this document was presented immediately after this CSM committed a crime against SFC Forbes IET deflect his criminal action and is now being used as some justification in an ill-intended investigation.

Exhibit P
1SG Morgan DA 4856 to SFC Forbes (20210727)

Summary: Please see Exhibit C, para 1 for narrative and evidence.

Exhibit Q
CPT Korista's SIR email ordering SFC Forbes to eCDBHE (20230118)

Summary: This documented proof of MAJ Racaza's violation of APA CoC Principles of "Conflict-of-Interest and Multiple Relationships will be adjudicated in a multiple separate venues. SFC Forbes is challenging the timing and intent CPT Korista's decision, based

on “a reasonable person’s judgment,” and contends that CPT Korista ordering SFC Forbes to an after-work-hours eCDBHE was ill-intended and an attempt to procure evidence of a Personality Disorder that does not exist. SFC Forbes believes that CPT Korista simply did not view SFC Forbes positively as he may have felt that SFC Forbes was challenging his authority when in reality SFC Forbes was only attempting to protect the Company CDR, and CDRs at all echelons, from undue negative scrutiny stemming from CPT Korista’s questionable decisions and the treatment of subordinates. It is for these reasons that SFC Forbes never formally complained about CPT Korista until him until the horrible experience of being needlessly sent to an emergency room, having his clothes removed and inventoried, and being told that he could have a phone cord to charge his dead phone IET keep his extremely upset wife calm at home. It is for these reasons, SFC Forbes yet again recommends that CPT Korista’s decisions in his official capacity and Company Commander of HHC, STB, 528th SB require further in-depth scrutiny; unfortunately, this is a formal recommendation given that it is being made in a formal rebuttal of an unjustified GOMOR SFC Forbes denies but recently and only, acknowledged receipt of. COL Brunson and MAJ Racaza’s (and anyone else in this email testimony) should receive the same in-depth scrutiny and policies modified so that the eCDBHE is used for support of Soldiers and not a ‘weaponized,’ evidence-seeking tool as it has been here.

The eCDBHE that CPT Korista ordered SFC Forbes to participate in could have been done in an hour, if it had been done earlier that day (with an available Psychologist other than the biased and unprofessional MAJ Racaza) and SFC Forbes would have been afforded the opportunity to interact with IG as regulations and policies indicate. As it stands he frantically only got to leave a voice mail that evening. This level of planned coordination of the time and place (which was different than the day before) to have SFC Forbes forced to be in an emergency room for 9 hours was unnecessary and unwarranted; moreover, it is indicative of a sense of malice for SFC Forbes’ well-being, which is contrary to the Army's intent to remove the negative stigma of BH engagements. It was also contrary to CPT Korista's stated interest in a performing “Safety Check” out of concern (which is a probable falsehood). A non-inclusive chronological list of events pertaining to that needless and horrendous evening, which shows the likely ill-intended use of an SIR event (that SFC Forbes will never forget), follows (for the remainder of this section - Exhibit Q):

On 20230118 (1645), a meeting was opened by HHC, CO CDR, CPT Korista, as he asked, “How are you feeling?” SFC Forbes responded, “I am fine. How are you?” SMs also present were 1SG Morgan, 1LT Jennes, CPT Devine, CPT Lowrie (at the beginning), MSG Grix (at the end). During this meeting CPT Korista repeated that he wanted SFC Forbes to receive a “Safety Check.” Near the end of the conversation SFC Forbes expressed that a CDBHE cannot be used as retaliation or reprisal. He repeated, again, to SFC Forbes, that he was ordering him to a “Safety Check.” CPT Korista finally

stated, “I am ordering you to go to the emergency room to be checked out because I have noticed erratic behavior.” SFC Forbes agreed to go with MSG Grix to WAMC.

On 20230118 (~1809), SFC Forbes left voicemail with 1SFC IG (after hours) stating that he was being ordered to an emergency CDBHE due to no Psychological professionals being available after hours. He further stated, that he was told that some Psychologist from 1SFC (unknown individual; SFC Forbes didn’t meet any medical professionals there) said something to someone in my unit that caused CPT Korista to decide to perform what he deemed was “a Safety Check,” but what he finally admitted was an emergency CDBHE. 1SFC IG likely has the recorded voicemail SFC Forbes left with the appropriate time stamp.

On 20220118 (1843), SFC Forbes was admitted to WAMC’s emergency room for an eCDBHE. The wrist band provided stated 1743, likely due to DST, as SFC Forbes called his wife, Sabrina, at 1819 while MSG Grix (FN?) was driving SFC Forbes to WAMC.

On 20220119 (~0311) SFC Forbes had been released: he was diagnosed with “Stress.” He was driven back to his vehicle in X-4047 parking area by MSG Michaux circa 0330 and went home to his, still awake and upset, wife.

The next day, after getting a partial copy of the medical record pertaining to this incident, SFC discovered a document; FB 1462-E. It is a mandatory form that must be completed prior to a Soldier’s “assessment.” Mr. Lanier told CPT Korista in his report contained in the ‘infamous’ 10 pages missing from his records requests, that took SFC Forbes 5 requests over 3 months (and having to ultimately engage WAMC Director) to procure, that a FB 1462-E was required. Mr. Lanier further clarified this in his report by writing, “SM initially arrived without FB 1462 but one was completed by the [C]ommander on instruction of this provider and this document was reviewed prior to assessment.” CPT Korista must not have known the document was mandatory. If this weren’t enough to show how the eCDBHE was ‘weaponized,’ SFC Forbes can clearly see CPT Korista’s intent was ill-intended as block 10 of FB 1462-E states, “Your future plans for dealing with this soldier are:” He replied with two bullets: “- Making sure the Soldier receives adequate care for his paranoia and erratic behavior” and, “-Remove him from USASOC/levels of responsibility” (See Exhibit Q, “symptoms not corroborated” document dated 2023018).

SFC Forbes did an exhaustive write-up for another venue on the ‘shot-gun-blast’ approach CPT Korista used in filling out the 1462-E in the emergency room that evening (circa 2330), however, SFC Forbes left it out of this rebuttal due to the overwhelming amount of evidence already documented and submitted of CPT Korista’s ill-intended order. Needless to say, the 1462-E was largely false, with much of it refuted by Mr. Lanier, except SFC Forbes diagnosed [occupational] “Stress.” Ultimately, was released

from WAMC with nutritional and lifestyle guidance paperwork (similar to a pamphlet). Notably, CPT Korista indicated on the FB Form 1462-E that SFC Forbes was the subject of disciplinary actions, by stating: “15-6 Inv; 12JAN23; Counter-productive leadership; on-going,” on the form.

Exhibit R
BDE Town Hall Comments (20221212)

Summary: These statements appear to be written by the same person and it is troubling that this is the evidence that COL Brunson verbally notified SFC Forbes he would “report to 389th on 20230119 and he intended to order the investigation into “someone who is being disruptive” in his unit. SFC Forbes believed he was investigating CPT Korista or CSM Emekaekwue based on their behaviors with respect to thwarting SFC Forbes attempts to fulfill his BDE appointed duties of Primary INFOSEC Officer. SFC Forbes denies all allegations of “yelling” and “blowing up” and has never in his 16+year career created or participated in a hostile work environment. In fact, he has a history of standing up for persecuted and abused Soldiers wherever and whenever he witnesses it. He does remediate issues for reasons and has always communicated his reasoning with his colleagues at every echelon, as the contents of this entire documents supports with actual evidentiary support provided.

Exhibit S
2LT Tolston’s Questions to SFC Forbes (20230221, S:20230413)

Summary: These questions were vague and clarification was requested in SFC Forbes answer. Also, it is troubling that the IO had no further witness interviews from 20230209 thru 20230221 and SFC Forbes could have been afforded this time to perform what he is attempting to do in this rebuttal; defend his reputation, and career from these allegations, opinions, generalization, hearsay, and falsifications. SFC Forbes is convinced this is a biased, incomplete, inaccurate, and unreliable examination of the allegations levied against him by Leaders and Subordinates in an organization whose CDR created an environment and culture conducive to ignoring policies and not accepting SFC Forbes regulatory-based guidance in this SOF support unit.

Point of Contact information is moot as formal lines of communcations via the presentation of the GOMOR in question already exist.

MICHAEL J. FORBES
SFC, USA
Former NCOIC, BDE S2 & Mentor

D E P A R T M E N T O F T H E A R M Y
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MI 16-June-2012

MEMORANDUM FOR RECORD

SUBJECT: SFC Forbes, Michael J. Timeline of AR 15-6 Investigation

The following timeline (prepared by the SFC Forbes) is accurate and complete to the best of his knowledge:

2LT Tolston Findings and Recommendations (20230222, signed 20230413)
Investigation Timeline

Summary: This investigation, with its procedural flaws and surprising choice of a 2LT to conduct an investigation of a Senior NCO, reinforces why a post-command CPT or higher should have been selected instead. The IO had 42 days to investigate; the IO gathered evidence on only 10 of those allotted days, with the bulk of the IOs data gathering occurred between 20230119 that was included in the findings.

It is extremely troubling that after conducting interviews and reviewing SS evidence, the IO spent massive amounts of time generating MFRs to augment her witnesses' SSs and waited until one day before her extension deadline to ask questions of SFC Forbes (the Subject). He requested, under the advice of CPT Carras', his suspect rights Legal Assistance Lawyer, to review the request with his representation. SFC Forbes responded on 20230223 (one day after the IO deadline), which may indicate the IO did not consider SFC Forbes' answer. Notably, he requested clarification of the vague questions concerning the counterproductive leader charge in his answer to the IO. He received no response, likely due to the deadline that had already passed for another extension request. This is highly unorthodox and did not provide SFC Forbes the opportunity to due process to refute the allegations with the IO in the time provided by COL Brunson.

Further flaws are as follows:

1) The investigation IO's findings and recommendations memo and all supplemental MFRs were dated 22FEB2023 but not signed by 2LT Tolston until 13APR2023, but then were modified by the BDE CDR on 20230420; and modified again on 20230522 to add back the disrespect charge.
2) The IO was in possession of evidentiary allegations for months, even after the she requested an extension; the evidentiary allegations of multiple events were not brought forth to SFC Forbes to address during the investigation, thereby forcing these matters to be refuted in rebuttal of a General Officer Memorandum

of Reprimand (GOMOR) because of an incomplete assessment by the IO. This is a highly unorthodox IO procedure and cumbersome for the rebuttal of a Personnel Action such as a GOMOR.

3) Unit Psychologist (MAJ Racaza) complained about SFC Forbes on 30NOV2022 to the BDE CDR, SFC Forbes addressed this incident with a replied email from the BDE CDR; SFC Forbes understood the issue as resolved when released from the mandate to participate in the SDI event in that email exchange - See Reprisal Catalyst Events & Timeline Folder (20221201 email 1of2; 2of2 is identical with the COL indicating he read it twice) for this exchange.
4) MAJ Racaza brought the same 30NOV2022 complaint at an unknown time (circa 6 weeks later), which was at least part of the reason for the appointment of the IO for an investigation on 12JAN2023 that SFC Forbes was the unwitting subject of, as MAJ Racaza was the named Officer that SFC Forbes allegedly disrespected in the IO appointment order; MAJ Racaza then submitted a sworn statement against SFC Forbes on 19JAN2023 for the same 30NOV2023 discussion in the same investigation she was a catalyst for.
5) The BDE CDR influenced the assignment of SFC Forbes back to STB to be ordered by CPT Korista to be escorted to an eCDBHE while he was an unwitting subject of 2LT Tolston's investigation.
6) The only documented report of MAJ Racaza's is her 3rd complaint of the 30NOV2022 discussion, which was in the form of a sworn statement provided to the IO on the day of SFC Forbes' release from WAMC emergency room and only ***after*** a "fit-for-duty" result from the eCDBHE that MAJ Racaza provided the regulatory basis for CPT Korista to order the unwitting SFC Forbes to participate in. Would MAJ Racaza still have created the sworn statement if the diagnosis result from the eCDBHE was more severe? We will never know.
7) SFC Forbes was not flagged by CPT Korista, or anyone, until 07FEB2023 at which time he became a witting subject; furthermore, the flag was not entered into IPPS-A through HRC until he received his GOMOR on 01JUN2023. The motivation for this failure to follow Army Regulations could be explained as leverage for SFC Forbes to remain silent regarding the further pursuit of the evidentiary truth associated with CSM Emekaekwue's assaulting him, MAJ Racaza's multiple complaints about the same discussion on 30NOV2022, MAJ Racaza's conflict of interest and multiple violations of the APA Code of Conduct in her recommendation to have SFC Forbes ordered to eCDBHE. Moreover, MAJ Racaza violated many APA Code of Conduct Principles in her solicitation and implementation of the Strengths Deployment Inventory through COL Brunson. This ultimately resulted in COL Brunson's clandestine investigation of SFC Forbes, via this poorly executed investigation that denied SFC Forbes the opportunity to persuade the IO through testimony of alleged wrongs.
8) Notably, SFC Forbes documented the situation the same day (on 30NOV2022) whereas the only recorded documentation of MAJ Racaza's allegations occurred

after the investigation began (over 6 weeks later) and post-eCDBHE mundane result findings.

9) The IO used a disputed allegation as evidence in her findings by stating "I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza…. This can be supported by MAJ Racaza[']s statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letting her explain or answer any questions."
10) The investigation is predominated by generalizations, uncorroborated opinions, hearsay, falsifications and the aforementioned ill-intent by leaders of the unit.

The Investigation began on 12JAN2023;

- **20220112 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220113 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220114 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220115 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220116 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230117 (0607) CPT Lowrie texted me that CPT Korista wanted to meet with us both at 1330.
- **20230117 (1500) Legal meeting with CPT Dycus[, 95th CA BDE and IO]**
- 20230117 (1330) SFC Forbes met with CPT Lowrie and CPT Korista and was dismissed by CPT Korista for being "assigned to 389th MI BN" at 1340.
- **20230117 (1500) LEGAL MEETING WITH CPT DYCUS (95th CA BDE).**
- 20230117 (1554) BDE directed move to "Revoke" SFC Forbes assignment to 389th MI BN via a BDE directed Personnel Action on 20221220.
- 20230117 (1555) BDE directed move to "Attach" SFC Forbes to 389th MI BN via a BDE directed Personnel Action thereby assigned him back under the authority of CPT Korista the Company CDR, HHC, STB, 528th SB.
- 20230117 (~1600) CPT Davenport, Company CDR, HHC, 389th MI BN, 528th SB, calls SFC Forbes into her office while CPT Korista was on the phone with her and notified SFC Forbes to be at CPT Korista's office on 20230118 at 1600.
- **20220118 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230118 (~1000) SFC Forbes travels to 1SFC for in-person request open-door with MG Angle. He was persuaded to meet with CSM Munter on 20230119 at 0900.
- 20230118 (1600) SFC Forbes arrives with CPT Devine, 389th Chaplain, at SFC Forbes request. He nearly immediately asked to attend a mental health "Safety Check" at WAMC. SFC Forbes immediately notified CPT Korista that he had no suicidal or homicidal ideations, and was not suffering from any symptoms of a Personality Disorder. These are the only three reasons a CDBHE can be ordered and then only after a Psychology consult. SFC Forbes continued to refuse the repeated attempts to get him to attend the "Safety Check" voluntarily. Finally, in

front of all present, CPT Korista admitted he was ordering SFC Forbes to an eCDBHE. SFC then, and only then, complied with the order. Notably, SFC Forbes is still an unwitting subject of a BDE level investigation at this time.

- 20230118 (1743) SFC Forbes is admitted to the emergency room with armband emplaced. During this event SFC Forbes was ordered to strip, put on a hospital gown, watch a medical worker inventory the contents of his uniform and was not allowed a charging cord to continue to attempt to keep his wife calm. His wife, who was extremely angry about this, got no sleep that night and commented during a telephonic meeting, “They were trying to piss him off” and later said, “They are hunting him.”
- 20230119 (~0318) SFC Forbes is released with “No duty limitations” and, “No follow-up needed” by Mr. Brian Lanier, a Behavioral Health Provider at WAMC. This can be seen in the DA Form 3822, which took 3 months (20230420) and 5 requests for SFC Forbes to receive a copy. The form indicates a billable diagnosis code of R45.89 with the words, “OTHER SYMPTOMS AND SIGNS INVOLVING EMOTIONAL STATE” noted. This document is in the Exhibit E folder (para 4.). Further clarification can be found on page 18 of 71 of SFC Forbes medical records associated with this incident, where Dr. Christopher Anderson, the Emergency Room Physician, wrote under “Diagnosis,” which reads “Stress;” all of this was after being screened for “Depression” and “Substance Misuse.” This was a 9.5 hours ordeal that, if held earlier in the day could have lasted 50 minutes (the amount of time the assessment did last with Dr. Anderson) with an unbiased (other than MAJ Racaza) Psychologist or Clinical Social Worker during normal business hours. No evidence was procured to support the investigation during this heavy-handed order by CPT Korista that was recommended by MAJ Racaza.
- **20230119 (1245) Witness meeting with MAJ Racaza [and IO.]**
- 20230119 (1252) MAJ Racaza provides the first on-record written statement that my client has to date of the 30NOV2022 communication wherein my client lawfully and professionally requested the “scope and statutory support” of the SDI event that MAJ Racaza was lawfully obligated to answer.
- **20230119 (1350) Witness meeting with SGT Aldeguer [and IO.]**
- **20230120 (1100) Witness meeting with 1SG Morgan [and IO.]**
- **20230120 (1400) Witness meeting with MAJ CH Rivera [and IO.]**
- **20230120 Extension request**
- **20230121 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230122 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230123 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230124 (1450) Witness meeting with CPT Lowrie [and IO.]**
- **20230124 Extension request approved**
- **20230125 (1000) Witness meeting with MAJ Weber [and IO.]**
- **20230125 (1100) Witness meeting with CPT Korista [and IO.]**

- **20230125 (1400) Witness meeting with PFC Scheffing [and IO.]**
- **20230126 (1400) Witness meeting with CSM Emekaekwue [and IO.]**
- **20230127 (1030) Witness meeting with LTC Furlow [and IO.]**
- **20230127 (1200) Witness meeting with 1LT Lyons [and IO.]**
- **20230127 (1400) Witness meeting with LTC Furlow [and IO.]**
- **20230128 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230129 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230130 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230131 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230201 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230202 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230203 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230204 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230205 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230206 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230207 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230207 CPT Korista provide SFC Forbes with a counseling and flag. Flag is not submitted to IPPS-A (HRC) until circa 20230601.
- **20220208 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220209 Witness meeting with Mrs. Margarret Lindquist over phone**
- **20220210 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220211 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220212 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220213 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220214 NO INVESTIGATION ACTIONS TAKEN BY IO**
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- **20220217 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220218 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220219 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220220 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230221 (1600) M[FR] for accused sent to CPT Carras**. 2LT Tolston notifies SFC Forbes of suspect questions for the investigation. Questions about counterproductive leadership are vague (See Exhibit S).
- **20220522 2LT TOLSTON's INVESTIGATION ENDS PER THE EXTENSION GRANTED BY COL BRUNSON. ALL MEMOS ARE BACKDATED TO THIS DATE. SHE DID NOT INCLUDE SFC FORBES' RESPONSE ON 20230523 THAT CAME IN AFTER REQUESTED ATTORNEY CONSULT AND DID NOT CLARIFY THE QUESTION TO PROVIDE ANY FIDELITY ON THE EMBEDED ALLEGATIONS AGAINST HIM.**

- 20230223 SFC Forbes responds to 2LT Tolston questions and requests clarification regarding counterproductive leadership question vagueness. He gets none (See Exhibit 1).
- 2020420 SFC Forbes finally receives missing 10 pages of medical records refuting all of CPT Koristas alleged symptoms but “stress” and thievery (which is refuted elsewhere) that he indicated on FB 1462-E.
- 20230501 SFC Forbes is presented with a DA 4856 from 1SG Kelley, Amanda, HHC, 389th MI BN wherein she notifies him she is recommending him to the Company CDR, CPT Davenport, Hollis, HHC, 389th MI BN for “Failure to follow direct orders” and ”counterproductive leadership.” SFC Forbes disagreed with the counseling as he is not guilty of those allegations. Again, the event did not produce any evidence for the still open and modifiable investigation as seen by COL Brunson’s memo dated 20230522 wherein he provided a “Clarification of Approved findings dated 20 April 2023.”
- 20230511 SFC Forbes is presented with a DA 4856 from CPT Davenport that notified him that the “BDE Commander has recommended that you receive a …GOMOR.” SFC Forbes disagreed with the counseling as he feels this is unwarranted and he has professionally enforced regulations. Again, the event did not produce any evidence for the still open and modifiable investigation as seen by COL Brunson’s memo dated 20230522 wherein he provided a “Clarification of Approved findings dated 20 April 2023.”
- 20230601 SFC Forbes receives a GOMOR from BG Ferguson (DCO, 1SFC), a Military Protection Order (MPO) from CPT Korista and a DA 4856 from CPT Lowrie wherein she is contemplating writing a Relief for Cause NCOER. Notably, CPT Lowrie has only worked with him for 2 months and he has not been anything but a 389th Mentor since being assigned to 389th MI BN on 20221220, which is an unofficial and unheard of role for a Senior NCO.

MICHAEL J. FORBES
SFC, USA
Former NCOIC, BDE S2 & Mentor

ENCLOSURE C

Character Reference Letters

DEPARTMENT OF THE ARMY
U.S. ARMY COMMAND AND GENERAL STAFF COLLEGE
100 STIMSON AVENUE
FORT LEAVENWORTH, KANSAS 66027-2301

REPLY TO
ATTENTION OF:

ATZL-LSK

June 11, 2015

TO WHOM IT MAY CONCERN

SUBJECT: Character Letter for Michael J. Forbes, SFC.

1. During the period from January 2012 through June 2014 I served as the S2 NCOIC for 3rd Special Forces Group, 3rd Battalion. In that position, I was responsible for the health and welfare of Michael J. Forbes, Staff Sergeant at the time. I also served as the Group Support Company Commander/1SG on Assumption of Command orders for over 18 months, still having Michael Forbes under the same chain of command. It is with great pleasure for me to write this character letter for SFC Forbes, Michael J. To date, I have known SFC Forbes for the past eleven years through military positions held and through continued mentorship. I can personally attest to his intelligence, fortitude, and professionalism. Others and I can confirm his exceptional qualities and potential as a leader, trainer, and motivator. I have witnessed firsthand his growth in both military knowledge and experience, and as a person.

2. I wanted to make sure that on this day, at this time, this letter would serve its purpose, by briefly highlighting a great Soldier and a great person. There is no document that could ever be produced to summarize or cover all the things that Michael J. Forbes has done to help, lead, guide and protect others throughout his Army career. Regardless of what this letter is used for, whether soon or 50 years from now, reading this document will never sum it up. You would have to get to know Michael J. Forbes for yourself to understand and appreciate his attributes. Forbes joined the Army at an older age than most, however that has never been an excuse to why he couldn't accomplish the task at hand nor go the extra mile. I have always known Michael Forbes to perform in an exceptional manner and he continues to possess the breadth and depth of knowledge seldom seen in Non-Commissioned Officers. He has the natural ability to express complicated and technical information clearly and concisely. His patience and compassion will serve him well and guarantee his continued success as a Senior Leader.

3. I joined the Army in 1994, currently still serving with almost 30 years of service. I have seen and worked with many enlisted personnel of all ranks, however I have never met or worked with anyone like SFC Forbes. I noticed great desire to be a professional, a leader, a mentor, even a great follower when needed in Forbes and that fire has never died. He is a by the book type of person, which is great and much needed in the profession of Military Intelligence. During the many years, months, days, hours spent alongside Michael Forbes, I never had a problem with him being by the book, this was a requirement from me to him. His work ethic spoke for itself. We never had an investigation, we never mishandled classifieds, we always got commendable during personnel security and physical security inspections, we trained others in the proper techniques of personnel and physical security and they too, benefited from the mentorship provided and I owe this to SFC Forbes.

4. SFC Forbes made my job and life easy as his NCOIC, but he also taught me a lot. Depending on the situation, I had to learn different communication techniques, I had to develop a higher level of compassion and empathy. These qualities would serve me best later in my career as a Command Sergeant Major. This is why I mention this, Michael Forbes did not show signs of weakness, he stood steadfast, excepted responsibility, and showed many Soldiers in the unit what it meant to be resilient. Not once did I have to worry about his physical, spiritual, or mental fitness, because he was a total Soldier that took pride in his unit and himself. Forbes was going through some emotional times, having to endure a separation and divorce, but he never faltered, never failed me, never lied; never missed work unless it was prior planned, never looked for or considered handouts, never looked for an excuse, and never compromised his integrity as a Soldier. I stand here today as a testament to his perseverance. I will tell you this, if given the chance as a CSM in the United States Army, I would hand pick SFC Michael Forbes to work for me right now.

5. SFC Michael J. Forbes is loyal, honest, dedicated, and continuously wants to be a great leader to Soldiers and his community. Allow this Soldier the opportunity to continue to provide structured leadership and leader development to all that encounter him. I am convinced that SFC Forbes will be successful in any endeavor he attempts. To be honest he has shown more potential in becoming a great leader than other promoted Sergeant First Classes and other senior enlisted personnel that I have met throughout the 29 plus years I have been in the Army. Anyone not wanting this person, this man, this Soldier, this Senior Non-Commissioned Officer on his or her team frankly is foolish and know nothing about what denotes or classifies a great Soldier, a leader, nor an Intelligence Professional. It is hard to find someone that will always tell you the truth, whether good or bad, but you will always get that from SFC Michael J. Forbes. I will always be grateful for his help in making me a better leader and I'm proud that we have one another as mentors.

6. Point of Contact for this memorandum is CSM Aubrey L. Crenshaw at aubrey.l.crenshaw.mil@army.mil or by cell phone at [redacted]

AUBREY L. CRENSHAW
CSM, USA
CGSC Instructor

Dane A. Bergeron
[redacted] • daneb@scpdc.org

June 10, 2023

To Whom It May Concern,

I have known SFC Michael Forbes in various capacities for 15 years. I was the Targeting Officer and Personnel Recovery Director for CJSOTF-A, 2007-2008. SFC Forbes was my lead Intelligence Analyst for both of my positions. SFC Forbes' dedication to duty, integrity, and outstanding attention to detail directly eliminated numerous High-Value Targets (HVTs).

SFC Forbes possesses excellent communication skills (both written and verbal), allowing him to effectively interact with all levels of personnel in the Chain of Command.

SFC Forbes is one of the finest soldiers I served with throughout my 30-year career. He has been a tremendous asset to The United States Army and The United States of America.

POC for this letter is Dane A. Bergeron, [redacted]

Respectfully,



Dane A. Bergeron
CW4(R), SF
Chairman Republican Executive Committee
Beauregard Parish, La.

CC: Senator John Kennedy, La
Senator Bill Cassidy, La
Senator Tom Cotton, Ar
Congressman Steve Scalise, La
Congressman Mike Johnson, La
Congressman Clay Higgins, La

June 8, 2023

BG Ferguson, Lawrence G.
Deputy Commanding General
2929 Desert Storm Dr.
Fort Bragg, NC 28310

SFC(R) Bleyl, Donald
[redacted]

Sir:

My name is SFC(R) Bleyl, Donald, and I am writing to you on behalf of SFC Forbes, Michael J. He recently informed me that he received a GOMOR and explained his situation. After hearing that news, I felt I needed to write to you and present to you a different picture, the real picture, of who SFC Forbes really is, and what he stands for. I was honestly surprised to hear this news, as everything I know of SFC Forbes was, and is, only of the utmost professionalism.

I first met SFC Forbes in 2010 when we were both in 3rd BN, 3rd SFG (A). I was an 18C assigned to ODA 3322, and he was assigned to the BN S2 Section. I remember him being the only person that worked in the S2 Section at that time. He was always there, usually staying late, and working on off days, and was always willing to help, no matter how much work he had to get done. Everyone knew that "Forbes" was organized, professional, and unit first! He was always there for anyone or anything that needed to be done.

In 2012, I had some legal issues that affected my TS clearance, and it ended up being flagged. After all that was cleared, I needed assistance with getting my clearance straightened out. I was so confused and unsure of what to do, so I went to his office for help. SFC Forbes stopped what he was doing, and without judgement said, "I got you," and quickly retrieved a single sheet of paper that had the words "wish list" on it. He began circling and crossing things off this paper while he quickly asked questions of me. Within two minutes I left his office and could hear him feverishly typing away again. He could have simply just told me the basic steps of what to do, but instead, over the course of a couple of days, he walked me through step by step, making sure I understood all that needed to be done. He told me what to do, what kind of letter I needed to write, all the way down to the detail of checking my structure and content of my letters. He gave me the legal reasons for doing so, and how to do them in order to succeed the right way. He took extra time to ensure that I would have the best chance to successfully retain my clearance. He was and still is extremely competent in his job. He was a Wall Street Advisor for 14 years prior to his enlistment, and that should say a lot about his character. He voluntarily gave up a successful career to give his time and life for his country, and his fellow Soldiers. He has been nothing but a great influence and friend to me over the years. I have also seen him at countless charity events supporting the Special Forces Association, participating in charity motorcycle rides, being Santa Claus on several occasions, and just giving his own personal time. The first time he met my little girls, he even sent them home with some special souvenirs that he had collected from his personal travels. SFC Forbes has such a giving heart, and

he is always willing and excited to support whatever the greater cause is, whether it's Gold Star Families or Toys for Tots.

When I was nearing retirement, I went to see him to check on my situation after everything regarding my legal issue was dropped. He sat down at his computer and notified me that my clearance was good. He began talking me through a series of questions (I have seen him do this repeatedly with others). All of them had to do with my career or service. Upon mentioning the TAP Program, he abruptly asked me, "How many months do you have until you get out?" I replied it was about 18. He sat down and looked me up again and looked for my renewal window. He told me to put a date 30 days prior to the earliest renewal request date on my calendar and he would ensure we put in for my PPR. He wanted to do this so that I could have some coverage in the civilian world to have a better chance for professional employment. Even after I had been out for years, I called him, and he helped me by getting me phone numbers to get in touch with DoD CAF to restart another review process for a potential employer. I retired in May 2015. Now I have a new home here in SC with my wife and children, a great job, and still an active DOD clearance, thanks to SFC Forbes' dedication to his profession.

Sir, SFC Forbes has never wavered in his commitment to doing the right thing. He stands for justice and would sacrifice himself (figuratively or literally) for any one of us. He is one of the most competent Soldiers and people I know. I would gladly and proudly serve with him again. He is an asset to his unit, and to the United States Army. Please reconsider your decision on this GOMOR. From what he has told me, and I completely trust him, there may be some bigger issues in his unit that are falling on him without reason, and that is unfair. He has, and will always do the right thing, even under pressure. Please feel free to contact me if you have any questions.

Respectfully,

Donald Bleyl SFC(R)
Robert Bosch LLC
Mechanical Engineer
[redacted]
bleyld@gmail.com

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQURTERS BATTALION
82ND AIRBORNE DIVISION
FORT LIBERTY, NORTH CAROLINA 28310

AFVC-HBN-CO 11 June 2023

MEMORANDUM FOR Commander BG Ferguson,

SUBJECT: Letter of Character for SFC Michael J. Forbes

1. The purpose of this memorandum is to speak to the character of SFC Michael Forbes. Thank you for the opportunity to address my personal experience as one of his former Soldiers. I would like to address how much this leader has positively contributed to my career, my personal success as a leader, and how he remains a mentor of mine in our United States Army.

2. SFC Forbes and I worked together for approximately two years while I was assigned to HHC, 3/3 SFG (SO) (A). He was my S2 NCOIC and provided oversight to my assigned duties. SFC Forbes personally mentored and coached me on my duties and assisted me on many personal and professional issues, which prepared me to later assist my Soldiers and colleagues during my time as a leader of Soldiers. SFC Forbes' in-depth understanding of Army Policy, Regulations and procedures has helped me become a knowledgeable leader while deployed and/or serving in subsequent assignments. I still remain in contact with him as he continues to coach and mentor me as a peer, serving as the 82nd Division, Counterintellignce Coordinating Authority, which is at the G2/G2X Division Intelligence Architecture. Though SFC Forbes does not consult me in operational matters in relation to Counterintelligence, he is a supurb resource in leading/training soldiers, mentoring/coaching peers, and guiding Senior Leaders at any echelon. He is excellent at providing and/or researching Policy and Regulation references that many times change Commanders and OICs decision-making process. He is the epitome of a professional guide; he does not tell people what they want to hear or participate in group-think.

3. SFC Forbes is everything a leader, junior leader or Soldier should aspire to be. He LIVES the Army Values. Some could say, he fully represents these values. His coaching and mentorship, has guided me through the following processes: he was instrumental to my retention in my MOS back in 2015 (see below); he has coached and mentored me from a SGT to SFC (pinning me during a recent promotion ceremony last year); he has mentored me to pursue my BA in Criminal Justice, MS in Criminal Justice and MBA in Project Management; and he has continued to be my point of contact for regulatory guidance and personal development now and in the future.

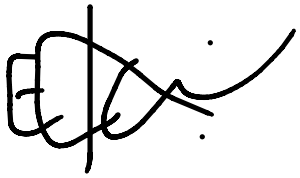
4. Back when I was an Buck Sergeant, then SSG, Forbes became the sole reason I continue to serve in the MOS, of my choosing, today. It was due to his intervention and tough words, behind the HHC, 3/3 SFG building, that I realized what kind of man SFC Forbes was. I was in a situation where counterproductive mid-level leaders had convinced our BN Commander that I should go back to the Infantry. A group of SSGs and SFCs created MFRs they presented, embellished, and falsified to the BN Commander without notifying me. Subsequently, I was given a first reading for a reassignment. I immediately contacted my Congressman and discussed my situation with SSG Forbes periodically.

5. On the morning of the day, of my third reading of my pending reassignment to an 11B, I decided to reach out to SSG Forbes again. Carrying my binder of extremely organized evidence, I went to the S2 Office and asked him to speak with me out back. He and I, both, knew I was being pushed out of my MOS by a corrupted process. I said to him, “I don’t know what to do. Congress is taking their time. Its all right here!” I will never forget this; he sternly said, “I have told you two times now, Congress takes forever. IG can stop this! They can put it on hold until you get due process. Now either you take that book to them (pointing to their office through the trees) or go be an Infantryman, again. You must decide and, it seems, you need to do it right now.” He was right. He gave me their number on a post-it and I was at IG in an hour. Everything stopped. The meeting with the BN Commander was cancelled and two weeks later I was reassigned to 525th MI BDE.

6. Thanks to SSG Forbes’ blunt encouragement in getting me to contact IG, someone stopped the process. It hadn’t occurred to me they could even help; SSG Forbes’ insight in how the Army works helped me preserve my chosen career and is the reason I remain in the Army today.

7. When SFC Forbes shared with me what is going on with him right now, I felt compelled to write this letter on his behalf. I believe he should not receive a GOMOR or a Relief for Cause NCOER and that something or someone else is out of place. Please consider my character assessment of this great leader. The US Army would be greatly impacted without leaders such as SFC Forbes.

8. Point of contact for this memorandum is the undersigned at eric.l.salinis.mil@army.mil or 910-551-9347.



ERIC L SALINIS
SFC, USA
Senior Counterintelligence Sergeant

OFFICE OF THE UNITED STATES REPRESENTATIVE
MILITARY COMMITTEE
NORTH ATLANTIC TREATY ORGANIZATION
PSC 81, BOX 300
APO AE 09724

USDELMC-SLD 10 June 2023

MEMORANDUM FOR ALL REVIEWING AUTHORITIES

SUBJECT: Character Statement for SFC Michael J. Forbes

1. My name is SSG Valerie M. Hughes. I have served as a Security Representative with the United States Military Delegation to NATO since July 2022. I worked with SFC Michael J. Forbes from September 2016 to June 2017 when he was a SSG and I was a SPC in Delta Company, 54th Brigade Engineer Battalion (Airborne), 173rd Infantry Brigade Combat Team (Airborne). During this time, he was assigned as my squad leader.

2. As a junior enlisted service member, SFC Forbes was critical in the development of myself and my peers, as a Soldier and future leaders in the military. He exhibited humility, knowledge, decisiveness and courage; characteristics that he reinforced in his leadership style. The following events displayed his characteristics.

3. After arriving to the unit and observing our behaviors for about a month, SSG Forbes held a squad meeting under the BDE flagpole. During this meeting, he explained that we were a team and that he would not tolerate us talking bad about each other. If he found out about it, then he would bring everyone together to resolve the issue. From that moment on, I no longer saw my teammates as annoying and I put my negative feelings aside so that our team could accomplish its mission. During this meeting he also explained his Soldier development method, a three-strike progression. SSG Forbes placed an importance on Soldier development by establishing a working environment where mistakes were encouraged as long as Soldiers were able to learn from their mistakes and no one was injured. When a mistake was made, he would walk Soldiers through critical thinking to determine a different resolution for the future. He followed through on his method and consequently the squad had excellent meetings where individual's mistakes were discussed openly and we worked together to become a team. In one example, I recall one of our Soldiers lacked the discipline to show up on time. SSG Forbes addressed her individually the first time, then addressed her, with her team leader, the second time that she was late. The third time she was late, SSG Forbes addressed the squad and how we needed to work together to help our peer be on time. The team leader took responsibility for her lateness and SSG Forbes allowed the individual one more chance. In the end, the Soldier was no longer late so SSG Forbes counseled her to let her know that she would have her strikes reset to zero. His process allowed for mistakes, remediation and, more importantly, recovery.

4. SSG Forbes discovered that our PSG had abused his authority and violated the civil rights of many Soldiers by coercing Soldiers to allow him to search their phones prior to SSG Forbes' arrival to the unit. Later, SSG Forbes noticed that the same PSG was counterproductively targeting two of SSG Forbes' assigned Soldiers. SSG Forbes immediately intervened, but soon after, the attention of the PSG turned to SSG Forbes. I believe SSG Forbes' intent was to deflect

the abuse from the Soldiers. All I know is that this turned into an IG complaint and the two Soldiers were removed from platoon while the PSG was reassigned to a BDE manning position.

5. SSG Forbes also created an environment where he taught us to be humble and encourage suggestions from everyone, regardless of rank. Even as a SSG, with about 9 years of experience in the military, he believed it was normal for PV2s to have good ideas. SSG Forbes had no issue implementing the idea of a PV2 instead of his own. By doing this, he also taught Soldiers how to bring forth a different idea or how to bring forth problems if there were any.

6. Despite the good and bad times that our platoon experienced, SSG Forbes wanted to improve the platoon's cohesion and esprit de corps. He was able to accomplish this by inviting all platoon members to his house on a regular basis. He made an effort to have birthday parties every two months for everyone that was celebrating a birthday. For the Soldiers this was a meaningful gesture because most Soldiers were single and in a small overseas community. They did not have anyone to celebrate a birthday with.

7. I highlighted these lessens to you because these are ones that I emulate as a SSG. I have maintained contact with SFC Forbes since I left the unit in 2018 because I know that I can rely on him as a mentor for my development as a Soldier and Leader. I can rely on SFC Forbes because he always cared about me and my peers. He got to know us as individuals because he was concerned about our well-being. I still rely on him and what he taught me to this day, which is almost five years after working together. SFC Forbes is an effective leader and should be supported to continue developing Soldiers. If provided the opportunity, I would work with SFC Forbes in any capacity.

8. This character letter does not reflect the views of my unit. Please contact me if you have any questions or concerns. I can be reached at valerie.m.hughes4.mil@army.mil or DSN: 314-597-9433.

Valerie M. Hughes

VALERIE M. HUGHES
SSG, USA
US Military Delegation to NATO

June 8, 2023

BG Ferguson, Lawrence G.
Deputy Commanding General
2929 Desert Storm Dr.
Fort Bragg, NC 28310

Armijo, Anthony J., MSG(R), 18Z
[redacted]

Sir:

I am writing this letter you for SFC Forbes, Michael J. He called me and explained his current situation and your decision to present him with a General Officer Memorandum of Reprimand (GOMOR). You may be getting some misinformation from those who seek your fulfillment of this GOMOR. I have worked with, now SFC, Forbes from 2009 to 2012 at both the 3rd Special Forces Group (Airborne) (SFG-A) HHD and at 3/3SFG when he worked in the S2 Section as a Personnel Security representative. You must be aware of SFC Forbes characteristics; he is a very unique person.

I first met SFC Forbes in 2009 when we were both in HHC 3SFG (SO) (A). I was asked to take over by CSM Peters as the NCOIC of the Group S2 Section (intelligence production and personnel security) because the incumbent was abruptly removed. After a changeover and enough time to assess the section, I realized that these Soldiers were divided into factions due to the hands-off leadership style of my predecessor. Also, SPC Forbes and two female NCOs were being informally targeted with extra work, details, and disparaging comments behind closed doors. I devised a plan to destroy the wall that had been created between the Soldiers and get them to begin to trust each other and, hopefully, cohesively work together. I held rank-graduating meetings (from the highest NCO rank to all lower-enlisted) where I was open and candid about what I learned had occurred to SPC Forbes and the two female NCOs prior to my taking over. I wanted complete transparency between my Soldiers prior to our upcoming OEF XIII deployment, which was necessary if we were going to have any chance to become a team. We began doing everything as a team from our Physical and Army training, to our tasked intelligence production. I believe we began functioning as a unit prior to deployment.

During OEF XIII as the Combined Joint Special Operations Task Force-Afghanistan (CJSOTF-A) J2 SGM, I sent, then SPC, Forbes to Special Operations Task Force-East (SOTF-E) to support their Intelligence efforts. Regardless of all he had been through in Garrison with prior leadership, he remained positive. In fact, SOTF-E, which was run by 19th SFG, quickly repurposed him to be the Battle NCOIC's direct assistant. He worked on the JOC floor and supported current OPS via multiple roles; he did everything from: TIC documentation, UAV liaison, and CONOP de-confliction work with the S35, to name a few. The most significant thing I remember about SPC Forbes and OEF XIII was that within two weeks of being reassigned back (mid-deployment) to CJSOTF-A, he produced an impactful intelligence product about Aqtash Valley in Konduz Province. SPC Forbes' initial assessment of his newly assigned duty responsibility of covering RC North, resulted in an order from the CJSOTF-A Commander (CDR), COL Benton, to provide weekly updates on the topic. SPC Forbes had identified a key trend that had been

missed for over 6 weeks; a Warlord had autonomously begun standing up militias without uttering a word in the Shura and, significantly, without any US Army assistance. When asked by the CJSOTF-A CDR, "Why do you believe this so strongly?" SGT Forbes responded, "Sir, I don't believe anyone read [the Warlords] Bio, that I found. It's very clear what his motivation is and mannerism in the [three letter agency] document. It was thorough." Given we were in the 3rd or 4th rendition of renaming our partnering militia recruitment and training efforts, SPC Forbes identified within two weeks one of the most important developments in RC North. Weeks later he was asked to Brief his accurate growth predictions of the militia groups to COL Buldoc, the in-coming CJSOTF-A commander, via a VTC. He was the only lower enlisted SME in the room and enhanced CJSOTF-A intelligence reputation in theater. SPC Forbes is dynamic and well spoken.

During OEF XVII, as the SOTF-E Operations SGM, now SGT, Forbes who was the NCOIC of our night-shift operations for 3 months was selected to go forward and support AOB 3330 in RC East, Afghanistan. During this time SGT Forbes spear-headed a Comprehensive (FUSION) All-Source Intelligence Presentation for the AOB CDR. This product was designed to be 'evergreen' with independent updates from the usual intelligence sources and the more unusual sources, like Civil Affairs, Psychological Operations and Information Operations on our in-theater shared-drive. This product shaped the AOB CDR's Village Stability Operational (VSO) Plan recommendations to the SOTF-E CDR that were later approved and implemented. Due to this product's success, the AOB commander asked him for another one in a different area in his AO. SGT Forbes believed that the FUSION concept should be standardized whereas each intelligence discipline updates it regularly, because he showed it can be done via phone and email. All of this was before the online collaboration tools we have today.

Sir, SFC Forbes is not a typical out-of-high-school Soldier; he never has been, nor will ever be. He is highly intelligent, insightful, dutiful, and he brings tons of life and work experience with him in every daily engagement he has. He joined at 38 years of age and has been older than every CDR (except possibly his first one formerly COL HAAS). He has always enjoyed open-door access to every BN CDR as a long-time Personnel Security Manager. He never gave any of them bad guidance because he double checks his work. It is for these reasons that SPC/SGT/SSG Forbes was always assigned to the HHC, 3SFG S2 Section. In fact, he worked in the office and for years was only provided 1 Soldier over 8 years at 3rd BN. They got 2 Soldiers for the price of 1 with him; they exploited his work ethic and intelligence after he single handedly rebuilt what he inherited. It took him 9 months to consolidate, sort, retain relevant/destroy outdated Personnel Security Files in 3 separate BN locations. He did this while he set up trackers and SOPs that made the shop run unlike it ever had and likely ever has since. I have remained in contact with him since I left 3SFG and later retired from the Army.

Please rescind this GOMOR, Sir. I know SFC Forbes, I know he is rebutting this GOMOR and the investigation that underpins it. I can assure you, he would not argue a losing point. He would concede if he was wrong; he is a true professional! Please feel free to contact me if you need more examples, my phone number is below.

Respectfully,

Anthony J. Armijo SGM(R), 18Z
[redacted]
armijoa910@gmail.com

M-03-22, OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002 | The White House (archives.gov)

https://obamawhitehouse.archives.gov/omb/memoranda_m03-22/

M-03-22, OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON D.C. 20503

September 26, 2003

M-03-22

MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

FROM: Joshua B. Bolten
Director

SUBJECT: OMB Guidance for Implementing the Privacy Provisions of the E-Government Act of 2002

The attached guidance provides information to agencies on implementing the privacy provisions of the E-Government Act of 2002, which was signed by the President on December 17, 2002 and became effective on April 17, 2003.
The Administration is committed to protecting the privacy of the American people. This guidance document addresses privacy protections when Americans interact with their government. The guidance directs agencies to conduct reviews of how information about individuals is handled within their agency when they use information technology (IT) to collect new information, or when agencies develop or buy new IT systems to handle collections of personally identifiable information. Agencies are also directed to describe how the government handles information that individuals provide electronically, so that the American public has assurances that personal information is protected.

The privacy objective of the E-Government Act complements the National Strategy to Secure Cyberspace. As the National Strategy indicates, cyberspace security programs that strengthen protections for privacy and other civil liberties, together with strong privacy policies and practices in the federal agencies, will ensure that information is handled in a manner that maximizes both privacy and security.

Background
Section 208 of the E-Government Act of 2002 (Public Law 107-347, 44 U.S.C. Ch 36) requires that OMB issue guidance to agencies on implementing the privacy provisions of the E-Government Act (see Attachment A). The text of section 208 is provided as Attachment B to this Memorandum. Attachment C provides a general outline of regulatory requirements pursuant to the Children's Online Privacy Protection Act ("COPPA"). Attachment D summarizes the modifications to existing guidance resulting from this Memorandum. A complete list of OMB privacy guidance currently in effect is available at OMB's website.

As OMB has previously communicated to agencies, for purposes of their FY2005 IT budget requests, agencies should submit all required Privacy Impact Assessments no later than October 3, 2003.

For any questions about this guidance, contact Eva Kleederman, Policy Analyst, Information Policy and Technology Branch, Office of Management and Budget, phone (202) 395-3647, fax (202) 395-5167, e-mail Eva_Kleederman@omb.eop.gov.

Attachments

Attachment A

Attachment B

Attachment C

Attachment D

Attachment A
E-Government Act Section 208 Implementation Guidance

I. General

A. ***Requirements.*** Agencies are required to:

a. conduct privacy impact assessments for electronic information systems and collections and, in general, make them publicly available (see Section II of this Guidance),

b. post privacy policies on agency websites used by the public (see Section III),

c. translate privacy policies into a standardized machine-readable format (see Section IV), and

d. report annually to OMB on compliance with section 208 of the E-Government Act of 2002 (see Section VII).

B. ***Application.*** This guidance applies to:

a. all executive branch departments and agencies ("agencies") and their contractors that use information technology or that operate websites for purposes of interacting with the public;

b. relevant cross-agency initiatives, including those that further electronic government.

C. ***Modifications to Current Guidance.*** Where indicated, this Memorandum modifies the following three memoranda, which are replaced by this guidance (see summary of modifications at Attachment D):

a. Memorandum 99-05 (January 7, 1999), directing agencies to examine their procedures for ensuring the privacy of personal information in federal records and to designate a senior official to assume primary responsibility for privacy policy;

b. Memorandum 99-18 (June 2, 1999), concerning posting privacy policies on major entry points to government web sites as well as on any web page collecting substantial personal information from the public; and

c. Memorandum 00-13 (June 22, 2000), concerning (i) the use of tracking technologies such as persistent cookies and (ii) parental consent consistent with the Children's Online Privacy Protection Act ("COPPA").

II. Privacy Impact Assessment

A. ***Definitions.***

a. *Individual* - means a citizen of the United States or an alien lawfully admitted for permanent residence.[1]
b. *Information in identifiable form*- is information in an IT system or online collection: (i) that directly identifies an individual (e.g., name, address, social security number or other identifying number or code, telephone number, email address, etc.) or (ii) by which an agency intends to identify specific individuals in conjunction with other data elements, i.e., indirect identification. (These data elements may include a combination of gender, race, birth date, geographic indicator, and other descriptors).[2]
c. *Information technology (IT)* - means, as defined in the Clinger-Cohen Act[3], any equipment, software or interconnected system or subsystem that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information.
d. *Major information system* - embraces "large" and "sensitive" information systems and means, as defined in OMB Circular A-130 (Section 6.u.) and annually in OMB Circular A-11 (section 300-4 (2003)), a system or project that requires special management attention because of its: (i) importance to the agency mission, (ii) high development, operating and maintenance costs, (iii) high risk, (iv) high return, (v) significant role in the administration of an agency's programs, finances, property or other resources.
e. *National Security Systems* - means, as defined in the Clinger-Cohen Act[4], an information system operated by the federal government, the function, operation or use of which involves: (a) intelligence activities, (b) cryptologic activities related to national security, (c) command and control of military forces, (d) equipment that is an integral part of a weapon or weapons systems, or (e) systems critical to the direct fulfillment of military or intelligence missions, but does not include systems used for routine administrative and business applications, such as payroll, finance, logistics and personnel management.
f. *Privacy Impact Assessment (PIA)*- is an analysis of how information is handled: (i) to ensure handling conforms to applicable legal, regulatory, and policy requirements regarding privacy, (ii) to determine the risks and effects of collecting, maintaining and disseminating information in identifiable form in an electronic information system, and (iii) to examine and evaluate protections and alternative processes for handling information to mitigate potential privacy risks.
g. *Privacy policy in standardized machine-readable format*- means a statement about site privacy practices written in a standard computer language (not English text) that can be read automatically by a web browser.

B. ***When to conduct a PIA:***[5]

a. *The E-Government Act requires agencies to conduct a PIA before:*

1. developing or procuring IT systems or projects that collect, maintain or disseminate information in identifiable form from or about members of the public, or

2. initiating, consistent with the Paperwork Reduction Act, a new electronic collection of information in identifiable form for 10 or more persons (excluding agencies, instrumentalities or employees of the federal government).

b. *In general, PIAs are required to be performed and updated as necessary where a system change creates new privacy risks. For example:*

1. Conversions - when converting paper-based records to electronic systems;

2. Anonymous to Non-Anonymous - when functions applied to an existing information collection change anonymous information into information in identifiable form;

3. Significant System Management Changes - when new uses of an existing IT system, including application of new technologies, significantly change how information in identifiable form is managed in the system:

   - For example, when an agency employs new relational database technologies or web-based processing to access multiple data stores; such additions could create a more open environment and avenues for exposure of data that previously did not exist.

4. Significant Merging - when agencies adopt or alter business processes so that government databases holding information in identifiable form are merged, centralized, matched with other databases or otherwise significantly manipulated:

   - For example, when databases are merged to create one central source of information; such a link may aggregate data in ways that create privacy concerns not previously at issue.

5. New Public Access - when user-authenticating technology (e.g., password, digital certificate, biometric) is newly applied to an electronic information system accessed by members of the public;

6. Commercial Sources - when agencies systematically incorporate into existing information systems databases of information in identifiable form purchased or obtained from commercial or public sources. (Merely querying such a source on an ad hoc basis using existing technology does not trigger the PIA requirement);

7. New Interagency Uses - when agencies work together on shared functions involving significant new uses or exchanges of information in identifiable form, such as the cross-cutting E-Government initiatives; in such cases, the lead agency should prepare the PIA;

   - For example the Department of Health and Human Services, the lead agency for the Administration's Public Health Line of Business (LOB) Initiative, is spearheading work with several agencies to define requirements for integration of processes and accompanying information exchanges. HHS would thus prepare the PIA to ensure that all privacy issues are effectively managed throughout the development of this cross agency IT investment.

8. Internal Flow or Collection - when alteration of a business process results in significant new uses or disclosures of information or incorporation into the system of additional items of information in identifiable form:

   - For example, agencies that participate in E-Gov initiatives could see major changes in how they conduct business internally or collect information, as a result of new business processes or E-Gov requirements. In most cases the focus will be on integration of common processes and supporting data. Any business change that results in substantial new requirements for information in identifiable form could warrant examination of privacy issues.

9. Alteration in Character of Data - when new information in identifiable form added to a collection raises the risks to personal privacy (for example, the addition of health or financial information)

c. *No PIA is required where information relates to internal government operations, has been previously assessed under an evaluation similar to a PIA, or where privacy issues are unchanged, as in the following circumstances:*

1. for government-run websites, IT systems or collections of information to the extent that they do not collect or maintain information in identifiable form about members of the general public (this includes government personnel and government contractors and consultants);[6]

2. for government-run public websites where the user is given the option of contacting the site operator for the limited purposes of providing feedback (e.g., questions or comments) or obtaining additional information;
3. for national security systems defined at 40 U.S.C. 11103 as exempt from the definition of information technology (see section 202(i) of the E-Government Act);
4. when all elements of a PIA are addressed in a matching agreement governed by the computer matching provisions of the Privacy Act (see 5 U.S.C. §§ 552a(8-10), (e)(12), (o), (p), (q), (r), (u)), which specifically provide privacy protection for matched information;
5. when all elements of a PIA are addressed in an interagency agreement permitting the merging of data for strictly statistical purposes and where the resulting data are protected from improper disclosure and use under Title V of the E-Government Act of 2002;
6. if agencies are developing IT systems or collecting non-identifiable information for a discrete purpose, not involving matching with or retrieval from other databases that generates information in identifiable form;
7. for minor changes to a system or collection that do not create new privacy risks.

d. *Update of PIAs:* Agencies must update their PIAs to reflect changed information collection authorities, business processes or other factors affecting the collection and handling of information in identifiable form.

C. ***Conducting a PIA.***

a. *Content.*

1. PIAs must analyze and describe:

1. what information is to be collected (e.g., nature and source);
2. why the information is being collected (e.g., to determine eligibility);
3. intended use of the information (e.g., to verify existing data);
4. with whom the information will be shared (e.g., another agency for a specified programmatic purpose);
5. what opportunities individuals have to decline to provide information (i.e., where providing information is voluntary) or to consent to particular uses of the information (other than required or authorized uses), and how individuals can grant consent;
6. how the information will be secured (e.g., administrative and technological controls[7]); and
7. whether a system of records is being created under the Privacy Act, 5 U.S.C. 552a.

2. Analysis: PIAs must identify what choices the agency made regarding an IT system or collection of information as a result of performing the PIA.

b. Agencies should commence a PIA when they begin to develop a new or significantly modified IT system or information collection:

1. *Specificity.* The depth and content of the PIA should be appropriate for the nature of the information to be collected and the size and complexity of the IT system.

1. *IT development stage.* PIAs conducted at this stage:

1. should address privacy in the documentation related to systems development, including, as warranted and appropriate, statement of need, functional requirements analysis, alternatives analysis, feasibility analysis, benefits/cost analysis, and, especially, initial risk assessment;
2. should address the impact the system will have on an individual's privacy, specifically identifying and evaluating potential threats relating to each of the elements identified in section II.C.1.a.(i)-(vii) above, to the extent these elements are known at the initial stages of development;
3. may need to be updated before deploying the system to consider elements not identified at the concept stage (e.g., retention or disposal of information), to reflect a new information collection, or to address choices made in designing the system or information collection as a result of the analysis.

2. *Major information systems.* PIAs conducted for these systems should reflect more extensive analyses of:

1. the consequences of collection and flow of information,
2. the alternatives to collection and handling as designed,
3. the appropriate measures to mitigate risks identified for each alternative and,
4. the rationale for the final design choice or business process.

3. *Routine database systems.* Agencies may use a standardized approach (e.g., checklist or template) for PIAs involving simple systems containing routine information and involving limited use and access.
2. *Information life cycle analysis/collaboration.* Agencies must consider the information "life cycle" (i.e., collection, use, retention, processing, disclosure and destruction) in evaluating how information handling practices at each stage may affect individuals' privacy. To be comprehensive and meaningful, privacy impact assessments require collaboration by program experts as well as experts in the areas of information technology, IT security, records management and privacy.

c. *Review and publication.*

1. a. Agencies must ensure that:

1. the PIA document and, if prepared, summary are approved by a "reviewing official" (the agency CIO or other agency head designee, who is other than the official procuring the system or the official who conducts the PIA);
2. for each covered IT system for which 2005 funding is requested, and consistent with previous guidance from OMB, the PIA is submitted to the Director of OMB no later than October 3, 2003 (submitted electronically to PIA@omb.eop.gov along with the IT investment's unique identifier as described in OMB Circular A-11, instructions for the Exhibit 300[8]); and
3. the PIA document and, if prepared, summary, are made publicly available (consistent with executive branch policy on the release of information about systems for which funding is proposed).

1. Agencies may determine to not make the PIA document or summary publicly available to the extent that publication would raise security concerns, reveal classified (i.e., national security) information or sensitive information (e.g., potentially damaging to a national interest, law enforcement effort or competitive business interest) contained in an assessment[9]. Such information shall be protected and handled consistent with the Freedom of Information Act (FOIA).
2. Agencies should not include information in identifiable form in their privacy impact assessments, as there is no need for the PIA to include such information. Thus, agencies may not seek to avoid making the PIA publicly available on these grounds.

D. *Relationship to requirements under the Paperwork Reduction Act (PRA)*[10].

a. Joint Information Collection Request (ICR) and PIA. Agencies undertaking new electronic information collections may conduct and submit the PIA to OMB, and make it publicly available, as part of the SF83 Supporting Statement (the request to OMB to approve a new agency information collection).

b. If Agencies submit a Joint ICR and PIA:

1. All elements of the PIA must be addressed and identifiable within the structure of the Supporting Statement to the ICR, including:

1. a description of the information to be collected in the response to Item 1 of the Supporting Statement[11];
2. a description of how the information will be shared and for what purpose in Item 2 of the Supporting Statement[12];
3. a statement detailing the impact the proposed collection will have on privacy in Item 2 of the Supporting Statement[13];
4. a discussion in item 10 of the Supporting Statement of:

1. whether individuals are informed that providing the information is mandatory or voluntary
2. opportunities to consent, if any, to sharing and submission of information;

3. how the information will be secured; and
4. whether a system of records is being created under the Privacy Act)[14].

2. For additional information on the requirements of an ICR, please consult your agency's organization responsible for PRA compliance.

c. Agencies need not conduct a new PIA for simple renewal requests for information collections under the PRA. As determined by reference to section II.B.2. above, agencies must separately consider the need for a PIA when amending an ICR to collect information that is significantly different in character from the original collection.

E. *Relationship to requirements under the Privacy Act of 1974, 5 U.S. C. 552a*.

a. Agencies may choose to conduct a PIA when developing the System of Records (SOR) notice required by subsection (e)(4) of the Privacy Act, in that the PIA and SOR overlap in content (e.g., the categories of records in the system, the uses of the records, the policies and practices for handling, etc.).

b. Agencies, in addition, may make the PIA publicly available in the Federal Register along with the Privacy Act SOR notice.

c. Agencies must separately consider the need for a PIA when issuing a change to a SOR notice (e.g., a change in the type or category of record added to the system may warrant a PIA).

III. Privacy Policies on Agency Websites

A. *Privacy Policy Clarification.* To promote clarity to the public, agencies are required to refer to their general web site notices explaining agency information handling practices as the "Privacy Policy."

B. *Effective Date.* Agencies are expected to implement the following changes to their websites by December 15, 2003.

C. *Exclusions:* For purposes of web privacy policies, this guidance does not apply to:

a. information other than "government information" as defined in OMB Circular A-130;

b. agency intranet web sites that are accessible only by authorized government users (employees, contractors, consultants, fellows, grantees);

c. national security systems defined at 40 U.S.C. 11103 as exempt from the definition of information technology (see section 202(i) of the E-government Act).

D. *Content of Privacy Policies.*

a. Agency Privacy Policies must comply with guidance issued in OMB Memorandum 99-18 and must now also include the following two new content areas:

1. *Consent to collection and sharing*[15]. Agencies must now ensure that privacy policies:

1. inform visitors whenever providing requested information is voluntary;

2. inform visitors how to grant consent for use of voluntarily-provided information; and

3. inform visitors how to grant consent to use mandatorily-provided information for other than statutorily-mandated uses or authorized routine uses under the Privacy Act.

2. *Rights under the Privacy Act or other privacy laws*[16]. Agencies must now also notify web-site visitors of their rights under the Privacy Act or other privacy-protecting laws that may primarily apply to specific agencies (such as the Health Insurance Portability and Accountability Act of 1996, the IRS Restructuring and Reform Act of 1998, or the Family Education Rights and Privacy Act):

1. in the body of the web privacy policy;

2. via link to the applicable agency regulation (e.g., Privacy Act regulation and pertinent system notice); or

3. via link to other official summary of statutory rights (such as the summary of Privacy Act rights in the FOIA/Privacy Act Reference Materials posted by the Federal Consumer Information Center at www.Firstgov.gov).

b. Agency Privacy Policies must continue to address the following, modified, requirements:

1. Nature, purpose, use and sharing of information collected . Agencies should follow existing policies (issued in OMB Memorandum 99-18) concerning notice of the nature, purpose, use and sharing of information collected via the Internet, as modified below:
1. *Privacy Act information.* When agencies collect information subject to the Privacy Act, agencies are directed to explain what portion of the information is maintained and retrieved by name or personal identifier in a Privacy Act system of records and provide a Privacy Act Statement either:

1. at the point of collection, or

2. via link to the agency's general Privacy Policy[18].
2. *"Privacy Act Statements."* Privacy Act Statements must notify users of the authority for and purpose and use of the collection of information subject to the Privacy Act, whether providing the information is mandatory or voluntary, and the effects of not providing all or any part of the requested information.
3. *Automatically Collected Information (site management data).* Agency Privacy Policies must specify what information the agency collects automatically (i.e., user's IP address, location, and time of visit) and identify the use for which it is collected (i.e., site management or security purposes).
4. *Interaction with children:* Agencies that provide content to children under 13 and that collect personally identifiable information from these visitors should incorporate the requirements of the Children's Online Privacy Protection Act ("COPPA") into their Privacy Policies (see Attachment C)[19].
5. *Tracking and customization activities.* Agencies are directed to adhere to the following modifications to OMB Memorandum 00-13 and the OMB follow-up guidance letter dated September 5, 2000:
1. *Tracking technology prohibitions:*

1. agencies are prohibited from using persistent cookies or any other means (e.g., web beacons) to track visitors' activity on the Internet except as provided in subsection (b) below;

2. agency heads may approve, or may authorize the heads of sub-agencies or senior official(s) reporting directly to the agency head to approve, the use of persistent tracking technology for a compelling need. When used, agency's must post clear notice in the agency's privacy policy of:

    - the nature of the information collected;
    - the purpose and use for the information;
    - whether and to whom the information will be disclosed; and
    - the privacy safeguards applied to the information collected.
3. agencies must report the use of persistent tracking technologies as authorized for use by subsection b. above (see section VII)[20].
2. *The following technologies are not prohibited:*

1. Technology that is used to facilitate a visitor's activity within a single session (e.g., a "session cookie") and does not persist over time is not subject to the prohibition on the use of tracking technology.

2. Customization technology (to customize a website at the visitor's request) if approved by the agency head or designee for use (see v.1.b above) and where the following is posted in the Agency's Privacy Policy:

    - the purpose of the tracking (i.e., customization of the site);
    - that accepting the customizing feature is voluntary;
    - that declining the feature still permits the individual to use the site; and
    - the privacy safeguards in place for handling the information collected.
3. Agency use of password access to information that does not involve "persistent cookies" or similar technology.

6. *Law enforcement and homeland security sharing:* Consistent with current practice, Internet privacy policies may reflect that collected information may be shared and protected as necessary for authorized law enforcement, homeland security and national security activities.
2. *Security of the information*[21]. Agencies should continue to comply with existing requirements for computer security in administering their websites[22] and post the following information in their Privacy Policy:

1. in clear language, information about management, operational and technical controls ensuring the security and confidentiality of personally identifiable records (e.g., access controls, data storage procedures, periodic testing of safeguards, etc.), and

2. in general terms, information about any additional safeguards used to identify and prevent unauthorized attempts to access or cause harm to information and systems. (The statement should be at a level to inform the public that their information is being protected while not compromising security.)

E. *Placement of notices.* Agencies should continue to follow the policy identified in OMB Memorandum 99-18 regarding the posting of privacy policies on their websites. Specifically, agencies must post (or link to) privacy policies at:

a. their principal web site;

b. any known, major entry points to their sites;

c. any web page that collects substantial information in identifiable form.

F. ***Clarity of notices.*** Consistent with OMB Memorandum 99-18, privacy policies must be:

a. clearly labeled and easily accessed;

b. written in plain language; and

c. made clear and easy to understand, whether by integrating all information and statements into a single posting, by layering a short "highlights" notice linked to full explanation, or by other means the agency determines is effective.

IV. Privacy Policies in Machine-Readable Formats

A. ***Actions.***

a. Agencies must adopt machine readable technology that alerts users automatically about whether site privacy practices match their personal privacy preferences. Such technology enables users to make an informed choice about whether to conduct business with that site.

b. OMB encourages agencies to adopt other privacy protective tools that become available as the technology advances.

B. ***Reporting Requirement.*** Agencies must develop a timetable for translating their privacy policies into a standardized machine-readable format. The timetable must include achievable milestones that show the agency's progress toward implementation over the next year. Agencies must include this timetable in their reports to OMB (see Section VII).

V. Privacy Policies Incorporated by this Guidance

In addition to the particular actions discussed above, this guidance reiterates general directives from previous OMB Memoranda regarding the privacy of personal information in federal records and collected on federal web sites. Specifically, existing policies continue to require that agencies:

A. assure that their uses of new information technologies sustain, and do not erode, the protections provided in all statutes relating to agency use, collection, and disclosure of personal information;

B. assure that personal information contained in Privacy Act systems of records be handled in full compliance with fair information practices as set out in the Privacy Act of 1974;

C. evaluate legislative proposals involving collection, use and disclosure of personal information by the federal government for consistency with the Privacy Act of 1974;

D. evaluate legislative proposals involving the collection, use and disclosure of personal information by any entity, public or private, for consistency with the Privacy Principles;

E. ensure full adherence with stated privacy policies.

VI. Agency Privacy Activities/Designation of Responsible Official

Because of the capability of information technology to capture and disseminate information in an instant, all federal employees and contractors must remain mindful of privacy and their obligation to protect information in identifiable form. In addition, implementing the privacy provisions of the E-Government Act requires the cooperation and coordination of privacy, security, FOIA/Privacy Act and project officers located in disparate organizations within agencies. Clear leadership and authority are essential.

Accordingly, this guidance builds on policy introduced in Memorandum 99-05 in the following ways:

A. Agencies must:

a. inform and educate employees and contractors of their responsibility for protecting information in identifiable form;

b. identify those individuals in the agency (e.g., information technology personnel, Privacy Act Officers) that have day-to-day responsibility for implementing section 208 of the E-Government Act, the Privacy Act, or other privacy laws and policies.

c. designate an appropriate senior official or officials (e.g., CIO, Assistant Secretary) to serve as the agency's principal contact(s) for information technology/web matters and for privacy policies. The designated official(s) shall coordinate implementation of OMB web and privacy policy and guidance.

d. designate an appropriate official (or officials, as appropriate) to serve as the "reviewing official(s)" for agency PIAs.

B. OMB leads a committee of key officials involved in privacy that reviewed and helped shape this guidance and that will review and help shape any follow-on privacy and web-privacy-related guidance. In addition, as part of overseeing agencies' implementation of section 208, OMB will rely on the CIO Council to collect information on agencies' initial experience in preparing PIAs, to share experiences, ideas, and promising practices as well as identify any needed revisions to OMB's guidance on PIAs.

VII. Reporting Requirements

Agencies are required to submit an annual report on compliance with this guidance to OMB as part of their annual E-Government Act status report. The first reports are due to OMB by December 15, 2003. All agencies that use information technology systems and conduct electronic information collection activities must complete a report on compliance with this guidance, whether or not they submit budgets to OMB.

Reports must address the following four elements:

A. *Information technology systems or information collections for which PIAs were conducted.* Include the mechanism by which the PIA was made publicly available (website, Federal Register, other), whether the PIA was made publicly available in full, summary form or not at all (if in summary form or not at all, explain), and, if made available in conjunction with an ICR or SOR, the publication date.
B. *Persistent tracking technology uses.* If persistent tracking technology is authorized, include the need that compels use of the technology, the safeguards instituted to protect the information collected, the agency official approving use of the tracking technology, and the actual privacy policy notification of such use.
C. *Agency achievement of goals for machine readability*: Include goals for and progress toward achieving compatibility of privacy policies with machine-readable privacy protection technology.
D. *Contact information.* Include the individual(s) (name and title) appointed by the head of the Executive Department or agency to serve as the agency's principal contact(s) for information technology/web matters and the individual (name and title) primarily responsible for privacy policies.

Attachment B
E-Government Act of 2002
Pub. L. No. 107-347, Dec. 17, 2002

SEC. 208. PRIVACY PROVISIONS.

A. PURPOSE. — The purpose of this section is to ensure sufficient protections for the privacy of personal information as agencies implement citizen-centered electronic Government.

B. PRIVACY IMPACT ASSESSMENTS.—

1. RESPONSIBILITIES OF AGENCIES.—

a. IN GENERAL.—An agency shall take actions described under subparagraph (b) before—

1. developing or procuring information technology that collects, maintains, or disseminates information that is in an identifiable form; or

2. initiating a new collection of information that—

1. will be collected, maintained, or disseminated using information technology; and

2. includes any information in an identifiable form permitting the physical or online contacting of a specific individual, if identical questions have been posed to, or identical reporting requirements imposed on, 10 or more persons, other than agencies, instrumentalities, or employees of the Federal Government.

b. AGENCY ACTIVITIES. —To the extent required under subparagraph (a), each agency shall—

1. conduct a privacy impact assessment;

2. ensure the review of the privacy impact assessment by the Chief Information Officer, or equivalent official, as determined by the head of the agency; and

3. if practicable, after completion of the review under clause (ii), make the privacy impact assessment publicly available through the website of the agency, publication in the Federal Register, or other means.

c. SENSITIVE INFORMATION. —Subparagraph (b)(iii) may be modified or waived for security reasons, or to protect classified, sensitive, or private information contained in an assessment.

d. COPY TO DIRECTOR. —Agencies shall provide the Director with a copy of the privacy impact assessment for each system for which funding is requested.

2. CONTENTS OF A PRIVACY IMPACT ASSESSMENT. —

a. IN GENERAL. —The Director shall issue guidance to agencies specifying the required contents of a privacy impact assessment.

b. GUIDANCE. — The guidance shall—

1. ensure that a privacy impact assessment is commensurate with the size of the information system being assessed, the sensitivity of information that is in an identifiable form in that system, and the risk of harm from unauthorized release of that information; and

2. require that a privacy impact assessment address—

1. what information is to be collected;

2. why the information is being collected;

3. the intended use of the agency of the information;

4. with whom the information will be shared;

5. what notice or opportunities for consent would be provided to individuals regarding what information is collected and how that information is shared;

6. how the information will be secured; and

7. whether a system of records is being created under section 552a of title 5, United States Code, (commonly referred to as the `Privacy Act').

3. RESPONSIBILITIES OF THE DIRECTOR.—The Director shall—

a. develop policies and guidelines for agencies on the conduct of privacy impact assessments;

b. oversee the implementation of the privacy impact assessment process throughout the Government; and

c. require agencies to conduct privacy impact assessments of existing information systems or ongoing collections of information that is in an identifiable form as the Director determines appropriate.

C. PRIVACY PROTECTIONS ON AGENCY WEBSITES. —

1. PRIVACY POLICIES ON WEBSITES. —

a. GUIDELINES FOR NOTICES. —The Director shall develop guidance for privacy notices on agency websites used by the public.

b. CONTENTS. —The guidance shall require that a privacy notice address, consistent with section 552a of title 5, United States Code—

1. what information is to be collected;

2. why the information is being collected;

3. the intended use of the agency of the information;

4. with whom the information will be shared;

5. what notice or opportunities for consent would be provided to individuals regarding what information is collected and how that information is shared;

6. how the information will be secured; and

7. the rights of the individual under section 552a of title 5, United States Code (commonly referred to as the `Privacy Act'), and other laws relevant to the protection of the privacy of an individual.

2. PRIVACY POLICIES IN MACHINE-READABLE FORMATS. — The Director shall issue guidance requiring agencies to translate privacy policies into a standardized machine-readable format.

D. DEFINITION. —In this section, the term `identifiable form' means any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means.

Attachment C

This attachment is a summary by the Federal Trade Commission of its guidance regarding federal agency compliance with the Children's Online Privacy Protection Act (COPPA).

The hallmarks of COPPA for purposes of federal online activity are (i) notice of information collection practices (ii) verifiable parental consent and (iii) access, as generally outlined below:

- Notice of Information Collection Practices

  Agencies whose Internet sites offer a separate children's area and collect personal information from them must post a clear and prominent link to its Internet privacy policy on the home page of the children's area and at each area where it collects personal information from children. The privacy policy should provide the name and contact information of the agency representative required to respond to parental inquiries about the site. Importantly, the privacy policy should inform parents about the kinds of information collected from children, how the information is collected (directly, or

through cookies), how the information is used, and procedures for reviewing/deleting the information obtained from children.

In addition, the privacy policy should inform parents that only the minimum information necessary for participation in the activity is collected from the child.In addition to providing notice by posting a privacy policy, notice of an Internet site's information collection practices must be sent directly to a parent when a site is requesting parental consent to collection personal information from a child. This direct notice should tell parents that the site would like to collect personal information from their child, that their consent is required for this collection, and how consent can be provided. The notice should also contain the information set forth in the site's privacy policy, or provide an explanatory link to the privacy policy.

- Verifiable Parental Consent

With limited exceptions, agencies must obtain parental consent before collecting any personal information from children under the age of 13. If agencies are using the personal information for their internal use only, they may obtain parental consent through an e-mail message from the parent, as long as they take additional steps to increase the likelihood that the parent has, in fact, provided the consent. For example, agencies might seek confirmation from a parent in a delayed confirmatory e-mail, or confirm the parent's consent by letter or phone call[23].

However, if agencies disclose the personal information to third parties or the public (through chat rooms or message boards), only the most reliable methods of obtaining consent must be used. These methods include: (i) obtaining a signed form from the parent via postal mail or facsimile, (ii) accepting and verifying a credit card number in connection with a transaction, (iii) taking calls from parents through a toll-free telephone number staffed by trained personnel, or (iv) email accompanied by digital signature.

Although COPPA anticipates that private sector Internet operators may share collected information with third parties (for marketing or other commercial purposes) and with the public (through chat rooms or message boards), as a general principle, federal agencies collect information from children only for purposes of the immediate online activity or other, disclosed, internal agency use. (Internal agency use of collected information would include release to others who use it solely to provide support for the internal operations of the site or service, including technical support and order fulfillment.) By analogy to COPPA and consistent with the Privacy Act, agencies may not use information collected from children in any manner not initially disclosed and for which explicit parental consent has not been obtained. Agencies' Internet privacy policies should reflect these disclosure and consent principles.

COPPA's implementing regulations include several exceptions to the requirement to obtain advance parental consent where the Internet operator (here, the agency) collects a child's email address for the following purposes: (i) to provide notice and seek consent, (ii) to respond to a one-time request from a child before deleting it, (iii) to respond more than once to a specific request, e.g., for a subscription to a newsletter, as long as the parent is notified of, and has the opportunity to terminate a continuing series of communications, (iv) to protect the safety of a child, so long as the parent is notified and given the opportunity to prevent further use of the information, and (v) to protect the security or liability of the site or to respond to law enforcement if necessary.

Agencies should send a new notice and request for consent to parents any time the agency makes material changes in the collection or use of information to which the parent had previously agreed. Agencies should also make clear to parents that they may revoke their consent, refuse to allow further use or collection of the child's personal information and direct the agency to delete the information at any time.

- Access

At a parent’s request, agencies must disclose the general kinds of personal information they collect online from children as well as the specific information collected from a child. Agencies must use reasonable procedures to ensure they are dealing with the child’s parent before they provide access to the child’s specific information, e.g., obtaining signed hard copy of identification, accepting and verifying a credit card number, taking calls from parents on a toll-free line staffed by trained personnel, email accompanied by digital signature, or email accompanied by a PIN or password obtained through one of the verification methods above.

In adapting the provisions of COPPA to their Internet operations, agencies should consult the FTC’s web site at http://www.ftc.gov/privacy/privacyinitiatives/childrens.html or call the COPPA compliance telephone line at (202) 326-3140.

Attachment D
Summary of Modifications to Prior Guidance

This Memorandum modifies prior guidance in the following ways:

* Internet Privacy Policies (Memorandum 99-18):

- must identify when tracking technology is used to personalize the interaction, and explain the purpose of the feature and the visitor’s option to decline it.

- must clearly explain when information is maintained and retrieved by personal identifier in a Privacy Act system of records; must provide (or link to) a Privacy Act statement (which may be subsumed within agency’s Internet privacy policy) where Privacy Act information is solicited.

- should clearly explain an individual’s rights under the Privacy Act if solicited information is to be maintained in a Privacy Act system of records; information about rights under the Privacy Act may be provided in the body of the web privacy policy or via link to the agency’s published systems notice and Privacy Act regulation or other summary of rights under the Privacy Act (notice and explanation of rights under other privacy laws should be handled in the same manner).

- when a Privacy Act Statement is not required, must link to the agency’s Internet privacy policy explaining the purpose of the collection and use of the information (point-of-collection notice at agency option).

- must clearly explain where the user may consent to the collection or sharing of information and must notify users of any available mechanism to grant consent.

- agencies must undertake to make their Internet privacy policies "readable" by privacy protection technology and report to OMB their progress in that effort.

- must adhere to the regulatory requirements of the Children’s Online Privacy Protection Act (COPPA) when collecting information electronically from children under age 13.

*Tracking Technology (Memorandum 00-13):

- prohibition against tracking visitors' Internet use extended to include tracking by any means (previous guidance addressed only "persistent cookies").? authority to waive the prohibition on tracking in appropriate circumstances may be retained by the head of an agency, or may be delegated to (i) senior official(s) reporting directly to the agency head, or to (ii) the heads of sub-agencies.? agencies must report the use of tracking technology to OMB, identifying the circumstances, safeguards and approving official.

- agencies using customizing technology must explain the use, voluntary nature of and the safeguards applicable to the customizing device in the Internet privacy policy.

- agency heads or their designees may approve the use of persistent tracking technology to customize Internet interactions with the government.

* Privacy responsibilities (Memorandum 99-05)

- agencies to identify individuals with day-to-day responsibility for implementing the privacy provisions of the E-Government Act, the Privacy Act and any other applicable statutory privacy regime.

- agencies to report to OMB the identities of senior official(s) primarily responsible for implementing and coordinating information technology/web policies and privacy policies.

---

1. Agencies may, consistent with individual practice, choose to extend the protections of the Privacy Act and E-Government Act to businesses, sole proprietors, aliens, etc.
2. Information in identifiable form is defined in section 208(d) of the Act as "any representation of information that permits the identity of an individual to whom the information applies to be reasonably inferred by either direct or indirect means." Information "permitting the physical or online contacting of a specific individual" (see section 208(b)(1)(A)(ii)(II)) is the same as "information in identifiable form."
3. Clinger-Cohen Act of 1996, 40 U.S.C. 11101(6).
4. Clinger-Cohen Act of 1996, 40 U.S.C. 11103.
5. In addition to these statutorily prescribed activities, the E-Government Act authorizes the Director of OMB to require agencies to conduct PIAs of existing electronic information systems or ongoing collections of information in identifiable form as the Director determines appropriate. (see section 208(b)(3)(C)).
6. Information in identifiable form about government personnel generally is protected by the Privacy Act of 1974. Nevertheless, OMB encourages agencies to conduct PIAs for these systems as appropriate.
7. Consistent with agency requirements under the Federal Information Security Management Act, agencies should: (i) affirm that the agency is following IT security requirements and procedures required by federal law and policy to ensure that information is appropriately secured, (ii) acknowledge that the agency has conducted a risk assessment, identified appropriate security controls to protect against that risk, and implemented those controls, (iii) describe the monitoring/testing/evaluating on a regular basis to ensure that controls continue to work properly, safeguarding the information, and (iv) provide a point of contact for any additional questions from users. Given the potential sensitivity of security-related information, agencies should ensure that the IT security official responsible for the security of the system and its information reviews the language before it is posted.
8. PIAs that comply with the statutory requirements and previous versions of this Memorandum are acceptable for agencies' FY 2005 budget submissions.
9. Section 208(b)(1)(C).
10. See 44 USC Chapter 35 and implementing regulations, 5 CFR Part 1320.8.

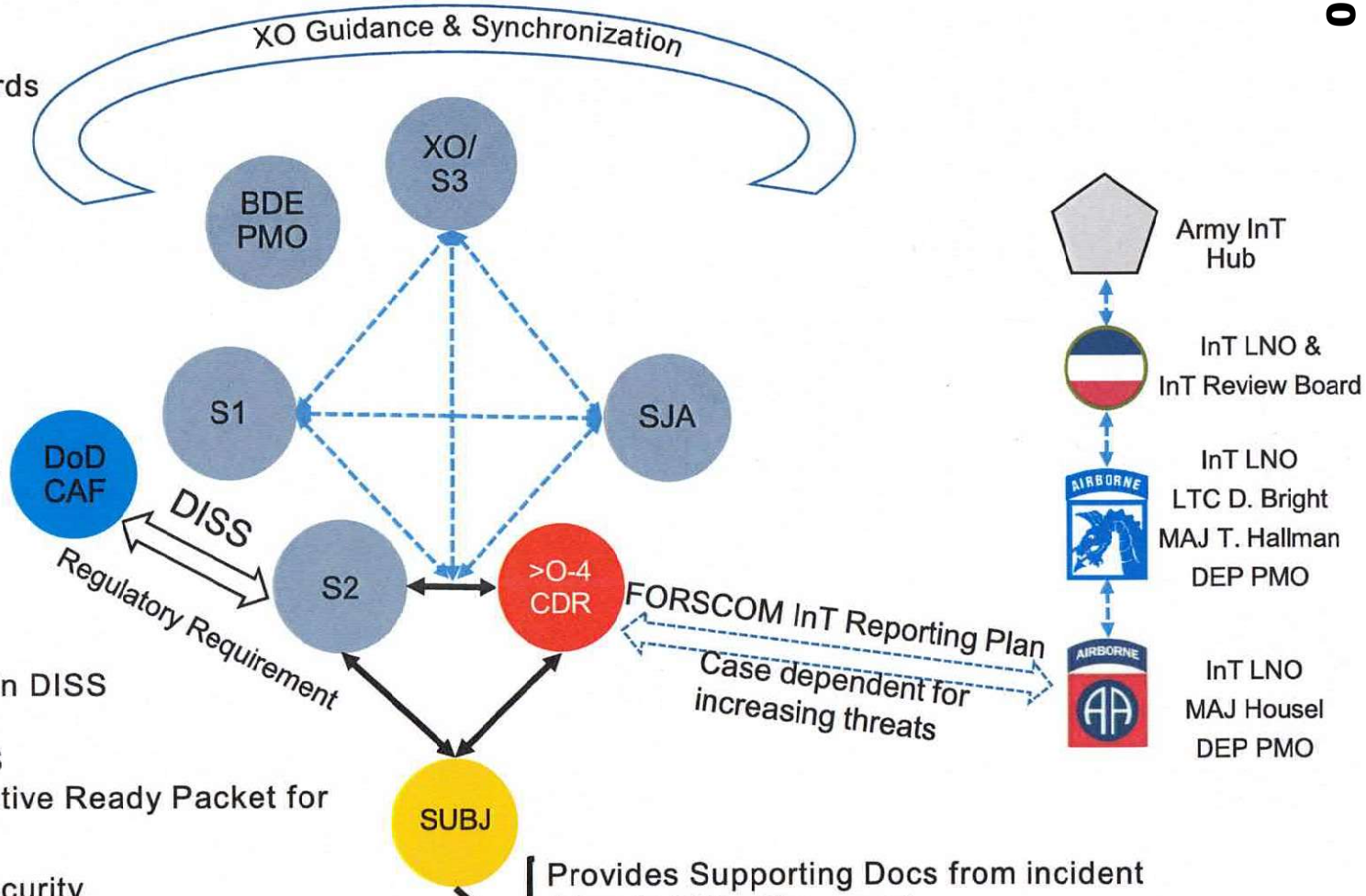
11. Item 1 of the Supporting Statement reads: "Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information."
12. Item 2 of the Supporting Statement reads: "Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection."
13. Item 2 of the Supporting Statement reads: "Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection."
14. Item 10 of the Supporting Statement reads: "Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy."
15. Section 208(c)(1)(B)(v).
16. Section 208(c)(1)(B)(vii).
17. Section 208(c)(1)(B)(i-iv).
18. When multiple Privacy Act Statements are incorporated in a web privacy policy, a point-of-collection link must connect to the Privacy Act Statement pertinent to the particular collection.
19. Attachment C contains a general outline of COPPA's regulatory requirements. Agencies should consult the Federal Trade Commission's COPPA compliance telephone line at (202)-326-3140 or website for additional information at: http://www.ftc.gov/privacy/privacyinitiatives/childrens.html.
20. Consistent with current practice, the agency head or designee may limit, as appropriate, notice and reporting of tracking activities that the agency has properly approved and which are used for authorized law enforcement, national security and/or homeland security purposes.
21. Section 208(c)(1)(B)(vi).
22. Federal Information Security Management Act of 2002 (Title III of P.L. 107-347), OMB's related security guidance and policies (Appendix III to OMB Circular A-130, "Security of Federal Automated Information Resources") and standards and guidelines development by the National Institute of Standards and Technologies.
23. This standard was set to expire in April 2002, at which time the most verifiable methods of obtaining consent would have been required; however, in a Notice of Proposed Rulemaking, published in the Federal Register on October 31, 2001, the FTC has proposed that this standard be extended until April 2004. 66 Fed. Reg. 54963.

(U) Security Reporting Teamwork

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 742 of 950

000718

Teamwork = Commander Accountability/Readiness



BDE PMO
- Law Enforcement Records
- MP Blotters
- DA Form 4833

S3
- SIRs/OPREPS

SJA
- UCMJ Actions/Results
- 15-6 Findings
- GOMORs

S1
- In/Out Processing
- Unit Manning Rosters
- Duty Status Documents
- Separation Orders

DoD CAF
- Adjudication Authority
- Provides Due Process
- Requests information

S2
- Ensure Subject owned in DISS
- Claim RFA
- Submit Incident in DISS
- Build & submit Adjudicative Ready Packet for DoD CAF

CDR
- Responsible for Unit Security
- Ensures incident reported within 72 hrs of awareness
- Makes Access & Eligibility determination – Final 5248
- Signs MFR/Final 5248~Suspensions/Revocations

SUBJ
- Provides Supporting Docs from incident
- Attends Mitigation event
- Provides narrative of incident - 5Ws & How
- Maintains positive outlook & attitude through process

Quick Reference Guide for DISS Account Requirements

HQ Command Hierarchy Managers will ensure that all users/account managers submit the required documentation.

Personnel Security System Access Request (PSSAR)/DD 2962, Dec 2016

- The Personnel Security System Access Request (PSSAR) Form is used to collect information required to grant an account in the DISS system, to formally document the account request, and to provide accountability for the account.
- PSSARs are also used to request account deletions and to make changes to user roles and permissions. The PSAAR should indicate the name of the applicant and the specific job duties that require DISS access.
- PSSARs shall be completed and filed for all users/account managers.
- Nominating Official must be an O-4/GS/GG-13 or above.

Mandatory Training Courses for DISS Access
The DISS disclosure agreement includes an acknowledgement that the user has "completed the necessary training with regards to Security Awareness and safe-guarding Personally Identifiable Information." This disclosure agreement specifically refers to the following courses:

- Cyber Awareness Challenge/Security Training (include your course completion certificate): http://iatraining.disa.mil/eta/cyberchallenge/launchpage.html
- Personally Identifiable Information (PII) Training (include your course completion certificate): http://iatraining.disa.mil/eta/piiv2/launchPage.html
  http://www.cdse.edu/catalog/elearning/DS-IF101.html
- Initial or Annual Security Refresher Training (include your course completion certificate) via ALMS: https://www.lms.army.mil
- ***All certificates MUST be dated within the last 365 days***

DISS Account Activation and Termination

- The PSSAR shall annotate the applicable account activation, deletion, or changes to user levels and permissions.
- PSSARs and all certificates must remain on file at each HQ Command until the account is deleted/deactivated. This includes the initial PSSAR activating an account plus any subsequent PSSARs submitted to change user roles.

DISS Account Checklist
All documentation is required regardless of whether you are requesting a new account or you are submitting for an account after having a previous account deleted due to inactivity.

- Meet clearance requirements: The minimum requirement for DISS Portal access is Interim Secret eligibility with a valid open investigation

- An Active owning and/or servicing Security Management Office (SMO)

- Obtain an active PKI Certificate on a smartcard (CAC, PIV card, ECA PKI Certificate or other approved DoD PKI on a smartcard/token) prior to getting a DISS Portal account

- Take Cyber Security Awareness/Information Assurance course (include your course completion certificate): http://iatraining.disa.mil/eta/cyberchallenge/launchpage.html

- Take Personally Identifiable Information (PII) course (include your course completion certificate): http://iatraining.disa.mil/eta/piiv2/launchPage.html http://www.cdse.edu/catalog/elearning/DS-IF101.html

- Take Initial or Annual Security Refresher Training via ALMS (include your course completion certificate): https://www.lms.army.mil

- Complete the DISS PSSAR (DD Form 2962, DEC 2016 version)

- Submit DD Form 2962, CUI Certificate and Cyber Awareness training certificate on portal.

- Request access to the “G22 Account Status portal page.” https://usasoc.sof.socom.mil/sites/usasoc-hq-g2/security/perssec/default.aspx, CLICK ON appropriate Button and put request in dialog box with position job title and/or job description.

- Request access to the “G22 RFI, SOR, CE Alert, DEROG ACTIONS.” https://usasoc.sof.socom.mil/sites/usasoc-hq-g2/security/perssec/default.aspx, CLICK ON appropriate Button and put request in dialog box with position job title and/or job description.

DD FORM 2962, DEC 2016 INSTRUCTIONS FOR DISS ACCOUNTS

- Place Last Name, First Name, and Middle Initial at the top of each of the first three pages
- Complete blocks 1-11 and 13
- DO NOT MARK any blocks within 14 and 15
- Place your UNIT in the first block (SMO NAME) of 16a. and primary SMO CODE in the second block (ORGANIZATION/AGENCY CODE)
- DO NOT MARK any blocks within 16b. or 17
- Check the blocks for 18 and 19 and annotate the dates on each training certificate (do not submit any certificates with dates that are more than a year old from the date of packet submission)
- Applicant must sign and date blocks 20 and 21
- Complete block 22 ONLY if access is needed for multiple Security Management Offices (SMO's); most applicants will not complete this block
- A MAJ/O-4 or GS/GG 13 civilian or higher ranking person MUST complete blocks 23-28
- The nominating official (MAJ or GS/GG 13 or higher) must annotate the duties the applicant performs which require DISS account access (security manager, SSO, FPCO, access control, etc) in block 23 ****RANK REQUIREMENT CANNOT BE WAIVED****
- An alternate security manager or person other than the applicant who has JPAS/DISS access will complete blocks 29-37

S-2

Priorities

- Support to Current Theater and MTX
- SCIF accreditation
- Support new SPO Analyst capability
- Personnel Security Management (PSM)
- Readiness
- S2 Continuity products

CUOPS

- Monitoring SCIF certification
- Requesting data for approval of SPO analyst replacement due to PCS
- Uploading Continuity products on S2 Portal
- Improving S2 OPS prior to incoming OIC arrival (OCT2022)
- Attempting to identify work around to historical Passport Waiver Denials

Future Goals

- SCIF accreditation - est. approval circa FY1Q23
- Improve inspection results/handover via new internal SOPs/flow charts
- Situation Brief and support incoming S2
- Support 112th transitioning S2 personnel
- Education program for Derivative Classification

Notable & Miscellaneous

- I/O program successfully re-inspected; Program established
- Authority to Connect (ATC) request is being worked by 1SFC SSO
- 2-Drawer Safe acquired to house for TS storage
- CPT Lowrie (incoming S2) at 18 Reception Battalion; at unit 17OCT

ANNUAL TRAINING

	STB	389th ^	112th
Derivative Classification (DC)	17%	66% (+1)	45%
Information Security Program (ISP)	17%	64% (+4)	41%
Managing Pers. w/ Sec. Clear. (MPSC)	18%	62% (-3)	15%
Intelligence Oversight (IO)	89%	78% (+5)	8%
Threat Awareness Reporting Prog. (TARP)	28%	49% (+9)	47%
Crime Prevention (CP)	23%	98% (+22)	47%
Controlled Unclassified Info (CUI)	18%	60% (+3)	41%

* under audit att
** BN underreported last month
*** Scheduled training
^ not reported

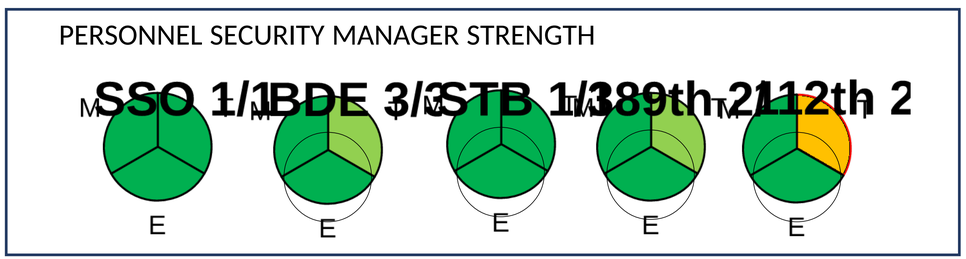
Green - Monthly improvement
Red - Monthly decrease
Black - Monthly No Change
Orange - Not Reported

DEROGATORY REPORTING STATUS by INCIDENT*

	STB		389th ^		112th	
	TOTAL	SMs	TOTAL	SMs	TOTAL	SMs
OUTSTANDING	5	4	2	2	13	12
OVERDUE	2	[redacted]	NR	[redacted]	1	[redacted]

NR = Not Reported to BDE

PERSONNEL SECURITY MANAGER STRENGTH



SFC Forbes, 908-8788
As of 10/12/22
S2, Intelligence NCOIC

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BUILDING X-4047 NEW DAWN DRIVE
FORT BRAGG NORTH CAROLINA 28310-8500

AOSC-JA

S: 7 February 2023
12 January 2023

MEMORANDUM FOR 2LT Miriam Tolston, 112th Signal Battalion (Special Operations) (Airborne), 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310-8500

SUBJECT: Appointment as Investigating Officer

1. **Appointment.** You are hereby appointed as an Investigating Officer (IO) pursuant to Army Regulation (AR) 15-6, *Procedures for Administrative Investigations and Boards of Officers*, to conduct an investigation into allegations of disrespect toward a superior commissioned officer and counterproductive leadership regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO)(A).

2. **Instructions.** The purpose of an AR 15-6 investigation is to elicit facts. Your investigation should explore any issues or deficiencies with policy, procedures, resources, doctrine, training, and leadership that might have contributed to this incident.

a. Your responsibilities as an IO take precedence over all other military duties. You have 15 duty days from the date you receive this appointment memorandum to submit your completed investigation to your legal advisor. Coordinate any requests for extensions through your legal advisor.

b. Consult with your legal advisor before making substantive efforts regarding your investigation. CPT Suzanne Dycus, Brigade Judge Advocate, is your legal advisor, and can be reached at 910-643-6065 or suzanne.j.dycus.mil@socom.mil.

c. Read the relevant portions of AR 15-6, AR 600-100, ADP 6-22, Article 89 UCMJ, and any other applicable authorities prior to beginning your investigation.

d. At a minimum, you should interview MAJ Rhea Racaza, MAJ CH Alvaro Rivera, 1SG Larry Morgan, CPT Patrina Lowrie, PFC Matthew Scheffing, SFC Michael Forbes, and any other relevant witnesses in order to address the following questions and issues:

(1) On or about 30 November 2022, did SFC Michael Forbes engage in disrespectful behavior toward MAJ Rhea Racaza? If so, what are the specific facts and circumstances?

(2) Has SFC Michael Forbes engaged in counterproductive or toxic leadership behaviors within brigade or battalion S2 sections as discussed in AR 600-100, Chapter 1-11d and ADP 6-22? If so, what are the specific facts and circumstances?

e. If something happens that could cause me to consider enlarging, restricting, terminating, or otherwise modifying your investigation, you should immediately report this to me through your legal advisor.

3. **Conduct of the Investigation.** You are to conduct this investigation using the general guidance and procedures outlined in AR 15-6, Chapters 3 and 5.

a. To the extent possible, witness statements will be written and sworn on a DA Form 2823. Do not collect social security numbers. You have the authority to administer oaths pursuant to Article 136, UCMJ. If it is impracticable to obtain a written and/or sworn statement from a witness, you will attest to the accuracy of the statement in whatever form it appears in your report.

b. No U.S. military or civilian witnesses can be ordered to provide information that may incriminate them. If you come to suspect a person may have engaged in criminal conduct, consult with your legal advisor. Under no circumstances should you attempt to elicit any incriminating information from a witness without first advising that person of his/her rights under Article 31, UCMJ, or the Fifth Amendment of the U.S. Constitution, as appropriate. Document your rights advisement and witness waivers of their rights on a DA Form 3881, Rights Warning Procedure/Waiver Certificate.

c. Should you determine in the context of your investigation that a Soldier's status has changed from favorable to unfavorable, as defined in AR 600-8-2, *Suspension of Favorable Personnel Actions*, you must notify me through your legal advisor.

4. **Report of Investigation.** Use a DA Form 1574-1, Report of Proceedings by Investigating Officer, and attach all required enclosures and exhibits.

a. Findings. A finding is a clear and concise statement of fact that can be readily deduced from exhibits in the record. For each potential instance of misconduct, you will reach a finding of "substantiated" or "unsubstantiated." Misconduct is "substantiated" if you find it to be true by a preponderance of the evidence, which means 51% or "more likely than not." Cite the exhibits that support your findings. If evidence conflicts, make a finding as to which evidence is more credible and why you believe it to be so.

b. Recommendations. Based on your findings, make recommendations as to what changes, if any, are needed in terms of policy, procedures, resources, doctrine, training, and leadership to avoid incidents of this nature in the future. Also, if appropriate, make recommendations of administrative or punitive action consistent with your findings. Each recommendation will cite to the finding that supports it, and should comport with the guidance in AR 15-6, paragraph 3-11.

c. Assembly. Your completed investigation will include, in the following order:

(1) This memorandum of appointment;

(2) A completed DA Form 1574-1;

(3) A memorandum with your findings and recommendations;

(4) A detailed chronology of the daily actions you took during your investigation;

(5) A list of the witnesses you interviewed;

(6) An index of the attached exhibits;

(7) All exhibits, labeled and numbered, including the ERB/ORB of any Soldier flagged pursuant to your investigation;

(8) A tabbed/indexed hard copy of the complete investigation. Do not use document protectors; and

(9) A scanned copy of the complete investigation.

5. POC for this memorandum is CPT Suzanne Dycus, 95th Civil Affairs Brigade Judge Advocate, and can be reached at 910-643-6065 or suzanne.j.dycus.mil@socom.mil.

TAVI N. BRUNSON
COL, LG
Commanding

REPORT OF PROCEEDINGS BY INVESTIGATING OFFICER

Note. Completed forms may contain personally identifiable information and require handling as set forth in AR 340-21.
For use of this form, see AR 15-6; the proponent agency is OTJAG.

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

SECTION I - APPOINTMENT

Appointed by COL Tavi Brunson
(Appointing authority)

on 20230112 *(Date)* *(Attach enclosure 1: Letter of appointment or summary of oral appointment data.) (See para 3-15, AR 15-6.)*

SECTION II - TIMELINE

1. The *(investigation)* commenced at FORT BRAGG, NORTH CAROLINA *(Place)* at 0900 *(Time)*

on 20230117 *(Date)*

2. The *(investigating officer)* finished gathering/hearing evidence a 1600 *(Time)* on 20230221 *(Date)* and completed

findings and recommendations at 2330 *(Time)* on 20230222 *(Date)*

SECTION III - CHECKLIST FOR PROCEEDINGS

A. COMPLETE IN ALL CASES		YES	NO[1]	NA[2]
1.	Enclosures *(para 3-13, AR 15-6)* Are the following enclosed and numbered consecutively with Roman numerals: *(Attached in order listed)*			
	a. The memorandum of appointment?	☒	☐	
	b. All other written communications to or from the appointing authority?	☒	☐	☐
	c. Privacy Act Statements *(Certificate, if statement provided orally)?*	☐	☐	☒
	d. Explanation by the investigating officer of any unusual delays, difficulties, irregularities, or other problems encountered *(e.g., absence of material witnesses)?*	☐	☐	☒
	e. Any other significant papers *(other than evidence)* relating to administrative aspects of the investigation?	☐	☐	☒
	f. An Executive Summary, Index of Exhibits, Chronology of the Investigation and lists of all persons interviewed and evidence gathered. *(Complex, serious and/or high profile cases)?*	☒	☐	☐
2.	Exhibits *(para 3-14, AR 15-6)*			
	a. Are all items offered *(whether or not received)* or considered as evidence individually numbered or lettered as exhibits and attached to this report?	☒	☐	☐
	b. Is an index of all exhibits offered to or considered by investigating officer attached before the first exhibit?	☒	☐	☐
	c. Has the testimony/statement of each witness been recorded verbatim or been reduced to written form and attached as an exhibit?	☒	☐	☐
	d. Are copies, descriptions, or depictions *(if substituted for real or documentary evidence)* properly authenticated and is the location of the original evidence indicated?	☒	☐	☐
	e. Are descriptions or diagrams included of locations visited by the investigating officer *(Appendix C-3, AR 15-6)?*	☐	☐	☒
	f. Is each written stipulation attached as an exhibit and is each oral stipulation either reduced to writing and made an exhibit or recorded?	☒	☐	☐

FOOTNOTES: 1/ *Explain all negative answers on an attached sheet.*
2/ *Use of the N/A column constitutes a positive representation that the circumstances described in the question did not occur in this investigation.*

SECTION IV - FINDINGS *(para 3-10, AR 15-6)*

The *(investigating officer)*, having carefully considered the evidence, finds: *[Each paragraph should be one conclusion based on the evidence gathered during the investigation. These findings should provide answers to each question posed by the appointing authority in the appointment memorandum. The evidence that supports each finding must be cited.]*

See Findings and Recommendations

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

In view of the above findings, the *(investigating officer)* recommends: *[Each paragraph should be one recommendation based on the findings in Section IV. Address what actions, if any, should be taken with regard to the individuals involved, the unit leadership, and any steps that can be taken to prevent the occurrence in the future. Recommendations do not need to be adverse or punitive. For example, the investigation results can be used as a training tool.]*

See Findings and Recommendations

SECTION VI - AUTHENTICATION *(para 3-15, AR 15-6)*

THIS REPORT OF PROCEEDINGS IS COMPLETE AND ACCURATE.

2LT MIRRIAM TOLSTON
(Investigating Officer)

SECTION VII - ACTION BY APPOVING AUTHORITY *(para 2-8, AR 15-6)*

The findings and recommendations of the *(investigating officer)* are:

a) Approved.

b) Approved with the following modifications:

(1) The following findings of fact are added/deleted:

(2) The following findings of fact are modified as follows:

I approve the finding as it relates to counter productive leadership, but disapprove the finding of harassment.

(3) The following recommendations are added/deleted:

(4) The following recommendations are modified as follows:

(5) The action recommended in recommendation _____ has been accomplished by _____.

(6) Recommendation(s) _____ is not appropriate for action by this command: however, a copy of this investigation is being furnished to _____ for such action as deemed appropriate.

c) Disapproved.

d) The report is (incomplete), (ambiguous), (erroneous) and/or (specify deficiency) with respect to _____.

It is, therefore, hereby returned to the IO for corrective action as follows _____.

BRUNSON.TAVI.NIGEL. [redacted]
Digitally signed by BRUNSON.TAVI.NIGEL [redacted]
Date: 2023.04.20 10:20:26 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR COMMANDER Colonel Tavi N. Brunson, 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310-8500

SUBJECT: Findings and Recommendations for Army Regulation (AR) 15-6 Investigation into SFC Michael Forbes for Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership

1. BACKGROUND. On 12 January 2023, you appointed me as an investigating officer (IO) pursuant to AR 15-6. The purpose of this investigation was to determine the facts and circumstances surrounding the allegations of disrespect towards a senior commissioned officer and counterproductive leadership regarding SFC Michael Forbes, Headquarters and Headquarters Company (HHC), 528th Sustainment Brigade (Special Operations) (Airborne) (528th SB (SO) (A)).

2. SUMMARY. SFC Michel Forbes engaged in disrespectful behavior towards MAJ Racaza on 30 November 2022 and displayed traits of counterproductive leadership within the BDE S2 section. The recommendation for the findings is to consider appropriate adverse administrative action.

3. OVERVIEW. Over the course of the investigation multiple witnesses were revealed after interviewing the main witnesses. This caused a delay which called for an extension in the investigation. When scheduling the meeting with the accused, I was informed that a lawyer has previously been appointed for other current investigations. The appointed lawyer requested to review the questions for the accused, which delayed the process. After the review of the questions, the appointed lawyer stated the accused will answer the questions in writing through a Sworn Statement. The timeline for the investigation can be found in Enclosure IV.

4. SUMMARY OF RELEVANT & MATERIAL FACTS.

a. On 30 November 2022 SFC Forbes engaged in disrespectful behavior towards MAJ Rena Racaza after walking into SGT Aldeguer's office asking for information about SDI 2.0. CH Rivera saw him walk-in, and he called MAJ Racaza to answer his questions SFC Forbes proceeded to follow MAJ Racaza to her office (See Exhibit B. (SGT Aldeguer DA 2823)). SFC Forbes demanded aggressively that MAJ Racaza provide him with information. When MAJ Racaza asked SFC Forbes what exact information he needed, SFC Forbes became more angry and verbally aggressive by demanding information, but would not let MAJ Recaza speak. At that time SFC Forbes threatened to call USASOC JAG and continued to demand MAJ Racaza provide him

with regulations or policies on what right the BDE CDR must request his participation in the staff development training. SFC Forbes accused MAJ Racaza of making him do a behavior health evaluation and when [MAJ Racaza] attempted to clarify SFC Forbes cut MAJ Racaza off and would not let [her] explain or answer any questions." (See Exhibit A. (MAJ Racaza DA 2823)).

b. SFC Forbes engaged in counterproductive leadership within the BDE S2 section by being too aggressive, engaging in self-serving and erratic behaviors that would lessen the productivity of the BDE S2 section. At times SFC Forbes' my way, or no way attitude towards the team have compromised the overall organizational effectiveness and it has affected the good order and discipline of the units culture. (See Exhibit D. (CPT Lowrie DA 2823), Exhibit F. (SGT Henkel DA 2823), and Exhibit G. (PFC Scheffing DA 2823)). Based on individuals working relationship with SFC Forbes, he may be an incompetent team leader, he has adequate cognitive capabilities but lack the emotional fitness to be supportive and lead his team. SFC Forbes cannot make sound decisions on time, is indecisive, and lacks the ability to control his emotional center. All these interactions have been observed while SFC Forbes has been the BDE S2 NCOIC (See Exhibit D. (CPT Lowrie DA 2823) and Exhibit N. (SFC Meredith MFR)).

c. SFC Forbes has displayed counterproductive leadership within the BDE S2 section by pointing out the lack of productivity in the shop or something not being done that was requested by the command team, he was quick to blame whoever was not in the room. He was never wrong in his opinion. In terms of his temper, SFC Forbes was quick to anger about everything and would yell in the shop about whoever he had encountered that day. There was never a day he wasn't angry about someone (See Exhibit F. (SGT Henkel DA 2823)).

5. FINDINGS.

a. On or about 30 November 2022, did SFC Michael Forbes engage in disrespectful behavior toward MAJ Rhea Racaza? If so, what are the specific facts and circumstances?

(1) I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza. He raised his voice to a superior officer, would not let her speak, and made her feel unsafe in the workplace with his unwelcome behaviors. These actions violated Army Regulation 600-20. Given the nature of the interaction he specifically infringes upon military discipline in regard to lacking respect for properly constituted authority and embracing professionalism with regards to the army ethic. This can be supported by MAJ Racazas statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letting her

explain or answer any questions (See Exhibit A. (MAJ Racaza DA 2823) and Exhibit B. (SGT Aldeguer DA 2823).

b. Has SFC Michael Forbes engaged in counterproductive or toxic leadership behaviors within brigade or battalion S2 sections as discussed in AR 600-100, Chapter 1-11d and ADP 6-22? If so, what are the specific facts and circumstances?

(1) I find that SFC Forbes leadership style falls under counterproductive leadership listed out in Army Doctrine Publication 6-22. As shown above in the facts SFC Forbes demonstrated counterproductive leadership qualities such as Self-serving behaviors, Erratic behaviors, and Leadership incompetence (See Exhibit D. (CPT Lowrie DA 2823), Exhibit F. (SGT Henkel DA 2823), Exhibit G. (PFC Scheffing DA 2823), Exhibit J. (PFC Scheffing MFR), Exhibit N. (SFC Meredith MFR), Exhibit R. (BDE Town Hall Comments)).

(2) I find that SFC Forbes leadership style falls under counterproductive leadership Army Regulation 600-100, Chapter 1-11, a referenced above in section 3 paragraph f. As stated in the facts, SFC Forbes displays many behaviors as a counterproductive leader such as blaming others, poor self-control (loses temper), unjustness, showing little or no respect, talking down to others, and behaving erratically [Exhibit D. (CPT Lowrie DA 2823), Exhibit F. (SGT Henkel DA 2823), Exhibit G. (PFC Scheffing DA 2823), Exhibit J. (PFC Scheffing MFR), Exhibit N. (SFC Meredith MFR), Exhibit R. (BDE Town Hall Comments)).

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

a. You consider taking adverse administrative action against SFC Forbes.

b. You consider removing SFC Forbes from the BDE S2 NCOIC position and move him into a position that is not a direct leadership role.

c. You consider a Relief for Cause NCOER for SFC Forbes.

d. You consider suspending or revoking his security clearance and access to programs.

7. The point of contact for this memorandum is the undersigned at 910-432-1143 or mirriam.g.tolston.mil@socom.mil.

AOSC-SIG-BC
SUBJECT: Findings and Recommendations for Army Regulation (AR) 15-6 Investigation Regarding Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership Regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO) (A).

TOLSTON.MIRRIAM.GERMAINE. Digitally signed by TOLSTON.MIRRIAM.GERMAINE. Date: 2023.04.13 09:26:23 -04'00'

5 Encl
I. Appointment Memorandum
II. DA Form 1547-1
III. Findings and Recommendations Memorandum
IV. Chronology of Events
V. Table of Contents
VI. Extension

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

Exhibits

1. DA 2823 Sworn Statement, SFC Forbes
2. Exhibit A. (MAJ Racaza DA 2823)
3. Exhibit B. (SGT Aldeguer DA 2823)
4. Exhibit C. (1SG Morgan DA 2823)
5. Exhibit D. (CPT Lowrie DA 2823)
6. Exhibit E. (CPT Korista DA 2823)
7. Exhibit F. (SGT Henkel DA 2823)
8. Exhibit G. (PFC Scheffing DA 2823)
9. Exhibit H. (CSM E Emekaekwee DA 2823)
10. Exhibit I. (CPT Lowrie MFR)
11. Exhibit J. (PFC Scheffing MFR)
12. Exhibit K. (MAJ Weber MFR)
13. Exhibit L. (CSM Emekaekwee MFR)
14. Exhibit M. (LTC Furlow MFR)
15. Exhibit N. (SFC Meredith MFR)
16. Exhibit O. (CSM Emekawkwee 4856)
17. Exhibit P. (1SG Morgan 4856)
18. Exhibit Q. (CPT Korista SIR Email)
19. Exhibit R. (BDE Town Hall Comments)
20. Exhibit S. (Questions for the accused MFR)
21. Exhibit T. (SFC Forbes' STP)

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR COMMANDER Colonel Tavi N. Brunson, 528th Sustainment Brigade (Special Operations) (Airborne), Fort Bragg, North Carolina 28310-8500.

SUBJECT: Army Regulation (AR) 15-6 Investigation Regarding Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership Regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO) (A).

1. This memorandum details my investigative plan during the abovementioned AR 15-6 investigation, with suspense date of 22 February 2023.

2. Chronology.

Date/Time	Event
12JAN23	**Description**
0900	Appointed as IO
17JAN23	
1500	Legal meeting with CPT Dycus
19JAN23	
1245	Witness meeting with MAJ Racaza
1350	Witness meeting with SGT Aldeguer
20JAN23	
1100	Witness meeting with 1SG Morgan
1400	Witness meeting with MAJ CH Rivera
	Extension request
24JAN23	
1450	Witness meeting with CPT Lowrie
	Extension request Approved
25JAN23	
1000	Witness meeting with MAJ Weber
1100	Witness meeting with CPT Korista
1400	Witness meeting with PFC Scheffing
26JAN23	
1400	Witness meeting with CSM Emekaeakwee
27JAN23	
1030	Witness meeting with LTC Furlow

AOSC-SIG-BC
SUBJECT: Army Regulation (AR) 15-6 Investigation Chronology Allegations of Disrespect Towards a Senior Commissioned Officer and Counterproductive Leadership Regarding SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO) (A)

1200	Witness meeting with 1LT Lyons
1400	Witness meeting with SFC Meredith on Teams
09FEB23	
1245	Witness meeting with Mrs. Margaret Lindquist over phone
21FEB23	
1600	MRF for accused sent to CPT Carras

3. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

TOLSTON.MIRRIAM.GERMAINE [redacted] Digitally signed by TOLSTON.MIRRIAM.GERMAINE [redacted] Date: 2023.04.13 06:23:39 -04'00'

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

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16. Exhibit O. (CSM Emekawkwee 4856)
17. Exhibit P. (1SG Morgan 4856)
18. Exhibit Q. (CPT Korista SIR Email)
19. Exhibit R. (BDE Town Hall Comments)
20. Exhibit S. (Questions for the accused MFR)
21. Exhibit T. (SFC Forbes' STP)

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS)(AIRBORNE)
H-3531 9TH INFANTRY STREET (STOP A)
FORT BRAGG, NORTH CAROLINA 28310-8500

AOSO-JA 24 January 2023

MEMORANDUM FOR Investigating Officer (IO), 15-6 Investigation regarding SFC Michael Forbes

SUBJECT: Extension request

1. I have reviewed the request for extension submitted by the IO.

2. I hereby **approve** the extension request and direct the IO to complete this investigation and submit a copy to the appointed legal advisor NLT 22 February 2023. Any further requests for extension must be submitted to me, through the Brigade Judge Advocate, for approval.

3. The point of contact for this memorandum is CPT Rudolph Dambeck, Brigade Judge Advocate, at 910-908-8863 or Rudolph.p.dambeck.mil@socom.mil.

Digitally signed by BRUNSON.TAVI.NIGEL [redacted]
Date: 2023.01.24 14:53:27 -05'00'

TAVI N. BRUNSON
COL, LG
Commanding

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:	Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE:	To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES:	Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE:	Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Ft. Bragg, NC	20230223	1345	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Forbes, Michael J.	[redacted]	E-7

8. ORGANIZATION OR ADDRESS
528th Sustainment Brigade Special Operations (SO) Airborne (A), 4047 New Dawn Drive, Ft. Bragg, NC 28310

9. I, Michael J. Forbes, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

2LT Tolston: This Sworn Statement pertains to the Investigating Officer's (2LT Tolston, Mirriam G.) Memorandum For Record, dated 21FEB23, in which she asked 2 questions ("Question 1" had 3 sub-questions and "Question 2" had 2 sub-questions. Their respective answers, follow the enumeration provided, are as follows:

Q1: No.

Q1a: Yes, that date is correct. The time for the interaction can be easily identified by contacting 1SFC IG office; I left a follow-up call to prior interactions on their voicemail after MAJ Racaza and I spoke. I had begun a series of communications with them prior to 0925 on 30NOV22 regarding my serious concerns about the mandated directive for my, and all Section BDE Staff's, participation in the 3rd party corporate relationship involved in PII-identifiable, behavioral, data-gathering in the Strengths Deployment Inventory (SDI) announced as "voluntary" when MAJ Racaza initially brought it up at the end of the BDE CDR's 'Scrub' meeting on 280930RNOV2022. In fact, during our discussion, IG encouraged me to attempt to get more information from the source.

Q1b: 301100RNOV22 (exact time unk; 1SFC has voicemail immediately following MAJ Racaza's accusation and deflection to answer my scope and statutory support questions). I went to MAJ Racaza's office and requested the scope and regulatory basis of the mandatory nature of the SDI 2.0. During this communication MAJ Racaza repeatedly asked me, "Why do you want to know?" Initially, I stated, "I am curious about the makeup of the assessment." Later, I stated, "The other day you said it was voluntary but yesterday the BDE CDR made in mandatory in an email. So I want to understand why?" She kept asking me "Why?," evidently looking for some different answer. I then said, "Ma'am if you can't provide anything, that is ok. I can google it." She then accused me of being "angry" and I, witnessing her aggressive verbal accusation and demeanor, I immediately attempted to diffuse the situation by saying, "Ma'am, it's ok, its ok (she had thrown papers back in a box), I am sorry I asked. Just pretend I never did." I began to leave. MAJ Racaza followed me up the stairs and as I went straight down the hall to my office as MAJ Racaza took a right and marched directly into the Command Suite. I immediately called IG to let them know what was occurring and requested a meeting ASAP. Note: To date, MAJ Racaza has not provided any information regarding my questions.

Q1c: No. We were alone in her small office. She was digging through a box in the corner behind her desk.

Q2: No.

Q2a: Professional; I do my best to follow regulations / provide truthful guidance to protect CDRs, supervisors, peers & Soldiers.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT _____ DATED _____

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

STATEMENT OF Michael J. Forbes TAKEN AT Fort Bragg, NC DATED 20230223

9. STATEMENT *(Continued)*

Q2b: Not applicable. I don't understand what witnesses you want to view a leadership style that spans two excellent NCOERs while I was BDE NCOIC and Acting OIC. Clarification is needed.

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

Buddy D. Davis
Beverly A. Perrie
XVIII Airborne Legal Asst. Office
ORGANIZATION OR ADDRESS

Justin Eggn
XVIII ABN Corps
ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 23 day of February, 2023 at Fort Bragg, NC

(Signature of Person Administering Oath)

Mia Heredia, SSG, Paralegal
(Typed Name of Person Administering Oath)

Title 10 USC 1044a
(Authority To Administer Oaths)

OFFICE OF THE STAFF JUDGE ADVOCATE NOTARIAL PROVIDED SEAL TITLE 10 USC 1044a XVIII ABN CORPS & FORT BRAGG

Mia Heredia
SSG, US ARMY
JUDGE ADVOCATE
PURSUANT TO 10 USC 1044a
COMMISSION INDEFINITE

INITIALS OF PERSON MAKING STATEMENT

PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SB	20230119	1252	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Racaza Rhea, Lynn		04/AD

8. ORGANIZATION OR ADDRESS
X4047 New Dawn Dr.

9. I, Rhea Racaza, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. On 30NOV22 approximately 1345, ~~CSFC~~ SFC Forbes was spoken in an agitated manner to my NCO, SGT Aldegver. CH Rivera indicated to me that SGT Aldegver may need assistance so I ~~went~~ entered the office SGT Aldgver SFC Forbes was occupying. After offering to help SFC Forbes followed me into my office & demanded, aggressively that I provide him w/ information when I tried to ask SFC Forbes what exact information he needed, he became more angry & aggressive. At that time SFC Forbes also threatened to call USASOC JAG on myself & demanded I provide him with regulations or policy on what right the BDE CSM has to request his participation in the Staff Development training. He accused me of making him do a behavioral health evaluation and when I attempted to clarify he cut me off; He would not let me explain or answer my questions nor ~~let~~ instead continued to demand information & accuse me. I felt threatened and had to take a step back from SFC Forbes & in attempt to deescalate, asked if he was mad at me. He responded by yelling multiples "So you're not going to help me?" and then stormed out of my office. My NCO witnessed the event.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	RD	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD LC v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Rhea Racaza TAKEN AT 1252 DATED 20230119

9 STATEMENT *(Continued)*

2. I have heard multiple accounts from victims of SFC Forbes's unprofessionalism but have not witnessed one apart from my personal experience. To note I am the psych doc so I cannot share other ppl. personal experiences without consent.
One experience that my NCO, SGT Aldgever, had with SFC Forbes was when SFC Forbes became visibly ~~as~~ angry with my NCO because My NCO wasn't understanding something SFC Forbes was saying. SFC Forbes became visibly angry (red, shaking) and yelled "am I not speaking English??" to my NCO, whose second language is English. Our unit MFLCs were witnessess to the unprofessional interaction.

3. There are numerous incidents in which SFC Forbes has not only treated others with disrespect, but he has acted in ~~a~~ ways that consistently demeans others. He makes people feel ~~ash~~ ashamed, embarrassed, scared. He has actively contributed ~~to a~~ and created a toxic/counterproductive work environment. I personally do not feel safe physically when he is around and fear he will retaliate against people who raise concerns against him. I was initially fearful of making any statements due to his security access & privileges. He has been allowed to act in ways where he is unaccountable for his behaviors and can bully people through his hostility and aggression.

INITIALS OF PERSON MAKING STATEMENT JB

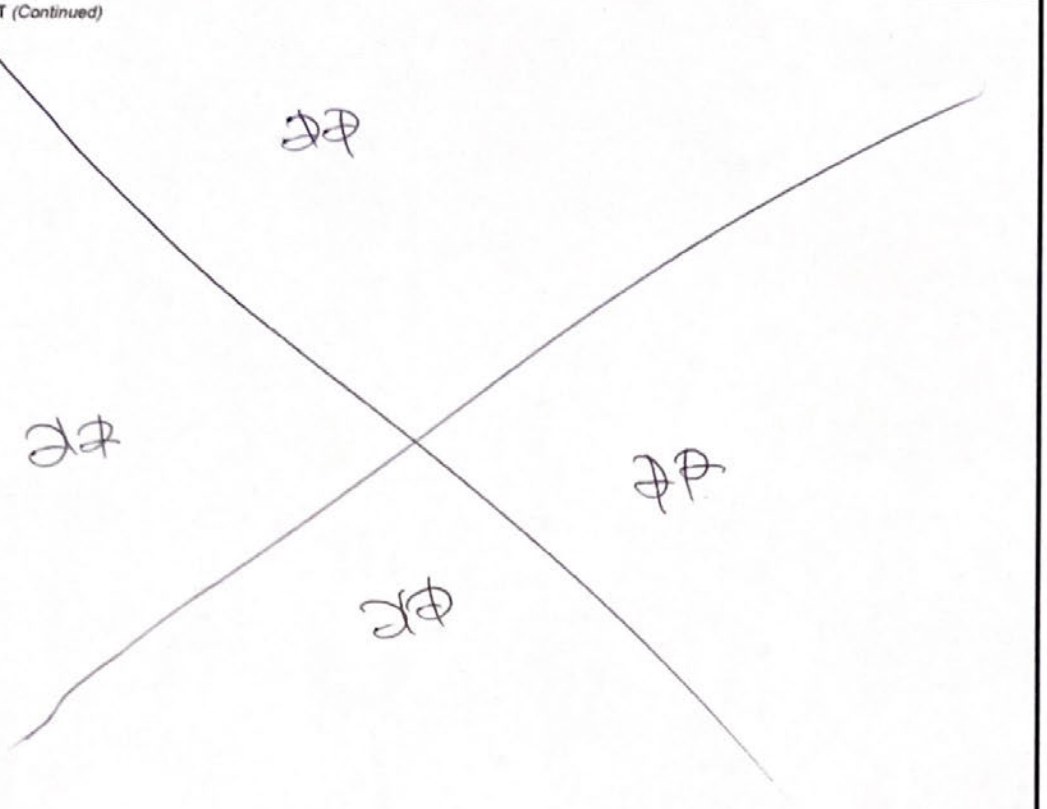
PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF _____ TAKEN AT _____ DATED _____

9. STATEMENT *(Continued)*



AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

2LT Talsten, Miriam

ORGANIZATION OR ADDRESS

112TH SIG BDE

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of January, 2023 at 528th SB

(Signature of Person Administering Oath)

Miriam Talsten

(Typed Name of Person Administering Oath)

UCMJ, ART. 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT

BBB

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

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DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SB	20230119	1350	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Aldeguer, Jomari Miguel		E-5 / Active

8. ORGANIZATION OR ADDRESS: X4047 New Dawn Dr. Fort Bragg, NC

9. I, Jomari Miguel Aldeguer, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

SFC Forbes walked into my office asking for information about SDI 2.0. CHAPLAIN Rivera saw him walk-in and he called MAJ Racaza to answer his questions as I am not too familiar with details of SDI. He proceeded to follow MAJ Racaza to her office and then asked her to give him all the details about SDI. He was visibly agitated at this point and Maj Racaza asked him if there is any specific information he wants to know. He said he wants to know everything because he is preparing to go to Legal or JAG.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 3 PAGES
	JA	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF____ TAKEN AT ____ DATED ____

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

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Jomari Aldeguer TAKEN AT 1350 DATED 19 Jan 2023

9. STATEMENT (Continued)

He cut off MAJ Racaza from explaining multiple times and he said Maj Racaza can't help him and he stormed out.

Around February of 2022. I helped out our 2 MFLC's and financial counselor in-process S2. When I walked in SFC Forber immediately looked upset with me. He told me that he is tired of the people in this unit not in-processing correctly and asked me if I in-processed the "2" I didn't know what "2" meant so I asked if he would say it again. He then said "2" am I not speaking English?! After that he said that I can be the "poster child" for people that didn't in process S2. I infact in processed S2 and provided all my certs that same day. He still had me sign documents that I signed previously

INITIALS OF PERSON MAKING STATEMENT JA

PAGE 2 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF Jomari Aldegner TAKEN AT 1350 DATED 19 Jan 2023

9. STATEMENT *(Continued)*

because he couldn't find my paperwork. I am not accusing him but he seems to be the type of person that would retaliate against people who he thinks have wronged him. I am worried not just for myself but for everyone that works in this building.

Nothing follows

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES

2LT Tolson, Miriam

ORGANIZATION OR ADDRESS

112th SIG BN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 19 day of January, 2023 at 528th BSB

(Signature of Person Administering Oath)

Miriam Tolson

(Typed Name of Person Administering Oath)

UCMJ, ART. 136

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT BBB

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY:	Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).
PRINCIPAL PURPOSE:	To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.
ROUTINE USES:	Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.
DISCLOSURE:	Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
BLDG 4047, HHC BDE CP	20230120	1141	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
MORGAN, LARRY D., JR.		E8/AD

8. ORGANIZATION OR ADDRESS
HHC, 528TH SUSTAINMENT BRIGADE (SO) (A)

9. I, Larry Morgan, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

2021 Motor pool Incident w/CPT Valdez

SFC Forbes openly disrespected CPT Valdez in my presence by being condescending, using an aggressive tone, and belittling him in front of numerous Soldiers and NCOs, and the HHC Command Team. I pulled SFC Forbes to the side and informed him his behavior was unacceptable, I also counseled him via 4856 (2021). I spoke to SGM Kline (STB CSM at the time of the incident). **Witnesses** - CPT Ellis Valdez, CPT Eric Mansour, SSG Richard GarnerSpain

HHC Supply Issues as the S2 HRH

Over the course of his time as the Brigade S2 NCOIC, it has been reported by both of my Supply Sergeants, SSG Alberto Garcia and SSG Tiera Plummer, that SFC Forbes had refused to sign for his property, Commander's Counseling statements, and perform duties associated with being the HRH. SFC Forbes attempted to use his rank to "punk" my supply sergeants and interpreted regulatory guidance, SOPs, policy letters to favor his ideas/insisting on it being his way. **Witnesses**: SSG Garcia, SSG Plummer, SGT Truman, PFC Hall

Conflicts with Brigade Staff Leadership/Platoon Sergeant

I personally witnessed SFC Forbes act erratic and condescending to MSG Burgos during a joint meeting with SFC Forbes, MSG Burgos, and myself. SFC Forbes would not accept responsibility for his behavior and actions, deflecting responsibility. Over the course of the conversation, SFC Forbes, while "speaking freely" would use that as an excuse to continue being condescending towards MSG Burgos and used an aggressive tone. SFC Forbes has consistently been difficult for Platoon Sergeants to gain accountability and assist with taskings. SFC Forbes refused to be contacted on his personal phone and would often be unreachable on his government cellphone. Platoon Sergeants: MSG Morris and SFC Suro. Witnesses: MSG Burgos, MSG Morris, SFC Suro

Interactions with Company Staff

I was informed by my Operations Team (SFC Yoder and SGT Venturino) that SFC Forbes "exploded" on SPC Terry in reference to a barracks/tasking issue. SPC Terry is an administrative clerk that is temporarily assigned to HHC (parachute rigger) and has nothing to do with barracks or taskings. SFC Forbes has often resulted in aggressive mannerisms when he did not get his way. **Witnesses**: CPT Korista, 1LT Richard, SFC Yoder, SGT Venturino, SPC Terry

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
	MORGAN.LARRY.DALE.JR.[redacted] LM	Page 1 of 3

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

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STATEMENT OF Larry Morgan TAKEN AT BLDG 4047, HHC BDE CP DATED 20230120

9. STATEMENT *(Continued)*

Abusive and Dishonest Behaviors - Stealing Body Armor

In 2021, MSG Kazmierski (BDE S3 NCOIC) noticed his IOTV went missing from his office in the BDE S3. MSG Kazmierski pulled the security footage for the building and reported his saw SFC Forbes enter the BDE S3 office and exit the office with his body armor in hand. It was also reported that SFC Forbes took the body armor and left the building with it and did not return with it. MSG Kazmierski went to the BDE SJA team - CPT Kiker and SSG (now 2LT) Gagne to report this act. The BDE SJA team reported this information to the HHC Command Team (CPT Mansour and myself). We reported this to the BN CMD and were informed an investigation would be launched. MSG Kazmierski reported he spoke with SFC Forbes about the incident, MSG Kazmierski stated that SFC Forbes' response was "he was securing it to prevent theft." To my knowledge the BDE Commander was notified but we were not informed of the disposition, other than SFC Forbes returned the body armor to MSG Kazmierski.

Inappropriate/Racist Statements

it was reported to me by MAJ Racaza that SFC Forbes made inappropriate statements to SGT Aldeguer about how he was speaking, ridiculing/belittling his ability to speak English, while aggressively confronting MAJ Racaza. **Witnesses**: MAJ Racaza, SGT Aldeguer

Interaction with Officers

I have spoken extensively with the Battalion XOs - MAJ Baccinelli, MAJ Maurer, and MAJ Weber about SFC Forbes' behavior, creating conflicts in the company with subordinates, peers, and superiors. In response to his actions and behavior, I have spoken to other officers within HHC to inquire about their personal interactions with SFC Forbes. Many of them mentioned they did not want to come forward due to the risk of SFC Forbes retaliating in some fashion: affecting their security clearance or access to all the offices in the building. SFC Forbes has stated on numerous occasions that he does not need the command to act with regards to reporting derogatory information "DEROGs" into the "system.

Overall

I have seen on numerous occasions SFC Forbes be condescending towards Officers, CPT Mansour, CPT Korista, CPT Valdez, CPT Allison Crider, and towards me. SFC Forbes attempts to use an extensive vocabulary and eccentric expressions to mask his toxic behavior, albeit easily spotted, it has generally been accepted within the Brigade. Although I have made on-the-spot corrections, counseled the SM, and reported issues through the Chain of Command and his supervisors (LTC Hamman and MAJ Collins), SFC Forbes' erratic behavior is generally accepted/ignored by the organization. This is evident by SFC Forbes reporting to 389th MI BN in October of 2020 and quickly being reassigned to the Brigade S2 in XX of 2020, to work in a Staff Sergeant position (verifiable in FMSWEB), one rank down.

Additional Personnel I think should be interviewed

COL Brunson - BDE CDR

LTC Sanchez - BDE XO

CSM Vargas - BDE CSM

LTC Hamman, Christopher - former BDE XO (Supervisor)

MAJ Collins, Mark - former BDE XO (Supervisor)

INITIALS OF PERSON MAKING STATEMENT LM

DA FORM 2823, NOV 2006

APD AEM v1.04ES

STATEMENT OF Larry Morgan TAKEN AT BLDG 4047, HHC BDE CP DATED 20230120

AFFIDAVIT

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

MORGAN.LARRY.DALE.JR.[redacted] Digitally signed by MORGAN.LARRY.DALE.JR.[redacted] Date: 2023.01.20 11:47:18 -05'00'

(Signature of Person Making Statement)

WITNESSES:

2LT Tolston, Morgan

ORGANIZATION OR ADDRESS

112TH SIG BN

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 20 day of January, 2023 at BLDG 4047, HHC BDE CP

(Signature of Person Administering Oath)

Tolston Morgan

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT LM

DA FORM 2823, NOV 2006

APD AEM v1.04ES

SWORN STATEMENT

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PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301, Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Inrockmorton Library	20230124	1440	
5. LAST NAME, FIRST NAME-MIDDLE NAME	**6. SSN**		**7. GRADE/STATUS**
Lowrie, Patrina A			O-3/RA
8. ORGANIZATION OR ADDRESS			
528th SB(-)(A)			

9. I, Lowrie, Patrina, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

PAL

~~AFT~~ I have worked with SFC Forbes for three ~~months~~ and during that time, he has been an avid avocater for doing the right thing and upholding ~~the~~ PAL regulatory policies and guidelines for our personal Security program. But, his approach, messaging, and delivery can be viewed or received as being too aggressive, domineering and counterproductive in terms of perceived destructive leadership within the unit. That means, at ~~times~~ his PAL ~~style~~ "my way, or no way" attitude towards the team have compromised the overall organizational effectiveness and it has affected the good order and discipline of the units culture. Based on my working relationship with SFC Forbes, he may be an (1)

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 4 PAGES
	PAL	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF CPT Lowrie, Patrina TAKEN AT Throckmorton Library DATED 20230124

9. STATEMENT (Continued)

incompent team leader because he has adequate cognitive ~~capabilities~~ capabilities, but lack the emotional fitness to be ~~a~~ support ~~leader~~ and lead his team. He also cannot make sound decisions on time because he so passionate about "doing what is right," but at the same time he is indecisive and PAL lack the ability to control his emotional center. (2) He is interpersonally skilled and intellectually sound, but does not provide timely guidance. He's also energetic and consumed by need ~~to~~ for unit accomplishment and success, but ~~of tentimes~~ PAL unnecessarily PAL create a frenzied, chaotic, and unhealthy workplace climate. He's capable of producing short term results, but can appear to be intemperate, distrusting, and arrogant. (3) ~~Self~~ PAL He also engaged in self-serving behaviors such as displaying arrogance, lacking concern or empathy for others, and insisting on having his way. For example, there was not a proper hand-off duties and responsibilities when I went through onboarding. Unfortunately, information was not shared because of ~~fraud~~ PAL (1) him not wanting to hand-off responsibity (2) ~~I~~ I ~~was told I had to go through~~ PAL had to conduct personnel security training and the most important training that was required for me

INITIALS OF PERSON MAKING STATEMENT PAL

PAGE 2 OF 4 PAGES

DA FORM 2823, NOV 2006

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STATEMENT OF CPT Lowrie, Patrina TAKEN AT Throckmorton Library DATED 20230124

9. STATEMENT (Continued)

me to gain access to Diss was not included in the list of training he provided to me. This may have been an oversight, but a big one at that because I didnt get right list of training Until _ Jan 23, when I met Ms. Carmen Mckinney (USASOC, personnel Security ~~Hierarchy~~ DISS Manager). (3) Majority of the email correspondence for the BDE S2 section was handled by SFC Forbes; I was cc'd on some emails, but not all especially the PAL ~~ones~~ the emails he sent to the BNs, ISFC and USASOC. Overall, this senior NCO has been influencing his will instead of leading the organization. this delivery with effecting change was poor, but that means he can still develop and learn from his experience as the BDE S2 NCOIC. He has been consistant with being technically correct, but there are always better ways to deliver, so that it doesn't offend others or disrupt the good order and discipline of the Unit.

Nothing Follows

INITIALS OF PERSON MAKING STATEMENT PAL

PAGE 3 OF 4 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF CPT Lowrie, Patrina TAKEN AT Throckmorton Library DATED 20230124.

9. STATEMENT *(Continued)*

//NOTHING FOLLOWS//

//NOTHING FOLLOWS//

AFFIDAVIT

I, CPT Lowrie, Patrina, HAVE READ OR HAVE HAD READ TO ME THIS STATEMENT WHICH BEGINS ON PAGE 1, AND ENDS ON PAGE 4. I FULLY UNDERSTAND THE CONTENTS OF THE ENTIRE STATEMENT MADE BY ME. THE STATEMENT IS TRUE. I HAVE INITIALED ALL CORRECTIONS AND HAVE INITIALED THE BOTTOM OF EACH PAGE CONTAINING THE STATEMENT. I HAVE MADE THIS STATEMENT FREELY WITHOUT HOPE OF BENEFIT OR REWARD, WITHOUT THREAT OF PUNISHMENT, AND WITHOUT COERCION, UNLAWFUL INFLUENCE, OR UNLAWFUL INDUCEMENT.

Patrina Lowrie
(Signature of Person Making Statement)

WITNESSES:

2LT Tolston, Miriam
112th SIG BN (SOXA)
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 24 day of January 2023 at Throckmorton Library

(Signature of Person Administering Oath)

Tolston, Miriam
(Typed Name of Person Administering Oath)

UCMJ, ART. 136
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT PAL

PAGE 3 OF 4 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

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DISCLOSURE:	Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
Hagy Hall, Bldg X-4047 New Dawn Drive	20230125	1100	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Korista, David, Kirk	[redacted]	O-3, Commanding

8. ORGANIZATION OR ADDRESS

HHC, 528th Sustainment Brigade (SO) (A), Hagy Hall, Bldg X-4047 New Dawn Drive, Fort Bragg, NC

9. I, David Kirk Korista, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

Question 1: I have no first-hand knowledge of alleged disrespect from SFC Forbes to MAJ Racaza.

Question 2: I have witnessed, first-hand, counter productive leadership traits and actions conducted by SFC Forbes.

a. On or about 06 December 2022, I observed SFC Forbes unprofessionally admonishing both SGT Nathan Venturino and SPC Austin Terry, who both work in my Company Training room. SFC Forbes was aggressively and angrily asking these two Junior Soldiers/NCOs about why he was expected to attend an annual Company Training event, the Mask Confidence training event. I told SFC Forbes to immediately conduct himself as an NCO, and talk to me or 1SG if he had questions pertaining to mandatory training events.

b. In April or May of 2022, CPT Cadman Kiker, BJA, was conducting an informational brief to the BDE CMD Team, BN CMD Teams, and all CO CMD Teams prior to the BDE Quarterly Training Brief. CPT Kiker's informational brief detailed the Army's new policies regarding Soldiers going through a Medical Gender Transition. I and every Commander in the Brigade's CoC personally witnessed SFC Forbes ask, "Are you expecting me to share bathrooms and take showers with people like this?" His tone was one of degradation and disgust, and not in keeping with the dignity and respect that all Service Members, regardless of gender, are entitled.

c. In the Summer of 2022, in the midst of a major barracks overhaul/move for my unit, one of my Soldiers, PFC Matthew Scheffing, was directed by myself, the 1SG, and the Company Barracks Manager, SGT Venturino, to go to his barracks room and stand-by for a CMD and Garrison-directed walk-thru. After PFC Scheffing left work for the barracks, SFC Forbes walked into my office, demanding why I was tasking his Soldier last minute. I informed SFC Forbes to the importance of the barracks move for our Soldiers, and why PFC Scheffing was needed on that particular day. I also told SFC Forbes to "act like an NCO" and to never again act towards me or any of my Soldiers in this aggressive and erratic nature.

Question 3: I have not personally SFC Forbes acting disrespectfully towards other Commissioned Officers, but on numerous occasions, I personally had to remind SFC Forbes to stop speaking unprofessionally, stop cursing, and to stop his aggressive behavior towards my NCOs and Soldiers.

Question 4: On the evening of 18 January 2023, SFC Forbes was Command-Directed to Behavioral Health by me, following a string of concerning and alarming behaviors that SFC Forbes exhibited in an Open Door meeting with MG Angle, 1SFC(A) CG. I was alerted to this incident between SFC Forbes, MG Angle, and MG Angle's staff o/a 1600 on 18 January, and ordered SFC Forbes to ride with a higher-ranking escort, MSG Grix, 389th MI BN, out of concern for his mental well-being and safety. SFC Forbes was ordered three times and refused all three times, only finally going with MSG Grix to the WAMC ER once the Fort Bragg Military Police arrived and were prepared to insure that SFC Forbes received a Behavioral Health Evaluation.

Overall, my concern regarding SFC Forbes is two-fold:

1. SFC Forbes has consistently displayed a pattern of bullying, degradation, disrespect, and unprofessionalism for the entirety of the two years that I have known him, and should never be trusted with leading Soldiers ever again, in any form or fashion. He has a total disregard for dignity and respect.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
	KORISTA.DAVID.KIRK.[redacted] Digitally signed by [redacted] Date: 2023.01.25 11:36:48 -05'00' DK	Page 1 of 3

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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STATEMENT OF David Kirk Korista TAKEN AT Hagy Hall, Bldg X-4047 New Dawn Drive DATED 20230125

9. STATEMENT *(Continued)*

2. SFC Forbes has access to TS-SCI, manages the Brigade's Information Security, Physical Security, and Operational Security programs. He is also the Brigade's "Reportable Activities" (Derog) NCOIC/manager. His erratic behaviors and actions, in addition to his counter productive outbursts, not only degrade the Brigade's morale, but also could pose a threat to the security of all those who work in the Brigade. I am concerned that his continued access to these programs and Sensitive information poses a threat to the unit, 1SFC(A), USASOC, and the US Army. SFC Forbes has used his access to the Reportable Activities- Derog/ continuous vetting program to exact what could be interpreted as retribution and retaliatory in nature. His access and level of responsibility must be immediately revoked/ lowered.

----------NOTHING FOLLOWS----------

INITIALS OF PERSON MAKING STATEMENT DK

DA FORM 2823, NOV 2006

APD AEM v1.04ES

STATEMENT OF David Kirk Korista TAKEN AT Hagy Hall, Bldg X-4047 New Dawn Drive DATED 20230125

AFFIDAVIT

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

DK

(Signature of Person Making Statement)

WITNESSES:

1LT Kaitlin Jennes

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25 day of Jan, 2023 at Hagy Hall, Bldg X-4047 New Dawn Drive.

(Signature of Person Administering Oath)

Kaitlin Jennes

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

SWORN STATEMENT

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DISCLOSURE:	Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE *(YYYYMMDD)*	3. TIME	4. FILE NUMBER
X-4047 New Dawn Dr. Fort Bragg, NC 29314	20230125	1150	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Henkel, Eric, Christopher		E-5

8. ORGANIZATION OR ADDRESS
528th Sustainment Brigade

9. I, SGT Henkel, Eric , WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

The following are experiences I have had with SFC Forbes, Michael since I became his subordinate AUG 2021:

During my time with SFC Forbes, I experienced a lot of missed deadlines. The BDE S2 would be asked to complete a task and it would be pushed off to either me or SFC Meredith to complete. Any time we would try to add something to the calendar to complete, SFC Forbes would get loud with me and yell saying he did not have time to get anything done.

SFC Forbes was quick to anger about everything and would yell in the shop about whoever he had encountered that day. There was never a day he wasn't angry about someone. In November 2021, I asked SFC Forbes not to speak to me the way he spoke to me and his response was "I'm not yelling. That is just the way I am". He would proceed to make back handed comments to other people about how he could not talk to me because I was sensitive.

Once I left BDE S2 and moved down to the BN, SFC Forbes continued try to take my ability to do my job. He changed the master code on all the doors. I needed the master code to do my job for the BN Command team. He also took my ability to give others badge access to the building and to look at the cameras, which is a part of my job for the BN. I could not complete my tasks and when I requested that BDE help give these soldiers access, he would yell and say I was trying to get out of working.

SFC Forbes did everything in his power to push away any additional duties. Arms rooms inspections are a big part of S2 since I have been in the Army. Since SFC Forbes got here, he would argue that we should not be doing it. He even held the keys to the arms room hostage. He would not let SSG Rhodes, the STB BN S2 at the time, have them. In doing this he stopped the arms room from being able to complete an inspection to try to get our ammo license back. This was a major issue because 528th was having to request other units to hold our ammo for us until the keys were signed to another individual. SPC Munro was a soldier in OPs who was the armorer. He sent an email to SFC Forbes requesting the keys be brought down for the inspection. SFC Forbes proceeded to walk downstairs and yell at SPC Munro because he said "back in my day, no SPC would tell a SFC what to do. How dare he talk to me that way".

Anytime SFC Forbes was talked to about the lack of productivity in the shop or something not being done that was requested by the command team, he was quick to blame whoever was not in the room. He was never in the wrong in his opinion. He would even go out of his way to try to get the commander, CPT Korista, to take away my requested leave that was approved. SFC Forbes once called SSG Meredith just to talk bad about me and SSG Rhodes, while SSG Rhodes was in the car. SFC Forbes proceeded to say that me and SSG Rhodes were not good at our job.

SFC Forbes was always late to work. While he worked here at 528th, it was expected not to see him until 0930 at the earliest. Sometimes he would not get in until closer to 1030.

SFC Forbes made multiple comments in the office that made me and others uncomfortable. He once said "I wanted to take my wife to see a marvel movie. I hated Shung Chi, they are just trying to push Asian narrative like the rest of the world.". A couple weeks later he said "I took my wife to see The Eternals. It was really good until that gay scene.". It was the way he said these things that made it so uncomfortable.

Overall I felt uncomfortable and demeaned by SFC Forbes. Majority of days I left dreading coming back and I was always stressed I did something wrong. Because of SFC Forbes I had to get appointments with Behavioral Health to figure out how to cope with the environment I worked in.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
	HENKEL.ERIC.CHRISTOPHER. [redacted] EH	Page 1 of 3

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT _____ DATED _____

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STATEMENT OF SGT Henkel, Eric TAKEN AT [redacted] DATED 20230125

9. STATEMENT *(Continued)*

----------Nothing Follows----------

INITIALS OF PERSON MAKING STATEMENT EH

DA FORM 2823, NOV 2006

APD AEM v1.04ES

STATEMENT OF SGT Henkel, Eric TAKEN AT [redacted] DATED 20230125

AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

2LT Miriam Tolstoy

42nd SFG BN

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of January, 2023 at X-4047 New Dawn Dr. Fort Bragg, NC 29314.

(Signature of Person Administering Oath)

Miriam Tolstoy

(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT EH

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PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
528th SUS BDE	20230125	1445	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
Scheffing, Matthew, Joseph		E-3/RA

8. ORGANIZATION OR ADDRESS
X-4047 New Dawn Drive Fort Bragg NC, 28310

9. I, Matthew Joseph Scheffing, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1) I was not present for the event, but I did hear information about it.

2) Self-serving behaviors: his way or no way, or you did I successfully but its no the best was and you should only do it that way (usually that was the way he created). Losing temper on almost a daily occurrence at minor things, There could have been a better was to come off about a subject but was always brash. Having a very strong distrust-fullness in the fellow workers in the 528th footprint.

3)In front of me no.

4)I noticed a decline in how he was acting is was slow at first but increased after the event with MAJ Racazza. he Seemed to get agitated more quickly also seemed that is was hard for him to maintain composure when taking.

-nothing follows----------

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	
	SCHEFFING.MATTHEW.JOSEP [redacted] MS	Page 1 of 3

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE. APD AEM v1.04ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF Matthew Joseph Scheffing TAKEN AT 528th SUS BDE DATED 20230125

9. STATEMENT *(Continued)*

INITIALS OF PERSON MAKING STATEMENT MS

DA FORM 2823, NOV 2006

APD AEM v1.04ES

STATEMENT OF Matthew Joseph Scheffing TAKEN AT 528th SUS BDE DATED 20230125

AFFIDAVIT

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

Matthew Scheffing
(Signature of Person Making Statement)

WITNESSES:

2LT Miriam Tolstoy
112th SFG BN
ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 25th day of January, 2023 at 528th SUS BDE.

(Signature of Person Administering Oath)

Miriam Tolstoy
(Typed Name of Person Administering Oath)

(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT MS

DA FORM 2823, NOV 2006

APD AEM v1.04ES

SWORN STATEMENT

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

PRIVACY ACT STATEMENT

AUTHORITY: Title 10, USC Section 301; Title 5, USC Section 2951; E.O. 9397 Social Security Number (SSN).

PRINCIPAL PURPOSE: To document potential criminal activity involving the U.S. Army, and to allow Army officials to maintain discipline, law and order through investigation of complaints and incidents.

ROUTINE USES: Information provided may be further disclosed to federal, state, local, and foreign government law enforcement agencies, prosecutors, courts, child protective services, victims, witnesses, the Department of Veterans Affairs, and the Office of Personnel Management. Information provided may be used for determinations regarding judicial or non-judicial punishment, other administrative disciplinary actions, security clearances, recruitment, retention, placement, and other personnel actions.

DISCLOSURE: Disclosure of your SSN and other information is voluntary.

1. LOCATION	2. DATE (YYYYMMDD)	3. TIME	4. FILE NUMBER
~~EMEKAEKWUE, EMMANUEL A~~ EEA	20230126	1435	

5. LAST NAME, FIRST NAME, MIDDLE NAME	6. SSN	7. GRADE/STATUS
EMEKAEKWUE, EMMANUEL A		E9

8. ORGANIZATION OR ADDRESS
STB, 528th SB

9. I, EMMANUEL A. EMEKAEKWUE, WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:

1. I was not there when this event occured.

2. I have not witnessed him display counter productive behaviors, but I have heard of instances where he displayed counter productive behaviors.

3. NO, I have not witnessed, but I have heard multiple instances from NCOs & Officers.

4. I have observed him to be overly aggressive at times when communicating his opinions. Others have informed me of instances of counter productive outbursts. In one instance, SGT Lopez informed me on how SFC Forbes yelled at him and kicked him out of his office for simply informing him about a Taster.

5. Having known SFC Forbes for many years, I can attest that his patterns of exhibiting counter-productive behaviors are well known among those that know him.

10. EXHIBIT	11. INITIALS OF PERSON MAKING STATEMENT	PAGE 1 OF 2 PAGES
	EEA	

ADDITIONAL PAGES MUST CONTAIN THE HEADING "STATEMENT OF_____ TAKEN AT ____ DATED ____

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

DA FORM 2823, NOV 2006 PREVIOUS EDITIONS ARE OBSOLETE APD LC v1.01ES

USE THIS PAGE IF NEEDED. IF THIS PAGE IS NOT NEEDED, PLEASE PROCEED TO FINAL PAGE OF THIS FORM.

STATEMENT OF EMMANUEL A. EMEKAEKWUE TAKEN AT 1436 DATED 26 JAN 23

9. STATEMENT *(Continued)*

NOTHING FOLLOWS

EEA

EEA EEA

EEA

INITIALS OF PERSON MAKING STATEMENT EEA

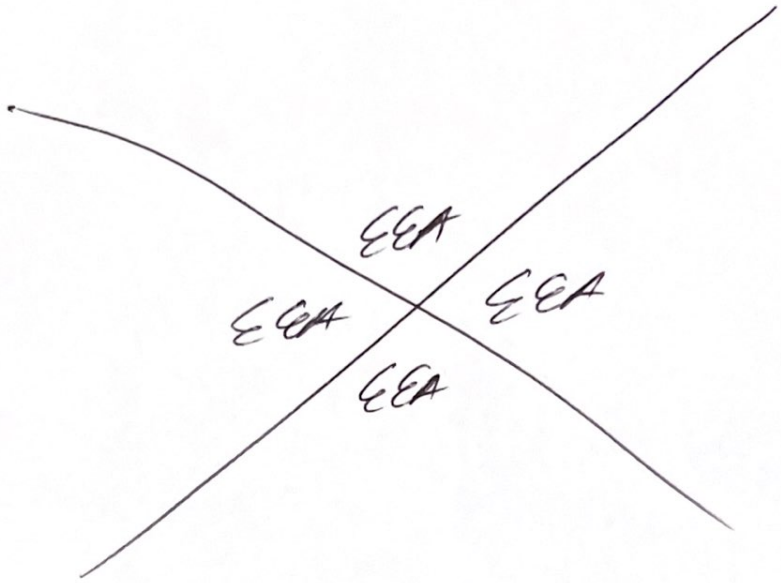
PAGE 2 OF 2 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

STATEMENT OF EMMANUEL A. EMEKA-EKWUE TAKEN AT 1436 DATED 26 JAN 23

9. STATEMENT *(Continued)*



AFFIDAVIT

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

(Signature of Person Making Statement)

WITNESSES:

2LT Mirriam Tolstem
112th SFG BN

ORGANIZATION OR ADDRESS

ORGANIZATION OR ADDRESS

Subscribed and sworn to before me, a person authorized by law to administer oaths, this 26 day of January, 2023 at STB 528th SFG

(Signature of Person Administering Oath)

Mirriam Tolstem
(Typed Name of Person Administering Oath)

UCMJ, ART. 136
(Authority To Administer Oaths)

INITIALS OF PERSON MAKING STATEMENT EEA

PAGE 3 OF 3 PAGES

DA FORM 2823, NOV 2006

APD LC v1.01ES

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: CPT Lowrie.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented in CPT Lowrie's sworn statement.

a. CPT Lowie approaches SFC Forbes with a team mentality. She describes his reaction to everyday events as "a house on fire but the match is not yet lit" or if the house is on fire, the fire is contained to the basement giving rescuers time to remedy the situation.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statements: PFC Scheffing.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented in those PFC Scheffing's sworn statement.

a. PFC Scheffing knows that SFC Forbes gets rallied up very quickly. In conversation, SFC Forbes has stated that he is aware of how he comes off but he is old and set in his ways. In his own words "you can't teach an old dog new tricks".

b. In terms of counterproductive leadership he exhibits losing his temper, being disrespectful, self-serving behaviors, and blaming others and distrustful. PFC Scheffing has experienced SFC Forbes stating "you did the right thing but it wasn't done the way I would do it therefore it was wrong" and expressing his "my way or the highway mentality."

c. PFC Scheffing noted that SFC Forbes would often say "they are out to get me" where "they" refers to the command team or others in the BDE.

d. Overall PFC Scheffing states SFC Forbes extremely short fuse could be observed every day. PFC Scheffing would often become uncomfortable with how SFC Forbes would address people. Additionally, PFC Scheffing described his work environment as "dark" and stated that he didn't want to come into work. After the incident with MAJ Racaza, PFC Scheffing noticed a major decline in SFC Forbes mental health, but was unsure how to address it.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: MAJ Weber.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented because MAJ Weber did not write a sworn statement. The individual did not want to write or sign a official Sworn Statement.

a. SFC Forbes is just a loud person. When he speaks he can seem vindictive. Many people think his personality is very particular and difficult to work with. Many individuals say it is easiest to avoid him.

b. He throws doctrine at problems and will use that information to go after individuals. He will not care about something but then will all of a sudden be very passionate about certain situations or events. When he becomes passionate he can go about implementing things in the wrong way.

c. When people need information for the S2 section, they used to go to SFC Meredith but once he left individuals had to go to SFC Forbes with issues related to security and SFC Forbes was not able to perform or handle the pressure.

d. He is a weird guy and seems to be in his own world. He thinks he is smarter than everyone else in the room.

e. He feels like people (specifically command teams) are coming after him. When this happens he builds a packet to blackmail them with. He makes minor issues into large issues. Has a rough personality.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statements: CSM Emekawkwee.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented in those witnesses' sworn statements.

2. Information that I believe relevant, but not included in the CSM Emekawkwees' sworn statement.

a. SFC Forbes can come off as aggressive, but he is just passionate about his point of view. To others his style of communication can be confrontational or come off as harassment.

b. SFC Forbes became passionate about implementing USASOC Policy 25-2 which prohibits personal electronic devices (PEDs) in buildings. His way of implementing this policy came across as harassment and was counterproductive in the workplace. An individual came forward to CSM Emekawkwee and stated they felt as if they couldn't work. CSM Emekawkwee counseled SFC Forbes stating that his actions were causing individuals to become uncomfortable in the workplace. SFC Forbes disagreed with the information in the counseling and informed CSM E that he "will comply with the plan of action, but will consult IG"

c. CSM E stated that in a previous unit SFC Forbes displayed the same actions as he is now. CSM Emekawkwee stated that his previous CSM relived SFC Forbes of his position in the unit and his ability to be part of USASOC.

3. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

ASOC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: LTC Furlow.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented because LTC Furlow did not write a sworn statement. The individual did not want to write or sign a official Sworn Statement.

a. SFC Forbes is by the books when it fits him. He will be respectful when it comes to rank. He projects his voice and he often thinks people are trying to undermine his actions, but he will overexerted actions and statements. He often is not willing to accept change. He is hard headed and resistant to change

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 22 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Summary of Information not Captured in Witnesses' Sworn Statement: SFC Meredith.

1. This memorandum documents information relayed to me during witness interviews, but that was not then documented because SFC Meredith did not write a sworn statement.

a. On or about 30 November 2022, did SFC Michael Forbes engage in disrespectful behavior toward MAJ Rhea Racaza? If so, what are the specific facts and circumstances?

(1) SFC Meredith was not there at the time for the altercation. He saw the aftermath of the situation. SFC Meredith knew stuff was erupting and left following the return of SFC Forbes.

b. Has SFC Michael Forbes engaged in counterproductive or toxic leadership behaviors within brigade or battalion S2 sections as discussed in AR 600-100, Chapter 1-11d and ADP 6-22? If so, what are the specific facts and circumstances?

(1) Yes. SFC Meredith was the BDE S2 NCOIC before SFC Forbes. SFC Meredith gave SFC Forbes the wheel. SFC Forbes would make it a point that the faults of the unit were on SFC Meredith. SFC Forbes would barrage SFC Meredith and others. SFC Forbes would discuss how the shop was under his responsibility and no responsibilities could fall on SFC Meredith anymore. SFC Forbes would say bad things about BN S2 sections. SFC Forbes would have several mood swings and erratic behaviors throughout the day.

(2) One example of SFC Forbes' erratic behaviors is when SGT Lopez came to discuss an email with SFC Forbes. The conversation became very disrespectful very quickly to the point where there was almost a physical altercation. This is an instance where SFC Forbes would become agitated over something miniscule. In the last three months of SFC Meredith working with SFC Forbes, the blow ups became more until the culminating event with MAJ Racaza.

(3) In his opinion SFC Forbes uses the comment that he is supporting the BDE commander's initiatives. He will be super aggressive in meetings. He does not see it

that way. They have had counseling's about this situation. More on the backend. Would be disrespectful on the back end. Last six months was the fall off the cliff land.

c. Is the workplace productive with SFC Forbes as the BDE S2 NCOIC?

(1) Workplace was not productive. They kept most thing off his radar. Took him a month the build off a tracking mechanism. They did not involve him in work unless he absolutely had to be. People would not talk to SFC Forbes, if SFC Meredith was not there then they would leave and come back later because others would do anything to not work with SFC Forbes.

d. Overall comments about SFC Forbes.

(1) Overall I think between stress and personal issues SFC Forbes is no longer fit to handle the stressors of the Army. To officers, he is always at the cusp of being disrespectful. To peers, he will die on a mountain to support what he believes is right, but will also take things too far. Something happened in the last six months that caused a mental break. He is failing to adapt. He is older in age and is unable to communicate with people. He is set in his ways and unwilling to change them. SFC Forbes is not a bad person but something happened and he has gone too far.

2. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

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)*	Rank/Grade	Date of Counseling
FORBES, MICHAEL J	SFC/E7	12 December 2022

Organization	Name and Title of Counselor
STB, 528th SB	CSM Emekaekwue, Emmanuel

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.)*

Event Oriented: Implementation of USASOC Policy 25-2

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

- Thank you for taking the initiative to get the battalion in compliance with USASOC Policy 25-2.
- Going forward, follow all directions from your OIC, CPT Lowrie, on how to implement the plan of action to get us to full compliance with USASOC Policy 25-2
- In the event that you notice someone out of compliance, report them to your OIC. Do not confront them.

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)*

- Immediately get with your OIC for further guidance on the way forward on compliance of USASOC Policy 25-2

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. (REPORTING ACTIVITIES)

Individual counseled remarks:

AS AN-ORDER PSM WHO CAN REPORT DEALS IN SITUATIONS WHICH THE REPORTING LEAD AUTHORITY DOES USES DISCRETION IN REPORTING A PSM CAN REPORT WITHOUT COA OR INCLUDE SUMMARIES ON 524B. NEVER HAVE I BEEN UNPROFESSIONAL, I ASKED TODD SMS ON STAND DUTY HERE TODAY TO REMOVE PHONES. THIS DOES NOT ALLOW ME TO REMEDIATE NATIONAL SECURITIES VIOLATIONS IMMEDIATELY.

Signature of Individual Counseled: _____ Date: 12 DEC 2022

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

I will continue to monitor SM's compliance with this counseling.

-SM states that he will comply with the plan of action, but will consult IG as soon as possible.

Signature of Counselor: _____ Date: 12 DEC. 22

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.

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 of records notices also apply to this system.

DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name *(Last, First, MI)*	Rank/Grade	Date of Counseling
FORBES, MICHAEL JEFFREY	SFC/E7	27 July 2021

Organization	Name and Title of Counselor
HHC, 528th Special Troops Battalion (SO) (A)	1SG Larry Morgan - Company First Sergeant

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.)*

Event Oriented Counseling - Inform SM of perceived behavior (counterproductive leadership traits)

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

On 23 July 2021, CPT Mansour and myself were down in the 528th STB Motorpool checking on operations. When we stopped by the Shop Office, you were present with SSG Grafton and CPT Valdez, working to dispatch vehicles for the upcoming Brigade exercise. At the conclusion of your business, your comments to CPT Valdez had a condescending and disrespectful tone. I followed you out of the office and briefly relayed to you watch the way you talk to Commissioned Officers and how your comments were preceived by me. In addition, it has been brought to my attention that you have acted similarly to several Commissioned Officers since your arrival to the unit. I am concerned about your attitude and commentary towards your superiors and how the perception of insubordinate behavior can have across the enterprise.

Verbal remarks of contempt are bold comments that are rude and insulting directly to a Noncommissioned, Warrant, or Commissioned Officer. Obviously, being disrespectful can be shared a variety of methods through words or acts that are rude, indifferent, insolence (silent) and impertinence towards the officer and within his/her sight and hearing.

According to ADP 6-22, the Army defines Counterproductive leadership as the demonstration of leader behaviors that violate one or more of the Army's core leader competencies or Army Values, preventing a climate conducive to mission accomplishment. Counterproductive leadership is incompatible with Army leadership doctrine and Army Values (see attachment).

As a Senior Noncommissioned Officer, you set an example within the organization and it is imperative that you remain professional when conducting business as a representative of the Brigade Commander/principle Brigade staff member. You are in a highly visible position and the eyes of your superiors, peers, and subordinates will be on you at all times, it is important to set the example as a leader.

Pursuant to AR 635-200, this constitutes a formal counseling session concerning your noted deficiencies. If this conduct continues, action may be initiated to involuntarily separate you from the service under AR 635-200, Chapter 5, 13, 14. If you receive a General Under Honorable Conditions Discharge or an Uncharacteristic Discharge, you will be disqualified from reenlisting into the service for some period of time, and you will be ineligible for many veterans benefits. Regardless of the type of discharge that you may receive it may have serious consequences affecting civilian, veterans benefits, or future service.

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)*

SM will review:

ADP 6-22 - Army Leadership and the Profession (July 2019), Chapter 2 - Character

ADP 6-22 - Army Leadership and the Profession (July 2019), Chapter 8 - Counterproductive Leadership

TC 7-22.7 - The Noncommissioned Officer Guide (January 2020), Chapter 7 - Officer and NCO Relationships

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 WAS NOT DISRESPECTFUL; ONLY FACTUAL. I WAS NOT ABLE TO GET A 2062 FOR MY VEHICLE (HQ20) DOC TO IT BEING IN THE PROCESS OF BEING DISPATCHED WITH MY SIGNATURE. I FOUND THAT OUT AT THIS TIME OF THIS DISCUSSION. THE KEYS TO HQ20 (WHICH I AM SUPPOSED TO) ARE CURRENTLY, AS OF THE TIME OF THIS COUNSELING UNDER THE CONTROL OF MSG BURGOS AND IN THE CVP HOLDER OF THE TRUCK. BII IS AT RISK OF BEING LOST

Signature of Individual Counseled: _____ Date: 27 JUL 21

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

I will follow up with SM and discuss the information he reviewed from the above listed references.

Signature of Counselor: _____ Date: 27 JUL 21

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.)*

- SM has not had any problems since the 27 July Counseling session

Counselor: JG MORGAN _____ Individual Counseled: _____ Date of Assessment: 7 OCT 21

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

Tolston, Mirriam G 2LT USARMY USSOCOM USASOC (USA)

From: Morgan, Larry 1SG USARMY USSOCOM USASOC (USA)
Sent: Friday, January 20, 2023 11:44 AM
To: Tolston, Mirriam G 2LT USARMY USSOCOM USASOC (USA)
Subject: FW: SIR- 18JAN23 SFC Forbes to WAMC ER
Signed By: larry.d.morgan4.mil@mail.mil

v/r
1SG Larry Morgan
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
Office: (910) 432-4194
Email: larry.morgan.mil@socom.mil

From: Korista, David K CPT USARMY USSOCOM USASOC (USA) <david.k.korista.mil@socom.mil>
Sent: Wednesday, January 18, 2023 6:48 PM
To: 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>; Weber, Andrew J MAJ USARMY USSOCOM USASOC (USA) <andrew.j.weber.mil@socom.mil>
Cc: Sanchez, Manuel D LTC USARMY USSOCOM USASOC (USA) <manuel.d.sanchez.mil@socom.mil>; Morgan, Larry 1SG USARMY USSOCOM USASOC (USA) <larry.morgan.mil@socom.mil>; Racaza, Rhea L MAJ USARMY USSOCOM USASOC (USA) <rhea.racaza@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>
Subject: SIR- 18JAN23 SFC Forbes to WAMC ER

Sir and CSM-

Who: SFC Michael J. Forbes, 35F, BDE S2 NCOIC
What: Exhibited alarming mental symptoms/behaviors at 1SFC(A) HQs, which was subsequently relayed thru CoC. Initially, SFC Forbes refused to conduct a Safety Check with WAMC ER, which was the recommendation provided by the BDE BH. After 2 hours of discussion, SFC Forbes was convinced to go voluntarily to WAMC ER, escorted by MSG Grix, 389th MI BN. FBNC Garrison MPs were dispatched as a precautionary measure, and the WAMC BH "Pit Boss" was alerted to the arrival of MSG Grix and SFC Forbes at 1835L.
When: approximately 1600L-1820L, 18JAN23
Where: Hagy Hall, Bldg X-4047, New Dawn Drive, FBNC
Additional Information: SFC Forbes appeared to his Company CMD Team to be in a state mental duress, although SFC Forbes denied being suicidal or desiring to hurt others. After consultation with the BDE Psych, MAJ Racaza, it was determined that the safest course of action was to escort SFC Forbes to WAMC ER for a routine Safety Check. SFC Forbes refused to comply, and instead detailed aloud all the wrong doings committed against him by the CoC, and what/who he was going to talk to about it. He discussed speaking with CSM Munter tomorrow morning at 0900, and seemed most distressed about what he called an "assault and battery" committed against him by CSM Emekaekwue. CHAP Devine, MSG Grix, 1LT Jennes, and 1SG Morgan all witnessed the interactions between CPT Korista and SFC Forbes. No physical altercations transpired.

MTF as the SM receives his Safety Check.

GO HEADHUNTERS!

Very Respectfully,

DK

David Korista
CPT, CM
Commander
Headquarters and Headquarters Company
528th Sustainment Brigade (SO) (A)
1st Special Forces Command
NVOIP: 910.432.4194
Blackberry: [redacted]
Personal Cell: [redacted]
NIPR: david.k.korista.mil@socom.mil
SIPR: david.k.korista.mil@socom.smil.mil

No read

SFC Forbes has made multiple Soldiers weary as of recent. He has not only yelled at them for things that make no sense.

SFC Forbes is creating a toxic hostile work place for blocking up or ~~being~~ rude to Jr. Soldiers and NCOs.

DEPARTMENT OF THE ARMY
112 SIGNAL BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG E-4268 CANOPY LANE
FORT BRAGG, NC 28310

AOSC-SIG-BC 21 February 2023

MEMORANDUM FOR RECORD

SUBJECT: Informal Army Regulation (AR) 15-6 Investigation – Questions for the accused.

1. This memorandum documents the questions for the accused that will be asked during the interview.

2. Question 1. On or about 30 November 2022 did you engage in disrespectful behavior towards MAJ Rhea Racaza?

a. Is 30 November 2022 the correct date of the interaction? What is the approximate time of the interaction?

b. If so what are the facts and circumstances surrounding that interaction?

c. Do you know of any other witnesses to the interaction?

3. Question 2. Have you engaged in counterproductive or toxic leadership behaviors within the brigade or battalion S2 section as discussed in AR 600-10, chapter 1-11d and ADP 6-22?

a. How would you describe your leadership style?

b. Do you know of any other witnesses to the interaction?

4. The point of contact for this memorandum is the undersigned, available at mirriam.g.tolston.mil@socom.mil or 910-432-1143.

MIRRIAM G. TOLSTON
2LT, SC
Investigating Officer

Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	E35F NO INSIGNIA
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	[redacted]
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	[redacted]

Deployable

Readiness

MRC Code:	MRC2	Current Asgt. End:	20280430	Security Clearance Type:	[redacted]
MRC Reason:	ITEMS THAT CAN BE CORRECTED IN LESS THAN 72 HOURS	YMAV Date:	202310	Clearance Effective Date:	[redacted]
MRC Reason Start Date:	20221205	EFMP End Date:	-----	Investigation Type:	[redacted]
PHA Exam Date:	20220606	MACP Date:	-----	Investigation Status:	P
PULHES:	111111	ETP Date:	-----	Investigation Status Date:	[redacted]

SFPA FLAGS

Restriction	Code	Begin Date	End Date
-----	-----	-----	-----

Skills

0 Self-Professed

PROFESSIONAL LICENSES		PROFESSIONAL CERTIFICATIONS		DEFENSE LANGUAGE PROFICIENCY TEST (DLPT)				LANGUAGES (SELF-PROFESSED)			
License	Expiration Date	Certification	Certified Date	Language	Listening	Reading	Speaking	Language	Listening	Reading	Speaking
-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----

ATTRIBUTES (SELF-PROFESSED)

Attribute	Rating	Date
-----	-----	-----

PV1	PV2	PFC	SPC	CPL	SGT	SSG	SFC	MSG	SGM
20061031			20070212	20070212	20100201	20121101	20200401		

Career Mapping

2024 | 2025 | 2026 | 2027 | 2028 | 2029 | 2030

PZ — PZ

SFC — MSG

Experience

0 Self-Professed

DEPLOYMENTS

Short Tours:	0	CBT:	5
Long Tours:	0	OPN:	0
DROS:	-----	RES:	0
DEROS:	-----	Dwell Start:	-----
		Dwell Duration:	-----

MILITARY EXPERIENCE: ***DEPLOYMENTS*** / ASSIGNMENTS

Asgt	From	# Months	UIC	Organization	Station	Location	Cmnd	Duty Title	MOS
Projected	20231010	-8	W1E8H8	-----	FORT HUACHUCA	AZ	TC	#7 SR INSTR	E35F
Current	20230104	1	WKENT0	-----	FORT BRAGG	NC	SP	INTELLIGENCE ANALYST	E35F
1st Prev	20210305	23	WJTDAA	-----	FORT BRAGG	NC	TC	STANDARD EXCESS	99999Z
2nd Prev	20200928	5	WKENA0	-----	Invalid Location - Placeholder	VA	SP	SR INTEL SERGEANT	E35F
3rd Prev	20170929	36	WAC8T0	-----	CP EDERLE	AE	E1	SR INTEL SERGEANT	E35F
4th Prev	20160827	13	WAC8D0	-----	CP EDERLE	AE	E1	INTELLIGENCE SERGEANT	E35F

See STP online for additional 25 rows.

CIVILIAN WORK EXPERIENCE (SELF-PROFESSED)

Employment	Job Title	Start Date	End Date	Duration
-----	-----	-----	-----	-----

ADDITIONAL DUTIES (SELF-PROFESSED)

Duty Title	Start Date	End Date
-----	-----	-----

Knowledge

0 Self-Professed

CIVILIAN EDUCATION

Degree	School	Location	Level	Graduation Date
MASTER OF BUSINESS ADMINISTRATION	U PITTSBURGH	PA USA		19960101
BACHELOR OF SCIENCE	PENN ST U ERIE-BEHREND CLG	PA USA		19900101

THESIS & CAPSTONE (SELF-PROFESSED)

Title	Year
-----	-----

MILITARY EDUCATION

Course Title	Code	Start	End	Duration	CMPT List
SR LEADER CRS	SMH	20200117	20200228	6 weeks	
MIL DECEPT PLN CRS	AYS	20170818	20170825	1 week	
USAF AIRLIFT PLAN CRS	DER	20170707	20170714	1 week	

See STP online for additional 5 rows.

HOBBIES / INTERESTS (SELF-PROFESSED)

Hobby / Interest	Genre	Proficiency	Date
-----	-----	-----	-----

SELF STUDY (SELF-PROFESSED)

Self Study	Genre	Proficiency	Date
-----	-----	-----	-----

000781

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 805 of 950

Basic Data

AC

SFC(P)

MRC2



Job Code(P/S):	E35F NO INSIGNIA
SQI(P/S):	EP/ES
ASI(P/S):	
Date of Birth:	19680412
Birth Country:	USA
Country of Citizenship:	USA
Gender:	M
Ethnicity:	Others
Height:	66
Weight:	175
Religion:	UMTHC
Marital Status:	Married
# of Dependents (Adults/Children):	1/0
Home Address:	8836 PERRY HWY MEADVILLE PA USA 163350000

Deployable

Cultural Experience & Proficiency

0 Self-Professed

Date	Location	Type	Duration
----	----	----	----

ACCESSIONS DATA

BASD:	20070212	Commissioning Year:	----	Regular Ret Dt:	20270212
Current PPN:	----	Type of Original Apt:	----	Non-Reg Ret Dt:	20271030
End Current Assignment:	20280430	Mo/Days Afcs:	/	Current Statutory Auth:	----

MILITARY QUALIFICATIONS

Evaluation	Date	Passed
DA FORM 7801 M4A1 5.56MM CARBINE 1 OCT 20	20220916	SHARPSHOOTER
Army Physical Fitness Test	20191202	Passed

Behavior

0 Self-Professed

PROFESSIONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
----	----	----

PERSONAL GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
----	----	----

FAMILY GOALS (SELF-PROFESSED)

Goal	Goal Date	Actual Date
----	----	----

ASSESSMENTS

Assessment Type	Assessment Date	Proficiency Level	Composite Score
----	----	----	----

Career Planning

0 Self-Professed

LOCATION PREFERENCES (SELF-PROFESSED)

Station	City	State
----	----	----

COUNTRY PREFERENCES (SELF-PROFESSED)

Country	Rank
----	----

DUTY PREFERENCES (SELF-PROFESSED)

Duty Name	Date Entered
----	----

ENDORSEMENTS (SELF-PROFESSED)

Endorsement	Endorser
----	----

DESIRED FUTURE ASSIGNMENTS (SELF-PROFESSED)

Assignment

TEXT RESUME (SELF-PROFESSED)

Date	Category	Description
----	----	----

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DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY, NORTH CAROLINA 28310-8500

AOSO-JA

26 November 2024

MEMORANDUM FOR SFC Michael Forbes, HHC, 528th Sustainment Brigade (SO)(A)

SUBJECT: Response to the Article 138 Complaint submitted 25 November 2024

1. This memorandum serves to notify you that your Article 138 Complaint is **denied**.

2. You requested the following relief: Delay the imposition of your scheduled separation from the US Army until the provisions of AR 635-8 are met in its entirety.

3. You were notified via memorandum on 29 May 2024, your involuntary discharge was directed by U.S. Army Human Resources Command (HRC). There was a prescribed procedural due process to request a review provided within the notification memorandum.

4. As HRC directed your involuntary discharge occur not later than 1 December 2024, I do not have the authority to delay your separation.

LAWRENCE G. FERGUSON
Major General, USA
Commanding

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY, NORTH CAROLINA 28310-8500

AOSO-JA 26 November 2024

MEMORANDUM FOR Commander, 1st Special Forces Command (Airborne), Fort Liberty, North Carolina 28310-8500

SUBJECT: Legal Review – SFC Michael Forbes, Article 138, Uniform Code of Military Justice

1. SUMMARY. SFC Michael Forbes submitted an Article 138 Request for Redress on 10 November 2024 to COL Andrew Lynch. COL Lynch denied his request on 13 November 2024. SFC Forbes subsequently submitted an Article 138 complaint to you on 25 November 2024. Recommend denial of this complaint as other adequate processes exist for addressing the wrong alleged in the complaint and you do not have the authority to provide the requested relief.

2. LAW.

a. Article 138, UCMJ, allows any member of the armed forces who believes himself to have been wronged by his commanding officer to complain to any superior commissioned officer for redress. The principal responsibility for acting on an Article 138 complaint lies with the General Court-Martial Convening Authority of the command with jurisdiction over the respondent at the time of the alleged wrong, either organically or as a result of an attachment, area jurisdiction, or a similar basis. The GCMCA must act personally on the Article 138 complaint and this authority may not be delegated.

b. Article 138 complaints may only be made by a member of the Armed Forces, and may be made only against the complainant's commanding officer. At the time of the alleged wrong, the commanding officer must have been an officer in the complainant's chain of command, up to and including the first GCMCA over the complainant.

c. Article 138 complaints must allege that the complainant has been wronged. A wrong is a discretionary act or omission by a commanding officer, under color of federal military authority, that adversely affects the complainant personally and that is: (1) in violation of law or regulation; (2) beyond the legitimate authority of that commanding officer; (3) arbitrary, capricious, or an abuse of discretion; or (4) materially unfair.

c. An alleged wrong is inappropriate when other adequate processes exist for addressing the wrong alleged in the complaint.

(1) An action is an inappropriate matter for resolution pursuant to Article 138 procedures when Army regulations specifically authorize an administrative appeal or

similar redress, or when it is a commander's recommendation or initiation of an action pursuant to the UCMJ or an Army regulation that specifically authorizes an administrative appeal.

(2) Examples of inappropriate alleged wrongs include matters relating to UCMJ processes; officer elimination or enlisted administrative separation actions; appeals from OERs or enlisted evaluation reports; or the filing of adverse information in official personnel records.

d. If the GCMCA determines the alleged wrong is an inappropriate subject for resolution pursuant to Article 138, and determines that other channels or procedures are adequate and available for resolving the alleged wrong, then the GCMCA will so inform the complainant. Such notice constitutes "proper measures for redressing the wrong complained of" within the meaning of Article 138.

3. ANALYSIS. Here, SFC Forbes was provided notice by HRC on 29 May 2024 of his ability to seek review within 30 days. This represents an adequate process for addressing the wrong alleged in his complaint. Additionally, as SFC Forbes separation was directed by HRC through the Qualitative Management Selection Board, you do not have the authority to grant the relief requested. Therefore, the complaint fails on two fronts and should be denied.

4. CONCLUSION. I recommend that you deny SFC Forbes' Article 138 complaint due to the review process providing an adequate process to address the alleged wrong and your lack of authority to delay his separation.

5. The point of contact for this review is the undersigned at (910) 806-6693 or joseph.c.borland.mil@socom.mil.

BORLAND.JOSEPH.CLAYTON [redacted] Digitally signed by BORLAND.JOSEPH.CLAYTON. [redacted] Date: 2024.11.26 10:56:52 -05'00'

JOSEPH C. BORLAND
MAJ, JA
Chief, Administrative Law

// ATTORNEY WORK PRODUCT //
Protected under Exemption 5 of FOIA, 5 U.S.C. §552

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

To: COL Andrew J. Lynch, Brigade Commander, 528th Sustainment Brigade, 1st Special Forces Command (1SFC), Fort Liberty, NC

From: SFC Michael Forbes through James M. Branum, Attorney at Law

Date: November 11, 2024

Subject: Request for redress IAW with UCMJ Article 138

Through legal counsel,[1] SFC Forbes submits this brief (with enclosures) to constitute a request for redress under the provisions of AR 27-10 para. 19-6 and UCMJ Article 138.

1. Identification of Parties

The complainant is SFC Michael J. Forbes, an NCO with nearly 18 years of unblemished service to the US Army, prior to the recent wrongful investigations launched by senior Officers of the Army.

The alleged current wrong (that is the subject matter of this appeal for redress) was committed against SFC Michael J. Forbes was done under COL Andrew J. Lynch, who at the time of the alleged wrong was the brigade commander of SFC Forbes and is ultimately responsible for appropriate due process being given to SFC Forbes.

[1] IAW AR 27-10 para. 19-5 (b).

2. Identification of Wrong

On October 31, 2024, Ms. Ashley Meisenbach, Human Resource Assistant, Military Personnel Division, Directorate of Human Resources, published and emailed order number 305-0280,[2] in violation of the following provisions of AR 635-8:

a. "The coordinator, as designated in accordance with paragraph 1–9, generates a loss roster identifying RA Soldiers 180 days prior to their scheduled separation date and schedules Soldiers to attend the Pre-Separation Services Program, as detailed in paragraph 4–4, **at least 120 days prior to separation date.**" - AR 635-8 para.4-3 (a) (emphasis added)

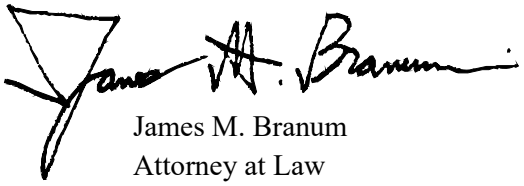
b. "Notify Soldiers of separation and **ensure Soldiers report as required for the Pre-Separation Services Program**. **Provide transportation, if necessary**" - AR 635-8 para. 4-3 (b)(1),

c. "The **transition center issues separation orders** in accordance with AR 600–8–105 **for RA Soldiers who will separate from active duty no later than 60 days before the scheduled separation date**"- AR 365 para. 4-6 (a).

AR 635-8 provides no exception for these legally required time periods for discharge action, hence it is a violation of the regulation for SFC Forbes to be separated prior to the passage of the mandatory 120 days from his completion of the legally required Pre-Separation Services Program.

Conclusion and Request for Redress

As the current command authority over the complainant, the complainant urges you to delay the imposition of his scheduled separation from the US Army until the provisions of AR 635-8 are met in its entirety.



James M. Branum
Attorney at Law

[2] *See* enclosure D.

Enclosures:

A: Certification by SFC Michael J. Forbes

B: "Plaintiff's motion for leave to file surreply" submitted by complainant *pro se* in the US District Court for the Western District of North Carolina, November 7, 2024.

C: Email from Ms. Ashley Meisenbach to SFC Forbes dated 10/31/24

D: Orders 305-0280 dated 10/31/24

E: Email from Ms. Ashley Meisenbach to SFC Forbes dated 10/30/24

Enclosure A

I have read the attached request for redress with enclosures. I certify that it is accurate to the best of my knowledge and that I have authorized my civilian attorney, James M. Branum, to submit it on my behalf.

Dated: November 11, 2024



SFC Michael J. Forbes

Enclosure B

FILED
NOV 07 2024
PETER A. MOORE, JR., CLERK
US DISTRICT COURT, EDNC
BY MCB DEP CLK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

No. 5:24-CV-00176-BO

MICHAEL J. FORBES,

pro se.

Plaintiff,

v.

THE UNITED STATES ARMY,
Christine E. Wormuth,
Secretary of the Army (SoA)
101 Army Pentagon,
Washington, D.C., 20310

Defendant.

PLAINTIFF'S MOTION FOR LEAVE TO FILE SURREPLY

This 7th day of November, 2024.

1. The Plaintiff, *pro se,* in the above-captioned case, respectfully moves for leave to submit the attached Surreply in response to anticipated arguments made by the Defendant (or hereafter "the Army," when used) in any forthcoming Response to the Plaintiff's Motion to Compel. These claims and arguments had not occurred when the Plaintiff's filed his MOTION TO COMPEL on October 21, 2024, and thus the Plaintiff had not had an opportunity to notify the Court of recent compounding failures of the Army to follow their own regulations and public laws in this case; these actions bring forth more claims.

NEW CLAIMS

2. On October 31, 2024, Ms. Ashley Meisenbach, Human Resource Assistant, Military Personnel Division, Directorate of Human Resources, published and emailed[1] order

[1] *See* Enclosure D01,.

number 305-0280[2] in that prove violations of multiple paragraphs of Army Regulation (AR) 635-8,[3] Ch. 4, Section I; they are namely paragraphs: 4-3, a. and b.; and 4-6, a. In fact, AR 635-200[4] is the governing regulation of Regular Army enlisted separations that clearly states a Commander, having separation authority, must comply with AR 635-8's, and it states this as follows:

> ***Commanders having separation authority directing separation*** *or REFRAD* ***of a Soldier will comply with AR 635–8.*** (emphasis added)[5]

Turning our attention to Order 305-0280's published content, we see the violated three areas of AR 635-8.[6] First, the date of its publication represents 31 (not 60) days prior to the Army's intended separation of the Plaintiff on December 1, 2024 violated AR 635-8, 4-6, a., as stated:

> *The* ***transition center issues separation orders*** *in accordance with AR 600–8–105* ***for RA Soldiers who will separate from active duty no later than 60 days before the scheduled separation date.*** (emphasis added)[7]

[2] *See* Enclosure D02, Order 305-0280 *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- ORDERS, October 31, 2024.

[3] *See* AR 635-8, "Separation Processing and Documents," February 10, 2014, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN38821-AR_635-8-001-WEB-3.pdf

[4] *See* AR 635-200, "Active Duty Enlisted Administrative Separations," June 28, 2021, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN40058-AR_635-200-001-WEB-3.pdf.

[5] Ibid, at 1-21 (a),

[6] *See* AR 635-8, "Separation Processing and Documents," February 10, 2014, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN38821-AR_635-8-001-WEB-3.pdf.

[7] Ibid., at 4-6 (a)

Order 305-0280 for the Plaintiff was issued on October 31, 2024 for a "Date of discharge" of November 30, 2024 (providing 31 days notice, but not the required 60 day requirement).

Next, the order also included the impossible "additional instructions" to the Plaintiff of:

> *IAW Public Law 101-510, Section 1144* ***you must attend a mandatory Preseparation Briefing*** *and complete the DD Form 2648,* ***120 to 180 days prior to separation*** *with Soldier for Life[,]*[8] (emphasis added)

which is an installation coordinator's responsibility to schedule, under 4-3 entitled "Tasks, work centers, and required actions," a., "Installation transition processing coordinator" which is a violation of AR 635-8, para. 4.3(a)., which states:

> *The coordinator, as designated in accordance with paragraph 116, generates a loss roster identifying RA Soldiers 180 days prior to their scheduled separation date* ***and schedules Soldiers to attend the Pre-Separation Services Program, as detailed in paragraph 4–3, at least 120 days prior to separation date. Ensures that the loss roster is distributed to the following agencies: (1) Soldier's company or battalion level human resources element...***[9] (emphasis added)

Lastly (with respect to AR 635-8), civilians schedule and are unable to order a Soldier to report; unit commanders in the Soldier's chain of Command have that authority, hence, are mandated authority for the notification of the Soldier and ensuring they report. Moreover, it is a violation of AR 635-8, 4.3, b. (1) if a unit commander does not perform

[8] *See* Enclosure D02, Order 305-0280 *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- ORDERS, October 31, 2024.

[9] *See* AR 635-8, "Separation Processing and Documents," at 4-3 (a)., February 10, 2014, https://armypubs.army.mil/epubs/DR_pubs/DR_a/ARN38821-AR_635-8-001-WEB-3.pdf.

their responsibility under 4-3 entitled "Tasks, work centers, and required actions," b. (1) "Unit Commander" that states:

> *Notify Soldiers of separation* ***and ensure Soldiers report as required for the Pre-Separation Services Program. Provide transportation, if necessary.***[10] (emphasis added)

No scheduling notification was received by the Plaintiff from the coordinator or unit commanders. Outside the aforementioned command and/or installation failures is the most glaring conundrum of all; it is the installation's formally written, gas-lit, deflection of a Commander's responsibility to ensure a Soldier report to the pre-separation briefing onto a Soldier in an order that is provided a mere 31 days from separation, yet requires the Soldier to complete a task 89 days prior to receiving the order. It's baffling because it's impossible and likely used to deflect responsibility.[11]

Separately, Ms. Meisenbach's actions bring about more statutory federal questions on behalf of the Defendant. At 3:47 pm on October 31, 2024, Ms. Ashley Meisenbach falsified a fabricated interaction with the Plaintiff (as discussed below) in violation of 18 USC § 1519. This occurred within a 28 hour period; a time frame that included an initial email from her, which made the Plaintiff aware of her, and a follow-up email, that included a worksheet that stated the following:

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[10] Ibid, at 4-3, (b) (1).

[11] "It is a defense to refusal or failure to perform a duty that the accused was, through no fault of the accused, not physically or financially able to perform the duty." – Rule for Court-Martial 916 (f), found in the *Manual For Courts-Martial*, page II-138, *online at:* https://jsc.defense.gov/Portals/99/2024%20MCM%20files/MCM%20(2024%20ed)%20(2024_01_02)%20(adjusted%20bookmarks).pdf?ver=WLZvJg--lbaFtAC5qOM1uA%3d%3d.

> *MEMBER ELIGIBLE FOR INVOLUNTARY SEPARATION PAY; HOWEVER, MEMBER CHOSE NOT TO COMPLY WITH 10 USC 1174*[12]

The Plaintiff had no interaction with her during this timeframe due to a computer network outage that lasted for 4 days at the unit, which he has been attached. The introductory email from Ms. Meisenbach occurred at 1:02 pm, on October 30, 2024, when she emailed the Plaintiff, and two other unknown personnel, the following:

> *I am currently processing SFC Forbes' ETS packet. SFC Forbes is being processed as a QMP, therefore he is eligible for ½ separation pay.* ***It is optional, although if taking the separation pay, he will need to provide me with a DA form7783 (which he will get from the Reserve Component on the 5th floor of the Soldier Support Center.)*** *If you have any further questions, please do not hesitate to ask[,].*[13]

which is contrary to 10 USC § 1174, that states:

> *[a] regular enlisted member of an armed force who is discharged involuntarily or as the result of the denial of the reenlistment of the member and who has completed six or more, but less than 20, years of active service immediately before that discharge is entitled to separation pay computed under subsection (d) unless the Secretary concerned determines that the conditions under which the member is discharged do not warrant payment of such pay*[,]

and 10 USC § 651, that states:

> *(a)* ***Each person who becomes a member of an armed force****, ...shall serve in the armed forces for a total initial period of not less than six years* ***nor more than eight years****, as provided in regulations prescribed by the Secretary of Defense for the armed forces under his jurisdiction ... unless such person is sooner discharged under such regulations because of personal hardship. Any part of such service that is not active duty or that is active duty for training shall be performed in a reserve component.* (emphasis added)

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[12] *See* Enclosure D03, CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY Worksheet *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- WORKSHEET, "CONT FOM BLOCK 18" (p.2), October 31, 2024.

[13] *See* Enclosure D04, *email from* Ms. Ashley Meisenbach to the Plaintiff, October 30, 2024.

> *(b)* ***Each person covered by subsection (a)*** *who is not a Reserve, and who is qualified, shall, upon his release from active duty, be transferred to a reserve component to complete the service required by subsection (a).*

The Plaintiff has "complete[d] the service"[14] requirement of 8 years on Active Duty, therefore is not covered by subsection (a), hence, has no Reserve requirement to fulfill. Once the requirement of 10 USC 651 is satisfied, 10 USC 1174 becomes resolute and separation pay is not "optional" as she remarked; any confusion by her email, or falsified commentary on the official worksheet, that the Plaintiff "CHOSE NOT TO COMPLY"[15] with the law, could result in more violations of law that would only serve to severely damage the Plaintiff further than the original claims in this case.

CONCLUSION

The belated nature of the order has contributed to the need for this MOTION because, had the order been published pursuant AR 635-8, these topics would have been included in the Plaintiff's October 21, 2024 MOTION TO COMPEL. Furthermore, the Human Resource Assistant's (Ms. Meisenbach's) mischaracterization of a fictitious response by the Plaintiff is dangerous and can easily contribute more damages than the Plaintiff's original claims, if the Defendant succeeds in unlawfully separating the Plaintiff without his lawful separation pay.

Moreover, the Defendants' rushed separation of the Plaintiff and failures to follow their own regulations is not unknown to our Federal Court System. In this case, the Defendant cannot

[14] *See* 10 USC § 651

[15] *See* Enclosure D03, CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY Worksheet *attachment of email (Enclosure D01) sent by Ms. Meisenbach entitled* FORBES- WORKSHEET, "CONT FOM BLOCK 18" (p.2), October 31, 2024.

produce any proof that a "unit commander:… ensure[d] Soldier report[ed] as required for the Pre-Separation Services Program" prior to 120 days of the Defendant's assigned separation date, because the Plaintiff never attended one. In fact, a separate recent Federal Claims Court (FCC) case demonstrates over a decade's worth of damages to an involuntarily separated Soldier due to the rushed regulatory non-compliance of the Defendant's own making. Some excerpts of the FCC's opinion in Reaves v. United States[16] are as follows:

> *Plaintiff argues that the ABCMR's decision was arbitrary and capricious* ***because Plaintiff's separation was rushed*** *and he was not given an opportunity to comply with the Army's body fat standards.* (emphasis added)

It further states:

> *The* ***lack of record evidence****, however,* ***is not a problem of Plaintiff's making****.... **Instead of foisting adverse inferences for the lack of records on Plaintiff, the Army must acknowledge its part in mishandling Plaintiff's separation. In short, the Army failed to follow its own regulations in affording Plaintiff*** *a medical evaluation* ***and in effecting his discharge. Defendant violated Army Regulation*** *600-9* ***first by discharging Plaintiff before he even completed the Army's*** *Weight Control Program* ***and again in failing to perform*** *a medical evaluation* ***at the time of this <u>premature</u> discharge.*** (emphasis added)

This argument used by the court in *Reaves v. United States* could easily be rewritten and applied in this Plaintiff's case as follows:

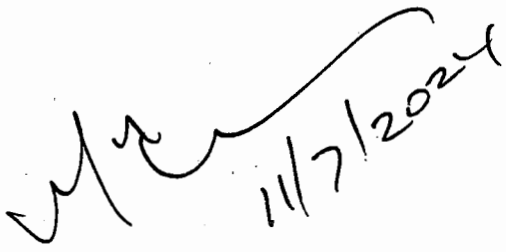
> *'The* ***lack of record evidence, however, is not a problem of Plaintiff's making****.... Instead of foisting adverse* ***<u>and impossible instructions in the orders</u>*** *for the lack of* ***<u>command accountability</u>*** *on Plaintiff, the Army must acknowledge its part in mishandling Plaintiff's separation. In short, the Army failed to follow its own regulations in affording Plaintiff* ***<u>a pre-separation briefing prior to 120 days of separation</u>*** *and in effecting his discharge. Defendant violated Army Regulation* ***<u>635-8</u>*** *first by discharging Plaintiff before he even completed* ***<u>the pre-separation</u>***

[16] *See Reaves v. United States* (Federal Cl. Ct.) No. 14-09c (2016), *attached as* Enclosure D05.

willful indefinite contractual obligation to serve the Army and be in the best position to avoid extreme damages brought by the Defendant while he awaits pending judicial determinations.

This document complies with the page limit and word count of Local Rule 7.2, in that it is 8 pages long and contains 1987 words.

Dated: November 7, 2024



briefing, et al., in that mandatory timeframe*., and again in failing* ***to provide timely orders*** *at the time of this premature discharge.*' (emphasis added)

The Plaintiff was never notified of any scheduled brief, nor ordered to report to any location, at any date or time, to accomplish the mandatory pre-separation brief 120 days before his notified separation date by any unit commander in the Plaintiff's Chain of Command (pursuant to AR 635-8). Upon reading the requirement in his Orders, the Plaintiff researched and determined that he needs all available services completed to avoid imminent bankruptcy should the Defendant's failures to follow regulations, on behalf of his Commanders, are not proactively remediated or are not adjudicated in some venue (either proactively within the Army, which will commence soon, or judicially). The Plaintiff is also concerned that the commentary on the worksheet that Ms. Meisenbach entered, without any interaction from him, could confuse other departments of the Army, which may affect his ability to receive lawful Separation Pay. All of these actions, would likely cause near immediate bankruptcy for the Plaintiff.

Had apropos regulations been followed, the Plaintiff would have received adequate time to be briefed and consider all his options, rather than be subjected to a rushed attempt at an unlawful discharge as he awaits Court interventions. The Plaintiff asks this Court, by any power afforded it, to Compel the Defendant, to follow AR 635-8 and ensure the Plaintiff reports as required to the pre-separation brief and is provided 120 days to accomplish all appropriate briefings (financial, employment training assistance, medical, resume writing, etc.) to prepare for this undeserved and unwanted separation from his

Enclosure C

FW: SFC FORBES, MICHAEL ETS ORDERS

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

To: paxmas2007@yahoo.com

Date: Monday, November 4, 2024 at 12:14 PM EST

From: Meisenbach, Ashley M CIV USARMY USAG (USA) <ashley.m.meisenbach.civ@army.mil>
Sent: Thursday, October 31, 2024 3:47 PM
To: Carter, Bryan T SFC USARMY USSOCOM USASOC (USA) <bryan.t.carter.mil@socom.mil>; JADEN.STEIN.MIL@SOCOM.MIL
Cc: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Subject: SFC FORBES, MICHAEL ETS ORDERS

Good Day,

***** ALL CLEARING MUST BE DONE IN UNIFORM PER AR 670-1, PAR 1-10. PHYSICAL TRAINING GARMENTS ARE *NOT* DUTY UNIFORMS REGARDLESS OF WHAT YOU'RE IN THEM FOR. *****

Attached you will find a copy of:
1) Your ETS orders as a PDF file
2) DD-214 worksheet as a PDF file
3) DD-214 Review sheet as a PDF file
4) DD-214 appointment slip as a PDF file
5) DD-214 Review acknowledgement memo as a PDF file
6) Out-processing appointment scheduling memo as a PDF file
7) Memo from finance for number of leave days sold (Bring to DD214 review)

OUTPROCESSING: EMAIL THE ATTACHED APPOINTMENT REQUEST ALONG WITH YOUR SEPARATION ORDERS AND IPPS-A ABSENCE (NOT DA-31) REQUEST TO usarmy.liberty.usag.mbx.dhr-smd@army.mil TO SCHEDULE YOUR INSTALLATION CLEARING PAPERS BRIEF.

For your orders, ***please read this document carefully!*** They tell you most everything you need to know for separation processing. You should print about 12 copies to start the clearing process.

When you come to the DD-214 signature appointment, ensure that you read the slip and bring any documents needed to make updates or changes to your DD-214 worksheet if applicable. You should bring the following to your DD-214 signature appointment:

1. DD-214 worksheet
2. DD-214 signature appointment slip

3. DD-214 review acknowledgement memo completed and signed by Soldier

The last three places you will clear are:

1) Finance – on the 1th floor. You will need to clear finance either on your ETS date if you are not taking terminal leave; or, the day before your terminal leave starts if you are taking it. Finance is open for that purpose Monday – Friday 1300 to 1600.

2) Go to the Pre-Clearing Station- located on the 1st floor across from the ID card section. They will review your clearing papers and ensure you have cleared everything, then they will give you the red pre-clear stamp on the front your clearing papers.

3) Your Final-Out stamp and pick-up DD-214. ***You will have to be completely cleared from your Unit and Installation to pick-up your DD-214.*** You will receive the IMA stamp (old dragon stamp) and you will sign your DD-214 at that time if you have not already done so. Then, you will receive your DD-214. After you finish, if you are taking leave, you will check out on leave with your unit; otherwise, you are finished.

You will need the following documents when you go to Pre-Clearing Station and Finance. Please make sure that you have these documents with you. Additional copies will not be able to be made.

1. ***Leave form (signed and approved, if taking leave)***
2. ***Perstempo***
3. ***Orders***
4. ***DD-214 worksheet***

IF YOU ARE PARTICIPATING IN THE CSP PROGRAM, YOU CAN NOT COMBINE PTDY WITH SEP LEAVE OR PASSES. YOU MUST RETURN TO FORT LIBERTY TO OUT PROCESS TYPICALLY 14 DAYS PRIOR TO LEAVE OR SEP DATE.

If you intend on or have already signed a Reserve/Guard contract, please send me your DA5691 from your contract immediately so that your orders can be updated. Please DO NOT use your original orders until you have received your updated orders.

Should you have any questions, please contact me.

Thank you!

V/R
Ashley M. Meisenbach
Human Resource Assistant
ashley.m.meisenbach.civ@army.mil
Fort Liberty, NC 28310
How is my customer service.....Say It On ICE:
https://ice.disa.mil/index.cfm?fa=card&sp=92299

smime.p7s
5.3kB

FORT LIBERTY DD-214 REVIEW.pdf
447.4kB

DD-214 REVIEW ACKNOWLEDGMENT MEMO.pdf
959.7kB

OP Appt request.pdf
1.3MB

FINANCE MEMO FOR DAYS LEAVE SOLD.pdf
567.5kB

FORBES- WORKSHEET.pdf
893.6kB

FORBES- DD214 REVIEW APPT.pdf
1.3MB

FORBES- ORDERS.pdf
663.7kB

Enclosure D

DEPARTMENT OF THE ARMY
US ARMY INSTALLATION MANAGEMENT COMMAND
HEADQUARTERS, UNITED STATES ARMY GARRISON, FT LIBERTY
2175 ROCK MERRITT AVENUE
FORT LIBERTY NORTH CAROLINA 28310-5000

ORDERS 305-0280 31 October 2024

FORBES, MICHAEL JEFFREY [redacted] SFC 0528 CS HHC HHC SUSTAIN BDE, (WJTDAA), FORT LIBERTY, NC 28310

You are reassigned to the U.S. Army transition point shown for transition processing. After processing, you are discharged from the Component shown. If you are delayed in reporting to the transition point, you still must report to the transition point as soon as possible or as authorized to receive a new effective date of discharge.

Assigned to: FORT LIBERTY TC (W0U3NT) FORT LIBERTY NC 28310-5000
Reporting date: 30 October 2024
Comp: REGULAR
Date of discharge unless changed or rescinded: 30 November 2024

Additional instructions:
a. Soldier is entitled to one-half separation pay IAW 10 USC 1174. b. "Information regarding Out-Processing may be obtained from https://home.army.mil/bragg/index.php/my-fort-liberty/all-services/out-processing-section" c. IAW Public Law 101-510, Section 1144 you must attend a mandatory Preseparation Briefing and complete the DD Form 2648, 120 - 180 days prior to separation with Soldier for Life. d. Storage of household goods, at government expense, is authorized up to 06 months after separation. e. DEPNS: YES(01). f. UPON RECEIPT OF ORDERS REPORT TO THE TRANSITION CENTER, BLDG 4-2843, 2D FLOOR, WING B, BETWEEN THE HOURS OF 0900 - 1100, MONDAY THRU FRIDAY TO SCHEDULE AN APPOINTMENT FOR THE COMPLETION OF YOUR DD FORM 214. g. You must attend a Transportation Briefing given by the Personal Property Shipping Office. Please call 910-396-5212 and 910-396-2163. h. No pay authorized. Member eligible for involuntary separation pay; however, member chose not to comply with 10 USC 1174(e)(1)(A).

FOR ARMY USE
Auth: AR 635-200
HOR: [redacted]
Place EAD or OAD: [redacted]
MDC: 7BE5

FOR ADDITIONAL INFORMATION CONTACT:
ASHLEY M. MEISENBACH ashley.m.meisenbach.civ@army.mil 910-907-0882
SDN: FOR[redacted]PA50280
Format: 501

ORDERS 305-0280 US ARMY INSTALLATION MANAGEMENT COMMAND 31 October 2024

FOR THE COMMANDER:

****
OFFICIAL
FORT LIBERTY, NC
****
LEONARD (LEON) WYATT
CHIEF, MILITARY PERSONNEL DIVISION

DISTRIBUTION:
SFC FORBES (1)
Cdr 0528 CS HHC HHC SUSTAIN BDE, (WJTDAA) (1)
CDR, 126TH FINANCE (1)

Enclosure E

FW: SFC Forbes ETS packet

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

To: paxmas2007@yahoo.com

Date: Monday, November 4, 2024 at 12:40 PM EST

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Sent: Thursday, October 31, 2024 9:13 AM
To: paxmas2007@yahoo.com; jmb@jmb.bike
Subject: FW: SFC Forbes ETS packet

From: Meisenbach, Ashley M CIV USARMY USAG (USA) <ashley.m.meisenbach.civ@army.mil>
Sent: Wednesday, October 30, 2024 1:02 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Carter, Bryan T SFC USARMY USSOCOM USASOC (USA) <bryan.t.carter.mil@socom.mil>; Stein, Jaden J SGT USARMY USSOCOM USASOC (USA) <Jaden.Stein@socom.mil>
Subject: SFC Forbes ETS packet

Good afternoon,

I am currently processing SFC Forbes' ETS packet. SFC Forbes is being processed as a QMP, therefore he is eligible for ½ separation pay. It is optional, although if taking the separation pay, he will need to provide me with a DA form 7783 (which he will get from the Reserve Component on the 5th floor of the Soldier Support Center.) If you have any further questions, please do not hesitate to ask.

V/R
Ashley M. Meisenbach
Human Resource Assistant
Military Personnel Division
Directorate of Human Resources
Fort Liberty, NC 28310
How is my customer service.....Say It On ICE:
https://ice.disa.mil/index.cfm?fa=card&sp=92299

smime.p7s
5.3kB

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY, NORTH CAROLINA 28310-8500

AOSO-JA

30 November 2023

MEMORANDUM FOR SFC Michael Forbes

SUBJECT: Response to Request for Redress submitted 24 November 2023

1. This memorandum serves to notify you that your Request for Redress is **denied**.

2. Your request for redress to remove and rescind your permanently filed GOMOR is denied. AR 600-37 para 7-2 provides, an officer who directed the filing in the AMHRR of the GOMOR may request removal if subsequent evidence or findings establish the GOMOR information is untrue/unjust in whole or in part. This requirement has not been met. This decision does not preclude you from submitting an appeal to the DASEB IAW AR 600-37 para 7-2.

3. Your request for redress to rescind and correct your relief for cause NCOER is denied. The appeals process is the primary means of addressing any alleged errors and injustices after they have become a matter of permanent record. The process for submitting an appeal to the ASRB is articulated in AR 623-3 Chapter 4.

LAWRENCE G. FERGUSON
Brigadier General, USA
Commanding

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

To: Deputy Commanding Officer (DCO) of Operations (Ops),
1st Special Forces Command (1SFC), Fort Liberty, NC
From: SFC Michael Forbes through James M. Branum, Attorney at Law
Date: November 24, 2023
Subject: Request for redress IAW with UCMJ Article 138

Through legal counsel,[1] SFC Forbes submits this brief (with attachments) to constitute a request for redress under the provisions of AR 27-10 para. 19-6 and UCMJ Article 138.[2]

1. Identification of Parties

The complainant is SFC Michael J. Forbes, an NCO with nearly 17 years of unblemished service to the US Army, prior to the recent wrongful investigations.

The alleged wrong committed against SFC Michael J. Forbes was by Brigadier General (BG) Lawrence G. Ferguson, who at the time of the alleged wrong was serving as the Deputy Commanding Officer (DCO) of Operations (Ops) for 1st Special Forces Command (1SFC). He has since been promoted, which means the successor commander, is designated as the respondent IAW AR 27-10, para. 19-6 (e).

[1] IAW AR 27-10 para. 19-5 (b).

[2] Please note that the complainant is forced to file a formal complaint under Article 138, that he will be seeking a determination by the GCMCA that other available "channels or procedures" for resolving this issue are not in fact adequate or available, and that the "GCMCA should conduct a full examination as provided in paragraph 19–12, and otherwise treat the complaint as appropriate subject matter for resolution pursuant to Article 138," IAW AR 27-10 para 19-11 (e).

2. Identification of Wrong

The complainant was improperly given a permanently filed GOMOR (the notification of which occurred on August 25, 2023[3]) after previously being subjected to improper investigations[4] and retaliation as a whistleblower.[5]

Conclusion and Request for Redress

The complainant urges you to take action now to prevent further damage to SFC Forbes' career and further harm to the Army. The investigation by COL Brunson was materially flawed and the other investigation is in breach of 10 U.S.C. § 1034.

It is for these reasons that the complainant requests that:

1. The permanently filed GOMOR be removed from the permanent file and rescinded,

2. The Relief for Cause NCOER be rescinded and corrected.



James M. Branum
Attorney at Law

Enclosures:

A: Certification by SFC Michael J. Forbes
B: Summary of Allegations Regarding Improper Investigations, Illegal Retaliation

[3] This date is provided IAW AR 27-10 para. 19-6 (c).

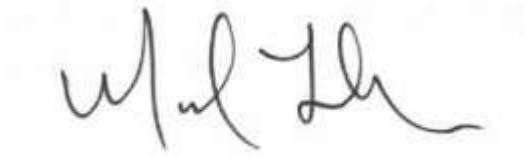
[4] *See* enclosure B for a summarized discussion of these improper investigations and the underlying context behind the improper GOMOR filing.

[5] Please note that an open and ongoing Inspector General (IG) Whistleblower Case, encompassing other aspects of this situation other than only the Whistleblower issue exclusively, per DAIG, has been open for months (case number: ZS-23-0084).

Enclosure A: Certification by SFC Michael J. Forbes

I have read the attached request for redress with enclosures. I certify that it is accurate to the best of my knowledge and that I have authorized my civilian attorney, James M. Branum, to submit it on my behalf.

Dated: November 24, 2023



SFC Michael J. Forbes

Enclosure B: Summary of Allegations Regarding Improper Investigations, Illegal Retaliation

1. COL Tavi Brunson violated or used undue Command Influence that caused others to support his violation of multiple Public Laws[6], Army Regulations and Directives[7], Unit Policies,[8] and Constitutional provisions[9] after he acted on flawed professional advice from Subject Matter Experts (SMEs) in duty-bound positions that required them to provide him with lawful guidance.

2. MAJ Racaza did the following:

    a. She severely strayed from the standards set by her state professional licensing agency, the Arizona Board of Psychologist Examiners (BOPE), including several areas of the code of conduct[10] and multiple specific principles and provisions[11] of the code.
    b. She advised, coordinated, facilitated and/or was aware that these Behavioral Health Assessments (BHAs) failed to provide appropriate protections to affected Soldiers potentially or actively under her Professional care per the Womack Army Medical Center (WAMC) Patient Bill of Rights (PBoR).[12]

3. During a 5-day period, beginning 28NOV2022, COL Brunson illegally mandated not one (BDE sponsored), but two (Army Sponsored), Behavioral Health Assessments (BHA)s to unlawfully gather and store[13] unauthorized personally identifiable,[14] Psychological data[15], without proper

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[6] 10 U.S.C. § 1034 (MWPA), 18 U.S.C. § 208 (Conflict of Interest), 45 C.F.R § 160.103 defines Protected Health Information (PHI), while 45 C.F.R. § 46 (Basic HHS Policy) and 32 C.F.R. § 219 (Common Rule DoD), defines the Protection of Human Subjects.

[7] AR 15-6 (Due Process), AR 25-22 (Privacy/ Civil Rights), AR 380-5 (INFOSEC), & AR 380-67 (PERSEC)

[8] DoDD 6490.04 (eCDBHE) and 1SFC/USASOC 25-2 (PEDs)

[9] 4th and 5th Amendments to our Constitution

[10] Arizona BOPE has adopted the APA (American Psychological Associations) code of Principles. *See* APA 2.0 (Competence); APA 3.0 (Human Relations); APA 4.0 (Privacy & Confidentiality); APA 5.0 (Advertising & Other Public Statements; APA 8.0 (Research & Publication); and APA 9.0 (Assessment).

[11] Arizona BOPE has adopted the APA (American Psychological Associations) code of Principles. *See* APA CoC Principles 1.02, 1.03; 2.01, 2.03 & 2.04; APA 3.04, 3.05, 3.06, 3.08, 3.10 & 3.11; 4.01, 4.02, 4.05 & 4.07; 5.01, 5.03 & 5.06; 8.01, 8.02, 8.04 & 8.08; 9.01, 9.03, and 9.04.

[12] All data and evidence supporting this document and the associated legal brief were provided to the command in the myriad documents provided as part of the complainant's GOMOR and RFC rebuttal packet provided on 16JUN2023.

[13] In violation of 45 C.F.R. § 46, 32 C.F.R. § 219, and AR 25-22

[14] 45 C.F.R § 160.103, and AR 25-22

[15] In violation of 45 C.F.R. § 46 and 32 C.F.R. § 219

prior informed consent.[16] This data would be stored (*Smartabase*) indefinitely and used by the COL's or the Army's licensed Medical Providers via undisclosed metrics for the subjective private assessments, determinations, recommendations and/or potential follow-on treatment plans. After the complainant sought to gather the needed informed consent information (the scope and statutory support of the BDE sponsored assessment), he was falsely accused of being "angry" by the BDE Psychologist.

4. The complainant also attempted to identify the same scope and statutory support for the second (Army sponsored) assessment and was 'internally-outed-for-asking' at multiple echelons even though this was a lawful request.

5. Subsequently, the complainant was assaulted by one of COL Brunson's BN CSMs while he was attempting to prevent the prohibited use of PEDs in our classified facilities[17] in support of the same, second (Army sponsored) assessment.

6. After reporting the assault to his Congressman, 1SFC IG, and the Fort Bragg Military Police Office (MPO), the complainant was:

    a. removed from his BDE S2 NCOIC position,
    b. clandestinely investigated (without due process)[18],
    c. ordered to a corrupt emergency Command Directed Behavioral Health Evaluation (eCDBHE),[19]
    d. erroneously[20] found guilty of Disrespecting the Psychologist[21] and counterproductive leadership,
    e. provided with an unsubstantiated Relief for Cause (RFC; to be appealed), and
    f. provided with a (GOMOR; by the 1SFC OPs DCO), which, illegally, culminated in the complainant being clandestinely added to his own Military Whistleblower Protection Act (MWPA) complaints' investigation, (which is another violation of law that resides solely at the 1SFC echelon).[22]

7. MAJ Rhea Racaza, never provided to the complainant the requested informed consent advisement (for the first BHA) which was both mandated by law[23] and required by her binding professional

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[16] In violation of 45 C.F.R. § 46, 32 C.F.R. § 219, AR 25-22 and APA Principles 3.10, 8.02, 8.05

[17] 1SFC/USASOC 25-2

[18] AR 15-6

[19] In violation of 18 U.S.C. § 208, AR 25-22, DoDD 6490.04, and APA Principles 3.05, 3.06 & 3.08

[20] AR 15-6

[21] UCMJ Article 89.

[22] 10 U.S.C. § 1034

[23] In violation of 45 C.F.R. § 46, and 32 C.F.R. § 219

standards.[24] Doing this divested her of the protections afforded in Article 89 of the UCMJ as she "departed substantially from the required standards appropriate [her] rank or position." Subsequently, she personally "recommend[ed]" the complainant to an unnecessary, after-hours, and corrupted[25] eCDBHE.

8. COL Brunson used Administrative actions and preliminary inquiries because he lacks substantive, material evidence to pursue non-judicial punishment as the complainant would have immediately demanded a trial by court-martial in front of an impartial panel of members to defend himself with the substantial material prima facie evidence of his and his subordinates wrongdoing, which would have been provided in the discovery process of any UCMJ judicial proceeding.

9. The above actions have resulted in the complainant being considered for the Qualitative Management Program (QMP), which could result in his being involuntarily separated from service (similar to a discharge) all without a fair opportunity or due process to defend his career.[26]

10. The complainant is 55 years old and does not have the work years available for him to earn another pension, which is why he would welcome the scrutiny of his professionalism over the course of his career in any fair venue, as he would not jeopardize his pension over anything that was immaterial; but rather will defend it using every civil tool available to him. The complainant did this job well and should not be receiving a Relief for Cause (RFC) Non-Commissioned Officer Evaluation Report, nor the General Officer Memorandum of Reprimand (GOMOR) that was permanently filed in his records. This all happened because the complainant sought to exercise his rights to make an informed decision under the law regarding his health information, and for actually performing the appointed duties that were previously ordered by COL Brunson.

11. To defend his career from these administrative actions, after having no fair venue during two clandestine investigations to defend himself and expose the violations of my BDE CDR and his staff, the complainant has complained to the following in chronological order:

    a. the 1SFC IG;
    b. Hon. Congressman Richard Hudson's Office;
    c. the Military Police Office (MPO);
    d. the USASOC IG;
    e. the Army Human Research Protection Office;
    f. Defense Health Agency (DHA);
    g. WAMC Director, Ombudsman and Patient Advocacy Offices;
    h. the DAIG;
    i. Federal Bureau of Investigation (FBI);
    j. Multiple members of the Senate Armed Services Committee.

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[24] APA Principles 3.10, 8.02, 8.05

[25] In violation of 18 U.S.C. § 208, AR 25-22 and APA Principles 3.05, 3.06 & 3.08

[26] AR 15-6

k. Notably, the complainant's wife reached out to the Secretary of the Army, Ms. Wormuth, as well.

12. The complainant intended to contact, in an order of deadline precedence (not inferred herein), the following:

a. the AZ BOPE for adjudication of MAJ Racaza's actions;
b. NCOER Appeal for its removal;
c. HRC for cover letter to Senior NCO Board packet;
d. the QMP Board;
e. Army Board for Correction of Military Records (ABCMR);
f. any necessary judicial venues;
g. Office of the Judge Advocates General (OTJAG); and,
h. any Government oversight committee or legitimate news, or research organizations to expose military administrative issues in this case.

Whistleblower Reprisal complaint written by SFC Forbes, Michael J., 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, Sandrea 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 Ombusdman, 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 WJTDAA 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 that 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 there 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.

SFC Forbes Timeline of Retaliation and Reprisal
528th Sustainment Brigade (SO) (A)
as of 29JAN23

28MAY21 Commander's Policy Letter 1SFC Open Door Policy signed 28MAY21 by MG Brennan (John W.) adopted by MG Angle (Richard E.) on 22FEB22.

21JULY21 Commander's Policy Letter Treatment of Persons signed 21AUG21 by COL Brunson (Tavi. N.)

26FEB22 NCOER with 3 of 5 far exceeded; Senior Rater (LTC Rowe) Comment stated, "SFC Forbes is a top 15% NCO with tremendous potential to excel."

31AUG22 NCOER with 4 of 5 far exceeded; Senior Rater (COL Brunson) Comment stated, "Top 20% NCO who strives for perfection in all areas of performance."

29SEP22 Passed ACFT with score of 501 of 600.

Counterproductive Leader Timeline

03FEB22 CPT Korista completes handover from CPT Mansour and takes Command of HHC, STB (SO) (A).

041000RFEB22 Initial counseling handed to SFC Forbes with questionable verbage and a date of 25MAY22, and that hadn't been signed when CPT Korista pulls out a pre-filled Event-Oriented Counseling that stated that SFC Forbes had attended 24JAN22 "sub-hand receipt holder initial counseling you were informed that all shortage annex's were due no later than 04FEB22." SFC Forbes did not attend this counseling and was not counseled; moreover, the shortage annexes are supposed to be completed by the Supply staff after the BOM is conducted. Immediately following this discussion, CPT Korista handed SFC Forbes an unsigned BOM that he ordered SFC Forbes to sign. SFC Forbes inquired where the BOM was that SFC Forbes signed the day we laid it out. He notified SFC Forbes that he had a changeover in supply personnel and they outgoing supply staff had misplaced all historical paperwork. SFC Forbes offered to go find his copy but in the essence of time came back 30 minutes later and reengaged CPT Korista again. CPT Korista said, "Why are you refusing to sign this? We were both out there together." SFC Forbes replied, "Sir, everyone knows both parties sign the BOM on the day of layout. That is the only way to hold people accountable. I signed it that day and asked your staff for a copy once you signed it and I never received it." He got upset with SFC Forbes. SFC Forbes said, "Sir, I have my fellow S2 staff out there laying out the truck right now. They are likely close to completed. I am fine with going out there with your identified surrogate or, if you have 20 minutes, we can quickly knock this out together." We completed the inventory and signed the BOM that day. SFC Forbes followed up with BN Command Team on the Supply produced shortage annexes and they confirmed they would get that right.

11FEB22 SFC Forbes signed a detailed sworn statement regarding the 04SEP22 counterproductive event with CPT Korista.

SFC Forbes Timeline of Retaliation and Reprisal
528th Sustainment Brigade (SO) (A)
as of 29JAN23

181100RMAY22 SFC Forbes verbally offered PFC Scheffing's assistance during clean sweep that afternoon to HHC 1SG. 1SG Morgan was pleased and SFC Forbes notified PFC Scheffing to report to HHC for further guidance on assisting with Fort Bragg's Clean-Sweep Tasking.

19MAY22 SFC Forbes asked PFC Scheffing "How was the tasking yesterday for the Clean-Sweep?" He replied that, "We sat on the ground cutting grass with scissors for 5 hours." SFC Forbes apologized to him and let him know, "If I had known that I would have immediately come down and removed you from that duty and attempted to get that activity stopped." SFC Forbes also let him know, "If he ever senses that something is not right and I am not there to request to leave and ensure you communicate with me." Shortly after that CSM Kline (Russell J.), the BN CSM at that time, brought it up in front of a lot of NCOs in the BN conference room and assured us all he had "…had discussions about it and that that would not happen again." The next morning during the formation, CPT Korista mentioned that "People complained about cutting grass with scissors, but he was doing it at 0600 that morning." SFC Forbes mentioned his bringing up the subject with LTC Furlow as soon as SFC Forbes saw him later that morning. He commented that he "would speak with CPT Korista again."

151540RJUL22 Notified BN CMD Team of CPT Korista's notifying all PSGs, BN and BDE CMD Team members of PFC Scheffing not being at formation and the required PAI by identifying him as not present when he clearly was present.

300920RAUG22 CPT Korista sent an email to all PSGs stating that **"[He] will not tolerate missed opportunities to train our Soldiers – as an HHC BDE, training comes at a premium.**

- **Future consequences will include Event Oriented Counselings – Failure to Make Movement or Train, and discussions with Rater and Senior Raters."**

311318RAUG22 SFC Surorodriguez sent an email to SFC Forbes with CPT Korista's attached acknowledging that CPT Korista's having PFC Scheffing, S2 staff, on a list that **"now MUST be at the 16 September M4 Qual Range."** SFC Surorodriguez acknowledged that he knew PFC Scheffing was on Staff Duty Recovery that day. How CPT Korista was unaware of PFC Scheffing's status is unknown but PFC Scheffing does not need to feel that he has missed a training event or is close to getting an event oriented counseling.

301100RJUN22 SGT Roland (Andrew A.) was in the process of checking our 2 fire extinguishers in the S2 office when he informed SFC Forbes (after a joke regarding using a fire extinguisher to shoot at someone) that SFC Forbes should "Only do what your rank can handle Sergeant. You don't want to become a skull on the wall." When SFC Forbes jokingly inquired and pressed further, by stating, "Come on you're messing with me." He replied, "No Sergeant, the word is that every time someone gets punished another skull gets painted." SFC Forbes pushed further and stated, "Come on you're pulling my leg?" That is when PFC Scheffing stated, "The consensus in the barracks is what SGT Roland had said." SFC Forbes engaged further asking, "Did you guys plan this? This is a good one! No one would do such a thing today." SSG Meredith (Joseph R.) yelled out from his office, "Nope, Sergeant Forbes, that's what

they are." SFC Forbes, inconspicuously left the office moments later and immediately reported these 3 perceptions to LTC Furlow. He appreciated the 'heads up' and said he would look into it.

(20JUL22) SFC Forbes witnessed the skulls were being painted over when he showed up (on the first day of his leave) to pick up a forgotten item in his office.

Please see entry on this date for another counterproductive act. **080625RDEC22 & 080627RDEC22**

Retaliation / Whistleblower Reprisal Timeline

281000RNOV22 MAJ Racaza (Rhea L.), Command Operational Psycholgist, announced, at the end of the weekly (1st day of the workweek) 0930 BDE CDR's Scrub that the BDE CDR's intent to provide a self-assessment online survey that all Senior Leaders (OICs and NCOICs) can participate in. The BDE CDR was uncharacteristically not present at this meeting. She went on to explain that it would produce an individualized printed product that we all would discuss en masse during an offsite team building event on Friday, 02DEC22. SFC Forbes asked in front of all present, "Is this event mandatory or voluntary?" She responded that it was voluntary, and then immediately asked for a show-of-hands of who did not want to participate. SFC Forbes was the only Senior Leader present that held his hand up. The meeting immediately adjourned.

291625RNOV22 COL Brunson sent an email to all BDE Staff that the Strength Deployment Inventory (SDI) was a Requirement and the DIRECTIVES: were that "**All staff in TO: line *will take* the SDI to provide the relevant data/information to facilitate a gruoup session this Friday."**

291649RNOV22 MAJ Racaza sent SFC Forbes an email that provided his personal link to the SDI.

291725RNOV22 SFC Surorodriquez, BDE Staff PSG, emailed his Platoon's NCOs with the subject line stated, "FW; HPW Assessment" and the body stated, "It is mandatory by USASOC." SFC Forbes never saw this email until the writing of this timeline as he was so tired from researching the SDI event.

301100RNOV22 (exact time unk) SFC Forbes went to MAJ Racaza's office and requested the scope and regulatory basis of the mandatory nature of the SDI 2.0. During this communication MAJ Racaza repeatedly asked SFC Forbes, "Why do you want to know?" Initially, SFC Forbes stated, "I am curious about the makeup of the assessment." Later, SFC Forbes stated, "The other day you said it was voluntary but yesterday the BDE CDR made in mandatory in an email. So I want to understand why?" She kept asking me why, looking for some different answer. SFC Forbes said, "Ma'am if you can't provide anything that is ok. I can google it, ask legal or IG or something." She then accused SFC Forbes of being "angry" and SFC immediately attempted to diffuse the situation by saying, "Ma'am, it's ok, its ok (she had thrown papers back in a box), I am sorry I asked. Just pretend I never did." I began to leave. MAJ Racaza followed SFC Forbes up the stairs and as he went straight down the hall to his office, MAJ Racaza took a right and marched directly into the Command Suite.

SFC Forbes Timeline of Retaliation and Reprisal
528th Sustainment Brigade (SO) (A)
as of 29JAN23

301105RNOV22 (exact time unk but the relative time was minutes from prior event) SFC Forbes immediately call LTC Howsden, 1SFC IG, and left a voicemail asking for an appointment ASAP to discuss what had just occurred and what I had just been accused of by a field-grade Officer.

301107RNOV22 SFC Forbes hung up the phone with LTC Howden and SFC Markle was standing in the common area of the S2 office. SFC Markle notified SFC Forbes that his presence was required in the CSM's office. SFC Forbes immediately walked to the CSM Vargas' office.

301108RNOV22 SFC Forbes arrived at CSM Vargas' office, went to parade rest, and before he could greet the CSM he was verbally summoned into the BDE CDR's office. Both the BDE CDR and BDE CSM both confirmed to SFC Forbes that MAJ Racaza had just alleged that SFC Forbes was angrily asking for information regarding the mandated SDI program event. I verbally denied any inference that I was angry. COL Brunson asked me "Why do you want to die on this hill?" SFC Forbes replied that "[He] did not want to die on any hill and that [he] did not believe that [he] should be forced to start a corporate relationship with a 3rd Party by agreeing to their Privacy Policy / Terms of Service and having to provide a personal email. CSM Vargas stated, "Sergeant Forbes, with as smart as you are, why didn't you click on it and look at the questions before you made this assumption. The CDR and I wouldn't put you in a position where your data was collected and this is not a behavioral health assessment." SFC Forbes stated, "CSM, I disagree, an online example question was asking for the SM to weight 3 outcomes of how they deal with conflict. I don't need someone like MAJ Racaza making a subjective assessment about my answers. I don't want to be their customer, nor do I want them to hold my answers to questions and provide them to the sponsor in a written report with my name on it. I did 3 hours of research on the company the night before; I read their Privacy Policy / Terms of service [printed them out] and they do collect and disseminate CSM." The CDR verbally absolved me of participation by saying, "If you don't want to be there, we don't want you there." SFC Forbes stated, "Sir, as a help to you, this could be arguably considered a CDBHE." SFC Forbes was then dismissed. SFC Forbes was relieved and said, "Thank you, Sir."

010846RDEC22 SFC Forbes reached out to USASOC G22, Ms. Carmen McKinney to see if these events needed further scrutiny to "protect my BDE CDR from any surprise scrutiny that this could possibl[y] cause given …DOD[I] 6490.04…." She responded but misunderstood SFC Forbes's question.

011815RDEC22 SFC Forbes had served his BDE CDR for nearly a year and a half at this point and wanted to share more of his reasoning with the BDE CDR. SFC Forbes decided to invest in an explanatory email since, "We only had one Office Call when I was Acting OIC, so [he] thought [the BDE CDR] deserved a little more of [his] history after yesterday's interactions [caused by MAJ Racaza's misperception]. At the end of the 3-page email, SFC Forbes stated, If you happened to make it through this proactive explanation, [he] hoped [the BDE CDR] found it enlightening and worth it."

012130RDEC22 COL Brunson responded to SFC Forbes' lengthy email by thanking SFC Forbes for his "thorough and comprehensive feedback." He then absolved SFC Forbes of attending the event in writing.

012131RDEC22 COL Brunson responded again by stating, "P.S. For the record, I read it all twice."

020900RDEC22 SFC Forbes approached COL Brunson, who was sitting in one of the visitors chairs in his Command Suites sitting area, and he asked if the CDR had a moment to speak with him. SFC Forbes was offered to sit down but stated, "Sir, I am going to do something I have only dreamt of, you are the reason why, and I need us to stand to do it right, if that's ok?" The BDE CDR agreed. SFC Forbes reached out to shake the CDR's hand to present him with a coin with 'SFC Forbes' and 'Thank You' engraved on each side, respectively. SFC Forbes wanted to thank him for his fairness and thoughtfulness in how the BDE CDR exempted him from the event the night before and offered to be his PSM in any unit the BDE CDR worked in in the future. He further stated that the BDE CDR was "the best CDR, [he] had ever worked for."

020927RDEC22 The DCO sent out an email to "emphasize the priority and urgency of complying with the HPW team on the Assess the Un-assessed USASOC pilot program. This program has GO visibility and is [being] closely monitored." Essentially, all Soldiers had to participate.

021340RDEC22 SFC Forbes emailed LTC Howsden, 1SFC IG, to request assistance in the regulatory support for the HPW Program as it requires the use of personal email accounts, QR codes using PEDs, to track SM activities.

021343RDEC22 SFC Surorodriquez, BDE Staff PSG, emailed his Platoon that, "All STB must complete HPW assessment NLT [15DEC22]."

021441RDEC22 LTC Howsden, 1SFC IG, responded and recommended that SFC Forbes contact the HPW team with my questions and was willing to be in receipt of a DA 1559. When I contacted HPW at USASOC on 16DEC22, I was removed from my NCOIC slot the following work day (19DEC22; see below).

050645RDEC22 The institutionalized verbal promotion of the use of PEDs in 528th SBs facilities (to include 389th facilities) by Nicole Brown (CTR), Strength and Conditioning Coach occurred at ~0700 on 5DEC2022 in the 'HPW' Office, (Room 107, X-2047); event began at 0645 and attendance was comprised of 389th MI professionals (including CSM Prewitt, Demetris) and driven by a Command Directive from COL Brunson. Ms. Brown commented, "We have a work-around. You will have no problem in using the app offline while you are at work." I immediately corrected the situation by professionally addressing it and she responded, "Well that sucks." After that, I had no way of confidently discerning the scope of how many SMs and Civilians associated with our BDE had been informed of what she or, likely, others had been informing our BDE SMs of regarding the directed use of Internet Application downloaded on PEDs ISO this HPW Program in our facilities. After all, the roll-out or reemphasis of this HPW Program was being planned for months as seen by the presence of produced informational pamphlets, verbal updates in Command and Staff (C&S) meetings over many months, WIFI pucks being installed in X-4047 and posted signage with QR codes hanging on walls within rooms with SIPR drops in them. I had recently discovered that we had not, to my knowledge, conducted a Tempest Survey or any assessment in preparation for the HPW's use of PEDs with their 3rd Party Internet Applications (APPs); I later learned these APPs were, evidently, mandatory.

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051034RDEC22 SFC Forbes emailed LTC Howsden, 1SFC IG, and stated, "This is very similar to what I addressed with you last week and you commented via our tele convo that was not mandatory and my BDE CDR exempted me (via email) from attending due to the privacy concerns it mandatorily invites into SM lives. That said, I am attempting to get more information for you, but having a little difficulty…. " I went on to discuss the subjective surveys that are sent out on mobile apps that are focused on SMs answering "spiritual, cognitive and behavioral" questions to 3rd parties and culminated and provided back to PSGs. SFC Forbes suggested a sweep in this email knowing that mentioning it meant it had a high probability of occurring.

061000RDEC22 SFC Forbes met with a new member of the HPW Team (name unk) and received none of the information requests. I expressed to him that we can not put out to everyone that PEDs can come in this building. The representative only stated at the end of our conversation that, "We are trying to do some good." Later, SFC Forbes copied the signs on the walls.

061140RDEC22 SFC Forbes emailed CSM Emekaekwue, stating, "Thank you for our impromptu chat yesterday after the CSM V[']s NCO meeting." I notified him I copied samples of posters (signs) I found inside the HPW office. They depicted the punitive nature of SMs not participating in the Program and a "suspension of privileges." I stated further, "If this is a privilege[,] how come SM[s] aren't being told this is voluntary in nature?" I attached to this email the posters and the unsigned OPORD with the QR code embedded in it.

061143RDEC22 SFC Forbes emailed LTC Howsden, 1SFC IG, to notify him that this was the second forced survey and that this one deals with "spiritual, cognitive and behavioral" questions using subjective only mobile survey questionnaires. SFC Forbes also shared with him the email from himself to CSM Emekaekwue on 06114RDEC22.

061400RDEC22 SFC Forbes is unaware if IG contacted the unit regarding my communications about the HPW Program; that said, CSM Emekaekwue called SFC Forbes to his office and discussed how he perceived that SFC Forbes should have discussed Coach Brown's institutionalizing PEDs in our facility comments with the BDE CDR. He asked SFC Forbes at least 5 times "Why didn't you discuss this with [him]?" and, "Why didn't you tell [him]?" To get him to let me leave his office and because I could not divulge the believed a wireless sweep was imminent, so SFC Forbes had to say, "Let me think about that and find a way to fix it." SFC Forbes knew he couldn't remedy CSM Emekaekwue's concerns or notify him of the requested sweep. He also knew he could not go back in time to notify the BDE CDR, therefore that night he came up with a solution (see below).

061644RDEC22 LTC Howsden, 1SFC IG, responded to SFC Forbes' email and stated, "that our initial discussion was about the SDI self-assessment tool last week and not the Bridge Athletic fitness tool. I also said that it is not an 'Amy' requirement. That is not to say that it isn't your commander's requirement. In your case, your commander exempted you from the SDI assessment."

061649RDEC22 SFC Forbes emailed LTC Howsden, 1SFC IG, requesting who he must consult to ensure this HPW Program is being vetted IAW federal laws and consumer protections. If this were voluntary, SFC Forbes would simply have opted out and disregarded this Program.

062200RDEC22 SFC Forbes came up with the solution to install "posted security reminders" from what all SMs in our unit would recognize; he would use the in-processing Cell Phone Agreement because nearly all of BDE SMs had signed this exact document upon in-processing. They were familiar with it. SFC Forbes would create the historically used USASOC 18-19 sign by photocopying it without the signature block depicted as the content was materially the same. This COA could satisfy CSM Emekaekwue's repeated concern of notifying the BDE CDR and help our SMs not have phones during the upcoming sweep; SFC Forbes could, relatively quickly, 'kill two birds with one stone.' SFC Forbes was unaware how soon sweepers may come so he planned to come in at 070500RDEC22, to accomplish a hasty install of the "posted security reminders" prior to any SMs begin to arrive for Physical Training or Therapy.

070500RDEC22 SFC Forbes spent 1.5 hours putting up PED prohibition signs representing "posted security reminders" on all outer doors facing X-4047 parking area IAW 9-2, a., (3), USASOC Regulation 25-2, dated 28JUL21.

070630RFDEC22 As SFC Forbes was completing hanging his "posted security reminders," LTC Furlow stopped him in the gym and brought up the issues with WIFI pucks and PEDs in the gym area in X-4047; Coach Darius Ducre was the only other person in the gym other than a female ~25 feet away. SFC Forbes explained to LTC Furlow that we have SIPR drops close by in the HHC office and that PEDs have always been prohibited in USASOC buildings. In fact, while I was speaking with him, a female was performing stretches on the floor of the gym in X-4047 and I brought LTC Furlow's attention to her and said, "Sir, there is a PED in our gym right now. You or I have a duty to ensure she removes it immediately. We are supposed to confiscate it, but I typically don't. Would you like to handle it or me." He said, "You handle it." I went over and politely asked her to remove the phone immediately. She didn't want to because she was using the Bridge APP as instructed, so SFC Forbes handed her one of his "posted security reminders" and asked her again to take the phone to her vehicle.

070830RDEC22 SFC Forbes emailed CPT Lowrie, BDE S2 OIC, that he had posted "cell phone policy signs at various locations within our X-4047, given the misinformation re: offline APP use on PEDs inside USASOC buildings."

071038RDEC22 LTC Howsden, 1SFC IG, responded SFC Forbes and encouraged SFC Forbes to contact SFC Hylton "to begin an IG case."

071041RDEC22 SFC Forbes emailed LTC Howsden and SFC Hylton, after CPT Lowrie verbally notified me that my interaction with the female was "dominant." This is a fabrication and SFC Forbes immediately documented this with IG as "[He] fear[ed] this [was] of a perception onslaught because [he was] professionally and confidently reminding SMs of what they agreed to being informed of in USASOC 18-19 upon in-processing here."

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071649RDEC22 SFC Forbes responded to LTC Howsden's email and stated, "I am notifying you there is another one coming in right after that one (with cognitive, spiritual and behavioral surveys with outside 3rd parties) and the SMs are being reported for not participating in this 'privilege.' Phones are being encouraged and IPADs are in use, in PED-forbidden buildings by civilian contractors, etc."

080625RDEC22 & 080627RDEC22 CPT Korista is depicted on 2 separate videos removing "posted security reminders" on two of the rear entry doors facing X-4047 parking area. This is Adjudicative Guideline M., (g), "and is a Reportable Activity. All of the "posted security reminders" were removed from the outside of the building, where they could be the most effective.

081229RDEC22 SFC Forbes email the DCO, LTC Sanchez, informing him of my professionalism in dealing with the serious identified issue of institutionalizing PED use in USASOC facilities. SFC Forbes was being disparaged by the MAJ Racaza, CSM Emekaekwue (without witnessing any communications) and now, CPT Lowrie was, seemingly, beginning to participate without any 1st-party knowledge of the matters. SFC Forbes warned him that he "fear[ed] this is the beginning of a perception onslaught."

081900RDEC22 STB Holiday Party was hosted in X-4047 classroom.

091300RDEC22 MAJ Weber met with SFC Forbes in his office to honor his request in avoiding formalizing this issue by emailing MAJ Weber videos of CPT Korista's removing the "posted security reminders" off of the doors facing the X-4047 parking area. SFC Forbes explained it all and asked for the way forward in getting the "posted security reminders" re-installed. SFC Forbes expressed to him that he was reticent to spend the time and effort to do it again if it was going to be circumvented by a CDR.

091615RDEC22 CSM Vargas came into SFC Forbes' office to hand him an outdated "Cybersecurity Incident Response Procedures" and asked him to update it by the end of the following workweek. She also directed him to put his signs back up using "sheet-protectors and better tape." SFC Forbes respectfully responded that he had put them up with sheet-protectors installed upside-down so that rain could not get in them. He then asked her if the tape used was the reason the signs were removed. She repeated her directive and left.

091630RDEC22 Before heading home, SFC Forbes went to LC Industries and procured 3 quotes for professional "posted security reminders" with 'No Cell Phone' verbiage (PED prohibition).

111413RDEC22 SFC Forbes viewed 528th Special Troops Battalion Facebook (FB) posted 2 days prior that depicted at least 2 (arguably 5) PEDs in X-4047. This is a violation of USASOC Reg. 25-2, 10-3, c., that states, "Internet use will not reflect adversely on USASOC or DoD. Prohibited examples include, but are not limited to, engaging in activities listed in chapter 9, table 9-1. Table 9-1 lists, "Using or possessing unauthorized PEDs or other unauthorized electronic device in USASOC facilities[.]"

120615RDEC22 CSM Emekaekwue assaulted SFC Forbes in front of all present during morning formation. SFC Forbes requested to come in front of the formation to give a National Security "commercial" to 1SG Morgan during quiet time in the morning formation. SFC Forbes' message, or "commercial," pertained to the identified institutional promotion of unauthorized PEDs, announced by a

Contractor to SMs mandated to attend by the BDE CDR, that SFC Forbes witnessed in X-4047. The BDE CDR's mandate for attendance, meant that Ms. Nicole Brown, the Contractor that encouraged SMs to bring phones into USASOC facilities, was speaking on behalf of the BDE CDR. SFC Forbes had no way of knowing how many SMs this information had been given to, nor, given the questionable actions surrounding the HPW and SDI mandates, whether or not he would have Command support. After all he was receiving repeated allegations of negative perceptions of him as he was reinforcing USASOC Regulations. CSM Emekaekwue's physical actions occurred during an STB formation on the cement slab directly behind building X-4047 New Dawn Drive, Fort Bragg NC 28310, wherein he forcibly removed SFC Forbes by forcibly grabbing him, pushing and shoving him over 15 feet, from in front of the entire BN formation with likely over ~150+ SMs present. This humiliated/degraded SFC Forbes in his on-order roles as INFOSEC Officer and PSM and diffused his important National Security / Clearance Suitability message.

120630RDEC22 SFC Forbes met with LTC Furlow in his office wherein he notified SFC Forbes that he would speak with SFC Forbes' OIC and that SFC Forbes' place of duty was to go to 1SFC and USASOC and locate the appropriate regulations and ETPs for our phones. SFC Forbes let him know that he has had multiple conversations about these issues and have the regulations on file. LTC Furlow said he wanted the examples of completed ETPs as well. SFC Forbes then expressed to him that what just occurred at the formation was wrong and he would address it with CSM Emekaekwue and others later. He dismissed SFC Forbes.

120857RDEC22 Ms. Melissa Finch, the BDE CDR's Command Executive Assistant, emailed a request for a "list of authorized watches/fitness devices???" SFC Forbes emailed his response on 100805RDEC22 to Ms. Finch after she had emailed him her response (091347RDEC22) to his verbal inquiry of where the policy 2-2 was located in the shared drive. MAJ Weber wanted to see the policy associated with the legacy sign that was taped (for years) on the front foyer door during the meeting SFC Forbes to discuss the "way forward." SFC Forbes was requesting that someone repost the "posted security reminders" CPT Korista had removed.

120900RDEC22 SFC Forbes arrived at X-4047 to get printed copies of the appropriate regulations that LTC Furlow required before heading out on his mission for the BN CDR. As SFC Forbes entered, CPT Lowrie was in the lobby and immediately ordered SFC Forbes to escort the technical expert for the non-standard physical security server (cameras and badge readers). She acknowledged his prioritized mission for the day but said she had to be somewhere else. SFC Forbes monitored the activities of the technician until she was complete.

120910RDEC22 SFC Forbes witnessed two SMs (on staff duty) with PEDs in their hands. SFC Forbes politely asked SSG Hallmark (Spencer) and SPC Mamie (Anthony) to remove their "phones". They promptly and dutifully placed their phones in the phone boxes in the front foyer of X-4047.

120945RDEC22 SFC Forbes recommended to the PAO, SSG Baker, (Amanda C.), to take down the pictures uploaded on the unit's FB page that clearly depicted PEDs on the table. She asked, "When were they posted?" I informed her, "On Friday morning while the wireless sweep was being conducted." She

let me know, "[she] was on leave on Friday. I wouldn't do that." I recommended that she locate who may have and stated, "I would quickly have it taken 'down.'" I witnessed her immediately stop 1SG Morgan in the staff-duty area of X-4047 and have a vibrant conversation. USASOC Reg. 25-2, 10-3, a., states, "The PAO is the only authorized release authority for the command and will post reviewed, approved, and releasable USASOC information on systems and websites that are publicly available."

1211030RDEC22 CSM Emekaekwue brought SFC Forbes in for an event-oriented counseling session in which he inhibited SFC Forbes' ability to perform his duties. CSM Emekaekwue stated on the DS Form 4856, "Going forward, follow all directions from your OIC, CPT Lowrie, on how to implement the plan of action to get us to full compliance with USASOC Policy 25-2." It further stated, "In the event that you notice someone out of compliance, report them to your OIC. Do not confront them." This does not allow SFC Forbes to perform the duties of a Private who could "cease all activities" and "not leave the device unattended / unsecured," per USASOC 9-4, a. , (1) & (2), if the user "observe[d] an unusual incident."

121719RDEC222 SFC Forbes sent SFC Hylton and Mr. Smith a 'thank you email' to 1SFC IG staff members indicating when DA Form 1559 was forthcoming. SFC Forbes had an in-person meeting with them earlier that day.

130702RDEC22 SFC Forbes filed DA Form 1559 with 1SFC IG staff (SFC Hylton and Mr. Smith).

130734RDEC22 SFC Forbes recommended LTC Furlow consider an investigation to determine who violated USASOC 25-2, 10-3, a., and to consider reporting it to the ISSO.

130943RDEC22 CPT Lowrie put out a ETP request for government phones, with a list of NSA PEDs and ETP FAQs.

140330RDEC22 Arrived at Provost Marshall's Office to file a complaint and request the assault be investigated. My sworn statement was filed and my request for investigation was denied.

141126RDEC22 SFC Hylton emailed SFC Forbes that 1SFC IG was in receipt of his [1]2DEC22 request for assistance and that SFC Hylton would be the AO on the case.

160859RDEC22 SFC Forbes was receiving so many questions from so many SMs regarding everything from: "Who can use phone lockers? Does 1SFC have an ETP for their gym? Do we have ETPs for Gov't phones, PEDs or both?" SFC Forbes would consistently answer them consistently with: "Visitors only. None they can provide us." and "No." respectively. Therefore, SFC Forbes called Mr. Isaiah J. Williamson, the USASOC IT Program Manager to provide me with a synopsis, in his words, that SFC Forbes could use to support the regulatory mandates that he had been repeatedly conveying on a personal level. He confirmed what many INFOSEC Officers have known for years, with the following: "If a barracks, gym, or dining facility is used for anything regarding CUI or classified data, then it is considered a secure area and PED use is restricted without an exception to policy. Facility exemptions have only been granted in the past when SIPR was completely removed from the facility."

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161100RDEC22 SFC Forbes requested, in-person, of the 1SFC S3 NCO, the 1SFC HPW OPORD referenced in the 528th HPW OPORD. The NCO looked for over 10 minutes, handed 528th OPORD back to him and notified him that she could not locate it and it likely did not exist.

161433RDEC22 SFC Forbes requested access to the HPW portal under the USASOC portal.

161509RDEC22 Ms. Cathy M. Lutz, an affiliated civilian within the HPW program, emailed her response, "This site is restricted to HPW personnel only."

180754RDEC22 LTC Webb (George S.) of the Human Performance Optimization Division, USASOC Human Performance and Wellness, responded to Ms. Lutz inquiry on SFC Forbes' behalf by stating, "Team, The USASOC Directive is still in draft. Per my discussion with Joe [likely CPT Forte] last week, once complete I will socialize with 528th for input prior to putting into TMT (G3 channels). You guys are way ahead of us on this, apologies for playing pickup." He cc'd HHC 1SG and CPT Forte.

190724RDEC22 Ms. Lutz forwarded the 180754RDEC22 email to SFC Forbes to answer his request.

191000RDEC22 SFC Forbes traveled to the Office of U.S. Representative Richard Hudson's Office and filed a handwritten Privacy Authorization release form detailing my complaint.

191230RDEC22 COL Brunson coincidentally met SFC Forbes (in X-4047) parking area when he arrived back to the unit from Hon. Richard Hudson's office. COL Brunson said to SFC Forbes, "We need to talk, follow me." After he ordered SFC Forbes to remain in the BN Conference Room, he arrived back with LTC Furlow and said, "Upon your return Wednesday, you will report to 389th. There have been disruptive activities identified in my AOO per the 'townhalls.' I need to understand it. I will be launching a 15-6." I quietly said, "Good." "You are assigned there until further notice. Do you have any questions?" I said, "No, Sir. Thank you." After the meeting SFC Forbes removed most of his personal items from SFC Forbes' (now former) BDE S2 office.

210900RDEC22 Upon arrival at 389th as ordered, SFC Zorn (Martin R.) notified SFC Forbes that SFC Zorn was told that SFC Forbes was intended to take over as SSO for X-4025.

04JAN23 DA Memo was entered into IPPS-A Assigning SFC Forbes to 389th MI BN until 01JUN23. Printed and found this DA Memo on 17JAN23 along with my IPPS-A Talent Profile depicting my assignment to 389th MI BN.

051300RJAN23 After arriving for scheduled SSO training at 1SFC, Mr. Rick Streeter (1SFC SSO), CPT Lowrie (BDE S2 OIC), and SFC Forbes met and discussed various topics and SFC Forbes learned that the ETPs for government phones had finally been submitted again. SFC Forbes further noted that "PEDs were likely not going to be approved, even if asked for, unless USASOC changes its policies or ETPs were granted, which would be unprecedented." That would usher in myriad privacy concerns that SMs should be made aware of, not to mention, a lot of tracking work for IT professionals, and a focus on increased enforcement checks.

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100915RJAN23 CSM Prewitt (Demetris A.) scheduled a meeting with SFC Forbes on a USASOC-wide morning DONSA with a work-call of 1200. During this meeting CSM Prewitt notified SFC Forbes that he was not going to be the SSO at X-4025 but was reporting to SFC Zorn. CSM Prewitt provided SFC Forbes with his opinions that SFC Forbes was Toxic; that his reputation was ruined; and he was arrogant and wasted people's time. SFC Forbes attempted to respectively notify the CSM that he was not 1st party to any of the conversations, that he never worked with me and that his perceptions may be inaccurate. SMs, not following clear regulations, may be what is wasting everyone's time. CSM Prewitt called SFC Forbes "arrogant" again and threatened SFC Forbes with this statement, "How can I, as a CSM, endorsed by the U.S. Army, send you out to 82nd being so messed up. Your disagreeing with this counseling will leave me with no choice." Then he flipped over the signed counseling form that SFC Forbes disagreed with and began to go line by line through the form, asking SFC Forbes, "Do you disagree with the first line?" SFC Forbes responded on the counseling form. Then CSM Prewitt asked, "Well, do you agree with the second line?" At this point SFC Forbes performed a hasty editing of the entire document given the hostile questioning that did not seem was going to end any time soon. The CSM reviewed the document and underlines the statement, "You will use the minimum words possible…" and stated, "You just disobeyed a direct order!" The CSM then wrote a statement on the counseling and authenticated his written statement with his initials superscripted above it; it read, "This is an order." I requested a copy of the counseling and was dismissed. CSM Prewitt also wrote on the DA Form 4856 the following statements: "You were attached to the 389th while being investigated in STB; You are attached while you are suspended while STB gather the facts and circumstances concerning your situation;' and "You demonstrate 4 of the 8 traits of a toxic leader (with an attachment)."

111254RJAN23 SFC Forbes took a picture of "posted security reminders" placed on all of the same back doors where he had previously placed the "posted security reminders," on 07DEC22.

171554RJAN23 A prior order concurrent with COL Brunson verbal order (19DEC22) regarding SFC Forbes assignment to 389th MI BN was revoked by BDE S1 NCOOIC, SFC Markle (Trinity M.) NOTE: Distribution to SFC Forbes never occurred.

171555RJAN23 Another order regarding SFC Forbes was signed by BDE S1 NCOIC assigning SFC Forbes back to 528th BDE under HHC while being "attached" to 389th MI BN. This was a "Brigade directed move." Distribution to BDE CDR but, again, not distributed to SFC Forbes via any medium.

181100RJAN23 SFC Forbes requested 1SFC (MG Angle, Richard E.) Open Door Policy (#1); received a copy of it from 1SFC Command Team Staff.

181105RJAN23 SFC Forbes requested Open Door with 1SFC CSM Munter at 1SFC.

181550RJAN23 SFC Forbes arrived HHC CO CDR appointment at HHC OPS CTR X-4047.

181645RJAN23 This meeting was opened by HHC, CO CDR, CPT Korista, as he asked, "How are you feeling?" SFC Forbes responded, "I am fine. How are you?" SMs also present were 1SG Morgan, 1LT Jennes, CPT Devine, CPT Lowrie (at the beginning), MSG Grix (at the end). During tis meeting CPT Korista repeated that he wanted SFC Forbes to receive a "Safety Check." Near the end of the conversation SFC

Forbes expressed that CDBHE cannot be used as retaliation or reprisal. He repeated, again, to SFC Forbes, that he was ordering him to a "Safety Check." CPT Korista finally stated, "I am ordering you to go to the emergency room to be checked out because I have noticed erratic behavior." SFC Forbes agreed to go with MSG Grix to WAMC. After getting a partial copy of the medical record pertaining to this incident, SFC Forbes can clearly see CPT Korista's intent was likely to weaponize the CDBHE process as block 10 states, "Your future plans for dealing with this soldier are:" He replied with two bullets: "- Making sure the Soldier receives adequate care for his paranoia and erratic behavior" and "Remove him from USASOC/levels of responsibility[.]" SFC Forbes was diagnosed with "Stress" and released with nutritional and lifestyle guidance paperwork (similar to a pamphlet). CPT Korista also indicated on the FB Form 1462-E that SFC Forbes was the subject of disciplinary actions, by stating: "15-6 Inv; 12JAN23; Counter-productive leadership; on-going."

181809RJAN23 SFC Forbes left voicemail with 1SFC IG (after hours) stating that I was being ordered to an emergency CDBHE due to no Psychological professionals being available after hours. He further stated, that he was told that some Psychologist from 1SFC (unknown individual; SFC Forbes didn't meet any medical professionals there) said something to someone in my unit that caused CPT Korista to decide to perform what he deemed was "a Safety Check" but what he finally admitted was an emergency CDBHE. 1SFC IG likely has the recorded voicemail SFC Forbes left with the appropriate time stamp.

181843RJAN23 SFC Forbes was admitted to WAMC' emergency room for an emergency CDBHE. The wrist band provided stated 1743, likely due to DST, as SFC Forbes called his wife, Sabrina, at 1819 while MSG Grix (FN?) was driving SFC Forbes to WAMC.

190311RJAN23 SFC Forbes had been released: he was diagnosed with "Stress." He was driven back to his vehicle in X-4047 parking area by MSG Michaux circa 0330.

190900RJAN23 SFC Forbes met with CSM Munter of 1SFC on limited sleep.

191430RJAN23 SFC Forbes met with USASOC IG staff led by Ms. Leadbetter, Patricia M. She coordinated another meeting with 1SFC IG and had SFC Forbes' case changed to Mr. Chase Smith; replacing SFC Hylton.

191630RJAN23 Mr. Chase Smith emailed SFC Forbes that he will be "the new AO assigned to SFC Forbes request for IG assistance."

201430RJAN23 SFC Forbes met with Mr. Chase Smith and discussed the major components of the IG complaint timeline.

271359RJAN23 Responded to the Office of the Hon. Richard Hudson to notify them that this timeline and a synopsis is forthcoming. They acknowledged that my case has been opened.

241400RJAN23 SFC Forbes met with SSG King, (Rocky) of Fort Bragg Trial Defense Services to request representation with assault and being informally notified I am being investigated for Counterproductive

Leadership and CPT Korista's attempt to "Remove [SFC Forbes] from USASOC/levels of responsibility." He referred SFC Forbes to XVIII Airborne Corps Legal Assistance to get Suspect Rights support.

250930RJAN23 Requested XVIII Airborne Corps Legal Assistance office at the Fort Bragg Soldier Support Center for Suspect Rights questions for being informally notified of my being the subject of an investigation for Counterproductive Leadership, wrongful referral to CDBHE (threatened fit for duty assessment), and assault/humiliation by the BN CSM in which my BDE Command Team failed to act to stop or remediate.

Office of U.S. Representative Richard Hudson

Privacy Authorization Release Form

Authorization in Accordance with the 1974 Privacy Act
Due to the provisions of the Privacy Act of 1974 (Title 5, Section 552A of the United States Code) permission in writing is required before making an inquiry on your behalf. Completing and signing this form authorizes U.S. Representative Richard Hudson to make inquiries to the appropriate officials on your behalf. In accordance with the provisions of the Privacy Act, I hereby authorize U.S. Representative or his representative to receive information on my behalf and discuss my records with the agency involved.

Name: SFC FORBES, MICHAEL J. Date of Birth: 12 APR 1968

Address: [redacted]

City: [redacted] State: [redacted] Zip: [redacted]

Home Phone: [redacted] Other Phone: [redacted] (MFE S[redacted])

Email: paxmas2007@yahoo.com

Social Security Number [redacted] Case/Account/Inquiry Number _____

(Please provide the appropriate identification number pertaining to the assistance with which you are seeking our help.)

Have you contacted any other elected official regarding this case?
Yes/(No) (circle one) If so, who N/A

Please describe the specific information you are requesting or the exact nature of the problem you are experiencing. Send copies of relevant information. **Please do not send originals.** Use extra paper if necessary.

OPORD 22-XXX IS BEING EXECUTED WITHOUT PROPER VETTING. THIS CAN ARGUABLY BE CONSIDERED A COMMAND DIRECTED BEHAVIORAL ASSESSMENT (HEALTH BASELINES WHICH WOULD FALL UNDER VARIOUS DoDI 6490 DOCUMENTS. I DISCOVERED THERE IS NO CURRENT DIRECTIVE FOR SOLDIERS ARE BEING ORDERED TO PARTICIPATE W/ 3RD PARTY CORPORATE APPS IN USASOC FACILITIES. (SEE NOTE)

Which federal agency does this involve? US ARMY

SIGNATURE: [signature] Date: 19 DEC 2022

Please return the completed form to: U.S. Representative Richard Hudson/Casework
225 Green Street, Suite 202
Fayetteville, NC 28301
Phone: (910) 997-2070

NOTE: I WAS BATTERIED (PHYSICALLY REMOVED FROM IN FRONT OF FORMATION AS I WAS PUTTING OUT A PROHIBITION OF PERSONAL ELECTRONIC DEVICE (PED) MESSAGE TO ARGUING PHONES FROM BEING BROUGHT INTO OWN FACILITY. IT HAS BECOME AN INSTITUTIONAL ISSUE IN X 4947 NEW DAWN DR. FT BRAGG NC. 28310. SEE SB (SO) CA). BN (N150+PAX)

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

MAY 3 0 2023

AOSO-JA

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

SUBJECT: General Officer Memorandum of Reprimand

1. You are hereby reprimanded for being disrespectful in language and deportment towards a Field Grade officer and for engaging in counterproductive leadership. On 30 November 2022, you were disrespectful in language and deportment during a conversation with a senior commissioned officer, by raising your voice at her and talking over her. Also, during your time as Brigade S2 NCOIC, you engaged in counterproductive leadership by being quick to anger, erratic, disrespectful, and by failing to take accountability for your mistakes.

2. Your behavior in these matters demonstrates a complete lack of judgment and responsibility. You have discredited yourself, the 1st Special Forces Command (Airborne), and the United States Army. Your conduct constitutes a serious departure from the high standards of integrity and professionalism expected of a Soldier in this command. Your behavior in this matter cannot, and will not, be tolerated, and it forces me to seriously reconsider your suitability for continued service as a Soldier in the United States Army.

3. This reprimand is administrative in nature and is not imposed as punishment under the Uniform Code of Military Justice. I have enclosed the information upon which I based this reprimand. You are advised that in accordance with Army Regulation 600-37, paragraph 3-5b, I am considering whether to direct this reprimand be filed permanently in your Army Military Human Resource Record. You will immediately acknowledge receipt of this reprimand in writing. You may submit a written rebuttal to this reprimand and should include any other documents or statements you would like me to consider. You have seven (7) days to submit any matters you wish me to consider through your chain of command. Prior to making my filing decision, I will consider any matters you submit in extenuation, mitigation, or rebuttal. I will notify you in writing of the final filing decision.

Lawrence G. Ferguson

LAWRENCE G. FERGUSON
Brigadier General, USA
Deputy Commanding General

DEPARTMENT OF THE ARMY
HEADQUARTERS, 1ST SPECIAL FORCES COMMAND (AIRBORNE)
H-3531, 9TH INFANTRY STREET (STOP A)
FORT LIBERTY NORTH CAROLINA 28310-8509

AOSO-JA

AUG 10 2023

MEMORANDUM FOR Commander, United States Army Human Resources Command, ATTN: Army Soldier Records Branch (AHRC-PDR-R), 1600 Spearhead Division Avenue, DEPT 420, Fort Knox, Kentucky 40121-5402

SUBJECT: General Officer Memorandum of Reprimand (GOMOR) Filing Determination – SFC Michael Forbes, Headquarters and Headquarters Company, 528th Special Troops Battalion (Special Operations) (Airborne), 528th Sustainment Brigade (Special Operations) (Airborne), Fort Liberty, North Carolina 28310-8509

I have reviewed the enclosures and direct that the GOMOR pertaining to SFC Michael Forbes, Headquarters and Headquarters Company, 528th Special Troops Battalion (Special Operations) (Airborne), 528th Sustainment Brigade (Special Operations) (Airborne), Fort Liberty, North Carolina 28310-8509, be filed in his Army Military Human Resource Record.

LAWRENCE G. FERGUSON
Brigadier General, USA
Commanding

5 Encls
1. COC Recs
2. Ack and Rebuttal Matters
3. GOMOR
4. Supporting Documents
5. Flag/STP

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY,
1ST SPECIAL FORCES COMMAND (AIRBORNE)
FORT LIBERTY, NORTH CAROLINA 28310

AOSO-HHC

Date: 8/25/23

MEMORANDUM FOR RECORD

SUBJECT: Acknowledgment of GOMOR Filing Determination.

I acknowledge notification of the General Officer Memorandum of Reprimand filing determination dated 10 August 2023.

FORBES.MICHAEL.JEFFREY. Digitally signed by FORBES.MICHAEL.JEFFREY. Date: 2023.08.25 11:44:55 -04'00'

MICHAEL FORBES
SFC, USA
Respondent

I acknowledge receipt of GOMOR filing determination only because I disagree with this unjustified GOMOR, the unwarranted MPO and the unsubstantiated RFC and reserve the right to formally respond and use every identifiable means to remediate this decision, which is an attempt to conceal the violations of my Civil Rights, Public Law, Regulations & Policies and the APA Code of Conduct. This was coordinated by the BDE CDR (conspiracy, unlawful mandated Behavioral surveys and 3rd party apps, corrupted clandestine 15-6 investigation), and the BDE Psychologist (more than 22 violations of the APA Code of Conduct to include a documented Conflict of interest and a failure of recusal), the BN CSM (assaulted me in front of BN Formation and no one acted to remediate it or investigate it), and the Co. CDR (illegal eCDBHE referral based on lies). I did nothing wrong; it is I, who have been wronged, and continue to be wronged, up to and now including this day, by more RMOs, to include this GOMOR permanent filing determination dated 20230810.

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQUARTERS COMPANY
528TH SPECIAL TROOPS BATTALION (SPECIAL OPERATIONS) (AIRBORNE)
FORT BRAGG, NORTH CAROLINA 28310

AOSC-STB-HHC

Date: 20230601

MEMORANDUM FOR Commander, 1st Special Forces Command (Airborne), Fort Bragg, North Carolina 28310

SUBJECT: Acknowledgement of Receipt of Reprimand

1. I have read and understand the reprimand, dated 30 May 2023.

2. I acknowledge that I have the opportunity to respond by submitting matters in extenuation, mitigation, or rebuttal. If I choose to submit written matters, I understand that I must submit them to my immediate commander within seven calendar days.

3. I elect (initial):

[ ] Not to submit any matters.

MF [✓] To submit written matters within seven calendar days. I understand that if I select this option, but do not submit written matters within the time prescribed, I waive my right to respond.

ACKNOWLEDGE RECEIPT ONLY DISAGREE W/ CONTENT OF ALLEGATION CO UNPROFESSIONAL BEHAVIOR

MICHAEL J. FORBES
SFC, USA
Respondent

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

16 June 2023

MEMORANDUM FOR Record

SUBJECT: SFC Forbes, Michael J. rebuttal of 2LT Tolston findings and evidence

The following brief is submitted by James M. Branum, legal counsel for SFC Forbes as a rebuttal of the 15-6 investigation findings and evidence submitted by 2LT Tolston, as well as the recommendation of a GOMOR and the contemplation of a relief for cause.

Introduction

Any objective reader of the findings and evidence submitted by 2LT Tolston would have reason to be concerned, however, the reality is very different than the distorted picture painted by this report of a deeply flawed investigation conducted by a junior officer.[1]

This problematic investigation resulted in many pages of sworn statements and MFR's (see enclosure A for a detailed discussion of these documents by SFC Forbes and enclosure B for a detailed investigation timeline), but this brief will focus its response to the two central justifications made in the recommendation for a GOMOR, as well the significant errors in the investigation itself.

1. SFC Forbes did not engage in disrespectful communication with MAJ Racaza

As outlined by SFC Forbes in his statement (see exhibit 1), SFC Forbes spoke in a respectful manner with MAJ Racaza about his bona fide concerns about medical privacy. He treated her as a professional because she was one, and he rightfully expected her to fulfill her duty under both Army regulations[2] and the licensing rules of her jurisdiction (Arizona)[3] to provide the

[1] In my almost 17 years of practicing in the area of military law, I do not recall ever seeing a 2LT being given such a challenging AR 15-6 investigation to complete.

[2] *See* DoDI 5400.11 part 5.1 (a)(3) (ref. A). *Also see* DOD Patients Bill of Rights at DoDI 6000.14 (ref. C), and *see* 32 CFR 219 § 219.116 (ref. E).

[3] According to the Ariz. Admin. Code § 4-26-301(online at https://casetext.com/regulation/arizona-administrative-code/title-4-professions-and-occupations/chapter-26-board-of-psychologist-examiners/article-3-regulation/section-r4-26-301-rules-of-professional-conduct), the APA's "Ethical Principles of Psychologists and Code of Conduct" are binding on Arizona psychologists. This includes Rule 3.10 (online at https://www.apa.org/ethics/code) which provides that "When psychologists conduct research or provide assessment, therapy, counseling, or consulting services in person or via electronic

information needed for him to be able to make appropriate decisions about his privacy rights under the law. Unfortunately, this is not what happened, and MAJ Racaza chose to engage with SFC Forbes in a disrespectful and unprofessional manner.[4] As such, she effectively divested her status as a superior officer and was no longer protected by the provisions of UCMJ article 89.[5] As explained in the US Army's *Military Judges Benchbook*:

> *(When an officer) under all the circumstances departs significantly from the required standards of an officer and a (gentleman)(gentlewoman) appropriate for that officer's rank and position under similar circumstances is considered to have abandoned that rank and position."*[6]

The veracity of SFC Forbes' interaction with MAJ Racaza are also backed by his long history of conducting himself professionally and respectfully, as shown by several of the character reference letters, including that by CW4(R) Dane A. Bergeron,[7] who said:

> *SFC Forbes possesses excellent communication skills (both written and verbal), allowing him to effectively interact with all levels of personnel in the Chain of Command.*

This picture of SFC Forbes is also consistent with what is said in this excerpt from his most recent NCOER dated August 31, 2022:[8]

---

transmission or other forms of communication, they obtain the informed consent of the individual or individuals using language that is reasonably understandable to that person or persons except when conducting such activities without consent is mandated by law or governmental regulation or as otherwise provided in this Ethics Code. . ."

[4] For SFC Forbes' account of this interaction, s*ee* enclosure A.

[5] *See generally* Milhizer, Major Eurge R. "The Divestiture Defense and United States v. Collier" *The Army Lawyer* (March 1990; DA-PAM 27-50-207), online at: https://bit.ly/460vuf.

[6] DA PAM 27-9 at 1090.

[7] *See* enclosure C.

[8] This NCOER, as well as his previous ones can be found in the exhibits, in the folder entitled "CRL-Character reference letters"

From Part IV Section C (Comments):

** fully supported Army SHARP, EO, and MRT programs*
** model of the Army values; promoted these values with others and exemplified the highest standards of personal conduct both on and off duty*

2. SFC Forbes did not engage in "counterproductive or toxic leadership behaviors within brigade or battalion S2 sections."

The findings of the IO with regard to allegations of counterproductive and toxic leadership are based on weak and conflicting evidence, much of it based on hearsay, repeated rumors, and unsubstantiated opinions.

A different picture than the one painted by the IO, can be found by examining the past NCOER's (see attachments), as well as the testimony of those who have worked with SFC Forbes (see attached character reference letters). Here is one important except, from the letter by CSM Aubrey L. Crenshaw[9]:

> *To date, I have known SFC Forbes for the past eleven years through military positions held and through continued mentorship. I can personally attest to his intelligence, fortitude and professionalism. Others and I can confirm his exceptional qualities and potential as a leader, trainer and motivator. I have witnessed firsthand his growth in both military knowledge and experience, and as a person.*

SFC Forbes has a strong record of being a true leader, one who will speak the truth when it needs to be spoken, but also one who sees the potential of junior enlisted troops and helps them to get on track to get promoted and succeed in their MOS. [10]

Also worth noting are these remarks from SFC Forbes' most recent NCOER, dated August 31, 2022:

From part III, section j (Comments):

** stellar performance, dedication, and commitment to excellence during the rating period; finds most efficient and effective means to remain in regulatory compliance*

---

[9] *See* enclosure C.

[10] For evidence of this, *see* the NCOER's, as well as exhibit A.

> ** earned staff's respect with solid guidance, eagerness to learn other sections' functions, and interoperability; steadfast in protection of command team's decision-making process and reducing risk*
>
> **From Part V section b (Senior Rater Comments)[11]:**
>
> *SFC Forbes is a top 15% NCO with tremendous potential to excel. SFC Forbes' ably served as both OIC and NCOIC of the BDE S2 Section and revitalized our physical security programs; his performance validates his exceptional potential at the next level. Send to Master Leaders Couse and promote to Master Sergeant ahead of peers.*

3. SFC Forbes was subjected to a flawed and deficient investigation.

There have been several significant issues related to the process that SFC Forbes has been subjected to, including:

> **a. The failure of the IO to call all relevant witnesses (and to either provide sworn statements from all she interviewed) resulted in an inaccurate/distorted judgment of SFC Forbes.**

In the sworn statement by 1SG Morgan (exhibit 4), there were several individuals listed by 1SG Morgan as relevant witnesses, however, it does not appear that the IO interviewed these people. The names provided by 1SG Morgan were: COL Brunson (BDE CDR), LTC Sanchez (BDE XO), CSM Vargas (BDE CSM), LTC Hamman, C. (former BDE XO), and MAJ Collins, M. (former BDE XO).

Also, according to the Findings memo by the IO (pages 5-6), the IO interviewed several witnesses for which she provided no sworn statements or summarized testimony by memorandum. These interviewees were: MAJ CH Rivera, 1LT Lyons, and Mrs. Margaret Lindquist. It is not clear why the IO chose to not provide some kind of MFR for these interviews, given her obligation to “

[11] The senior rater was COL Brunson.

b. The reliance of the IO on summarized statements rather than on sworn statements, resulted in an inaccurate/distorted judgment of SFC Forbes.

The IO in this investigation made frequent use of MFR's to summarize testimony. While this is permitted under the regulations, it is important to note that the stated intent of this permission is to primarily accommodate witnesses who are testifying telephonically.[12]

While the use of sworn statements is not required for an AR 15-6 investigation (unless otherwise required under the appointment orders), the use of MFR's in place of sworn statements (by MAJ Weber[13], LTC Furlow[14], and SFC Meredith[15]) does raise serious questions about whether this testimony should be treated with the same level of deference as one would otherwise provide to testimony done by way of an oath.

c. The decision of the IO to make use of unreliable, irrelevant and immaterial evidence, resulted in an inaccurate/distorted judgment of SFC Forbes.

In reviewing the totality of the evidence provided in the AR 15-6 investigation, a few themes keep recurring through multiple witness statements, including the use of generalizations and opinions (often by personnel who have not established on the record the factors that substantiate those opinions), the frequent use of hearsay and more generalized gossip, and the use of irrelevant but negative information.

According to the *Investigating Officers Guide*, AR 15-6 investigations are not bound by the MRE (Military Rules of Evidence), but there are still some limitations on appropriate evidence, most notably:

> *The information must be relevant and material to the matter or matters under investigation. Information not meeting this standard must not be included in the investigation.*[16]

Unfortunately, the IO in this case made extensive use of information that was irrelevant and immaterial, including remarks by witnesses about SFC Forbes' opinions on topics including race,

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[12] *See Investigating Officers Guide*, (C-3)(c)(1), of App. C of AR 15-6.

[13] *See* exhibit 12.

[14] *See* exhibit 14.

[15] *See* exhibit 15.

[16] AR 15-6, App. C, (C-3)(g)(1).

DEPARTMENT OF THE ARMY
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MI 16-June-2012

MEMORANDUM FOR RECORD

SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Introduction:
This memorandum is written for a simple but important purpose: to defend my reputation and career from a coordinated onslaught of wrongful personnel actions (including repeated counseling and graduated reprimand recommendations), culminating in a GOMOR being delivered by BG Ferguson.

This memorandum will be addressing each of the sworn statements and memoranda for record that were provided to me as the result of the AR 15-6 investigation. While this memorandum was drafted by myself, it will refer to me in the third person for the sake of consistency

These repeated attempts to justify an ill-intended prolonged investigation of a Soldier that was dutifully and professionally performing duties that his BDE CDR assigned him to perform should be used to modify existing regulations and authorities. This simple situation could have been remediated with appropriate actions at various stages throughout this document by CDRs at any echelon and the lack thereof can easily be assessed as a failure to act by responsible leaders.

I have had to lodge multiple complaints resulting in investigations that the BDE CDR may have no visibility of; I have identified other organizations that may have a vested or oversight interests in these events as well. Unfortunately, at nearly 6 months, my wife reached a frustration level that inspired her to write to Secretary of the Army, the Honorable Christine E. Wormuth (See “01-COL Brunson” folder) on 20230524. She did this because she saw her husband lose a position that he loves, one that he worked his whole Military career to be knowledgeable about to positively impact.

This situation, arguably, began on 20231130 with MAJ Racaza’s actions as she unjustifiably followed me upstairs to report me to the BDE CDR while ignoring her responsibility to follow Public Law, Regulations and the APA CoC as it related to the ad hoc SDI event. This led, due to no fault of myself, into what you are about to read. When a similar endeavor, the USASOC sponsored HPW rollout order, immediately followed, I knew better than to ask any 528th SB Special Staff for any information pertaining to making an ‘informed consent’ decision and attempted to get the information on my own. Those efforts resulted in being unjustly removed from my

NCOIC position and put under intense undue scrutiny at every echelon of two BNs over the last six months under the leadership and culture of COL Tavi Brunson.

The following responses/explanations are made for the witness statements and other supporting documents of the AR 15-6 investigation. Due to the lack of sufficient time to respond to all of the allegations, this memorandum should be understood as being a non-comprehensive response.

Notably, MAJ CH Rivera was interviewed by the IO but no SS or MFR by 2LT Tolston was produced, yet he is mentioned in other hearsay remarks in evidence as having seen SFC Forbes before speaking with MAJ Racaza. I did not meet with or see anyone other than MAJ Racaza until after was ordered to report to COL Brunson's office at the behest of MAJ Racaza; I met with MAJ CH Rivera later that day. Even though the IO MFRs should be excluded, I will address as many of the identifiable issues as I have time to respond.

Also please note: CPT Lowrie and SFC Meredith are not licensed mental health professionals and their purported diagnoses of "a lack of emotional fitness" and a "mental break," respectively, regarding me, are moot. Moreover, these statements coupled with MAJ Racaza's behaviors suggest a probative value into whether anyone was 'coached' to provide these highly charged opinions to the IO. Notably, CPT Lowrie is pursuing a PhD in Psychology and working with, MAJ Racaza on her dissertation questions.

ALL HIGHLIGHTS ARE QUOTED STATEMENTS PROVIDED TO IG

Exhibit A
MAJ Racaza Sworn Statement (20230119)

Summary: This is an impugned witness. See Exhibit H Folder of PMO the criminal assault that SFC Forbes submitted to the Fort Bragg PMO. MAJ Racaza should not have been allowed to submit evidence against SFC Forbes as it provides significant probative value in a different venue, which is likely the reason the BDE CDR recommended a GOMOR instead of UCMJ action (See the accompanying Investigation Timeline memo to identify the multiple actions that MAJ Racaza should have either, not acted until she fulfilled her Lawful and Principled responsibilities and, thereby, divested her authority as an Officer in the United States Army). Moreover, after violating this, MAJ Racaza further impugned herself (as seen in Exhibit E, CPT Korista's SS) when she recommended SFC Forbes after she had complained about him at least twice prior to an investigation in which she was a prominent and sole Officer that COL Brunson alleged SFC Forbes disrespected.

A week after that, MAJ Racaza exacerbated her impugned status by then recommending SFC Forbes (an unwitting suspect of the investigation) for an eCDBHE through the newly replaced (on BDE order, see Exhibit E, "para 7_Q4 eCDBHE" folder, 3x orders dated 20221220 & 20230117) authority of CPT Korista. If the outcome of what SFC Forbes deems a "unwarranted fishing expedition" had been, even remotely, negative (it was not, see Exhibit A, "WAMC" folder) it would have been used against him in the open investigation and could have affected SFC fit-for-duty status.

Having been a 14-year unblemished, licensed professional of FINRA prior to his joining the Army (See "10-CRL/BIO & CIV Resume" folder), SFC Forbes fully understands the most important professional act MAJ Racaza failed to accomplish, given her prior complaints about SFC Forbes. Her lack of recusing herself of anything pertaining to SFC Forbes' eCDBHE and his mental health is troubling. She could have easily contacted another Psychologist on Fort Bragg to objectively assess any concerns in this situation of which she was centrally involved. Instead, she went 'all-in' and committed serious violations of what the APA CoC calls, "Conflict[-]of[-]Interest" and "Multiple Relationships" (See Exhibit A, "AZ BOPE" folder, "APA 3.0 Human Relations…3.05 and 3.06).

Yet, one day after SFC Forbes' questionably ordered (by CPT Korista) eCDBHE evaluation, which was conducted by Mr. Lanier, at WAMC, MAJ Racaza quadrupled down in her likely narrow-minded or shortsighted and predetermined opinion of SFC Forbes that occurred within the less than 1-minute discourse with SFC Forbes on 20221130. MAJ Racaza decided to participate ***as a witness*** in the investigation (See Exhibit A); this was an investigation she already had a hand in starting on 20230112. MAJ Racaza's motive is probative and may have been due to his favorable 3822 results and her need for him to be counterproductive or suffer from a diagnosed personality disorder to explain away her violations of Public Law, Regulations, Office of Management and Budget Memorandum (pertaining to 3rd Party Applications) and the APA CoC. She attempted to get an outside opinion that would align with hers and failed.

The reasons for her failure of a commonly used concept of 'recusal' or avoidance of a perceived 'conflict-of-interest' among licensed professionals will be reported to the Arizona Board of Psychologist Examiners (AZ BOPE) for consideration and possible adjudication following the resolution of this GOMOR rebuttal. In fact, I was, and would be still be, prepared to request a General Court Martial, as I feel the rules of evidence and oversight of his rights and due process in that venue would afford me the opportunity of transparently presenting the evidence provided herein.

The APA's Code of Conduct (APA CoC) was adopted by the (AZ BOPE). Please reference the "Exhibit A, AZ BOPE" folder to find all (highlighted) violations that will be argued in front of this licensing body. Informed consent, an ad hoc event ombudsman and a privacy assessment are some of the items that will be addressed regarding the

SDI 2.0 event that she promoted through the BDE CDR. At no time, during SFC Forbes' failed (less than one minute) request-for-information (RFI) attempt, did he disrespect MAJ Racaza or "[angrily]" demand information; he simply wanted the information and she should have known, through her education and professional licensure, that his reasons "Why?" were irrelevant to her lawful obligation to answer them. She was bound by Public Law, Regulation and APA CoC to answer his two queries. She did not answer either of them then (20221130) and did not answer them up and through the culmination of the event on 20221202. SFC Forbes was relieved to not be included in this Command Directed Behavioral Health Data Gathering event that produced PII identifiable reports back "to the Sponsor" and MAJ Racaza. SFC Forbes has no confidence in MAJ Racaza's competency or professionalism after the ~1 minute exchange and her misperceptions associated of SFC Forbes 'anger' that she reported to the BDE CDR. SFC Forbes had professional exchanges with the BDE CDR over this issue and considered it closed immediately after the exchanges.

SFC Forbes will not be able to address many of the false statements and hearsay of unidentified persons contained in the MAJ Racaza's SS and does not concede or agree with MAJ Racaza's allegations of disrespect or counterproductive leadership behaviors.

SFC Forbes addresses her rendition of SGT Aldeguer's SS, which she was not a party to, or witness of, in Exhibit B narrative. Also, refer to the attached CD or zip-file provided by SFC Forbes (integral part of this rebuttal) for an email exchange between SFC Forbes and COL Brunson (see "01-COL Brunson" folder, email dated 20221201), wherein he documented a communication to COL Brunson; the email pertained to the discussion with MAJ Racaza on 20221130 that following his 'called-on-the-carpet' meeting in the BDE CDR's office, pertaining to MAJ Racaza misperceptions. SFC Forbes included detailed reasoning for asking his questions of her; he simply wanted to be afforded 'informed consent' (per Public Law and Regulation) prior to his participation in the ad hoc SDI data-gathering (and shared) behavior health oriented program. COL Brunson's codified (in the email) response was to state, "I will respect your request and excuse you." He immediately replied again and stated, "P.S. For the record, I read it all twice."

SFC Forbes has never removed or threatened to remove anyone's building access or suspend anyone's clearance without CDR recommendation and/or INSCOM direction in his entire 11+ year career as a highly successful (see all NCOERs in folder entitled "NCOERs)."As the NCOIC and BDE appointed Primary Personnel Security Manager (PSM), the only requirement SFC Forbes enforced was the incentive for Soldiers to fully in-process prior to receiving building access via the CAC Card readers on X-4047. He enforced this to justify the granting of access in DISS. People would go to SSG Meredith to in-process to circumvent this requirement and get access without appropriate training and access notification to DCSA, formerly known as DoD CAF (Please see the detailed issues with how SSG/SFC Meredith executed the S2 Programs

prior to SFC Forbes' arrival in Exhibit N narrative). These are issues MAJ Racaza would not be privy to in her official capacity: and her commentary, opinions, or assessments about these internal S2 issues would have been based only on hearsay, making them effectively moot.

Exhibit B
SGT Aldequer Sworn Statement (20230119)

Summary: SFC Forbes met with MAJ Racaza. Interestingly, SGT Aldeguer stated, "Chaplain Rivera saw him walk in and he called MAJ Racaza to answer his questions." This indicates coaching from someone; he is attesting to events of MAJ CH Rivera, down the hall and out of sight.

This Soldier is a direct subordinate to MAJ Racaza. Given her violations of Public Law, Army Regulation and the APA CoC (CoC issues will be adjudicated in a proper venue). It is in MAJ Racaza's interest to attempt to find corroboration of SFC Forbes as counterproductive or suffering from a diagnosed personality disorder, where none exists to divert any attention from her bad actions (or lack of lawful fulfillment of Public Law, Regulations and APA CoC). This case is a clear fabrication of this witness and there is no testimony to support it. Even if this discussion had occurred, as all of SFC Forbes Character Reference Letters (CRLs) (See "10-CRL" folder) indicate, he never has walked into anyone's office and begun demanding things; because it is not professional.

Furthermore, SFC Forbes would never comment on someone's "English." SFC Forbes was never the subject of an EO complaint related to this event because it did not occur.

Exhibit C
1SG Morgan Sworn Statement (20230120)

Summary: See narrative below. Not enough time to summarize.

para 1 - "2021 Motor pool Incident w/ CPT Valdez:" SFC Forbes created a SS pertaining to the 20210723 discussion as it was a catalyst to later issues with CPT Korista and 1SG Morgan. Separately, SFC Forbes dutifully had motor-pool personnel secure a GSA 2-drawer safe that he observed on the parking surface (outside) near the fence-line of the motor-pool; he immediately wrote an impromptu MFR (see Exhibit C folder), notified the S4 to attempt to identify the owner, and documented the situation. Contradicting 1SG Morgan's own SS is his own evidence submission of the corresponding DA 4856, dated 20210727, which noted in the closeout of the DA 4856 that "SM has not had any problems since the 27 July counseling session."

Interestingly, this close out occurred a couple of days before an investigation was launched against SFC Forbes, lodged erroneously by an unknown and likely

overzealous CDR, due to an overreaction by MSG Kazmierski, Sean that his IOTV went missing (see Exhibit C., "para 5" folder and narrative in this section para 5 for more on this topic).

para 2: - "HHC Supply Issues at S2 HRH:" SFC Forbes signed both initial counseling memoranda from both CPT Mansour and CPT Korista (see Exhibit C, "para 2" folder); statements to the contrary are false. Please see "para 1" evidence and SFC Forbes SS to appreciate the major issues in how equipment was inspected, documented, and accounted for in HHC, STB under both Company CDRS. SFC Forbes did not add to the CD 1 ½ years of monthly signed sub-hand receipt documents in his meticulously kept sub-hand receipt hard-copy binder, but he is willing to provide his records to anyone that needs to see or have them. Notably, on 20210720, SFC Forbes suggested and encouraged CPT Mansour to have a document with the Sub Hand Receipt Holder's signature on it.

para 3: - "Conflicts with BDE Staff Leadership/Platoon Sergeant:" Please see the following paragraph, the first paragraph of "para 7" below and Exhibit M. "example" (x2) interactions therein and elsewhere throughout the entirety of this document, for reference evidence that refutes this allegation. SFC has a good memory but does not recall, nor did he document the conversation with MSG Burgos as it was inconsequential; it was one-of-many conversations he had with the BDE S3 NCOIC (MSG Burgos). They are S3 Operations cell after all. Notably, the lack of specificity on the part of 1SG Morgan does not help SFC Forbes recall the conversation either. The PSG issue can be summed up in the myriad exchanges both SFC Surorodriguez and SFC Forbes could print off; SFC Forbes decided that refuting this is self-evident and only selected examples that easily counter any allegation he did not want to communicate with the PSGs. The examples in Exhibit C, email dated 20220629 and 20220831 refutes any lack of communication on SFC Forbes' part outside the norm. The only issue SFC Forbes ever verbalized was the difficulty in responding to after-hours texts (See Exhibit C, email dated 20220629) and SFC Suro indicated that it was not an issue; after-hours texts have since been discouraged in the unit.

There were minor conflicts, but not with BDE Staff. As this memorandum is rife with examples of CPT Korista and CPT Mansours questionable leadership decisions that are compounded by the lack of an HHD UIC on the MTOE, this email is yet another example. CPT Korista publicized to all on the "to:" and "cc:" lines of the email that SFC Forbes' Soldier (PFC Scheffing) was on a list of Solders entitled "Failure to Train." Moreover,it included threats of Personnel Actions or "future consequences" if the Soldiers repeatedly miss training. PFC Scheffing was a good and dutiful Soldier on Staff Duty, but everyone, other than the PSG (SFC Surorodriguez), SSG Meredith, SFC Markle (S1) and SFC Forbes were made aware that he was otherwise duty bound NOT to attend. This was never remediated by CPT Korista and SFC Forbes did not see this

as material to bring up at that time, given CPT Korista's reactions to Senior NCO guidance in the past.

para 4 – "Interactions with Company Staff:" This refers to the same allegations in CPT Korista's SS (para 2., c.). This is simply not true. This was yet another last minute tasking that CPT Korista and 1SG Morgan would pick Soldiers by name and SFC Forbes simply went down to inquire what the urgency was and upon learning this was a relatively short event and it had to do with the issue that CSM Vargas was intimately familiar with (she garnered some Garrison attention for standing up for our Soldiers in a bold way; SFC Forbes admires her for it) and had eventually received national press attention. SFC Forbes, he left and went back to work upstairs.

para 5 – "Abusive and Dishonest Behaviors:" This is a fabrication. See redacted Investigation report SFC Forbes received via FOIA and LTC Furlow DA 4856 of Forbes in reference to the outcome.

para 6 – "Inappropriate/Racist Statments:" This is categorically absurd. SFC Forbes has been married to his wife, Sabrina, a proud Native American of Lumbee heritage, for nearly 8 years. In fact, he is the only Caucasian family member in his wife's extended family (including both her foster and biological families). The family is approximately 60% Native American and 40% Black. This is untrue and just another instance of witnesses attempting to repeatedly use hearsay and inflammatory statements in the hopes to bolster an untrue statement.

para 7 – "Interactions with Officers:" MAJ Johnson, S1 OIC, 528th SB provided unsolicited feedback when SFC Forbes owed the unit $20, the remaining balance on two clothing items being sold ISO the BDE Ball. After 3 months of excluded from working with colleagues whom he had a working relationship with, he provided her the following feedback and reflection, "You are a professional and I miss working with you. I love working with professionals." MAJ Johnson responded, "Good morning and thank you SFC Forbes. I'm glad for your support. Thank you!, you have always rendered the same courtesy to me, always cordial and professional." MAJ Johnson never talked-down to SFC Forbes and always took his guidance seriously. SFC Forbes has always viewed the S1 shop as one of the only professional offices at BDE, STB and HHC (under UIC: WJTDAA) along with the BDE S3 under MAJ Lester 's leadership though he never expressed that to anyone until we worked on this writing. In fact, SFC Forbes feels that MAJ Lester was the epitome of professionalism due to comments made to SFC Forbes of "Sergeant Forbes, you do not have to schedule a meeting to quickly discuss anything, You are the S2 in my opinion and I will provide you the same courtesy I would provide any other OIC here. Just come and knock, if I can't meet right then I will tell you."

Moreover, MAJ Lester worked with SFC Forbes to get the Primary Physical Security Officer named in the S3 after a vibrant and positive email (See Exhibit F, email dated 20220331) and verbal exchanges over the course of several weeks. SFC Forbes, had not gotten approval for an attached SPO Analyst yet, the Command had tasked SFC Forbes with the TSCIF approval SFC Forbes idea was to support and train SFC Riley for a year and then MAJ Lester would find another Soldier in the S3 or elsewhere

para 8 – "Overall:" All repeated allegations have been addressed above and SFC Forbes does not agree with any of 1SG Morgan's opinions, conclusions, generalizations, hearsay allegations of unspecific events, or characterizations of how the units leadership "condoned" any inferred counterproductive behaviors; they simply didn't occur as perceived, embellished and/or purported. After all he has an excellent recorded history of his leadership of the BDE S2 Section as NCOIC and acting OIC over an 18-month period (See "CRL/NCOERs)", during which 1SG Morgan's commentary resides.

Exhibit D
CPT Lowrie Sworn Statement (20230124)

Summary: CPT Lowrie's SS pertaining to the 2 months (17OCT – 19DEC not three months) contained opinions, allegations, and fabrications of the following:

1) a counterproductive messaging and approach (opinion),
2) "my way or no way" attitude (discussed below),
3) "he may be an incompetent leader" (fabrication),
4) "… he is indecisive and lack[s] the ability to control his emotional center (non-psychologist opinion),"
5) "…[he] does not provide timely guidance," (fabrication)
6) "…but [he] often create[s] a frenzied, chaotic and hostile workplace (opinion),
7) "He engaged in self-serving behaviors…. For example, there was not a proper hand-off [of] duties and responsibilities, when I went through on-boarding," (fabrication) and
8) "I wasn't cc'd on some emails especially the emails he sent to 1SFC and USASOC."

It is recommended that you peruse all evidence that has been provided as examples of the level his professionalism and knowledgeable enforcement and management of S2 Programs over the years. SFC Forbes has embodied and earned the comments through performance of 18-months of work depicted in two NCOERs by his Supervisor, the XO, 528th SB. It is an absurdity for CPT Lowrie to feel competent enough to allege any level of incompetence on behalf of SFC Forbes especially given she can't begin to purport that she understands the unit, SO, or SFC Forbes enough to make such significant claims in a 2-month period. Moreover, it was not a full 2 months either; she

had a car accident upon arrival that had her out of the office for a week with injuries and car repair logistical decisions. Then she put in for another week of leave during this period as well. Other issues can be explained by the fact that ***she could not act in the capacity of a PSM*** until all training was completed and she was named as such on signed appointment orders and they were on file at USASOC.

SFC Forbes does not want to belabor the Initial Counseling (See Exhibit D, "0) Initial Counseling" folder) that CPT Lowrie provided him but it is worth mentioning that portions of the document contained items that lacked any forethought. She instructed SFC Forbes as if: 1) he were a lower enlisted Soldier "(…responsible for preparing and submitting intelligence reports)," 2) he was a youngster "(Get a hobby,...)" or, 3) he had not supported SOF units spanning a proud 12+year career by recommending "H2F" the conventional version of instead of USASOC funded HPW. Most notably, she also instructed SFC Forbes, "This is a Special Operations assignment, so you will be working with people who think and operate differently…." SFC Forbes doesn't believe she has SOF experience, however he gave her the benefit of the doubt. SFC Forbes is vigilant in knowing his Soldiers (See 2x Solder CRLs in "CLR" folder); it seems in the first month of the 2 months we worked together, before this presented counseling, she did not demonstrate any knowledge of his life or work. Earning trust is difficult as any leader can profess, so I offered to edit and revise her counseling so she could focus on DISS training, which she had not informed me was not complete yet. I wanted to save her some time.

Notably, as of 20221202, SFC Forbes was thrilled with LTC Furlow's selection of CPT Lowrie (See Exhibit D, "0) something changed in CPT Lowrie" folder).

Point 1): "counterproductive/destructive leadership" - Please see NCOERS (See "10-CRL/NCOERs" folder) and read entire document for SFC Forbes answer to this generalization. SFC Forbes reacts appropriately to unique situations and denies this generalization.

**Point 2): "my way or no way" - CPT Lowrie submitted her SS on 20230124 and PFC Scheffing submitted his 24 hours later on 20230125. The "my[his] way, no way" is very similar yet in fact inaccurate. See PFC Scheffing "Summary:" of Exhibit G below for the actual statement SFC Forbes has made to many Soldiers he has trained over the years.

Another problem with the investigation shows up in the order of investigating a known starting list of witnesses. COL Brunson named CPT Lowrie and PFC Scheffing on 2LT Tolston's appointment memorandum. Given that PFC Sheffing and SSG Henkel (not named originally) both work for CPT Lowrie, it would have been prudent and professional to interview the lower enlisted subordinates first to minimize any suggestion of coercion by a supervisor or incentive to please from a subordinate.

Notably, it was the newly and quickly promoted SSG Henkel who took SFC Forbes NCOIC position and they dissolved the BN position and moved him to the BDE office.

Point 3): "incompetent" - Based on the two month (not three as she stated) period of working with SFC Forbes, CPT Lowrie stated, "Based on my working relationship with SFC Forbes he may be an incompetent team leader because he has adequate cognitive abilities but lack[s] the emotional fitness to be support[ive] and lead his team." After setting aside the fact that CPT Lowrie was presented with SFC Forbes recent NCOERs upon her arrival, this comment is flatly absurd; CPT Lowrie is just unaware because she wasn't there for the 18 months SFC Forbes fulfilled an O-3 level Officer's (CPT's) position. Had she taken the time, she could have inquired about the 'bullet' in his NCOER for the period ending 20220226, which read, ""received 100% 'commendable' rating within 7 months for all S2 PSM programs after inheriting a shop that functioned at 60% (See Exhibit N, "State of the S2" folder, "ppt" dated 0210527, and "10-NCOERs" folder, NCOER dated 20220226)." Please refer to Exhibit N narrative below for more detailed explanation of the "State of the S2" SFC Forbes inherited from SSG Meredith, SFC Kristich and CPT Simkins.

It is SFC Forbes' opinion that CPT Lowrie was attempting to do too much too soon upon her arrival at 528th SB; evidently, she was trying to make a good impression with LTC Sanchez, the DCO and her new supervisor, all while also having been in a car accident upon arriving, and attempting to take leave for household issues (goods and setup). SFC Forbes did his best to insulate her and allow her to focus on her newfound obligations, household priorities, training, and emergencies. In contrast, when SFC Forbes took over in March 2021, he did not have these significant issues and did not PCS from overseas, so he fully expected that he would be doing most of the 'heavy lifting' for a little while in support of CPT Lowrie.

Upon taking over in 2021, SFC Forbes immediately began gathering data points of inefficiencies or failed S2 Programs as he had resurrected a BN S2 Shop at 3/3 SFG when he was a SPC. Therefore, he immediately began training for his new DISS account and created a prioritied tracker he used for every new S2 in the BDE from that day forward (see Exhibit D, "para 7)" folder, file dated 20210512). While in training, he excitedly explained his hasty approach to some glaring and serious issues to LTC Hamman, the DCO; he explained that he wanted to focus on his initial training requirements and quickly be put on orders. and get approval for his DISS account from the USASOC DISS Account Manager quickly (Mr. Vance Noland). Upon the DCO's querying, "Why?" He said, "So I can immediately begin fixing some of the identified and material faults he was finding daily the S2 section." INDUSEC was the issue that carried the most risk, in his professional opinion, as CTRs were working in the building, with access in DISS (that prior S2 personnel granted) but with no DD-254 on file (critical fail item) and sometimes with incomplete S2 personnel files (no NdAs or TS attestation forms properly signed, witnessed on one sheet of paper in each file) or no S2 personnel

file in the office at all! LTC Hamman appreciated his hasty assessment, his short-term plan, and encouraged SFC Forbes to "Hurry up!" LTC Hamman wanted SFC Forbes' complete assessment of the entire S2 Section. SFC Forbes sent him the read ahead on his complete assessment to include recent manning movements that SFC Forbes did not agree with but was facing resistance from the de-facto Senior 35F manning NCO, CSM Prewitt, 389th MI BN, and the STB CSM, CSM Kline.

CPT Lowrie did not fully support SFC Forbes with at least two of the recently emerging significant issues he requested her support to remediate. They were:

1) SSG Hess, the primary PSM, 112th SIG BN, refusing to own or service TSSC Soldiers (~130 pax) in DISS due to a SOCOM Directive and,

CPT Lowrie was notified of 112th's complete failure of a SAV on 20220505 (See Exhibit G, "Example of Conflict SSG Hess" folder ppt and SAV out-brief, both dated 20220714) and that the 112th PSM, SSG Hess' flatly refusing to comply with DCoS memorandum (See Exhibit G, "Example of Conflict SSG Hess, DAMI CD dated 20211015) mandated and communicated by the USASOC G22 Chief of Personnel Security Management (See Exhibit G, "Example of Conflict SSG Hess" emails dated 20221210. Other examples of her failing reasonably address SFC Forbes concerns and attempting to inhibit his enforcement efforts can be seen throughout this rebuttal packet, e.g. PED prohibition, recommendations to Command of reportable incidents, 112th refusal to conduct DISS Ownership, verbally counseling SFC Forbes not to conduct on-the-spot corrections (See "02 LTC Sanchez," email dated 20221208).

2) CPT Dambeck stonewalling of Soldier specific UCMJ and administrative actions tracker to support the impending INSCOM PSAP Program pilot program.

The only legacy unit issue that SFC Forbes feels CPT Lowrie verbally supported (albeit begrudgingly) upon her arrival was the request for the BDE SJA to begin having biweekly meetings to share UCMJ and administrative actions with S2 personnel. This has always been a regulatory necessity per AR 380-67 but became more important with the impending rollout of the INSCOM PSAP Program that relies on a synchronized BDE Staff Team approach (see evidence in Exhibit D "3)" folder, file dated 20211028). Essentially, SFC Forbes requested a tracker of what Soldier Personnel Actions CPT Dambeck was working in the BDE to compare to SFC Forbes' S2 Reportable Incident (formerly Derogatory Report) tracker, IET better support the BN PSMs and BN Command Teams. He responded that he couldn't because he has "Attorney/Client Privilege." Immediately alarmed by that response SFC Forbes spent his weekend researching the multiple JAG regulations to understand if this concept applied or whether he would have to try to reason with him. CPT Dambeck's assertion of

> "Attorney/Client Privilege" had never been encountered by SFC Forbes in his experience. His research yielded enough information that SFC Forbes deemed that and email was the only way to address this complex ruse. It got rectified, with no help from CPT Lowrie (that she ever indicated). The email he sent to CPT Dambeck while cc'ing LTC Sanchez and CPT Lowrie (See Exhibit D, "3, email dated 20221115) folder, email dated 20221115) was a professional success and spurred a series of permanently scheduled biweekly JAG/S2 sync meetings (See Exhibit D, "3, calendar acceptance dated 20221201) with the BDE SJA. SFC Forbes'had NEVER encountered that with any of the SJA Officers he ever worked with. Please refer to any of his 15 NCOERs to get a better picture of SFC Forbes competence than CPT Lowrie's 2-month old assessment that is a brash, incorrect, and incomplete at best.

Point 4): "frenzied" CPT Lowrie evidently wants to become an organizational Psychologist (see scheduled meeting CPT Lowrie allowed SFC Forbes access to) and would like to have a follow-up meeting with MAJ Racaza to this end. Respecting CPT Lowrie's goal and evident tertiary relationship with MAJ Racaza, SFC Forbes would appreciate if she would keep her unlicensed mental health opinions private (whether they come from an aspiring student's perspective, a book, some other unlicensed source, or MAJ Racaza for that matter), and not discuss his mental health with MAJ Racaza due to her divestiture of MAJ Racaza's authority by violating Public Law, Regulation and multiple principals of the APA CoC in her 20221130 ~60-second interaction. Another reason for this requirement is that SFC Forbes would not consent to any treatment or assessment by this licensed Psychologist as he has questions regarding her knowledge base and her ability to abide by the law, constitution, and the "do no harm" principle, which is commonplace understanding in all medical fields. He feels he controls his emotional center very well for many reasons that this forum is inappropriate to discuss. Moreover, the evidence he has provided throughout this rebuttal indicates decisiveness and more importantly successful implementation of remediation plans and improvements to his assigned duties, Section, and overall, the protection of all Soldiers at every echelon of his unit (528th SB).

Point 5): "…[he] does not provide timely guidance." SFC Forbes was constantly communicating ongoing and impromptu issues immediately upon CPT Lowrie's arrival, though he did attempt to insulate her so she could focus on the onerous training on the excel sheet (See Exhibit D, "para 7)" files dated 2021012) that SFC Forbes prioritized the training and created an excel tracker to ease the confusion with the USASOC training plan. This was his first act upon his installation as acting S2 OIC while he was conducting the same training himself. This USASOC G22 training is extensive and time-consuming and historically has taken S2 personnel a focused and diligent approach to accomplish in a few weeks. Other examples of his timely guidance were the emails notifying her he put up "posted security reminders" that morning per USASOC 25-2 on 20221207, prior to her arrival to work. A second example (of many more) was on

20221213 at 1010, ~1 ½ hours after he neglected to cc her on his advice in which he indicated that the STB CDR "may want to investigate the posting of PICs depicting phones on the Internet," (See Exhibit D, "5) timely guidance" folder, picture dated 20221209) which is in violation of USASOC 25-2. This claim is untrue and this this document should be completely consumed to get an accurate assessment of SFC Forbes work ethic and his 'flat-comms' approach.

Point 6): Regarding her statement, "create a frenzied, chaotic and unhealthy workplace," CPT Lowrie realized quickly upon her arrival, just how intense the optempo of 528th was. Her new unit was very busy and commented as such multiple times. At no time did SFC Forbes create an unhealthy workplace. In fact, he did everything he could to protect his Soldiers from highly questionable orders from many sources while attempting to run a BDE level S2 Sections and all of his appointed duties (See SFC Surorodriquez commentary herein, appointed duties in Exhibit D, "03-ADOs" folder and the complaint to 1SFC that was investigated by MAJ Chustek of 1SFC located in Exhibit D, "6)" folder).

Point 7): CPT Lowrie stated, "…there was not a proper hand-off [of] duties and responsibilities." Please see the evidence in the appropriate folder (on provided CD). SFC Forbes has evidence of coordinating the approval and scheduling of CPT Lowrie's TS read-on no less than 3 weeks prior to her arrival. Furthermore, he provided her with a personally designed (by SFC Forbes when he arrived and completed the extensive training) excel spreadsheet (See Exhibit D, "7)" folder, excel sheet dated 20221031) that provided all tasks in a prioritized order for efficiency.

Point 8): - "I was cc'd on some emails but not all" SFC Forbes cannot be expected to be perfect, as no one can be. That said, SFC Forbes did his best to balance what CPT Lowrie needed to be involved in vs her training requirements to get her DISS account. She was in fact learning a new unit and he has an extensive library of emails he cc'd her on over their 2-months working together.

Exhibit E
CPT Korista Sworn Statement (20230125)

Summary: CPT Korista is a central figure in this situation. Had he not spread his misinformation of his incorrect perception of the exemption of "Gyms" in USASOC 25-2 to all echelons of Command and even some Soldiers, a whole string of bad decisions and actions could have been averted and good decisions enacted instead; both follow:

1) He would not have ripped down SFC "posted security reminders,"
2) CSM Emekaekwue would have supported SFC Forbes National Security message to STB BN on 20221212,
3) The sweep would not have occurred,

4) The pics of phones on Facebook could have been removed with some professional verbal retraining,
5) A internal policy could have written by both the S2 and S6 and signed by BDE CDR for appropriate venues for Family and HPW events to allow phones,
6) SFC Forbes would still be in the BDE NCOIC slot to support his BDE CDR with his in-depth experience and insights,
7) Massive assets would not have been expended to unwittingly investigate to entrap SFC Forbes or gather evidence on him to deflect others bad actions,
8) An eCDBHE would not have been requested,
9) MAJ Racaza would not be intended to be named as the subject of an AZ BOPE complaint,
10) Falsifications would not have been needed to disparage a good and dutiful Soldier,
11) The temptation to violate laws and regulations through entrapment ploys (such as DA 4856 recommendations for LOR and GOMOR presented) would have been unnecessary (Note: agreeing to the counseling was an open investigation 'pitfall')
12) The BDE CDR would not have had to poorly navigate this corrupted situation because the decisions and guidance he received would not have occurred, and,
13) The BG would not have been bothered to adjudicate this rebuttal (note, may not be an inclusive list).

MAJ Racaza and CPT Korista provided the bad actions and likely bad guidance or perceptions that were the catalysts to a spiraling situation that has only grown, to date. All events were either driven by or connected to a prior event until the Commander decided to 'attack the person because they could not win the issue.' All of this to protect bad actors and cover the unit's reputation.

para 3_Q2., a.: SFC Forbes recalls this very differently. He keeps meticulous records and went to HHC Ops to request a copy of his training because he was being tasked by Co. Leadership to do it again only 6 months later. He asked SPC Terry for a copy of it and CPT Korista appeared out of SFC Yoder's office on the way to his makeshift "battle-room" (he commandeered the HHC conference room for a second office upon taking Command) and asked me, "Why I needed it? Is someone giving you a problem?" SFC Forbes replied, "Oh no, Sir. You know me. I always want my own copy for my 'love-me' book." He commented he can easily get it and send it to me. He did. His subsequent recollection of events is false. Please see Exhibit E, "para_3., a." folder, both files dated 20221208. SFC Forbes was never counseled verbally or otherwise and no mention was made in his email communication referenced in the prior sentence.

para 4_Q2b: SFC Forbes would never disparage people like this (See "CRL" & "CRL/NCOERs" respectively. He has NEVER been scrutinized and/or investigated in his entire 30+years of Professional work in the Army or as a licensed Financial

Professional, nor in his extensive Educational work. SFC Forbes was never the subject of an EO complaint related to this event, even though, if it occurred so blatantly as CPT Korista purported in writing (no less), any one of the 100 Soldiers present of all ranks (he indicated) down to a PVT could have easily lodged a complaint with our in-house EO representative. This would have launched an investigation. Why didn't that happen; because this is an embellishment and augmented statement differing in scope and content from what SFC Forbes did ask. SFC Forbes simply asked, "Will there be a schedule of any type if a Soldiers spouse is concerned about their Soldier showering with a member of the opposite sex?" CPT Korista's inaccurate and embellished recounting of what SFC Forbes did say is unbecoming of an officer under Article 133 of the Uniform Code of Military Justice.

para 5., Q2c: SFC Forbes has not experienced the level of success in the U.S. Army that he has by walking into anyone's work area and demanding anything. This claim by CPT Korista is another inflammatory and false allegation that not only wasn't documented contemporaneously, but also, was designed to bolster other unsubstantiated or uncorroborated opinions, perceptions, and/or generalizations located throughout this evidence. SFC Forbes prides himself in acting like an NCO as his CRL's, NCOERs, and awards show.

para 7: Notably, on 20230125, CPT Korista blatantly fabricated a meeting SFC Forbes had with MG Angle, in his SS with 2LT Tolston, likely, in an attempt to bolster the justification of the eCDBHE (See Exhibit Q and Exhibit A narratives, and this document in its entirety, for more information on the eCDBHE and how it fits in the overall situation) he ordered SFC Forbes to participate in, and filled out FB Form 1462-E to accomplish. This meeting was requested but never occurred and is consistent with other documented fabrications and embellishments of his (See Exhibit E, "para 4_Q2b)" throughout this rebuttal. To date, SFC Forbes has never met with MG Angle.

para 8: - "SFC Forbes should never be trusted with leading Soldiers ever again, in any form or fashion. He has total disregard for dignity and respect." SFC Forbes, out of a self-developed, longstanding strong sense of confident humility, would prefer to let his track record coupled with Supervisors, Colleagues and Subordinates answer this hateful, unsubstantiated and counterproductive, absolutist opinion (see "10-CRL" & "NCOERs" folder for professional assessments and direct, recalled observations).

para 9: - "His erratic behaviors and actions, in addition to his counterproductive outbursts …degrade the BDE's morale…and…poses a threat to the security of all those who work in the BDE." This is false (See "10-CLR/NCOERs" folder). This entire document serves as rebuttal to the "counterproductive" portion of his statement. CPT Korista may feel this way resulting from his unprofessional demeanor witnessed through his decisions and actions leading up to SFC Forbes' investigation.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

On 20221209, SFC Forbes asked to meet with MAJ Weber in SFC Forbes' office (208d, X-4047) to "keep this topic at the lowest level." MAJ Weber agreed. As SFC Forbes had done previously with the "skulls on the wall" and the Clean Sweep en masse "grass cutting incident" issues with LTC Furlow, SFC Forbes did not wish to codify the information in an email. SFC Forbes understood that CPT Korista was still learning how to lead in his relatively newfound role as Company CDR; after all, SFC Forbes has seen CPTs grow and learn many times in his 16+year career. In that meeting SFC Forbes discussed with the STB BN XO and CPT Korista's supervisor, MAJ Weber, the following 3 items: 1) SFC Forbes was the BDE appointed INFOSEC Officer, 2) excerpts from USASOC 25-2 (namely Ch. 10-3., c. then Ch 9 and Table 9-1), and 3) video evidence of CPT Korista ripping down all of SFC Forbes "posted security reminders" (re: PEDs prohibited on premises) on the morning of 20221208 (the morning of the BN holiday party). His actions, within 27 hours of his retaliatory action, resulted in 2 phones being found during a Wireless Detection Scan (WDS commonly called a "sweep)" on 20221209 (See Exhibit E, "counterproductive" folder, file dated 20221209) and arguably 2-4 phones depicted in a holiday party picture (See Exhibit E, "counterproductive" folder, files dated 20221209) of the BN classroom, located in X-4047. This picture was uploaded by someone other than the PAO on the morning of 20221209; the PAO, SSG Baker, Amanda, informed SFC Forbes on 20221212 at 0910 (after SFC Forbes was assaulted by CSM Emekaekwue at 0615) that she was on leave on 20221209 and "[she] did not post that picture" (See WDS in Exhibit E, para 9, "Overall 2)." SFC Forbes requested the XO's guidance on whose responsibility it should be to put the "posted security reminders," back up; SFC Forbes did not feel it was fair (or emanated a sense of dignity and respect) if he were ordered to put the signs back up for CPT Korista to rip them down again.

SFC Forbes is convinced that CPT Korista was disregarding his guidance and destroying his prevention efforts due to a CPT Korista's misreading or misunderstanding USASOC Policy 25-2. Regardless, SFC Forbes attempted to remediate this on many occasions but was unable to get CPT Korista to view him as a Subject Matter Expert (SME). After being assaulted by the CSM, SFC Forbes decided to request a concurrence confirmation from USASOC G6; he received it on 20221216 (See Exhibit E, para 9, "Overall 2" email dated 20221216).

Given the gravity of the situation as seen by the following attempts to minimize, thwart and obfuscate SFC Forbes PED prohibition prevention efforts that began as verbal discussions, and graduated into debates (see Exhibit M, email dated 20221212 and Exhibit H, "PEDs" email dated 20221206 & 2022212 "counseling form)," destroyed work (See Exhibit E., "counterproductive) 2x videos dated 20221208)," and ultimately in SFC Forbes being assaulted and humiliated in front of the entire BN.

SFC Forbes reported CSM Emekaekwue's assault 2 days later (See Exhibit H, "impugned witness" SS dated 20221214). This assault made many in the BN formation

outwardly laugh. SFC Forbes will never forget that morning. No leader of the STB or BDE HQ Command, at any echelon, ever professionally addressed the event with SFC Forbes to the date of this submission. CPT Korista's lack of adherence to regulation, or his not understanding it fully while he disregarded a seasoned PSM and INFOSEC Officer, was a central catalyst to the mistreatment of SFC Forbes. Moreover, it was indicative of bad behavior SFC Forbes came to expect from CPT Korista, yet he consistently attempted to professionally keep it within the unit and inspire interest in BN mentorship of him. It is for these reasons that any recommendation to revoke his clearance by CPT Korista should be met with the greatest of skepticism; he has proven he does not understand DCSA and USASOC will likely view SFC Forbes National Security Prevention efforts as dutiful and integral to his appointed duties.

Exhibit F
SGT Henkel Sworn Statement (20230125)

Summary: SPC/SGT/SSG Henkel is correct that "[he] experienced a lot of missed deadlines." While he worked at in the BDE S2 office, he would be assigned tasks by SFC Forbes and soon, disappear. One example was when SFC Forbes asked SPC Henkel to audit the files with SPC Farmer. This task takes an entire day for two people. Soon after SFC Forbes found him in the HHC OPs area sitting on a couch talking with SGT Rhodes. After receiving excuses, SFC Forbes went back upstairs and completed the task with SPC Farmer. This would happen on multiple occasions but SFC Forbes was working with SPC Henkel and he was improving rapidly. In fact, SFC Forbes found himself comfortable enough to sponsor and assist SPC Henkel to the Promotion Board and he was successful. SFC Forbes does not take credit where it is not due and would like to state that SPC Henkel worked hard for that Promotion. SFC Forbes provided him with his large box full of training notecards and worked with him but SPC Henkel's desire to be promoted was incredibly high.

CSM Kline had promised SGT Rhodes that he would serve as the BN S2 PSM for only one year; the CSM and SFC Forbes did not agree on this as the duties are intricate and it takes a minimum of 6 months to become, even remotely, to become fully functional. If every PSM did this the BDE S2 would be in a constant state of turnover and training. That said, SGT Rhodes went on leave for two weeks prior to coming back to the unit for 2 weeks and then being reassigned back to 389th MI BN. SGT Henkel and I decided he was ready to take the BN. PFC Scheffing had only been with us for a few months. Soon after SGT Rhodes left, SGT Henkel walked into SFC Forbes office (208d, X-4047) and verbally lobbied for an Request for Support RFS to take PFC Scheffing down to the BN to help him, "fix the mess that SGT Rhodes left me." SFC Forbes expressed to him that SFC Forbes was in the middle of training him and he had a list of things to do for the BDE. Moreover, SFC Forbes knew that the 2-week overlap of SGT Henkel and SGT Rhodes was "the perfect storm of an opportunity" for him to have "SGT Rhodes help you fix his mess." After a long discussion, SGT Henkel sulked out of the office.

SFC Forbes missed the email from SGT Henkel and found out that SGT Henkel went to LTC Furlow to get his leave approved instead of the BN S2/3 leadership or even the XO. SGT Henkel put in for leave for the same weeks SGT Rhodes was going to be back for 2 weeks thereby not gaining the help he said he so badly needed. SFC Forbes checked his emails and found Exhibit F email dated 20220519 and later went to see LTC Furlow. When SFC Forbes described the RFS that SGT Henkel wanted to LTC Furlow and his reasoning for not supporting it (the impact to BDE manning and PFC Scheffing's training) LTC Furlow apologized to SFC Forbes. He said, "Sergeant Forbes, Henkel didn't say anything to me about an RFS. He wanted to go church hunting with his fiancée. Had I known I would have spoken to his leadership." SFC Forbes told him we will provide normal support to SGT Henkel for the near term and, "Sir, this is a teachable moment." SFC Forbes asked one final question, "Do you normally approve leave, Sir?" He replied, "No, he came to me upset and I wanted to help him out." This was not the only time that SGT Henkel performed a 'working mom against dad' strategy to get his way. It was known throughout BDE and some staff leadership.

para 2.: SFC Forbes never yelled at SPC Henkel. Other allegations, in the form of generalizations, opinions, hearsay and mostly fabrications are dealt with below and throughout this document. Once SGT Henkel expressed an interest in becoming a BN asset, SFC was supportive as he felt he taught him all that SGT Henkel was willing to learn from him. SFC Forbes treated STB BN personnel the same way as the other two battalions; SGT Henkel did not need access to our offices, the non-standard physical security CAC card certificate computer or our BDE safe. In fact, SFC Forbes found an unused one-drawer safe and gave it the SGT Henkel for his S2 (only) use; he was very thankful that day. Furthermore, the CAC card reader (as discussed under Exhibit N.) it was the only "carrot" BDE had to incentivize Soldiers to ensure they brought back a completed in-processing packet; everyone wanted access through the doors in the rear of the building because they were the most direct route to the X-4047 parking area. This naturally segues into the Physical Security issues that SGT Henkel mentions.

para 3: SFC Forbes had begun to notice that SGT Henkel had been adopting SSG Meredith's disregard for our unit SOP and give Soldiers access immediately after handing them an in-processing packet. SFC Forbes retains his belief that this was the right answer so that the personnel files did not fall into the "State of the S2" also discussed in Exhibit N. Note: there was only one password for "the cameras" and SGT Henkel had it. SFC Forbes put in another one so that BDE S2 personnel could be tracked when they got on the system as BN and BDE both shared space in X-4047. It was the only way to attempt to identify issues, at a later date, if any arose regarding the granting of physical access to shared space; after all, we had sensitive areas, a motor pool and even a "drug locker" in X-4047 Later, SFC Forbes intended to have each one for each S2 PSM for the same reasons. SFC Forbes never yelled at SPC/SGT Henkel.

para 4: SFC Forbes had a lot of Additional Duties (See "10-CRL/ADOs" folder). This folder does not have the BDE Motorcycle Mentor Additional Duty that required his planning, route reconnaissance, CONOP routing and approval, marketing, tracking of BDE riders and sitting in on quarterly Safety Council meetings.

SFC Forbes' professional, doctrinal, and philosophical disagreement with SGT Henkel's beliefs regarding Physical Security place in the war-fighting functions was understood by the former BDE S3, MAJ Lester and SFC Forbes would refer him to para 7 of Exhibit C above (and see Exhibit F email dated 20220331) for the same defendable argument again. That said, SFC Forbes has been a part of, and executed, inspections for this unit and multiple units in the past, never once withholding keys; they need to be audited after to complete the inspection. The fact remains that the spare set of keys in our safe likely needed to get downstairs, which implied the inspected unit must coordinate with the keeper of the keys (in this case BDE S2). Regardless of the oversight, SFC Forbes set aside his schedule and took the keys downstairs to be audited as PFC Scheffing was unavailable to accommodate this event. The safe was found for SGT Henkel immediately following this event as the spare keys should be at the BN level anyway. SFC Forbes yelled at no one; this is a fabrication. In fact, SFC Forbes helped with the audit.

para 5: SFC Forbes was never counseled for being late. In fact, SSG Meredith and I had an agreement and we constantly communicated to remediate any coverage issues. More details are located in Exhibit N, para 1 c.,(1) below for details.

para 6: SFC Forbes believe SSG Henkel means the 'Shang-Chi' movie and he and his wife loved the movie. They both loved 'Eternals' as well and have it on disc. SFC Forbes has never been racist and is not racist (See Exhibit C para 6 for more detailed explanation. SFC Forbes denies any assertion of inference that he is a Homosexual-phobic individual. The BDE CDR removed SFC Forbes from the BDE S2 NCOIC position due to similar fabricated allegations and authorized an investigation with SFC Forbes as the subject. SSG Henkel's allegations are simply the falsifications, opinions and generalizations of a Soldier that did not take direction well and got promoted quickly and is now, due to the BDE CDR relying on fabrications like these, the BDE S2 NCOIC. SFC Forbes hopes he is successful, not only at this unit, but also over the long-term, in life.

Exhibit G
PFC Scheffing Sworn Statement (20230125)

Summary: PFC Scheffing is highly intelligent and a hard worker due to his desire to successfully complete missions. He is young and new to a professional workplace so I can understand his willingness to regurgitate the "his way or no way" comment that CPT Lowrie quoted in her sworn statement of "my way or no way" the day before PFC

Scheffing produced his sworn statement. The actual quote that I have used for years is "There is only one best way to do anything in life. Our job, as a team, is to always seek [strive, search] for it. We may never find it but the result will be closer than the 'more than one way to skin a cat' approach." I have brought many of the trackers and SOPs from my 11-plus years of PSM experience and as a BDE NCOIC did, with varying levels of success, improve almost every aspect of the state of S2 operations throughout 528th footprint by using these premade (by me) tools. I was met with resistance, for example, SSG Hess flatly refused, via emails to follow the TMT Tasker due to the Army DCoS and the responsibilities inherent in its adoption.

SFC Forbes enjoyed working with PFC Scheffing and feels he has a great future ahead of him, given his work ethic and intelligence. SFC Forbes always sought to protect PFC Scheffing in this unit.

Note: PFC Scheffing is not a Psychologist either so any decline he noticed is irrelevant and should not be considered (See Exhibit E, "para7_Q4 eCDBHE" folder, "infamous missing 10 pages" dated 20230420)

Exhibit H
CSM Emekaekwue Sworn Statement

Summary: This is an impugned witness. See Exhibit H Folder of PMO the criminal assault that SFC Forbes submitted to the Fort Bragg PMO (See Exhibit H, "impugned witness" SS dated 20221214). CSM Emekaekwue should not have been allowed to submit evidence against SFC Forbes as it provides significant probative value in a different venue, which is likely the reason the BDE CDR recommended a GOMOR instead of UCMJ action. In fact, SFC Forbes was, and would be still, prepared to request a General Court Martial. He feels the rules of evidence and oversight of his rights and due process in that venue would afford him the opportunity of transparently present the evidence provided here.

SFC Forbes had not been relieved from any position (See NCOER folder) as CSM Emekaekwue purports, especially GSB, 3/3 SFG where he served with then MSG Emekaekwue and knew him only to see him. CSM Emekaekwue was likely swayed by others to think the premature rollout of the USASOC HPW Program (See "01-COL Brunson" email dated 20221218), with its QR codes, intent to use PEDs in the X-4047 gym, historical use of IPADs in the BDE Classroom, and lackluster support to enforce USASOC 25-2 (See Exhibit E, para 9, "Overall 2" email dated 20221216), led him to commit his crime in front of the BN Formation on20221212. He humiliated SFC Forbes in front of everyone and now seeks to defame his character to deflect his bad decisions and actions. Regarding the aforementioned HPW Program, SFC Forbes, upon viewing 20221218 email (the email exchange referenced as 20221218 immediately above), immediately got in his POV, drove to the local office of the Hon. Richard Hudson and

filed a congressional complaint; he feared his discovery having been sent down to other members of STB, 528th SB, namely CPT Forte and 1SG Morgan, would result in a negative Personnel Action from the BDE CDR. After all, the email from the USASOC HPW Director, LTC Webb, showed that all inferences and statements on the unsigned 528th SB OPORD, which was distributed by S3, indicated that all references to purported support of the order at echelon, were inaccurate. Notably, one of the recipients of LTC Webb's email was COL Brunson's POC that was spearheading the premature 528th SB HPW rollout, CPT Forte, of the Surgeon's Cell (a part of 528th SB Special Staff). It turns out, ~3 hours later that, his fears were realized. He was removed from his position as the 528th SB, S2, NCOIC, as retaliation for the OPORD discovery that was communicated to Soldiers within the unit, and possibly also as reprisal (adjudication will occur in separate effort).

Please refer to "01-COL Brunson" Article 138 Redress memorandum, dated 20230331 and COL Brunson's response to it, dated 20230411, for more information about the HPW program and SFC Forbes requests to decline COL Brunson's order to participate in the HPW Program and to "withdraw the unlawful order" for other unit members to be unlawfully ordered to participate.

Exhibit I
2LT Tolston's CPT Lowrie MFR (20230222, S:20230413)

Summary: See Exhibit D and Exhibit N for any applicable commentary regarding the optempo of 528th SB. SFC Forbes is smart but yet struggled with the inflammatory nature of the dual metaphors contained within this augmented and questionable addition of the IOs characterization of CPT Lowrie's comments. Clarification, like that asked for in Exhiibit 1 is needed to respond appropriately. Otherwise, please consider SFC Forbes' assumption that this may be an attempt to address how SFC Forbes deals with the number of normal S2 Programs coupled with Additional Duties and Extraneous Duties (not typically S2 function, e.g. Passports in S1 at echelons above and Physical Security in S3 at echelons above) embedded in 528th SB's training plan and operations schedule.

Exhibit J
2LT Tolston's PFC Scheffing MFR (20230222, S:20230413)

Summary: Some of this was redundant. SFC Forbes addressed the "out to get him" comment in Exhibit M and in the "Investigation Timeline MFR that accompanies SFC Forbes Legal brief from his counsel and this document.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Exhibit K
2LT Tolston's MAJ Weber MFR (20230222, S:20230413)

Summary: Please see portions of Exhibit D "point3)" referencing reportable activities and Exhibit E, "para 9" narratives above for rebuttal of MAJ Weber's MFR. SFC Forbes flatly rejects the complete contents of this MFR's characterization made by 2LT Tolston and notes MAJ Weber's unwillingness and or lack of confidence in his views to go 'on the record.' That said, SFC Forbes has never "gone after" anyone. The content is refuted throughout this entire document.

Exhibit L
2LT Tolston's CSM Emekaekwue's MFR (20230222, S:20230413)

Summary: For SFC Forbes rebuttal of this Exhibit, please see Exhibit H above and Exhibit O below and all references to CSM Emekaekwue found throughout this document. He is another central figure that this investigation was designed in an effort to deflect attention from his bad decisions and actions, found throughout this document.

Exhibit M
2LT Tolston's LTC Furlow MFR (20230222, S:20230413)

Summary of para 1. a.: This paragraph of 2LT Tolston's characterization of LTC Furlow's comments is full of uncorroborated opinions made by the BN CDR and, though opinions are less credible, these generalizations can be refuted with SFC Forbes' detailed and documented perspective found within this entire document.

Sentence 1: "By the book when it fits him." SFC Forbes has this similar perspective WRT LTC Furlow and his CSM as seen in the email exchange (See Exhibit M., "1) dated 20221102) evidence that SFC Forbes presents. On at least 3 occasions prior to the 20221102 SFC Forbes had impromptu conversations about the Soldiers in the subject line ('Soldier X' hereafter referred), that SFC Forbes redacted for use in this rebuttal. LTC Furlow asked each time, in one fashion or another, if they "had to put in a derogatory report" (now called a reportable activity) on Soldier X's prior criminal incident in 2012 that was uncovered in an internal 15-6. SFC Forbes answered "Yes" in every instance and, as he always does, explained why. This never seemed good enough as the issue kept resurfacing instead of them engaging their BN PSM, SGT Henkel to simply process the paperwork. Notably, SFC Forbes learned during the third Solder X discussion, in late October, that LTC Furlow had been informed by an unnamed SJA that the statute of limitations had passed and no action would be taken. SFC Forbes explained to him that that is correct; no action would be taken from a legal standpoint, but that has absolutely no bearing on how INSCOM or DCSA views it. They still want to know the details because it represents the "whole person" concept that they use to periodically adjudicate Soldier's clearance eligibility; moreover, they are going to want to

know why the Soldier did not report it for over a decade! SFC Forbes walked away still feeling like his expert opinion on the matter, as a seasoned PSM and the BDE S2 NCOIC, was ignored and not what LTC Furlow wanted to hear. This perception was confirmed in the email referenced above, where CSM Emekaekwue at 1410, on 2022102, repeated the same legal argument regarding Soldier X's 2012 incident was discovered through INSCOM's CE/CV program that feeds the PSAP report cards.

Coincidentally, SFC Forbes had debunked this legal argument directly to the LTC Furlow just days prior to INSCOM finding out about the 2012 incident. Most significantly, INSCOM's email sent at 1244 to SFC Forbes was also forwarded a second time to the BN Command team and SGT Henkel at 1326 as a reminder and offer to help. The entire BN Command Team and SGT Henkel had been informed what needed to occur, in detail, by both SFC Forbes and an INSCOM professional, no less.

Yet, CSM Emekaekwue, the BN CSM, still seemingly was trying to rationalize and believe what he wanted to, instead of the truth. Evidently, he wanted to make a point about it too! He addressed an email to SFC Forbes (who merely offered to help) that contained the following paraphrased summation, 'It's too old, what do you need from us?' A BN CSM and CDR should, at least minimally, understand the reporting requirements that pertain to clearance adjudications, and ask the BDE NCOIC vs. their assigned BN S2, SGT Henkel was curious. Later, after SFC Forbes went down to their office and went over this again with both of them; SGT Henkel begrudgingly put in the second 5248-R on Soldier X.

This is indicative of this unit, on a BDE cultural level. Soldiers in this unit just refused to believe the truth regardless of communicated regulatory support for it, and like a child, would ask you 5 different ways the same question hoping to get a different response or, at the very least, get one they wanted to hear. This is of paramount concern in this unit under this leadership. With the impending rollout of the Personnel Security Accountability Program (PSAP), which will begin to send 'report cards' to BN CDRs and above IOT document trends and scrutinize their performance, it becomes more important. CDRs will be expected to fulfill their non-transferable (per AR 380-67) obligation to report every incident is defined by the published and publicized 13 adjudicative guidelines; eventually they will be held accountable, which is necessary. INSCOM was likely frustrated in repeated incidents going unreported and underreported events that would show up during scheduled Periodic Reviews over the last few decades under the old system of Clearance adjudication.

They likely decided to build PSAP as an eventual enforcement tool to eradicate the prevalent misconception CDRs have that they can "decide" if and when to report a reportable incident. SFC Forbes was firmly committed to preparing his CDRs, whether it was appreciated or not; they needed to understand why they should be, as LTC Furlow cited in his SS on SFC Forbes, "willing to change…" and not be "hard-headed and

resistant to change." SFC Forbes was patiently exemplifying a competent and visionary professional by leaning forward on this to ensure our unit and its CDRs had the best possible initial performance, which should be pragmatically understood as, **in THEIR best interest**!

SFC Forbes has always supported Army Regulations, unit policies, Public Law and licensing boards to the best of his ability and achieved high success; he is even more effective when he receives the implicit and required regulatory support from leaders. Unfortunately, that was not the case at 528th SB; COL Brunson's cultivated culture espoused dignity and respect, but did not emulate it through the actions of Soldiers under his leadership. That said, SFC Forbes did the right thing, did his best, and got better every day: he didn't just read it and believe it, he LIVED it.

While a licensed 'wall-street' professional, SFC Forbes enjoyed a lucrative and unblemished 14 year Financial Services career because of his determined attention-to-detail. The Financial Industry Regulatory Authority (FINRA) BrokerCheck website is https://brokercheck.finra.org/ (records are removed from the website after 10 years) and phone number is 1 (800) 289-9999; SFC Forbes former CRD # of 2338630.

Sentence 3: "…he often thinks people are trying to undermine his actions." SFC Forbes does more than think this; he believes it because of the following non-inclusive list of examples that follow:

Example 1) CPT Korista had undermined SFC Forbes time by needlessly deciding to activate the Alternate SI Inspector (SFC Forbes) for a monthly SI Inventory (See Exhibit M "4 & 5)", email dated 20220708).

Example 2) CPT Mansour and CPT Korista undermined SFC Forbes' authority, which was granted by them via order, to be the SHR holder for HQ20 (S2 JLTV). See SFC Forbes' SS dated 20220207 which describes and codifies what SFC Forbes witnessed and experienced with the lackluster adherence of equipment accountability regulations and policies

Example 3) CPT Korista did undermine SFC Forbes as seen in the camera footage of CPT Korista going through the entire BDE HQ building (X-4047) and destroying 1 ½ hours of SFC Forbes' work (Exhibit E, 3) folder, "undermine his actions" videos x2 dated 20221208) to satisfy CSM Emekaekwue's repeated in-office questioning on 20221206 (see Exhibit H, "PEDs") to notify the BDE CDR of the institutionalization of PEDs in the building by HPW personnel in a BDE CDR mandated meeting "(01-COL Brunson, HPW" folder) for 389th personnel on 20221205. Notably, SFC Forbes was acting in his BDE Capacity of BDE INFOSEC OFFICER appointed IAW AR 380-5, Ch. 1-9. A., and Ch. 1-11. The following paragraphs are from SFC Forbes USASOC WBR submissions.

AOSC-MI
SUBJECT: SFC Forbes, Michael J. Personal Responses to witness statements and related documents

Exhibit N
2LT Tolston's SFC Meredith MFR (20230222, S:20230413)

Summary: First, SFC Forbes has never suffered a "mental break" and SFC Meredith is incapable to make such a career-ending diagnosis. His statement is inflammatory and only serves to undermine SFC Forbes while assisting a coordinated effort to disparage SFC Forbes as he methodically addresses the following: His…

1) being misperceived by a licensed Psychologist and subsequently, lied about,
2) being called into the BDE CDR's office to "die on this hill"
3) having his work destroyed by a Company CDR,
4) being assaulted and humiliated in front of a BN Formation,
5) being removed from his successful work in as BDE S2 NCOIC position,
6) being unwittingly investigated for "disrespect/Officer" & toxic leadership,
7) being ordered to eCDBHE while an unwitting subject of an investigation,
8) being flagged but it not being implemented as leverage
9) having 1SFC misinform a Congressman that SFC Forbes "was not assaulted,"
10) having 1SFC not address privacy, 3rd Party Apps, and informed consent issues
11) being rebuked in 4 of 5 attempts to get DA 3822 from WAMC for 3 months,
12) being recommended for a LOR in a blatant reprisal attempt
13) being recommended for a GOMOR in another blatant reprisal attempt
14) being given a GOMOR
15) having to address myriad hidden allegations found in GOMOR rebuttal

SFC Forbes is resilient and will not stop pursuing justice until it manifests itself in any form. He has not suffered any mental break, even during all of the listed items above.

SFC Forbes disagrees with SFC Meredith's opinion that he is counterproductive; it is false. SFC Forbes would like to highlight an endemic pattern of behavior by SSG/SFC Meridiith within our BDE S2 that SFC noticed within weeks. His attitude and level of detail can be seen by starting with his simple statements made. In para 1, b., (1), of 2LT Tolston's characterization of SFC Meredith' alleged statement, was the statement, "[He] was the BDE S2 NCOIC before SFC Forbes. SFC Meredith gave SFC Forbes the wheel." There are a few falsifications in these two statements listed as follows:

1) SSG Kristich was the NCOIC until she ETS'd as seen in her signature block on the last email she sent to me on my birthday (See Exhibit N, "para 1, b., (1). Folder, emails dated 20210412 and 20210416), which clearly reads "S2 NCOIC." SFC Forbes gave up trying to find any evidence that SFC Meredith was the NCOIC of the BDE S2. This was false also.
2) SFC did an examination of the operations of the S2 at LTC Hamman's request (discussed below in "para 1, b., (1) ''State of the S2.)" This

> metaphorical comment infers that the wheel was attached to the car and the car was functional. Though it is true, a "wheel" was handed over by SSG Kristich, and arguably later even CPT Simkins, it is false that it was handed by SSG Meredith. Moreover, the "wheel" was broken and missing the car! SFC Forbes inherited a broken automobile as you will learn below. SFC Forbes had to rebuild the car and SFC Forbes rebuilt it, with reluctant but informative help from SSG Meredith, good work from SPC Henkel and diligence from SPC Farmer, within 7 months. This is merely another falsification within the testimony and MFRs provided by SFC Meredith or 2LT Tolston.

para 1, b., (1): SSG, now SFC, Meredith, Joseph R. and SSG Kristich, Tara A. ran the S2 Section supporting COL Summers, Michael G. prior to SFC Forbes' arrival with CPT Simkins, Erik N. My tertiary initial observation upon arrival was that the 2 SSGs ran the shop as I found CPT Simkins sleeping in his office on multiple occasions and was informed had some issues in the unit that were handled informally by giving him extra duties (like PAO).

SFC Forbes quickly learned that Personnel Security files were incomplete, access was being granted as soon as a Soldier was handed an in-processing packet and walked out of the office, and the Industrial Security Program was the "bane of [SSG Kristich's] existence. SFC Forbes' education and experience translated these procedural issues as straightforward, but intricate and time-consuming, challenges. Identifying procedural inefficiencies, after all, is one of the inherent capabilities that must be achieved to earn a Masters of Business Administration, and one of the first steps when taking over an operation of any size. This is why SFC Forbes proactively built a product for LTC Hamman entitled "State of the S2" (See Exhibit D, "3) incompetent)." He did this because the S2 section was in some state of failure in many programs and he wanted a product to present to the DCO (LTC Hamman, we had no XO ATT) and SSG Meredith so open dialogue without judgment could occur to fix the problems as fast as possible. SFC Forbes was able to lead a begrudged SSG Meredith and inexperienced SPC Henkel to earn the following bullet in an NCOER for the period ending 20220226, that stated, "received 100% 'commendable' rating within 7 months for all S2 PSM program after inheriting shop that functioned at 60% (See Exhibit D, "Incompetent" folder, NCOER dated 20220226). SFC Forbes customized an old training tracker for the unit, customized the in-processing packets to accommodate Soldiers, Contractors (CTRs) and Civilians, alike and implemented many other efficient SOPs to accomplish this feat.

As much as SFC Forbes attempted to get SFC Meredith to stop providing access to Soldiers after handing them an in-processing packet, SFC Forbes would constantly have people walking in with partially filled-out packed weeks and months after arrival. Upon CPT Lowrie's arrival, he requested that SFC Meredith go to 112th to fix the state it

had fallen into after SSG Rivera's ETS. SFC Forbes' request was denied. SFC Forbes never disturbed the fact that SFC Meredith was in an un-slotted billet as SFC Forbes felt the MTOE was too small for a BDE echelon S2 Section and there was not much he could do to affect that; he welcomed the extra body even though SFC Meredith regularly argued cutting corners on SOPs that he helped write.

As an example of this lackluster follow-through displayed by SFC Meredith, I would like to feature a formal document (112th WAAR report from a follow-up inspection on 20220810, after the SAV conducted by SFC Forbes on 20220714). I encourage you to compare the two documents. SFC Meredith not only, did not emphasize a DCoS mandate of DISS ownership as SFC Forbes had done, but moreover, failed to simply give the reader an idea of what programs were commendable, satisfactory, or unsatisfactory. This is a representative example of why SFC Meredith likely would not swear under oath that SFC Forbes "would make it a point that the faults of the unit were on SFC Meredith" but instead levied the allegation through 2LT Tolston. SFC Forbes would argue that it was no small feat to restore the BDE S2 Section to a fully operational support effort supporting Soldiers all over the globe. In order to accomplish these results, SFC Forbes said to SSG/SFC Meredith and SPC/SGT Henkel many times, "You can't be walking every office in the building every day, talking to people for hours, and get your to your goals as many do."

para 1, b., (2):SGT Lopez, STB BN S3 Soldier, came into SFC Forbes office (208d, X-4047) and interrupted him while he was on a phone call. SFC Forbes motioned and whispered to him that he was on an important call. SGT Lopez would not stop telling SFC Forbes that he "needed an immediate answer to the email that SFC Forbes received." SFC Forbes had to interrupt his call by letting the colleague know he would call them right back. SFC Forbes informed SFT Lopez that he had not been in his email yet that morning and will reply. SGT Lopez was adamant that SFC Forbes had the email. SFC Forbes learned that this situation was being escalated due to SGT Lopez feelings of pressure because the names were late for a tasking detail's planning. SFC Forbes attempted to explain that SGT Lopez should not interrupt phone calls, but SGT Lopez ignored that guidance and demanded to have PFC Scheffing (it could have been any STB Soldier, of any rank, see Exhibit N, para 1, b., (2) folder). SFC Forbes said he would review the tasker and email him back. SGT Lopez became agitated and verbally raised his voice in his next demand, citing, "S3 needs to know!" SFC Forbes asked him to leave his office. SSG/SFC Meredith agreed with SFC Forbes that SGT Lopez was "out-of line."

para 1. b., (3): The counseling forms SFC Meredith speaks of here are dealt with elsewhere in this rebuttal. SFC Forbes denies his opinion regarding SFC Forbes' meeting behavior and no counseling forms have ever been presented regarding any issue inside any meeting during his tenure as BDE S2 NCOIC.

para 1, c., (1): "Workplace was not productive." SFC Forbes would like to reference SSG Meredith's draft NCOER and PCS award of an MSM, both signed and submitted by SFC Forbes (See Exhibit N, "para 1, c., (1)" folder, files dated 20220822 and 20221027. Also refer to SFC Forbes NCOERs to determine the credibility of SFC Meredith's statement. SFC Forbes vehemently disagrees with this statement as the improvement of the S2 Programs and the accomplishments therein are clearly delineated. Notably, SSG/SFC Meredith would be in the office at 0800 and leave every day at 1300 for regularly scheduled appointments for his son and 1500 on every other day. SFC Forbes would stay late regularly. SFC Forbes approved of this to support SSG/SFC Forbes family and it worked well for coverage for the entire workday.

"People would not talk to SFC Forbes" Certain Soldiers were likely encouraged (by other Soldiers) to engage SSG/SFC Meredith and preferred to work with him for in-processing, not because SFC Forbes was counterproductive, but SFC Forbes would enforce the incentive to complete the in-processing prior to granting access to the building; SSG/SFC Meredith would not. He would hand them the in-processing packet and immediately escort them to the PAO office computer and put the credentials to X-4047 on the Soldier's CaC card. This was many Soldier's first impression of SFC Forbes and his reputation was that of a professional and dutiful regulation-abiding Soldier (See "10-CRL/NCOERs" folder): he has been a law-abiding citizen his entire life.

para 1, d., (1): Please see Exhibit N summary above.

Exhibit O
CSM Emekaekwue DA 4856 to SFC Forbes (20221212)

Summary: SFC Forbes disagreed with this and CSM Emekaekwue acknowledged his protected communication. Not enough time to summarize but refer to this witness above. This is an impugned witness and this document was presented immediately after this CSM committed a crime against SFC Forbes IET deflect his criminal action and is now being used as some justification in an ill-intended investigation.

Exhibit P
1SG Morgan DA 4856 to SFC Forbes (20210727)

Summary: Please see Exhibit C, para 1 for narrative and evidence.

Exhibit Q
CPT Korista's SIR email ordering SFC Forbes to eCDBHE (20230118)

Summary: This documented proof of MAJ Racaza's violation of APA CoC Principles of "Conflict-of-Interest and Multiple Relationships will be adjudicated in a multiple separate venues. SFC Forbes is challenging the timing and intent CPT Korista's decision, based

on “a reasonable person’s judgment,” and contends that CPT Korista ordering SFC Forbes to an after-work-hours eCDBHE was ill-intended and an attempt to procure evidence of a Personality Disorder that does not exist. SFC Forbes believes that CPT Korista simply did not view SFC Forbes positively as he may have felt that SFC Forbes was challenging his authority when in reality SFC Forbes was only attempting to protect the Company CDR, and CDRs at all echelons, from undue negative scrutiny stemming from CPT Korista’s questionable decisions and the treatment of subordinates. It is for these reasons that SFC Forbes never formally complained about CPT Korista until him until the horrible experience of being needlessly sent to an emergency room, having his clothes removed and inventoried, and being told that he could have a phone cord to charge his dead phone IET keep his extremely upset wife calm at home. It is for these reasons, SFC Forbes yet again recommends that CPT Korista’s decisions in his official capacity and Company Commander of HHC, STB, 528th SB require further in-depth scrutiny; unfortunately, this is a formal recommendation given that it is being made in a formal rebuttal of an unjustified GOMOR SFC Forbes denies but recently and only, acknowledged receipt of. COL Brunson and MAJ Racaza’s (and anyone else in this email testimony) should receive the same in-depth scrutiny and policies modified so that the eCDBHE is used for support of Soldiers and not a ‘weaponized,’ evidence-seeking tool as it has been here.

The eCDBHE that CPT Korista ordered SFC Forbes to participate in could have been done in an hour, if it had been done earlier that day (with an available Psychologist other than the biased and unprofessional MAJ Racaza) and SFC Forbes would have been afforded the opportunity to interact with IG as regulations and policies indicate. As it stands he frantically only got to leave a voice mail that evening. This level of planned coordination of the time and place (which was different than the day before) to have SFC Forbes forced to be in an emergency room for 9 hours was unnecessary and unwarranted; moreover, it is indicative of a sense of malice for SFC Forbes’ well-being, which is contrary to the Army's intent to remove the negative stigma of BH engagements. It was also contrary to CPT Korista's stated interest in a performing “Safety Check” out of concern (which is a probable falsehood). A non-inclusive chronological list of events pertaining to that needless and horrendous evening, which shows the likely ill-intended use of an SIR event (that SFC Forbes will never forget), follows (for the remainder of this section - Exhibit Q):

On 20230118 (1645), a meeting was opened by HHC, CO CDR, CPT Korista, as he asked, “How are you feeling?” SFC Forbes responded, “I am fine. How are you?” SMs also present were 1SG Morgan, 1LT Jennes, CPT Devine, CPT Lowrie (at the beginning), MSG Grix (at the end). During this meeting CPT Korista repeated that he wanted SFC Forbes to receive a “Safety Check.” Near the end of the conversation SFC Forbes expressed that a CDBHE cannot be used as retaliation or reprisal. He repeated, again, to SFC Forbes, that he was ordering him to a “Safety Check.” CPT Korista finally

stated, "I am ordering you to go to the emergency room to be checked out because I have noticed erratic behavior." SFC Forbes agreed to go with MSG Grix to WAMC.

On 20230118 (~1809), SFC Forbes left voicemail with 1SFC IG (after hours) stating that he was being ordered to an emergency CDBHE due to no Psychological professionals being available after hours. He further stated, that he was told that some Psychologist from 1SFC (unknown individual; SFC Forbes didn't meet any medical professionals there) said something to someone in my unit that caused CPT Korista to decide to perform what he deemed was "a Safety Check," but what he finally admitted was an emergency CDBHE. 1SFC IG likely has the recorded voicemail SFC Forbes left with the appropriate time stamp.

On 20220118 (1843), SFC Forbes was admitted to WAMC's emergency room for an eCDBHE. The wrist band provided stated 1743, likely due to DST, as SFC Forbes called his wife, Sabrina, at 1819 while MSG Grix (FN?) was driving SFC Forbes to WAMC.

On 20220119 (~0311) SFC Forbes had been released: he was diagnosed with "Stress." He was driven back to his vehicle in X-4047 parking area by MSG Michaux circa 0330 and went home to his, still awake and upset, wife.

The next day, after getting a partial copy of the medical record pertaining to this incident, SFC discovered a document; FB 1462-E. It is a mandatory form that must be completed prior to a Soldier's "assessment." Mr. Lanier told CPT Korista in his report contained in the 'infamous' 10 pages missing from his records requests, that took SFC Forbes 5 requests over 3 months (and having to ultimately engage WAMC Director) to procure, that a FB 1462-E was required. Mr. Lanier further clarified this in his report by writing, "SM initially arrived without FB 1462 but one was completed by the [C]ommander on instruction of this provider and this document was reviewed prior to assessment." CPT Korista must not have known the document was mandatory. If this weren't enough to show how the eCDBHE was 'weaponized,' SFC Forbes can clearly see CPT Korista's intent was ill-intended as block 10 of FB 1462-E states, "Your future plans for dealing with this soldier are:" He replied with two bullets: "- Making sure the Soldier receives adequate care for his paranoia and erratic behavior" and, "-Remove him from USASOC/levels of responsibility" (See Exhibit Q, "symptoms not corroborated" document dated 2023018).

SFC Forbes did an exhaustive write-up for another venue on the 'shot-gun-blast' approach CPT Korista used in filling out the 1462-E in the emergency room that evening (circa 2330), however, SFC Forbes left it out of this rebuttal due to the overwhelming amount of evidence already documented and submitted of CPT Korista's ill-intended order. Needless to say, the 1462-E was largely false, with much of it refuted by Mr. Lanier, except SFC Forbes diagnosed [occupational] "Stress." Ultimately, was released

from WAMC with nutritional and lifestyle guidance paperwork (similar to a pamphlet). Notably, CPT Korista indicated on the FB Form 1462-E that SFC Forbes was the subject of disciplinary actions, by stating: "15-6 Inv; 12JAN23; Counter-productive leadership; on-going," on the form.

Exhibit R
BDE Town Hall Comments (20221212)

Summary: These statements appear to be written by the same person and it is troubling that this is the evidence that COL Brunson verbally notified SFC Forbes he would "report to 389th on 20230119 and he intended to order the investigation into "someone who is being disruptive" in his unit. SFC Forbes believed he was investigating CPT Korista or CSM Emekaekwue based on their behaviors with respect to thwarting SFC Forbes attempts to fulfill his BDE appointed duties of Primary INFOSEC Officer. SFC Forbes denies all allegations of "yelling" and "blowing up" and has never in his 16+year career created or participated in a hostile work environment. In fact, he has a history of standing up for persecuted and abused Soldiers wherever and whenever he witnesses it. He does remediate issues for reasons and has always communicated his reasoning with his colleagues at every echelon, as the contents of this entire documents supports with actual evidentiary support provided.

Exhibit S
2LT Tolston's Questions to SFC Forbes (20230221, S:20230413)

Summary: These questions were vague and clarification was requested in SFC Forbes answer. Also, it is troubling that the IO had no further witness interviews from 20230209 thru 20230221 and SFC Forbes could have been afforded this time to perform what he is attempting to do in this rebuttal; defend his reputation, and career from these allegations, opinions, generalization, hearsay, and falsifications. SFC Forbes is convinced this is a biased, incomplete, inaccurate, and unreliable examination of the allegations levied against him by Leaders and Subordinates in an organization whose CDR created an environment and culture conducive to ignoring policies and not accepting SFC Forbes regulatory-based guidance in this SOF support unit.

Point of Contact information is moot as formal lines of communcations via the presentation of the GOMOR in question already exist.

FORBES.MICHAEL.JEFFREY.[redacted] Digitally signed by FORBES.MICHAEL.JEFFREY.[redacted] Date: 2023.06.16 15:27:38 -04'00'

MICHAEL J. FORBES
SFC, USA
Former NCOIC, BDE S2 & Mentor

ethnicity, sexual orientation, and gender,[17] all topics that were outside the scope of the matters of the investigation.

d. The failure of the IO to recognize that many of the allegations made against SFC Forbes, are made by personnel who have an obvious conflict of interest.

The IO failed to note in her report that SFC Forbes has a pending whistleblower reprisal case with IG against multiple RMO's (responsible management officials), as well as the fact that SFC Forbes had previously accused CSM Emekaekwue of a physical assault against him. This failure to recognize a potential conflict of interest of these two witnesses calls into question the objectivity of the investigation.

The IO also failed to note that MAJ Racaza violated the ethical rules of her practice by engaging in a conflict of interest by way of multiple relationships, in that she: (1) wrongfully accused SFC Forbes of disrespectful communication, (2) ordered an involuntary eCDBHE of SFC Forbes, and (3) testified against SFC Forbes in the AR 15-6 investigation.[18]

Conclusion

The evidence provided by SFC Forbes shows clearly that the allegations made against him are without merit. He did not engage in disrespectful or unprofessional communications with MAJ Racaza, and his leadership approach has been positive in nature, and is in no way toxic or counterproductive.

SFC Forbes has, however, been subject to illegal reprisals and retribution, which has unfortunately tainted the AR 15-6 investigation held against him.

It is for these reasons that you are urged to: (1) withdraw the recommendation of a GOMOR, (2) remove the flawed AR 15-6 proceedings from the record, (3) drop the relief for cause action, and (4) transfer SFC Forbes to another unit where he will not continue to be targeted.

[17] As discussed in exhibit 1, SFC Forbes did not make these statements.
[18] As discussed above, psychologists licensed by the state of Arizona are bound by the APA's "Ethical Principles of Psychologists and Code of Conduct" (online at https://www.apa.org/ethics/code). The relevant provisions are rules 3.05 and 3.06.

SUBJECT: SFC Forbes, Michael J. rebuttal of 2LT Tolston findings and evidence



James M. Branum
Attorney at Law

Enclosures:

A: Memorandum addressing select portions of the statements and other documents provided by the AR 15-6 investigation.
B: Timeline of AR 15-6 Investigation
C: Character Reference Letters

Exhibits:

These are all found in the zip file provided electronically but are also available via CD.

D E P A R T M E N T O F T H E A R M Y
528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DRIVE
FORT BRAGG, NORTH CAROLINA 28310

AOSC-MI 16-June-2012

MEMORANDUM FOR RECORD

SUBJECT: SFC Forbes, Michael J. Timeline of AR 15-6 Investigation

The following timeline (prepared by the SFC Forbes) is accurate and complete to the best of his knowledge:

2LT Tolston Findings and Recommendations (20230222, signed 20230413)
Investigation Timeline

Summary: This investigation, with its procedural flaws and surprising choice of a 2LT to conduct an investigation of a Senior NCO, reinforces why a post-command CPT or higher should have been selected instead. The IO had 42 days to investigate; the IO gathered evidence on only 10 of those allotted days, with the bulk of the IOs data gathering occurred between 20230119 that was included in the findings.

It is extremely troubling that after conducting interviews and reviewing SS evidence, the IO spent massive amounts of time generating MFRs to augment her witnesses' SSs and waited until one day before her extension deadline to ask questions of SFC Forbes (the Subject). He requested, under the advice of CPT Carras', his suspect rights Legal Assistance Lawyer, to review the request with his representation. SFC Forbes responded on 20230223 (one day after the IO deadline), which may indicate the IO did not consider SFC Forbes' answer. Notably, he requested clarification of the vague questions concerning the counterproductive leader charge in his answer to the IO. He received no response, likely due to the deadline that had already passed for another extension request. This is highly unorthodox and did not provide SFC Forbes the opportunity to due process to refute the allegations with the IO in the time provided by COL Brunson.

Further flaws are as follows:

1) The investigation IO's findings and recommendations memo and all supplemental MFRs were dated 22FEB2023 but not signed by 2LT Tolston until 13APR2023, but then were modified by the BDE CDR on 20230420; and modified again on 20230522 to add back the disrespect charge.
2) The IO was in possession of evidentiary allegations for months, even after the she requested an extension; the evidentiary allegations of multiple events were not brought forth to SFC Forbes to address during the investigation, thereby forcing these matters to be refuted in rebuttal of a General Officer Memorandum

of Reprimand (GOMOR) because of an incomplete assessment by the IO. This is a highly unorthodox IO procedure and cumbersome for the rebuttal of a Personnel Action such as a GOMOR.

3) Unit Psychologist (MAJ Racaza) complained about SFC Forbes on 30NOV2022 to the BDE CDR, SFC Forbes addressed this incident with a replied email from the BDE CDR; SFC Forbes understood the issue as resolved when released from the mandate to participate in the SDI event in that email exchange - See Reprisal Catalyst Events & Timeline Folder (20221201 email 1of2; 2of2 is identical with the COL indicating he read it twice) for this exchange.
4) MAJ Racaza brought the same 30NOV2022 complaint at an unknown time (circa 6 weeks later), which was at least part of the reason for the appointment of the IO for an investigation on 12JAN2023 that SFC Forbes was the unwitting subject of, as MAJ Racaza was the named Officer that SFC Forbes allegedly disrespected in the IO appointment order; MAJ Racaza then submitted a sworn statement against SFC Forbes on 19JAN2023 for the same 30NOV2023 discussion in the same investigation she was a catalyst for.
5) The BDE CDR influenced the assignment of SFC Forbes back to STB to be ordered by CPT Korista to be escorted to an eCDBHE while he was an unwitting subject of 2LT Tolston's investigation.
6) The only documented report of MAJ Racaza's is her 3rd complaint of the 30NOV2022 discussion, which was in the form of a sworn statement provided to the IO on the day of SFC Forbes' release from WAMC emergency room and only ***after*** a "fit-for-duty" result from the eCDBHE that MAJ Racaza provided the regulatory basis for CPT Korista to order the unwitting SFC Forbes to participate in. Would MAJ Racaza still have created the sworn statement if the diagnosis result from the eCDBHE was more severe? We will never know.
7) SFC Forbes was not flagged by CPT Korista, or anyone, until 07FEB2023 at which time he became a witting subject; furthermore, the flag was not entered into IPPS-A through HRC until he received his GOMOR on 01JUN2023. The motivation for this failure to follow Army Regulations could be explained as leverage for SFC Forbes to remain silent regarding the further pursuit of the evidentiary truth associated with CSM Emekaekwue's assaulting him, MAJ Racaza's multiple complaints about the same discussion on 30NOV2022, MAJ Racaza's conflict of interest and multiple violations of the APA Code of Conduct in her recommendation to have SFC Forbes ordered to eCDBHE. Moreover, MAJ Racaza violated many APA Code of Conduct Principles in her solicitation and implementation of the Strengths Deployment Inventory through COL Brunson. This ultimately resulted in COL Brunson's clandestine investigation of SFC Forbes, via this poorly executed investigation that denied SFC Forbes the opportunity to persuade the IO through testimony of alleged wrongs.
8) Notably, SFC Forbes documented the situation the same day (on 30NOV2022) whereas the only recorded documentation of MAJ Racaza's allegations occurred

after the investigation began (over 6 weeks later) and post-eCDBHE mundane result findings.

9) The IO used a disputed allegation as evidence in her findings by stating "I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza…. This can be supported by MAJ Racaza[']s statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letting her explain or answer any questions."
10) The investigation is predominated by generalizations, uncorroborated opinions, hearsay, falsifications and the aforementioned ill-intent by leaders of the unit.

The Investigation began on 12JAN2023;

- **20220112 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220113 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220114 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220115 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220116 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230117 (0607) CPT Lowrie texted me that CPT Korista wanted to meet with us both at 1330.
- **20230117 (1500) Legal meeting with CPT Dycus[, 95th CA BDE and IO]**
- 20230117 (1330) SFC Forbes met with CPT Lowrie and CPT Korista and was dismissed by CPT Korista for being "assigned to 389th MI BN" at 1340.
- **20230117 (1500) LEGAL MEETING WITH CPT DYCUS (95th CA BDE).**
- 20230117 (1554) BDE directed move to "Revoke" SFC Forbes assignment to 389th MI BN via a BDE directed Personnel Action on 20221220.
- 20230117 (1555) BDE directed move to "Attach" SFC Forbes to 389th MI BN via a BDE directed Personnel Action thereby assigned him back under the authority of CPT Korista the Company CDR, HHC, STB, 528th SB.
- 20230117 (~1600) CPT Davenport, Company CDR, HHC, 389th MI BN, 528th SB, calls SFC Forbes into her office while CPT Korista was on the phone with her and notified SFC Forbes to be at CPT Korista's office on 20230118 at 1600.
- **20220118 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230118 (~1000) SFC Forbes travels to 1SFC for in-person request open-door with MG Angle. He was persuaded to meet with CSM Munter on 20230119 at 0900.
- 20230118 (1600) SFC Forbes arrives with CPT Devine, 389th Chaplain, at SFC Forbes request. He nearly immediately asked to attend a mental health "Safety Check" at WAMC. SFC Forbes immediately notified CPT Korista that he had no suicidal or homicidal ideations, and was not suffering from any symptoms of a Personality Disorder. These are the only three reasons a CDBHE can be ordered and then only after a Psychology consult. SFC Forbes continued to refuse the repeated attempts to get him to attend the "Safety Check" voluntarily. Finally, in

front of all present, CPT Korista admitted he was ordering SFC Forbes to an eCDBHE. SFC then, and only then, complied with the order. Notably, SFC Forbes is still an unwitting subject of a BDE level investigation at this time.

- 20230118 (1743) SFC Forbes is admitted to the emergency room with armband emplaced. During this event SFC Forbes was ordered to strip, put on a hospital gown, watch a medical worker inventory the contents of his uniform and was not allowed a charging cord to continue to attempt to keep his wife calm. His wife, who was extremely angry about this, got no sleep that night and commented during a telephonic meeting, "They were trying to piss him off" and later said, "They are hunting him."
- 20230119 (~0318) SFC Forbes is released with "No duty limitations" and, "No follow-up needed" by Mr. Brian Lanier, a Behavioral Health Provider at WAMC. This can be seen in the DA Form 3822, which took 3 months (20230420) and 5 requests for SFC Forbes to receive a copy. The form indicates a billable diagnosis code of R45.89 with the words, "OTHER SYMPTOMS AND SIGNS INVOLVING EMOTIONAL STATE" noted. This document is in the Exhibit E folder (para 4.). Further clarification can be found on page 18 of 71 of SFC Forbes medical records associated with this incident, where Dr. Christopher Anderson, the Emergency Room Physician, wrote under "Diagnosis," which reads "Stress;" all of this was after being screened for "Depression" and "Substance Misuse." This was a 9.5 hours ordeal that, if held earlier in the day could have lasted 50 minutes (the amount of time the assessment did last with Dr. Anderson) with an unbiased (other than MAJ Racaza) Psychologist or Clinical Social Worker during normal business hours. No evidence was procured to support the investigation during this heavy-handed order by CPT Korista that was recommended by MAJ Racaza.
- **20230119 (1245) Witness meeting with MAJ Racaza [and IO.]**
- 20230119 (1252) MAJ Racaza provides the first on-record written statement that my client has to date of the 30NOV2022 communication wherein my client lawfully and professionally requested the "scope and statutory support" of the SDI event that MAJ Racaza was lawfully obligated to answer.
- **20230119 (1350) Witness meeting with SGT Aldeguer [and IO.]**
- **20230120 (1100) Witness meeting with 1SG Morgan [and IO.]**
- **20230120 (1400) Witness meeting with MAJ CH Rivera [and IO.]**
- **20230120 Extension request**
- **20230121 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230122 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230123 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230124 (1450) Witness meeting with CPT Lowrie [and IO.]**
- **20230124 Extension request approved**
- **20230125 (1000) Witness meeting with MAJ Weber [and IO.]**
- **20230125 (1100) Witness meeting with CPT Korista [and IO.]**

- **20230125 (1400) Witness meeting with PFC Scheffing [and IO.]**
- **20230126 (1400) Witness meeting with CSM Emekaekwue [and IO.]**
- **20230127 (1030) Witness meeting with LTC Furlow [and IO.]**
- **20230127 (1200) Witness meeting with 1LT Lyons [and IO.]**
- **20230127 (1400) Witness meeting with LTC Furlow [and IO.]**
- **20230128 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230129 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230130 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230131 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230201 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230202 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230203 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230204 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230205 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230206 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230207 NO INVESTIGATION ACTIONS TAKEN BY IO**
- 20230207 CPT Korista provide SFC Forbes with a counseling and flag. Flag is not submitted to IPPS-A (HRC) until circa 20230601.
- **20220208 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220209 Witness meeting with Mrs. Margarret Lindquist over phone**
- **20220210 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220211 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220212 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220213 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220214 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220215 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220216 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220217 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220218 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220219 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20220220 NO INVESTIGATION ACTIONS TAKEN BY IO**
- **20230221 (1600) M[FR] for accused sent to CPT Carras**. 2LT Tolston notifies SFC Forbes of suspect questions for the investigation. Questions about counterproductive leadership are vague (See Exhibit S).
- **20220522 2LT TOLSTON's INVESTIGATION ENDS PER THE EXTENSION GRANTED BY COL BRUNSON. ALL MEMOS ARE BACKDATED TO THIS DATE. SHE DID NOT INCLUDE SFC FORBES' RESPONSE ON 20230523 THAT CAME IN AFTER REQUESTED ATTORNEY CONSULT AND DID NOT CLARIFY THE QUESTION TO PROVIDE ANY FIDELITY ON THE EMBEDED ALLEGATIONS AGAINST HIM.**

- 20230223 SFC Forbes responds to 2LT Tolston questions and requests clarification regarding counterproductive leadership question vagueness. He gets none (See Exhibit 1).
- 2020420 SFC Forbes finally receives missing 10 pages of medical records refuting all of CPT Koristas alleged symptoms but "stress" and thievery (which is refuted elsewhere) that he indicated on FB 1462-E.
- 20230501 SFC Forbes is presented with a DA 4856 from 1SG Kelley, Amanda, HHC, 389th MI BN wherein she notifies him she is recommending him to the Company CDR, CPT Davenport, Hollis, HHC, 389th MI BN for "Failure to follow direct orders" and "counterproductive leadership." SFC Forbes disagreed with the counseling as he is not guilty of those allegations. Again, the event did not produce any evidence for the still open and modifiable investigation as seen by COL Brunson's memo dated 20230522 wherein he provided a "Clarification of Approved findings dated 20 April 2023."
- 20230511 SFC Forbes is presented with a DA 4856 from CPT Davenport that notified him that the "BDE Commander has recommended that you receive a …GOMOR." SFC Forbes disagreed with the counseling as he feels this is unwarranted and he has professionally enforced regulations. Again, the event did not produce any evidence for the still open and modifiable investigation as seen by COL Brunson's memo dated 20230522 wherein he provided a "Clarification of Approved findings dated 20 April 2023."
- 20230601 SFC Forbes receives a GOMOR from BG Ferguson (DCO, 1SFC), a Military Protection Order (MPO) from CPT Korista and a DA 4856 from CPT Lowrie wherein she is contemplating writing a Relief for Cause NCOER. Notably, CPT Lowrie has only worked with him for 2 months and he has not been anything but a 389th Mentor since being assigned to 389th MI BN on 20221220, which is an unofficial and unheard of role for a Senior NCO.

MICHAEL J. FORBES
SFC, USA
Former NCOIC, BDE S2 & Mentor

ENCLOSURE C

Character Reference Letters

DEPARTMENT OF THE ARMY
U.S. ARMY COMMAND AND GENERAL STAFF COLLEGE
100 STIMSON AVENUE
FORT LEAVENWORTH, KANSAS 66027-2301

REPLY TO
ATTENTION OF:

ATZL-LSK

June 11, 2015

TO WHOM IT MAY CONCERN

SUBJECT: Character Letter for Michael J. Forbes, SFC.

1. During the period from January 2012 through June 2014 I served as the S2 NCOIC for 3rd Special Forces Group, 3rd Battalion. In that position, I was responsible for the health and welfare of Michael J. Forbes, Staff Sergeant at the time. I also served as the Group Support Company Commander/1SG on Assumption of Command orders for over 18 months, still having Michael Forbes under the same chain of command. It is with great pleasure for me to write this character letter for SFC Forbes, Michael J. To date, I have known SFC Forbes for the past eleven years through military positions held and through continued mentorship. I can personally attest to his intelligence, fortitude, and professionalism. Others and I can confirm his exceptional qualities and potential as a leader, trainer, and motivator. I have witnessed firsthand his growth in both military knowledge and experience, and as a person.

2. I wanted to make sure that on this day, at this time, this letter would serve its purpose, by briefly highlighting a great Soldier and a great person. There is no document that could ever be produced to summarize or cover all the things that Michael J. Forbes has done to help, lead, guide and protect others throughout his Army career. Regardless of what this letter is used for, whether soon or 50 years from now, reading this document will never sum it up. You would have to get to know Michael J. Forbes for yourself to understand and appreciate his attributes. Forbes joined the Army at an older age than most, however that has never been an excuse to why he couldn't accomplish the task at hand nor go the extra mile. I have always known Michael Forbes to perform in an exceptional manner and he continues to possess the breadth and depth of knowledge seldom seen in Non-Commissioned Officers. He has the natural ability to express complicated and technical information clearly and concisely. His patience and compassion will serve him well and guarantee his continued success as a Senior Leader.

3. I joined the Army in 1994, currently still serving with almost 30 years of service. I have seen and worked with many enlisted personnel of all ranks, however I have never met or worked with anyone like SFC Forbes. I noticed great desire to be a professional, a leader, a mentor, even a great follower when needed in Forbes and that fire has never died. He is a by the book type of person, which is great and much needed in the profession of Military Intelligence. During the many years, months, days, hours spent alongside Michael Forbes, I never had a problem with him being by the book, this was a requirement from me to him. His work ethic spoke for itself. We never had an investigation, we never mishandled classifieds, we always got commendable during personnel security and physical security inspections, we trained others in the proper techniques of personnel and physical security and they too, benefited from the mentorship provided and I owe this to SFC Forbes.

4. SFC Forbes made my job and life easy as his NCOIC, but he also taught me a lot. Depending on the situation, I had to learn different communication techniques, I had to develop a higher level of compassion and empathy. These qualities would serve me best later in my career as a Command Sergeant Major. This is why I mention this, Michael Forbes did not show signs of weakness, he stood steadfast, excepted responsibility, and showed many Soldiers in the unit what it meant to be resilient. Not once did I have to worry about his physical, spiritual, or mental fitness, because he was a total Soldier that took pride in his unit and himself. Forbes was going through some emotional times, having to endure a separation and divorce, but he never faltered, never failed me, never lied; never missed work unless it was prior planned, never looked for or considered handouts, never looked for an excuse, and never compromised his integrity as a Soldier. I stand here today as a testament to his perseverance. I will tell you this, if given the chance as a CSM in the United States Army, I would hand pick SFC Michael Forbes to work for me right now.

5. SFC Michael J. Forbes is loyal, honest, dedicated, and continuously wants to be a great leader to Soldiers and his community. Allow this Soldier the opportunity to continue to provide structured leadership and leader development to all that encounter him. I am convinced that SFC Forbes will be successful in any endeavor he attempts. To be honest he has shown more potential in becoming a great leader than other promoted Sergeant First Classes and other senior enlisted personnel that I have met throughout the 29 plus years I have been in the Army. Anyone not wanting this person, this man, this Soldier, this Senior Non-Commissioned Officer on his or her team frankly is foolish and know nothing about what denotes or classifies a great Soldier, a leader, nor an Intelligence Professional. It is hard to find someone that will always tell you the truth, whether good or bad, but you will always get that from SFC Michael J. Forbes. I will always be grateful for his help in making me a better leader and I'm proud that we have one another as mentors.

6. Point of Contact for this memorandum is CSM Aubrey L. Crenshaw at aubrey.l.crenshaw.mil@army.mil or by cell phone at [redacted]

AUBREY L. CRENSHAW
CSM, USA
CGSC Instructor

Dane A. Bergeron
[redacted]

June 10, 2023

To Whom It May Concern,

I have known SFC Michael Forbes in various capacities for 15 years. I was the Targeting Officer and Personnel Recovery Director for CJSOTF-A, 2007-2008. SFC Forbes was my lead Intelligence Analyst for both of my positions. SFC Forbes' dedication to duty, integrity, and outstanding attention to detail directly eliminated numerous High-Value Targets (HVTs).

SFC Forbes possesses excellent communication skills (both written and verbal), allowing him to effectively interact with all levels of personnel in the Chain of Command.

SFC Forbes is one of the finest soldiers I served with throughout my 30-year career. He has been a tremendous asset to The United States Army and The United States of America.

POC for this letter is Dane A. Bergeron, [redacted]

Respectfully,

Dane A. Bergeron
CW4(R), SF
Chairman Republican Executive Committee
[redacted] La.

CC: Senator John Kennedy, La
Senator Bill Cassidy, La
Senator Tom Cotton, Ar
Congressman Steve Scalise, La
Congressman Mike Johnson, La
Congressman Clay Higgins, La

June 8, 2023

BG Ferguson, Lawrence G.
Deputy Commanding General
2929 Desert Storm Dr.
Fort Bragg, NC 28310

SFC(R) Bleyl, Donald
[redacted]

Sir:

My name is SFC(R) Bleyl, Donald, and I am writing to you on behalf of SFC Forbes, Michael J. He recently informed me that he received a GOMOR and explained his situation. After hearing that news, I felt I needed to write to you and present to you a different picture, the real picture, of who SFC Forbes really is, and what he stands for. I was honestly surprised to hear this news, as everything I know of SFC Forbes was, and is, only of the utmost professionalism.

I first met SFC Forbes in 2010 when we were both in 3rd BN, 3rd SFG (A). I was an 18C assigned to ODA 3322, and he was assigned to the BN S2 Section. I remember him being the only person that worked in the S2 Section at that time. He was always there, usually staying late, and working on off days, and was always willing to help, no matter how much work he had to get done. Everyone knew that "Forbes" was organized, professional, and unit first! He was always there for anyone or anything that needed to be done.

In 2012, I had some legal issues that affected my TS clearance, and it ended up being flagged. After all that was cleared, I needed assistance with getting my clearance straightened out. I was so confused and unsure of what to do, so I went to his office for help. SFC Forbes stopped what he was doing, and without judgement said, "I got you," and quickly retrieved a single sheet of paper that had the words "wish list" on it. He began circling and crossing things off this paper while he quickly asked questions of me. Within two minutes I left his office and could hear him feverishly typing away again. He could have simply just told me the basic steps of what to do, but instead, over the course of a couple of days, he walked me through step by step, making sure I understood all that needed to be done. He told me what to do, what kind of letter I needed to write, all the way down to the detail of checking my structure and content of my letters. He gave me the legal reasons for doing so, and how to do them in order to succeed the right way. He took extra time to ensure that I would have the best chance to successfully retain my clearance. He was and still is extremely competent in his job. He was a Wall Street Advisor for 14 years prior to his enlistment, and that should say a lot about his character. He voluntarily gave up a successful career to give his time and life for his country, and his fellow Soldiers. He has been nothing but a great influence and friend to me over the years. I have also seen him at countless charity events supporting the Special Forces Association, participating in charity motorcycle rides, being Santa Claus on several occasions, and just giving his own personal time. The first time he met my little girls, he even sent them home with some special souvenirs that he had collected from his personal travels. SFC Forbes has such a giving heart, and

he is always willing and excited to support whatever the greater cause is, whether it's Gold Star Families or Toys for Tots.

When I was nearing retirement, I went to see him to check on my situation after everything regarding my legal issue was dropped. He sat down at his computer and notified me that my clearance was good. He began talking me through a series of questions (I have seen him do this repeatedly with others). All of them had to do with my career or service. Upon mentioning the TAP Program, he abruptly asked me, "How many months do you have until you get out?" I replied it was about 18. He sat down and looked me up again and looked for my renewal window. He told me to put a date 30 days prior to the earliest renewal request date on my calendar and he would ensure we put in for my PPR. He wanted to do this so that I could have some coverage in the civilian world to have a better chance for professional employment. Even after I had been out for years, I called him, and he helped me by getting me phone numbers to get in touch with DoD CAF to restart another review process for a potential employer. I retired in May 2015. Now I have a new home here in SC with my wife and children, a great job, and still an active DOD clearance, thanks to SFC Forbes' dedication to his profession.

Sir, SFC Forbes has never wavered in his commitment to doing the right thing. He stands for justice and would sacrifice himself (figuratively or literally) for any one of us. He is one of the most competent Soldiers and people I know. I would gladly and proudly serve with him again. He is an asset to his unit, and to the United States Army. Please reconsider your decision on this GOMOR. From what he has told me, and I completely trust him, there may be some bigger issues in his unit that are falling on him without reason, and that is unfair. He has, and will always do the right thing, even under pressure. Please feel free to contact me if you have any questions.

Respectfully,



Donald Bleyl SFC(R)
Robert Bosch LLC
Mechanical Engineer
[redacted]

DEPARTMENT OF THE ARMY
HEADQUARTERS AND HEADQURTERS BATTALION
82ND AIRBORNE DIVISION
FORT LIBERTY, NORTH CAROLINA 28310

AFVC-HBN-CO 11 June 2023

MEMORANDUM FOR Commander BG Ferguson,

SUBJECT: Letter of Character for SFC Michael J. Forbes

1. The purpose of this memorandum is to speak to the character of SFC Michael Forbes. Thank you for the opportunity to address my personal experience as one of his former Soldiers. I would like to address how much this leader has positively contributed to my career, my personal success as a leader, and how he remains a mentor of mine in our United States Army.

2. SFC Forbes and I worked together for approximately two years while I was assigned to HHC, 3/3 SFG (SO) (A). He was my S2 NCOIC and provided oversight to my assigned duties. SFC Forbes personally mentored and coached me on my duties and assisted me on many personal and professional issues, which prepared me to later assist my Soldiers and colleagues during my time as a leader of Soldiers. SFC Forbes' in-depth understanding of Army Policy, Regulations and procedures has helped me become a knowledgeable leader while deployed and/or serving in subsequent assignments. I still remain in contact with him as he continues to coach and mentor me as a peer, serving as the 82nd Division, Counterintellignce Coordinating Authority, which is at the G2/G2X Division Intelligence Architecture. Though SFC Forbes does not consult me in operational matters in relation to Counterintelligence, he is a supurb resource in leading/training soldiers, mentoring/coaching peers, and guiding Senior Leaders at any echelon. He is excellent at providing and/or researching Policy and Regulation references that many times change Commanders and OICs decision-making process. He is the epitome of a professional guide; he does not tell people what they want to hear or participate in group-think.

3. SFC Forbes is everything a leader, junior leader or Soldier should aspire to be. He LIVES the Army Values. Some could say, he fully represents these values. His coaching and mentorship, has guided me through the following processes: he was instrumental to my retention in my MOS back in 2015 (see below); he has coached and mentored me from a SGT to SFC (pinning me during a recent promotion ceremony last year); he has mentored me to pursue my BA in Criminal Justice, MS in Criminal Justice and MBA in Project Management; and he has continued to be my point of contact for regulatory guidance and personal development now and in the future.

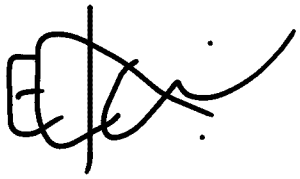
4. Back when I was an Buck Sergeant, then SSG, Forbes became the sole reason I continue to serve in the MOS, of my choosing, today. It was due to his intervention and tough words, behind the HHC, 3/3 SFG building, that I realized what kind of man SFC Forbes was. I was in a situation where counterproductive mid-level leaders had convinced our BN Commander that I should go back to the Infantry. A group of SSGs and SFCs created MFRs they presented, embellished, and falsified to the BN Commander without notifying me. Subsequently, I was given a first reading for a reassignment. I immediately contacted my Congressman and discussed my situation with SSG Forbes periodically.

5. On the morning of the day, of my third reading of my pending reassignment to an 11B, I decided to reach out to SSG Forbes again. Carrying my binder of extremely organized evidence, I went to the S2 Office and asked him to speak with me out back. He and I, both, knew I was being pushed out of my MOS by a corrupted process. I said to him, "I don't know what to do. Congress is taking their time. Its all right here!" I will never forget this; he sternly said, "I have told you two times now, Congress takes forever. IG can stop this! They can put it on hold until you get due process. Now either you take that book to them (pointing to their office through the trees) or go be an Infantryman, again. You must decide and, it seems, you need to do it right now." He was right. He gave me their number on a post-it and I was at IG in an hour. Everything stopped. The meeting with the BN Commander was cancelled and two weeks later I was reassigned to 525th MI BDE.

6. Thanks to SSG Forbes' blunt encouragement in getting me to contact IG, someone stopped the process. It hadn't occurred to me they could even help; SSG Forbes' insight in how the Army works helped me preserve my chosen career and is the reason I remain in the Army today.

7. When SFC Forbes shared with me what is going on with him right now, I felt compelled to write this letter on his behalf. I believe he should not receive a GOMOR or a Relief for Cause NCOER and that something or someone else is out of place. Please consider my character assessment of this great leader. The US Army would be greatly impacted without leaders such as SFC Forbes.

8. Point of contact for this memorandum is the undersigned at eric.l.salinis.mil@army.mil or 910-551-9347.



ERIC L SALINIS
SFC, USA
Senior Counterintelligence Sergeant

OFFICE OF THE UNITED STATES REPRESENTATIVE
MILITARY COMMITTEE
NORTH ATLANTIC TREATY ORGANIZATION
PSC 81, BOX 300
APO AE 09724

USDELMC-SLD 10 June 2023

MEMORANDUM FOR ALL REVIEWING AUTHORITIES

SUBJECT: Character Statement for SFC Michael J. Forbes

1. My name is SSG Valerie M. Hughes. I have served as a Security Representative with the United States Military Delegation to NATO since July 2022. I worked with SFC Michael J. Forbes from September 2016 to June 2017 when he was a SSG and I was a SPC in Delta Company, 54th Brigade Engineer Battalion (Airborne), 173rd Infantry Brigade Combat Team (Airborne). During this time, he was assigned as my squad leader.

2. As a junior enlisted service member, SFC Forbes was critical in the development of myself and my peers, as a Soldier and future leaders in the military. He exhibited humility, knowledge, decisiveness and courage; characteristics that he reinforced in his leadership style. The following events displayed his characteristics.

3. After arriving to the unit and observing our behaviors for about a month, SSG Forbes held a squad meeting under the BDE flagpole. During this meeting, he explained that we were a team and that he would not tolerate us talking bad about each other. If he found out about it, then he would bring everyone together to resolve the issue. From that moment on, I no longer saw my teammates as annoying and I put my negative feelings aside so that our team could accomplish its mission. During this meeting he also explained his Soldier development method, a three-strike progression. SSG Forbes placed an importance on Soldier development by establishing a working environment where mistakes were encouraged as long as Soldiers were able to learn from their mistakes and no one was injured. When a mistake was made, he would walk Soldiers through critical thinking to determine a different resolution for the future. He followed through on his method and consequently the squad had excellent meetings where individual's mistakes were discussed openly and we worked together to become a team. In one example, I recall one of our Soldiers lacked the discipline to show up on time. SSG Forbes addressed her individually the first time, then addressed her, with her team leader, the second time that she was late. The third time she was late, SSG Forbes addressed the squad and how we needed to work together to help our peer be on time. The team leader took responsibility for her lateness and SSG Forbes allowed the individual one more chance. In the end, the Soldier was no longer late so SSG Forbes counseled her to let her know that she would have her strikes reset to zero. His process allowed for mistakes, remediation and, more importantly, recovery.

4. SSG Forbes discovered that our PSG had abused his authority and violated the civil rights of many Soldiers by coercing Soldiers to allow him to search their phones prior to SSG Forbes' arrival to the unit. Later, SSG Forbes noticed that the same PSG was counterproductively targeting two of SSG Forbes' assigned Soldiers. SSG Forbes immediately intervened, but soon after, the attention of the PSG turned to SSG Forbes. I believe SSG Forbes' intent was to deflect

the abuse from the Soldiers. All I know is that this turned into an IG complaint and the two Soldiers were removed from platoon while the PSG was reassigned to a BDE manning position.

5. SSG Forbes also created an environment where he taught us to be humble and encourage suggestions from everyone, regardless of rank. Even as a SSG, with about 9 years of experience in the military, he believed it was normal for PV2s to have good ideas. SSG Forbes had no issue implementing the idea of a PV2 instead of his own. By doing this, he also taught Soldiers how to bring forth a different idea or how to bring forth problems if there were any.

6. Despite the good and bad times that our platoon experienced, SSG Forbes wanted to improve the platoon's cohesion and esprit de corps. He was able to accomplish this by inviting all platoon members to his house on a regular basis. He made an effort to have birthday parties every two months for everyone that was celebrating a birthday. For the Soldiers this was a meaningful gesture because most Soldiers were single and in a small overseas community. They did not have anyone to celebrate a birthday with.

7. I highlighted these lessens to you because these are ones that I emulate as a SSG. I have maintained contact with SFC Forbes since I left the unit in 2018 because I know that I can rely on him as a mentor for my development as a Soldier and Leader. I can rely on SFC Forbes because he always cared about me and my peers. He got to know us as individuals because he was concerned about our well-being. I still rely on him and what he taught me to this day, which is almost five years after working together. SFC Forbes is an effective leader and should be supported to continue developing Soldiers. If provided the opportunity, I would work with SFC Forbes in any capacity.

8. This character letter does not reflect the views of my unit. Please contact me if you have any questions or concerns. I can be reached at valerie.m.hughes4.mil@army.mil or DSN: 314-597-9433.

Valerie M. Hughes

VALERIE M. HUGHES
SSG, USA
US Military Delegation to NATO

June 8, 2023

BG Ferguson, Lawrence G.
Deputy Commanding General
2929 Desert Storm Dr.
Fort Bragg, NC 28310

Armijo, Anthony J., MSG(R), 18Z
[redacted]
[redacted], [redacted]

Sir:

I am writing this letter you for SFC Forbes, Michael J. He called me and explained his current situation and your decision to present him with a General Officer Memorandum of Reprimand (GOMOR). You may be getting some misinformation from those who seek your fulfillment of this GOMOR. I have worked with, now SFC, Forbes from 2009 to 2012 at both the 3rd Special Forces Group (Airborne) (SFG-A) HHD and at 3/3SFG when he worked in the S2 Section as a Personnel Security representative. You must be aware of SFC Forbes characteristics; he is a very unique person.

I first met SFC Forbes in 2009 when we were both in HHC 3SFG (SO) (A). I was asked to take over by CSM Peters as the NCOIC of the Group S2 Section (intelligence production and personnel security) because the incumbent was abruptly removed. After a changeover and enough time to assess the section, I realized that these Soldiers were divided into factions due to the hands-off leadership style of my predecessor. Also, SPC Forbes and two female NCOs were being informally targeted with extra work, details, and disparaging comments behind closed doors. I devised a plan to destroy the wall that had been created between the Soldiers and get them to begin to trust each other and, hopefully, cohesively work together. I held rank-graduating meetings (from the highest NCO rank to all lower-enlisted) where I was open and candid about what I learned had occurred to SPC Forbes and the two female NCOs prior to my taking over. I wanted complete transparency between my Soldiers prior to our upcoming OEF XIII deployment, which was necessary if we were going to have any chance to become a team. We began doing everything as a team from our Physical and Army training, to our tasked intelligence production. I believe we began functioning as a unit prior to deployment.

During OEF XIII as the Combined Joint Special Operations Task Force-Afghanistan (CJSOTF-A) J2 SGM, I sent, then SPC, Forbes to Special Operations Task Force-East (SOTF-E) to support their Intelligence efforts. Regardless of all he had been through in Garrison with prior leadership, he remained positive. In fact, SOTF-E, which was run by 19th SFG, quickly repurposed him to be the Battle NCOIC's direct assistant. He worked on the JOC floor and supported current OPS via multiple roles; he did everything from: TIC documentation, UAV liaison, and CONOP de-confliction work with the S35, to name a few. The most significant thing I remember about SPC Forbes and OEF XIII was that within two weeks of being reassigned back (mid-deployment) to CJSOTF-A, he produced an impactful intelligence product about Aqtash Valley in Konduz Province. SPC Forbes' initial assessment of his newly assigned duty responsibility of covering RC North, resulted in an order from the CJSOTF-A Commander (CDR), COL Benton, to provide weekly updates on the topic. SPC Forbes had identified a key trend that had been

missed for over 6 weeks; a Warlord had autonomously begun standing up militias without uttering a word in the Shura and, significantly, without any US Army assistance. When asked by the CJSOTF-A CDR, "Why do you believe this so strongly?" SGT Forbes responded, "Sir, I don't believe anyone read [the Warlords] Bio, that I found. It's very clear what his motivation is and mannerism in the [three letter agency] document. It was thorough." Given we were in the 3rd or 4th rendition of renaming our partnering militia recruitment and training efforts, SPC Forbes identified within two weeks one of the most important developments in RC North. Weeks later he was asked to Brief his accurate growth predictions of the militia groups to COL Buldoc, the in-coming CJSOTF-A commander, via a VTC. He was the only lower enlisted SME in the room and enhanced CJSOTF-A intelligence reputation in theater. SPC Forbes is dynamic and well spoken.

During OEF XVII, as the SOTF-E Operations SGM, now SGT, Forbes who was the NCOIC of our night-shift operations for 3 months was selected to go forward and support AOB 3330 in RC East, Afghanistan. During this time SGT Forbes spear-headed a Comprehensive (FUSION) All-Source Intelligence Presentation for the AOB CDR. This product was designed to be 'evergreen' with independent updates from the usual intelligence sources and the more unusual sources, like Civil Affairs, Psychological Operations and Information Operations on our in-theater shared-drive. This product shaped the AOB CDR's Village Stability Operational (VSO) Plan recommendations to the SOTF-E CDR that were later approved and implemented. Due to this product's success, the AOB commander asked him for another one in a different area in his AO. SGT Forbes believed that the FUSION concept should be standardized whereas each intelligence discipline updates it regularly, because he showed it can be done via phone and email. All of this was before the online collaboration tools we have today.

Sir, SFC Forbes is not a typical out-of-high-school Soldier; he never has been, nor will ever be. He is highly intelligent, insightful, dutiful, and he brings tons of life and work experience with him in every daily engagement he has. He joined at 38 years of age and has been older than every CDR (except possibly his first one formerly COL HAAS). He has always enjoyed open-door access to every BN CDR as a long-time Personnel Security Manager. He never gave any of them bad guidance because he double checks his work. It is for these reasons that SPC/SGT/SSG Forbes was always assigned to the HHC, 3SFG S2 Section. In fact, he worked in the office and for years was only provided 1 Soldier over 8 years at 3rd BN. They got 2 Soldiers for the price of 1 with him; they exploited his work ethic and intelligence after he single handedly rebuilt what he inherited. It took him 9 months to consolidate, sort, retain relevant/destroy outdated Personnel Security Files in 3 separate BN locations. He did this while he set up trackers and SOPs that made the shop run unlike it ever had and likely ever has since. I have remained in contact with him since I left 3SFG and later retired from the Army.

Please rescind this GOMOR, Sir. I know SFC Forbes, I know he is rebutting this GOMOR and the investigation that underpins it. I can assure you, he would not argue a losing point. He would concede if he was wrong; he is a true professional! Please feel free to contact me if you need more examples, my phone number is below.

Respectfully,

Anthony J. Armijo SGM(R), 18Z

[redacted]

[redacted]

DEPARTMENT OF THE ARMY
HEADQUARTERS, 528TH SUSTAINMENT BRIGADE (SPECIAL OPERATIONS) (AIRBORNE)
BLDG X-4047 NEW DAWN DR
FORT BRAGG, NORTH CAROLINA 28310

AOSC-CO

21 July 2021

MEMORANDUM FOR ALL PERSONNEL (528th Sustainment Brigade (Special Operations) (Airborne))

SUBJECT: Commander's Policy Letter Treatment of Persons

1. REFERENCE: AR 600-20, Army Command Policy, 24 July 2020

2. PURPOSE: To establish the 528th Sustainment Brigade (Special Operations) (Airborne) policy for treatment of persons.

3. SCOPE: This policy applies to all military and Department of the Army (DA) Civilian employees who are assigned, attached or on temporary duty to 528th BDE (SO) (A) to include all Component Subordinate Units (CSU), and 528th BDE (SO)(A) Directorates and Special Staff offices and their Family members. This policy applies both on and off post during duty hours and non-duty hours.

4. POLICY: 528th BDE (SO)(A) is a values-based organization where all persons can expect to be treated with dignity and respect. Hazing, bullying, and other mistreatment of persons directly and negatively affect the morale, safety, motivation, performance, and cohesion of our Soldiers, Family members, and Civilian employees, as well as unit readiness. These behaviors have no place in 528th BDE (SO) (A), and will not be tolerated. Anything that undermines dignity and respect are opposed to our Army Values and prohibited. This policy is punitive. Soldiers who violate this policy may be subject to punishment under the Uniform Code of Military Justice. I am personally committed to preventing and/or eliminating these behaviors in this command.

5. DEFINITIONS:

a. Hazing. Any conduct whereby a military member or members, or DA civilian employee or employees regardless of service, rank, or position, and without proper authority, recklessly or intentionally cause a person to suffer or exposed to any activity that is cruel, abusive, humiliating, oppressive, demeaning, or harmful. Soliciting or coercing another to participate in any such activity is hazing. Hazing need not involve physical contact among or between military members or employees; it can be verbal or psychological in nature. Likewise, it need not be committed in the physical presence of the victim; it may be accomplished through written or phone messages, text messages, email, social media, or any other virtual or electronic medium. Actual or implied consent to acts of hazing does not eliminate the culpability of the perpetrator. Without outside intervention, hazing conduct typically stops at an identified end-point.

b. Bullying. Bullying is any conduct whereby a military member or members, or DA civilian employee or employees, regardless of service, rank, or position, intends to exclude or reject another person through cruel, abusive, humiliating, oppressive, demeaning, or harmful behavior, which results in diminishing the other person's dignity, position, or status. Absent outside intervention, bullying will typically continue without any identifiable end-point. Bullying may include an abuse of authority. Bullying tactics include, but are not limited to, making threats, spreading rumors, social isolation, and attacking someone physically, verbally, or through electronic media.

c. Harassment. Behavior that is unwelcome or offensive to a reasonable person, whether oral, written, or physical, that creates an intimidating, hostile, or offensive environment. Harassment can occur through electronic communications, including social media, other forms of communication, and in person. Harassment may include offensive jokes, epithets, ridicule or mockery, insults or put-downs, displays of offensive objects or imagery, stereotyping, intimidating acts, veiled threats of violence, threatening or provoking remarks, racial or other slurs, derogatory remarks about a person's accent, or displays of racially offensive symbols. Activities or actions undertaken for a proper military or governmental purpose, such as combat survival training, are not considered harassment.

d. WHAT CONSTITUTES HAZING AND BULLYING?

(1) A military member or DA Civilian employee may still be responsible for an act of hazing and bullying, even if there was actual or implied consent from the victim and regardless of the grade/rank, status, or service of the victim. Hazing and bullying can include both physical and nonphysical interactions. Hazing typically involves conduct directed at new members of an organization or individuals who have recently achieved a career milestone. It may result from any form of initiation, "rite of passage," or congratulatory act that includes unauthorized conduct such as: physically striking another while intending to cause, or causing, the infliction of pain or other physical marks such as bruises, swelling, broken bones, internal injuries; piercing another's skin in any manner; forcing or requiring the consumption of excessive amounts of food, alcohol, drugs, or other substances; or encouraging another to engage in illegal, harmful, demeaning, or unauthorized dangerous acts. Unlike hazing, bullying often, but not always, takes the form of excessive corrective measures that, like hazing, involve the infliction of physical or psychological pain and go beyond what is required for authorized corrective training.

(2) Hazing and bullying are not limited to superior subordinate relationships. They may occur between peers, or under certain circumstances, may involve actions directed towards senior personnel by those junior in rank, grade, or position to them. Hazing may occur during graduation or promotion ceremonies or similar military "rites of passage." However, it may also happen in military settings, such as in small units, to initiate or "welcome" a new member to the unit. Bullying may also occur in all settings but it most often appears as excessive correction of, or punishment for, perceived

performance deficiencies. Hazing and bullying are prohibited in all cases, to include off duty or "unofficial" celebrations or unit functions, on or off post

e. WHAT DOES NOT CONSTITUTE HAZING OR BULLYING?

(1) Hazing may occur when otherwise authorized or permissible conduct crosses the line into impermissible conduct. Bullying is always committed with the intent to exclude or reject another from inclusion in a group and, while the bullying conduct may appear to be corrective training, it is never authorized or permissible. The imposition of necessary or proper duties and the requirement of their performance does not violate this policy even though the duties may be arduous, hazardous, or both. When authorized by the chain of command and/or operationally required, the following activities do not constitute hazing or bullying: (1) the physical and mental hardships associated with operations or operational training; (2) lawful punishment imposed pursuant to the UCMJ, (3) administrative corrective measures, including verbal reprimands and command-authorized physical exercises; (4) extra military instruction or corrective training that is a valid exercise of military authority needed to correct a Soldier's deficient performance in accordance with paragraph 4-6; (5) physical training and remedial physical training; and (6) other similar activities that are authorized by the chain of command and conducted in accordance with this or another applicable regulations.

(2) Many time-honored customs of the Army include traditional events that celebrate personal milestones and professional achievements. These events are part of our heritage and include hails and farewells, promotion and graduation ceremonies, and other official command functions. The chain of command will ensure these traditions and customs are carried out in accordance with Army values and that the dignity and respect of all participants is maintained.

6. ISSUES AND CONCERNS COMMON TO BOTH HAZING AND BULLYING

a. The willingness of any participant is irrelevant; therefore, expressed or implied consent to prohibited behaviors under this policy is not a valid defense to a violation of this regulation. A USASOC Soldier or Civilian may still be responsible for an act of hazing or bullying even if there was actual or implied consent from the victim and regardless of the grade/rank, status, or Service of the victim.

b. Soliciting, coercing, or knowingly permitting another person to solicit or coerce acts of hazing or bullying may be considered acts of hazing or bullying.

c. Hazing and bullying are prohibited in all circumstances and environments, including off-duty or in "unofficial" unit functions and settings.

d. Hazing and bullying are prohibited in deployed, combat, operational, and both garrison and "field" training environments and settings.

e. Incidents of hazing or bullying that may involve allegations of sexual assault, sexual harassment, or discrimination must be addressed in accordance with the laws, regulations, and policies pertaining to such allegations. In all cases, appropriate reporting and investigative protocols shall be followed and support and care shall be provided to complainants and victims.

7. COMMAND RESPONSIBILITIES.

a. Commanders and supervisors will enforce this policy at all levels.

b. Commanders at all levels down to company (or equivalent) level will publish and post written command policy statements on the treatment of persons. Treatment of Persons policy statements will be consistent with 528th BDE (SO)(A) and Army policies, include the local command's commitment to prevention of hazing and bullying, and reaffirm that these behaviors will not be tolerated. The command policy will explain how and where to file complaints and will state that all complainants will be protected from reprisal. Commanders must consult their respective legal office prior to publishing.

c. Commanders will conduct hazing and bullying training at least annually as part of the EO training requirements related to promoting a healthy unit climate. Incorporating training and education on preventing and responding to hazing and bullying is an important component of changing military culture. Therefore, training must occur at all levels, from the lowest level to our most senior leaders. Training will differentiate between hazing and bullying and appropriate administrative corrective measures, extra military instruction, and command-authorized physical training. The training must emphasize that bullying and hazing are unacceptable and prohibited. Finally, training must include examples of hazing and bullying behaviors and illustrate how these behaviors negatively affects the mission, as well as information on how to report hazing and bullying incidents, and victim rights and resources.

d. Commanders will immediately report allegations of criminal behavior in violation of this policy to law enforcement. A commander will investigate all reported hazing or bullying allegations as possible violations of Article 92 of the UCMJ in accordance with the informal board procedures set forth in AR 15-6 or as a commander's inquiry. Individuals may also report incidents of hazing to the appropriate Inspector General's (IG) Office and may be investigated by that office or referred to the command for investigation. Regardless of the type of investigation conducted into the hazing or bullying allegation (law enforcement, IG, or administrative), commanders are responsible for coordinating with their unit Equal Opportunity Advisor (EOA) to ensure that all hazing or bullying allegations are recorded and tracked in the Equal Opportunity Reporting System (EORS). Additionally, commanders will ensure the security manager records the derogatory information as an incident report in JPAS in accordance with AR 380-67, Personnel Security Program, 24 JAN 2014.

e. Commanders will investigate allegations of mistreatment promptly.

f. Commanders will protect victims, witnesses, and other individuals who file complaints from the presence or perception of intimidation, harassment, reprisal, or retaliation.

g. Commanders must seek the advice and counsel of their legal advisor when taking actions pursuant to this policy.

8. INDIVIDUAL RESPONSIBILITIES:

a. Individuals will conduct themselves in accordance with this policy and treat all persons with dignity and respect.

b. Individuals will advise the command of any incidents of hazing or bullying. Report incidents of hazing, bullying, or other mistreatment of persons to supervisors, the chain of command, law enforcement, and/or the inspector general.

9. The elimination of hazing and bullying is one of 528th BDE (SO)(A)'s top priorities and it is everyone's responsibility. Likewise, every Soldier, Civilian employee, and Family member is responsible for treating one another with mutual dignity and respect. We cannot tolerate or condone hazing or bullying in our units and work areas. It is incumbent upon all leaders to set a positive example and create an environment conducive to good order and discipline. Again, I am personally committed to eliminating hazing and bullying in 528th BDE (SO)(A). I will provide commanders, units, and supervisors with the resources they need to eliminate these behaviors.

10. EXPIRATION: This policy memorandum is in effect until superseded or rescinded.

11. The point of contact for this policy is the 528th BDE (SO)(A) EOA at (910) 396-7385.

BRUNSON.TAVI.NIGEL.[redacted]
Digitally signed by BRUNSON.TAVI.NIGEL.[redacted]
Date: 2024.08.02 22:14:52 -04'00'

TAVI N. BRUNSON
COL, LG
Commanding

Case 1:24-cv-01953-PSH Document 42-1 Filed 12/12/25 Page 928 of 950

000904

389th MI BN (SO) (A) Equal Opportunity Leaders

Army Equal Opportunity Policy:

Commanders and organizational leaders will foster and maintain positive command climates. A positive command climate is an environment free from personal, social, or institutional barriers that prevent Soldiers from rising to the highest level of responsibility for which they are qualified. Soldiers are evaluated on individual merit, performance, and potential. The evaluations of commanders will include an assessment of their compliance with MEO policy.

The Army will provide an environment that is free of unlawful discrimination. Discrimination occurs when someone, or a group of people, is harassed, intimidated, insulted, humiliated, or is treated less favorably than another person or group, because of their race, color, sex (to include gender identity), national origin, religion, or sexual orientation. It includes use of disparaging terms with respect to a person's race, color, sex (to include gender identity), national origin, religion, or sexual orientation which contributes to a hostile work environment.

When discrimination is alleged, commanders will take immediate and appropriate action to investigate the allegations and correct any unlawful discriminatory practices. In substantiated cases, commanders will consider appropriate disciplinary action.

The chain of command will promote, support, and enforce MEO and Harassment Prevention and Response policy and programs. The chain of command has primary responsibility for identifying and correcting discriminatory harassment.

The operational language of the Army is English. Commanders may require Army personnel to use English when performing official duties but may not require the use of English for personal communications which are unrelated to official duties.

BDE Equal Opportunity Advisors:

SFC Edgar V. Suro
Brigade EOA/Equal Opportunity Advisor
528th Sustainment Brigade (SO) (A)
[redacted]
Office: 910-396-7385
cell: [redacted]
BB: 910-651-4972

SFC Jedidiah (Jed) Sevrey
[redacted]
389th MI BN Primary EO Leader
Cell: [redacted] Office: (910) 432-1722

SSG Tavon Gray
[redacted]
389th MI BN Alternate EO Leader
Cell: [redacted] Office: (910) 396-0129

24/7 DoD Safe Helpline #1-877-995-5247 or www.safehelpline.org

Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)

From: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA)
Sent: Thursday, December 1, 2022 9:30 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA)
Cc: Vargas, Sandrea A CSM USSOCOM USASOC (USA)
Subject: RE: long Thank you, apology, goals and some personal background
Signed By: tavi.n.brunson.mil@mail.mil

SFC Forbes:

Thank you for your thorough and comprehensive feedback.

I will respect your request and excuse you from this team-building event. While I regret you not being there, I am glad that we still have one senior leader at the headquarters to handle any emergencies.

COL Tavi Brunson
CDR/528SB
BB: [redacted]
Off: 910-432-4649

Sent with BlackBerry Work
(www.blackberry.com)

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Date: Thursday, Dec 01, 2022 at 18:15
To: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Cc: Vargas, Sandrea A CSM USSOCOM USASOC (USA) <sandrea.cruz@socom.mil>
Subject: long Thank you, apology, goals and some personal background

Sir:

We only had one Office Call when I was Acting OIC, so I thought you deserved a little more of my history after yesterday's interactions.

BLUF: 2 THANK YOUs, an APOLOGY and GOALS; WARNING: Passive voice writing and background information is prevalent below. I recommend a cup of coffee before you continue.

Thank you for your time during our impromptu meeting that CSM Vargas summoned me immediately after MAJ Racaza left your offices. Your understanding of my concerns regarding being forced to engage with a third-party corporation and agree to their "Terms of Service and Privacy Policy" re: what could be perceived as a behavioral health assessment, is appreciated. You demonstrated your understanding by verbally allowing me to not participate in the data-gathering event or the in-person sharing of the insights contained in the personalized produced reports from, Dr. Elias Porter's conceived, SDI 2.0 by corestrengths (an outside Corporation).

My background – a little about me - Unlike CSM Vargas inferred, I rarely make un-researched decisions or assumptions without real data. A tertiary look at corestrength's website totaling 6 hours has been conducted by me (on my own time over the past two nights; 3 hours per night since your email). I have concluded that the empirical data gathered about a user's preferences in various behavioral weightings in SDI 2.0 is a Perception-Based model and can easily be faked by a user to create a result that the user believes the sponsoring agent (in this case our unit) would prefer. In short, its often

unreliable; especially when the identities of the users is public to the sponsoring agent. This is evident by the corestrength's example report displayed on their website with every individual users name on it, per the example.

Perception-Based models have the same problems any subjective profession that requires oaths or creeds as certification. To wit, it is only the ethical nature of the individual Doctor or Attorney that can determine if the consumer of their services is getting reasonably authentic advise or guidance; a moral compass must be working for the consumer. In contrast, a biased or, worse yet, ignorant, malicious or criminal actors in a position-of-trust can have devastating effects on consumers lives and/or careers. Moreover, perceptions are individually based and typically affected by one's frame-of-reference. For instance, MAJ Racaza's characterization of my request to understand the scope and regulatory basis of the mandatory nature of the SDI 2.0 was inaccurate. Yet, she followed me up the stairs to report to you that I was angry. She misperceived my demeanor and speaking characteristics, which typically include fast talking, complex sentences, confident conversations with quick transitions. In fact, without taking the SDI 2.0 but being somewhat self-aware, I am likely a Red-Green on the SDI Triangle (if that helps the group). I am all about performance and procedure with a judicious and competing nature. That is why I have expended so much energy in attempting to have our unit lean-forward with the PSAP program because we are a tip-of-the-spear SOF Support Element and we should be performing at a professional level when it comes to non-discretionary regulatory requirements that is better than most units in our Army. Simply, I want our S2 to be one of the best when PSAP goes live in PHASE 1; not one of the many units that will have repeating failed quarterly 'report cards' because they will likely need to reinvigorate their Clearance Suitability Programs and the known published procedures therein. We are all different and I except everyone's idiosyncrasies without judgment unless they affect my livelihood or health; I have gathered enough empirical data in my life to conclude that people sometimes don't practice what they preach and accept mine. I am 54 years old and though I am not done learning there are certain aspects of my life and communication that are likely 'baked in the cake,' by now.

Having developed a multi-platform (consisting of Value- and Logic-based) survey in my Graduate work at the University of Pittsburgh, when I was tasked to support Adtranz (a light-rail airport tram manufacturer) in 1996. We were tasked to design a custom-made survey of their massive engineering staff at their Corporate Headquarters location. They wanted my team to determine why their employment turnover rate was high. We purposefully considered not to employ a Behavioral-Based criteria model as we determined the weakness of perception-oriented data. We chose more intrinsic Value-Based criteria questions dealing with compensation, benefits, workplace environment, etc., coupled with a second survey that used Dr. Thomas L. Saaty's Analytic Hierarchy Process; a decision-making framework used for large-scale, multiparty, multi-criteria decision analysis. AHP uses Pairwise Comparison matrices to derive the priorities for a set number of alternatives. This method of estimating criteria weights take the comprehensive Values-Based results and applies the engineering staff's weighted preferences to them. It produced comprehensive prioritized results. But how did we get comprehensive results we could rely on? We preserved the anonymity of the participants, which produced an incredible 90% participation rate. This success was due to, 1) our promise to the highly educated staff that the raw data would not be released to the management and 2) fully explained the method of the survey. Moreover, Corporate Management expressed their appreciation for the breadth and depth of this two tiered survey, because it significantly enhanced the data's worth to them more than any prior attempted survey had (the university sent a team of graduate students to annually for years prior and after our visit). Our unique approach was something they could rely on and base corporate Human Resources policy decisions on. They liked it so much that upon leaving the location, (the day of the out-brief), a few of the Human Resource executives followed me to my car and requested that I give them the raw user surveys (that I stupidly commented were in my trunk during the brief). I refused, citing the promise that they and the rest of their leadership team agreed to. We had garnered written signatures that the participant understood that their answers or handwriting would not be provided to anyone in the company. My Professor, asked for the data on the last day of class and was given the same response by me. This was the only C grade I received in my Graduate work that culminated in a 3.47 GPA (on a 4.0 scale). I am still proud of my decision to this day, because we gave them quality results that far exceeded their expectations and we kept our promises to the staff.

I considered the subjective grade I was given for that project, retaliation, but had no proof; life moves on and this was inconsequential to me. In my Army Career I have been retaliated against for starting a Derogatory Incident Reporting Program at a BN that was in a BDE in which no element of the entire BDE had reported one 5258-R (Derogatory Report) in years. That's right, Sir; years! It took two years and an IG complaint, a Congressional Complaint and Article 138 for me

to expose this retaliation to the appropriate level to have it all unwound with the clicking of a print button which produced a singular memo from a MG. I have experienced such unprofessional behavior in my career, yet I remain positive and carry no grudges. That said, I have been there, done that, and 'ate the cookie.'

I am sorry that I am uncomfortable with this training and respectfully wish to not participate. The logic based brief lab that you provided to your staff last year was excellent and I would jump at the chance to participate in any of their advanced training.

I have proactive goals for your BDE S2 PSP. I don't want to "die on [any] hill," in fact, I want to take this opportunity to let you know how I admire your leadership style and your dedication to all of us. I have always been proud to serve this unit and, more importantly, to serve you and CSM V. I would do so again in a heartbeat; a unit is its people and the two of you have consistently stuck your reputations on the line on behalf of all of us. It is because of that I have always given you and your staff, leaders and SMs my personal best. I have always provided guidance in an effort to do the right thing to serve you and our unit; even when it has been resisted by others. Having the opportunity to serve you at a BDE S2 echelon has provided ample opportunity to make myself and our unit better every day. Your tenets are paramount to an individual's success and I have come to practice them. It is my hope that I will continue to be able to serve you for the remainder of my tenure of my current assignment.

My top 3 goals prior to my PCSing in SEP23 are as follows:

1) Thorough (Step-by-Step) Continuity Flow Charts for every conceivable multistep process in the Personnel Security Program (PSP). We have circa 50+ Task Flowcharts in various stages of development, which will be tested and put in a hard copy "Go-Book" for S2 at all echelons and replicated on Digits for USASOC to distribute to every CSU BDE S2 for distribution.
2) BDE Reportable Activity (formerly Derogatory Incident) Reporting Policy rewrite, which we agreed to use 1SFC S2s policy, which we agreed needs more detail. Our work will become SOP at their level, which will impact 11 CSUs and become the 1SFC standard for Reportable Activities reporting, going forward.
3) Vibrant Reportable Activity Command Team education (with outside SMEs) in preparation for Personnel Security Accountability Program transition from Pilot Phase to Phase 1 –Phase 3 (full implementation).

Thanks again for your time. If you happened to make it through this proactive explanation, I hope you found it enlightening and worth it. I pride myself in making no rash decisions, only principled gambles with as much data as I can garner in the shortest amount of time: sometime based on hunches. I am intel after all.

Always Out Front, Support to the Utmost,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

"In peace there's nothing so becomes a man As modest stillness and humility: But when the blast of war blows in our ears, Then imitate the action of the tiger; Stiffen the sinews, summon up the blood, Disguise fair nature with hard-favour'd rage; Then lend the eye a terrible aspect;" – William Shakespeare

Recommended reading from LTC Hamman's farewell email to 528th staff:
https://fromthegreennotebook.com/2019/08/23/the-map-on-the-wall/

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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


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6.5kB

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

February 21, 2023

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

Dear Representative Hudson,

Thank you for your recent letter regarding the issues raised by Sergeant First Class Michael Forbes. We take these allegations very seriously. As a matter of fact, prior to your inquiry, the 1st Special Forces Command addressed these allegations through appropriate channels. Sergeant First Class Forbes' whistleblower complaint is already addressed through the Inspector General's office at the United States Army's Special Operations Command, in accordance with Army Regulation 20-1. Furthermore, on February 9, 2023, the command initiated an inquiry to investigate the other allegations raised by Sergeant First Class Forbes. The senior commissioned officer appointed as the Investigating Officer is a disinterested party appropriately selected to conduct a thorough investigation.

For your awareness, the Fort Bragg Military Police already investigated the assault allegation raised by Sergeant First Class Forbes. The military police found that Sergeant First Class Forbes was not assaulted, and they closed the investigation. Despite that, the appointed Investigating Officer is tasked to investigate the circumstances surrounding that incident and all the allegations raised by Sergeant First Class Forbes, to ensure that his concerns are thoroughly investigated and addressed. Currently, the command's investigation is still ongoing.

In summary, once Sergeant First Class Forbes' allegations came to our attention, our command took every prudent measure to inquire into these allegations. 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,

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

FW: Forbes HPW response

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

To: [redacted]

Date: Thursday, June 15, 2023 at 09:35 AM EDT

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
S2, NCOIC
SMO: W0GKAA6
☎ NIPR: (910) 908-8788
☎ BB: [redacted]
☎ Staff Office: (910) 908-8787
☎ SIPR: [redacted]
NIPR: michael.j.forbes.mil@socom.mil
SIPR: michael.j.forbes.mil@socom.smil.mil

From: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Sent: Tuesday, April 11, 2023 5:47 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Bell, Joshua D CPT USARMY USSOCOM USASOC (USA) <joshua.d.bell.mil@socom.mil>
Subject: RE: Forbes HPW response

Sergeant First Class Michael J. Forbes:

Attached you will find my response to you, in rebuttal to the inquiry you made into the HPW "Assessed the Unassessed" Program.

v/r, Tavi
COL Tavi N. Brunson
Commander, 528th SB (SO)(A)
1st Special Forces Command (A)
Office: (910) 432-4649 (DSN 239)
BB: [redacted]

NIPR Email: tavi.n.brunson.mil@socom.mil
SIPR Email: tavi.n.brunson.mil@socom.mil
VoSIP (706) 239-4650
Tandberg: 239-8359 / IP 148.41.230.219

DO THE RIGHT THING | DO YOUR BEST | GET BETTER EVERYDAY

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Tuesday, April 4, 2023 12:13 PM
To: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Subject: RE: Forbes HPW response

Thank you, Sir.

From: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Sent: Monday, April 3, 2023 11:01 PM
To: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Cc: Bell, Joshua D CPT USARMY USSOCOM USASOC (USA) <joshua.d.bell.mil@socom.mil>
Subject: RE: Forbes HPW response

SFC Forbes:

1. **The ball was phenomenal.**
2. **I acknowledge receipt of your message; I will respond in due course.**

BRUNSON

COL Tavi N. Brunson
Commander, 528th SB (SO)(A)
1st Special Forces Command (A)
Office: (910) 432-4649 (DSN 239)
BB: [redacted]

NIPR Email: tavi.n.brunson.mil@socom.mil
SIPR Email: tavi.n.brunson.mil@socom.mil
VoSIP (706) 239-4650
Tandberg: [redacted]

DO THE RIGHT THING | DO YOUR BEST | GET BETTER EVERYDAY

From: Forbes, Michael J SFC USARMY USSOCOM USASOC (USA) <michael.j.forbes.mil@socom.mil>
Sent: Friday, March 31, 2023 5:21 PM

To: Brunson, Tavi N COL USARMY USSOCOM USASOC (USA) <tavi.n.brunson.mil@socom.mil>
Subject: Forbes HPW response

Sir:

I hope our unit ball went well and all in attendance enjoyed themselves.

Here is a memorandum and associated enclosures for your perusal and response.

Cordially,

Michael J. Forbes
528th Sustainment Brigade (SO) (A),
NIPR: michael.j.forbes.mil@socom.mil

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

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

AOSC-CO 5 April 2023

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TAVI N. BRUNSON
COL, LG
Commanding

May 23, 2023

Hon. Christine E. Wormuth
Secretary of the Army
101 Army Pentagon
Washington, DC 20310-0101

[redacted]

Honorable Christine E. Wormuth:

I am writing you about my husband. I decided that you were the right official to write, after I saw the pinned Twitter post you made on October 14, 2022, that said, "There has been confusion on an issue where there should be none. So let me be clear: I expect @USArmy leaders to stand up for women—and all Soldiers—who are unduly attacked or disrespected." I am very worried about the situation he is facing, so I'm hoping that writing to you, woman-to-woman, that you would be willing to look into his situation. I feel you are about to read a horrible series of events.

My husband, SFC Michael J. Forbes, of 528th Sustainment Brigade (Special Operations) (Airborne) has been retaliated and reprised against by his BDE CDR through and with his Unit Psychologist's help. They both have broken laws and conducted a series of unprofessional actions to attempt to entrap my husband and end his career. They have failed thus far, but I feel, given the BDE Commander's (CDR's) most recent action of a recommended GOMOR, that they will not stop this behavior. I'm reaching out to you because I do not know what else to do.

Let me start at the beginning. On November 28, 2022 My husband came home and told me that he could not watch the news with me (as we always do) because he had to read the terms of service of an online corporation that he was being required to participate in and answer questions about how he deals with conflict. It was called Strength Deployment Inventory (SDI). For two nights, he was in our office reading about what seemed to be some sort of mental evaluation (at least that is how I understood his comments to me). The day after that, he came home upset that he had been called into the BDE CDR's Office and scolded for asking questions to the unit's Psychologist about the online program that he was being ordered to participate in. After that (Thursday, December 1) he told me he got a reply to the long email he sent his BDE CDR and that he did not have to participate in that BDE event anymore. He was relieved.

The day of the offsite event above (Friday, December 2), my husband told me that his boss sent an email about another phone app from a 3rd-party about suicide prevention. He was upset again and did not know why this was happening so soon after being released from the other

one. He was afraid to ask anyone about being excused from this one because of what happened the last time. He told me it was mandatory, but he also told me they were not allowed under the law to make it mandatory. This one was called Health, Performance and Wellness (HPW).

A week later, he told me that he went to a meeting during his PT hours and found out they were encouraging Soldiers to use phones in his secure building to put 3rd party apps on the Soldiers' phones in support of HPW. He said it was brought up because of the Health Program they were starting. He went on tell me that it included more behavioral health questioning being forced on Soldiers without proper consent. This sounded so strange to me. I have been married to him for almost 8 years and he is an intelligence Soldier. I've been to his buildings and no one is allowed phones inside. He was stressed this week, as his job makes him responsible for this. My husband tried to stop Soldiers from bringing phones in the building by putting up signs; they were ripped down in one day. The Company Commander ripped his signs down (and my husband has proof).

After that, at the next Monday morning formation, my husband called me at work and informed me the BN CSM had put his hands around his neck and forced him back into formation while he was trying to tell the formation that phones are not allowed in the building. The CSM assaulted my husband. I have no idea how my husband controlled himself and didn't fight back.

My husband told me later that he couldn't believe no one stopped the BN CSM's assault and, even worse, that he was counseled not to correct people when he catches them with phones. Two days later, my husband couldn't sleep and went to the PMO to report the assault. He told me that morning that the BDE CDR and BDE CSM were both present during the assault and for two days just ignored that my husband was assaulted. A week later my husband was removed from his job as a BDE NCOIC.

Here is a complete list of what my husband's leaders have done to him over the above information (we have pieced this together by now):

1) An Army Psychologist reported my husband was angry because he asked questions about the first program,
2) A Company Commander ripped down the phone-signs that my husband went in early to post,
3) My husband was humiliated and assaulted during a BN formation,
4) He was removed from his BDE NCOIC job and assigned to a subordinate BN (389th),
5) The Psychologist lodged a complaint 6-weeks after the SDI event claiming that my husband disrespected her when he asked about the first program,
6) My husband was put under investigation by the BDECDR (but wasn't told about it until weeks later),
7) The STB Co. Commander called my husband in on 17JAN2023 and released him, upon realizing he was assigned to 389th BN (another BN in the BDE),
8) The next day my husband as ordered to meet with the STB Company CDR again after the BDE Commander revoked my husband's orders to 389th and put him back under STB Co. Commander,

9) During this meeting with the STB Company CDR and while we were in-the-dark about the BDE CDR's investigation of my husband, the STB Company CDR ordered my husband to be escorted to Womack for an emergency mental health evaluation,
10) The FB Form 1462-e the STB Company CDR stated his "future plans" for my husband were, "Removal from USASOC/levels of responsibility.'
11) My husband wasn't notified of the investigation for three weeks; he was finally notified on 7FEB2023 when he was flagged,
12) Yet, my husband has told me he still has never been flagged per IG and administrative Soldiers in S1
13) My husband notified me 3 weeks ago that the 389th CO. 1SG recommended him for a LOR,
14) My husband notified me last week that the BDE Commander is recommending a GOMOR,
15) As far as I know, investigation is still ongoing for an allegation of being toxic and disrespecting that Psychologist.
16) My husband has put in USASOC FOIA requests and was told he needed to contact the Pentagon,
17) My husband asked for an open-door meeting with the USASOC General and got one that will be after the GOMOR decision is made.

I feel this BDE Commander (that my husband had previously received excellent commentary on his NCOERs from) is coming after my husband for doing his job, which conflicted with the BDE Commander's disregard for regulations in order to put out his programs, as well as my husband's willingness to report violations of law and regulations by the command. Unfortunately the BDE Command is more focused on protecting bad actors (including the Psychologist, BN CSM, STB Co. Commander) rather than in actually remedying the situations.

Please help by stopping these people from railroading my husband's 16-plus year, unblemished career. We just want to PCS, as ordered, to his last duty station where he will finally get the opportunity to teach Soldiers in his job at Fort Huachuca. He doesn't deserve this for doing his job and doing it well. Please help us; they are hunting him!

With hope,

[redacted]

S[redacted] B. F[redacted]

Re: IG Matter (Final Notification)

From: Michael Forbes [redacted]

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

Date: Friday, June 9, 2023 at 11:20 PM EDT

Thank you Mr. Smith

What level of Command were these referred back to? I do have questions about the due process review. Below is partly why:

---draft excerpt of a small portion of my Article 138 redress rebuttal to BG Ferguson below---

This investigation, with its procedural flaws, reinforces why a post-command CPT or higher should have been selected instead. The flaws are as follows:

1) The investigation findings and recommendations memo was dated 22FEB2023 but not signed by IO, 2LT Tolston (IO), until 13APR2023.

2) The IO was in possession of evidentiary allegations for months, even after the she requested an extension; the evidentiary allegations of multiple events were not brought forth to SFC Forbes to address during the investigation, thereby forcing these matters to be refuted in rebuttal of a Personnel Action because of incomplete assessment by the IO. This is highly unorthodox procedure.

3) Unit Psychologist (MAJ Racaza) complains about SFC Forbes on 30NOV2022 to the BDE CDR, SFC Forbes addressed this incident with a replied email from the BDE CDR; SFC Forbes understood the issue as resolved when released from the mandate in that email exchange.

4) MAJ Racaza brought the same 30NOV2022 complaint at an unknown time (circa 6 weeks later), which was at least part of the reason for the appointment of the IO on 12JAN2023 that SFC Forbes was the unwitting subject of, as MAJ Racaza was the named Officer that SFC Forbes allegedly disrespected in the IO appointment order; MAJ Racaza then submitted a sworn statement against SFC Forbes on 19JAN2023 for the same 30NOV2023 discussion in the same investigation she was a catalyst for.

5) The BDE CDR influenced the assignment of SFC Forbes back to STB to perform eCDBHE while he was an unwitting subject of 2LT Tolston's investigation.

6) MAJ Racaza's 3rd complaint of 30NOV2022 was in the form of a sworn statement provided to the IO after a "fit-for-duty" result from the eCDBHE that MAJ Racaza provided the regulatory basis for CPT Korista to order the unwitting SFC Forbes to participate in.

7) Notably, SFC Forbes documented the situation the same day whereas the only recorded documentation of MAJ Racaza's allegations occurred after the investigation began (over 6 weeks later).

8) The IO used a disputed allegation as evidence in her findings by stating "I find that SFC Forbes engaged in disrespectful behavior towards MAJ Rhea Racaza…. This can be supported by MAJ Racaza[']s statement claiming that SFC Forbes demanded aggressively that she provide him with information and cut her off without letter her explain or answer any questions."

9) The investigation is predominated by generalizations, uncorroborated opinions, hearsay, falsifications and the aforementioned ill-intent by leaders of the unit.

---draft excerpt of a small portion of my Article 138 redress rebuttal to BG Ferguson above---

SFC Forbes

On Friday, June 9, 2023 at 09:46:40 PM EDT, Smith, Chase E CIV USSOCOM USASOC (USA) <chase.e.smith.civ@socom.mil> wrote:

CUI

SFC Forbes,

This email is a final response to your 13 December 2022 request for IG assistance concerning multiple numbed concerns below.

It's a bit of a long email but addresses all of the particular items that I'm tracking. If I missed one please advise.

Concern #1: Requesting IG assistance with concerns about CSM Emekaekwue's alleged assault (ref hands on shoulders and pushing) event on 12DEC22 during a unit formation. RESPONSE: Our office has referred allegations of impropriety (AR 600-20, Para 4-19) to the command for action. You previously reported allegations of assault to the Fort Bragg MP Station. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

Concern #2: Requesting IG assistance with concerns about CPT Korista allegedly exhibiting counterproductive leadership. Some examples were the removal of phone signs in the building, event counseling attempt, painting skulls on the wall which represented the number of UCMJ actions taken, and ordering SMs to cut the grass with scissors. RESPONSE: We referred the

allegation to the command for action. After receiving the resulting command product, we reviewed the document and determined that the command addressed the allegation. STATUS: Closed. This office will take no further action pertaining to this allegation. --break— We are aware that this final response is vague, but the Inspector General is limited by IG regulations on what can be released due to IG confidentiality rules. However, I'd like the opportunity to explain our processes so you might understand the IG's role in providing this type of response to you. Our guidance from the Department of the Army IG specifically directs IGs to formally refer all command-appropriate allegations and issues to the chain of command for action. Once allegations are referred, and if the CMD elects to investigate, the appointed Investigating Officer (IO) will conduct all notifications to either the subject(s) or complainant(s). Upon completion of the investigation, the IG office will review the command product in a thorough and complete manner and determine if the command addressed all referred allegations and related issues. If so, we send final acknowledgment like the one you are receiving. You may request the command product and any actions the command took, in redacted form, by submitting a Freedom of Information Act (FOIA) request to the command. Please note that if you decide to file a FOIA request this was not an IG investigation, but rather a command investigation, so be sure to submit your request to the command not the IG office to ensure proper routing.

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Concern #3: Multiple leaders', Soldier's failure to act / intervene with alleged assault occurring at the 12DEC22 unit formation with approximately 150 persons present. RESPONSE: The circumstances surrounding the unit formation are being explored within concern #1 listed above. STATUS: Closed, our office will take no further action on this specific item at this time.

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Concern #4: Requesting IG assistance with alleged hostile work environment at 528th not related to race, color, sex (to include gender identity), national origin, religion, or sexual orientation. Examples provided were see concern #1 items, see concern #2 items, and CSM Emekaekwue's DA Form 4856 on 12DEC. RESPONSE: Our office understands that the terminology "hostile work environment" only falls within Equal Opportunity (EO) chapters within AR 600-20, CH6. The examples provided have been provided to the command for further exploration, reference concern #1 and #2 which are currently with the command for action. You mentioned you might speak with the EO office to explore further. STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #5: Improper personal electronic devices (PED) usage within 528th by Soldiers. Lack of understanding of the regulation/policy governing PED use within 528th STB by Soldiers. RESPONSE: Our office has referred an issue to the command for action. We conducted a thorough inquiry into your request for assistance. Our inquiry determined that the command is taking the appropriate actions to address PED usage. STATUS: Closed, our office will take no further action on this specific item at this time.

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Concern #6: You had concerns about the BDE CDR notifying you of a command directed investigation into something (reference topics the BDE CDR discovered during town hall meetings) and also having been counseled (ref CSM Prewitt's DA Form 4856) that you were under investigation. You received a DA Form 4856 from CPT Korista on 7FEB23 informing you

that you were being flagged for being the subject of a Commander's Investigation. RESPONSE: The primary function of any preliminary inquiry or administrative investigation is to ascertain facts, document and preserve evidence, and then report the facts and evidence to the approval authority. Commanders are authorized to direct these actions and they are routine actions that have many rules/procedures in place. Sometimes these fact-finding missions serve to clear a person's good name. If the BDE CDR discovered items of concern during town hall meetings, he may direct an action. Once the investigation is complete you may request the IG office conduct a due-process review. Due-process reviews do not litigate or overturn the results. While performing a due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. You may continue to utilize the legal assistance office to receive legal counsel. Other potentially helpful resources: 1. You may read AR 15-6, paragraph 1-12 that discusses the use of results of preliminary inquiries and administrative investigations in adverse administrative actions. 2. You may read AR 600-37 which sets forth policies and procedures to ensure the best interests of both the Army and Soldiers are served by authorizing unfavorable information to be placed in, transferred within, or removed from an individual's Army Military Human Resource Record (AMHRR). 3. You may request a copy of the Command's investigation/inquiry through the Freedom of Information Act (FOIA) by completing the attached form and emailing to: USASOC.FOIA@socom.mil. This link will provide you additional information on the USASOC FOIA process: http://www.soc.mil/FOIA/FOIA.html. If you have additional questions please contact the command FOIA points of contact:

Christopher Nesbitt

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U.S. Army Special Operations Command

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FOIA Analyst

U.S. Army Special Operations Command

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STATUS: Closed, our office will take no further action on this specific item at this time.

Concern #7: Request to file a WBR complaint. RESPONSE: You are working with USASOC IG to file your WBR complaint. STATUS: Closed, our office will take no further action on this item because you are working with USASOC IG.

Concern #8: You're requesting to receive the command product associated with a potential GOMOR. RESPONSE: AR 15-6, paragraph 1-12 has particular rules that the command must follow for if the investigation is being used as a basis for a GOMOR and one of those rules is

that you would be provided with appropriate material from the investigation. While the counseling you received indicates that the BDE CDR recommended a GOMOR, it does not mean that the GOMOR has been initiated. If you receive a GOMOR you will have to sign for the GOMOR as a part of the many steps that the structured process must follow. AR 600-37 (Unfavorable Information), Chapter 7 outlines the pre-established appeals process for GOMORs. As a matter of policy, the IG does not normally become involved in complaints where an established avenue of redress is available to resolve a problem. Once the pre-established appeals process has been utilized, please contact the IG office if you're requesting additional IG assistance. Previously discussed, you can FOIA the material through the USASOC FOIA office (not associated with our office), I provided you with that information in an earlier email. STATUS: Closed, our office will take no further action on this specific item at this time. Please let me know if any new related topics arise.

Concern #9: You're requesting IG do a review of a eCDBHE. Response: The eCDBHE is part of your WBR as a personnel action. If your concerns are related to the quality of health care that a health care professional provided I can refer your concern to the appropriate IG office that handles quality of health care concerns or provide you with that IG office's point of contact. Status: Closed, our office will take no further action on this specific item at this time.

Concern #10: You requested IG do a due-process review of a command investigation that named you as a subject/suspect of the investigation. RESPONSE: Our office has conducted a due-process review of the command investigation and determined that no fault was found. You did receive due-process. While performing the due-process review the IG's primary concern is that the complainant is afforded an opportunity for redress and that the redress was conducted in accordance with the applicable standard. A due-process review is not an investigation. Please give me a call for a more detailed explanation of what processes were used during the due-process review. Status: Closed, our office will take no further action on this specific item at this time.

Concern #11: You requested to file a complaint against PMO on Fort Bragg (now Liberty) and were willing to discuss your concerns directly with the servicing IG office for PMO (18th ABC IG office. RESPONSE: I provided you with two points of contact for the 18th ABC IG office. Status: Closed, our office will take no further action on this specific item at this time.

This office will take no further action pertaining to the concerns listed above and the case will be closed.

If you have any new matters you would like to discuss or need to request assistance from the IG office in the future, please give us a call.

V/R,

Chase

Mr. Chase E. Smith
Command Inspector General
1st Special Forces Command (A)

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