

Final

DEPARTMENT OF THE ARMY
HEADQUARTERS, XVIII AIRBORNE CORPS AND FORT BRAGG
FORT BRAGG, NORTH CAROLINA 28310

AFZA-AC-L (735-5)

30 November 2004

MEMORANDUM FOR [redacted] XVIIIth Airborne Corps
STB, Ft Bragg, NC 28310

SUBJECT: Rebuttal Report of Survey (ROS) No. 41-04, [redacted]

[redacted] \$2,308.95

1. This is a rebuttal to ROS No. 41-04, in which I am being recommended to pay \$2,308.95 for the loss of computer equipment from the Dragon Brigade storage area. The Survey Officer's recommendations are erroneous because she failed to prove that I was negligent. Without this proof, I cannot be held financially liable. Moreover, the facts show that [redacted] who had direct responsibility (as the primary hand receipt holder) for the equipment, was the soldier actually responsible for the loss. Therefore, I request disapproval of the Survey Officer's recommendation.

2. FACTS:

a. On 9 May 2003, I assumed duties as the Property Book Officer (PBO) for Dragon Brigade. Because we were extremely understaffed at the PBO Section, I had to perform the duties and responsibilities as PBO, PBO NCOIC, PBO NCO and S-4 NCOIC for several months. I single-handedly maintained proper accountability for over \$50 million dollars in equipment and supplies. There was no loss of accountability during this time.

(1) I was also the supervisor of [redacted], the primary hand receipt holder for the computer equipment that was later lost.

(2) I gave negative counseling statements to [redacted] four times from December 2003 to July 2004 (Encls 1-4). The fourth led to a bar to his reenlistment, which was approved (Encl 5). Among other shortcomings, he repeatedly failed to maintain proper accountability of items in the storage area.

(3) Moreover, on at least four separate occasions during my attendance at ANCOC, [redacted] willfully failed to properly issue equipment on hand receipt. Furthermore, [redacted] witnessed [redacted] allowing unaccompanied access to the storage room, specifically, to the computers that later became missing.

b. Around November 2003, a civilian, [redacted] was hired as PBO. [redacted] and I conducted a Change of Property Book Officer's Inventory. There were no discrepancies or losses. She assumed direct responsibility for all equipment IAW AR 710 and DA PAM 710-2-1.

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SUBJECT: Rebuttal, ROS 41-04, [REDACTED]

I turned in all keys and had no further access to the storage area where the equipment was later lost.

c. From March – July 2004, I was away from Ft Bragg, on TDY, leave and attendance at ANCOC at Ft Lee, Virginia.

d. Upon my departure, [REDACTED] became (and remains) [REDACTED] supervisor/rater. On 16 June 2004, [REDACTED] assumed duties as the PBO. He assumed direct and supervisory responsibility of all equipment listed on the property records IAW AR 710-2 and DA PAM 710-2-1. No discrepancies were noted during that change of PBO inventory.

e. On 19 July 2004, I returned to the property book section. In early August, I learned that [REDACTED] would leave the section to work at the gym. I immediately directed him to conduct a "change of hand receipt holder" inventory with [REDACTED]. It was during this inventory that [REDACTED], the incoming primary hand receipt holder, discovered that equipment was missing.

f. On 20 September, [REDACTED] was appointed as Survey Officer. On 29 November, I received her recommendations.

3. DEFENSES: First and foremost, [REDACTED] cannot show that I was negligent in the discharge of my responsibilities. She cannot show that I was the PBO or that I had any connection to or responsibility over the property book section when the computer equipment was lost. What her investigation does strongly show, however, is that [REDACTED] repeatedly failed to maintain minimal accountability of items in the storage area.

a. At a minimum, [REDACTED] must show that I was "negligent" in my duties IAW AR 735-5, para 13-30b(1)-(2). Her facts must show that I failed to act reasonably in the performance of my duties. The facts must show four things - responsibility, culpability, proximate cause and loss on my part. They do not.

(1) Responsibility – As the PBO, it was my responsibility to conduct an inventory of all equipment not signed for on hand receipt to ensure accountability. I fulfilled the requirement, as directed by AR 710-2 and DA PAM 710-2-1. No discrepancies were noted, and I was officially relieved from responsibility.

(2) Culpability – I did everything a reasonable, prudent NCO would have done in similar circumstances. Unlike [REDACTED] I properly secured the office and storage area. I never allowed unaccompanied access to neither the storage area nor the office area. I properly issued all equipment on hand receipt as required.

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SUBJECT: Rebuttal, ROS 41-04, [REDACTED]

(3) Proximate cause – This is “the natural and continuous sequences of events unbroken by a new cause that produced the loss, damage, or destruction.” Undoubtedly, the proximate cause of the loss of the computer equipment is [REDACTED] failure to follow regulatory requirements.

Even if [REDACTED] could argue that I should be responsible for my soldier’s actions (which she does not), in no way can I be held liable for acts committed while I attended ANCOC at Ft Lee.

(4) Loss: [REDACTED] did not compute the financial liability properly. Items that were recovered are still included in the liability amount. Furthermore, [REDACTED], [REDACTED] and [REDACTED] were directly accountable for the missing items; it was their responsibility to account for them while I attended ANCOC. If I am liable, at a minimum, they should be held co-liable with me.

4. CONCLUSION: For the aforementioned reasons, this ROS is factually and legally insufficient. Therefore, I recommend disapproval of the Survey’s Officer’s recommendations.

5. POC for the undersigned is [REDACTED] at [REDACTED]

[REDACTED]

Encls

1 – 4. Negative Counseling Statements,

[REDACTED] from
26 Dec 2003 – 26 July 2004

5. Bar to Reenlistment, [REDACTED]

[REDACTED] 26 July 2004

DEVELOPMENTAL COUNSELING FORM

For use of this form, see FM 22-100; the proponent agency is TRADOC

DATA REQUIRED BY THE PRIVACY ACT OF 1974

PRIVACY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) <small>(b)(6)</small>	Rank/Grade <small>(b)(6)</small>	Social Security No. <small>(b)(6)</small>	Date of Counseling 23 Jul 04
Organization USAG, FT BRAGG, NC		Name and Title of Counselor Property Book NCOIC	

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)
 Discipline Counseling, Violation of Article 92, Failure to Obey a Lawful Order

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

On 23 Jul 04, you are being counseled for failing to be at your appointed place of duty at 0900, with your OCIE and deployment packing list laid out for inventory NLT 0930. At 0945, I found you down stairs in the supply room with nothing laid out. First of all, your place of duty is the S-4 shop at 0900. Secondly, I gave you a lawful order and counseled in writing yesterday regarding your place of duty and the inventory that would be conducted today for your preparation to deploy to Korea. I will create this total lack of discipline and disrespect for your superior. You will be re-inspected on Sunday, 25 Jul 04 @ 1500. I will further submit your packet to the chain of command for further action. You are hereby counseled for the indicated misconduct and/or unsatisfactory duty performance IAW Chapter 1 paragraph 1-16, AR 635-200. You will be given a reasonable period of time to correct these deficiencies and to rehabilitate yourself into a productive, satisfactory soldier. Your conduct will be monitored during this period of time and you will be given every opportunity to improve yourself. If your performance and conduct continues to be unsatisfactory, you will be processed for separation under Chapter 5, 13, 14 Section III, AR 635-200. If you are processed for separation for misconduct, you could receive an Other Than Honorable Discharge. A General Discharge or Discharge Under Other Than Honorable Conditions could deprive you of many or all military or veteran's benefits, hardship in obtaining other employment, or personal stigma. Any further act of misconduct or unsatisfactory performance may cause you to be eliminated without further counseling.

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.

FORM 4856, JUN 1999

EDITION OF JUN 85 IS OBSOLETE

USAFA 91.001.1 1000

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).)

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: agrees disagrees with the information above.

Individual counseled remarks: I came to office 0900 looking for [redacted] then proceeded to downstairs had equipment layed out + it started to rain. I packed up equipment and went to USA6 Supply Room to call [redacted] to inform her it was raining + I was going to move under covered area, when I saw [redacted] outside the USA6 Supply Room the time was 9:23. I tried to explain what I was doing she didn't want no talk. I reported to my office and proceeded to work. etc.

Signature of Individual Counseled: ([redacted]) Date: 23 July 04

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

Signature of Counselor: [redacted] Date: 23 Jul 04

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 FM 22-100; 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 and E.O. 9397 (SSN)
PRINCIPAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) <small>(S)</small>	Rank/Grade <small>(S)</small>	Social Security No. <small>(S)</small>	Date of Counseling 5 MAR 04'
Organization USAG, FT. BRAGG, NC		Name and Title of Counselor <small>(S)</small> Property Book Officer	

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)
Discipline Counseling: Violation of Article 86 (Failure to Repair), 0630 P.T. Formation

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

On 5 MAR 04, you are being counseled for failing to be at your appointed place of duty, 0630 P.T. formation. You are hereby counseled for the indicated misconduct and/or unsatisfactory duty performance IAW Chapter 1 paragraph 1-16, AR 635-200. You will be given a reasonable period of time to correct these deficiencies and to rehabilitate yourself into a productive, satisfactory soldier. Your conduct will be monitored during this period of time and you will be given every opportunity to prove yourself. If performance and conduct continues to be unsatisfactory, you will be processed for separation under Chapter 5, 13, or 14 of AR 635-200. If you are processed for separation for misconduct you could receive an Other Than Honorable Discharge. A General Discharge or Discharge Under Other Than Honorable Conditions could deprive you of many or all military or veteran's benefits, hardship in obtaining other employment, or personal stigma. Any further act of misconduct or unsatisfactory performance may cause you to be eliminated without further counseling. Your packet will be forwarded to the Chain of Command for further action.

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.

FORM 4866, JUN 1999

EDITION OF JUN 85 IS OBSOLETE

USAPA V.1.00

Plan of Action: (Outlines actions that the subord. will do after the counseling session to reach the need 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).)

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: agree disagree with the information above.

Individual counseled remarks:

Signature of Individual Counseled

[Redacted Signature]

Date:

5 MAR 04

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

Signature of Counselor:

[Redacted Signature]

Date:

5 Mar 04

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 FM 22-100; the proponent agency is TRADOC

DATA REQUIRED BY THE PRIVACY ACT OF 1974

LEGAL AUTHORITY: 5 USC 301, Departmental Regulations; 10 USC 3013, Secretary of the Army and E.O. 9397 (SSN)
LEGAL PURPOSE: To assist leaders in conducting and recording counseling data pertaining to subordinates.
ROUTINE USES: For subordinate leader development IAW FM 22-100. Leaders should use this form as necessary.
DISCLOSURE: Disclosure is voluntary.

PART I - ADMINISTRATIVE DATA

Name (Last, First, MI) <small>(b)(6)</small>	Rank/Grade <small>(b)(6)</small>	Social Security No. <small>(b)(6)</small>	Date of Counseling 2 DEC 03
Organization USAG, FT. BRAGG, NC		Name and Title of Counselor SFC, Property Book Officer	

PART II - BACKGROUND INFORMATION

Purpose of Counseling: (Leader states the reason for the counseling, e.g., performance/professional growth or event-oriented counseling, and includes the leader's facts and observations prior to the counseling.)

Disciplinary Counseling: Violation of Article 86 (Failure to Repair)/ Violation of Article 92 (Derelection of Duty)

PART III - SUMMARY OF COUNSELING

Complete this section during or immediately subsequent to counseling.

Key Points of Discussion:

On 2 Dec 03 you are being counseled because you failed to be at your appointed place of duty. I personally informed you that you were tasked to be at OP-5 today from 0830-1700 from 2 -12 Dec 03. You failed to show up all day for this detail. You further failed to keep your chain of command informed, when you purposely asked the NCOIC of the detail, [REDACTED] to allow you to "take your wife to the airport" supposedly for a flight departing at 0900, knowing that [REDACTED] and I had told you where to be. [REDACTED] 10 hrs you still had not shown up for duty. [REDACTED] understand that I will not tolerate this behavior. You have lied to the chain of command, as well as the NCOIC of the detail. You have undermined your leadership by attempting to circumvent the chain of command to achieve your own personal desired result. You are hereby counseled for the indicated misconduct and/or unsatisfactory duty performance IAW Chapter 1 paragraph 1-16, AR 635-200. You will be given a reasonable period of time to correct these deficiencies and to rehabilitate yourself into a productive, satisfactory soldier. Your conduct will be monitored during this period of time and you will be given every opportunity to prove yourself. If your performance and conduct continues to be unsatisfactory, you will be processed for separation under Chapter 5, 13, or 14 Section III, AR 635-200. If you are processed for separation under AR 635-200, you may receive a general discharge. If you are separated for misconduct you could receive an Other Than Honorable Discharge. A General Discharge or Discharge under Other Than Honorable Conditions could deprive you of many or all military or veteran's benefits, hardship in obtaining other employment, or personal stigma. Any further act of misconduct or unsatisfactory performance may cause you to be eliminated without further counseling.

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 counseling session to reach the agreed upon goals). The actions must be specific enough to modify or maintain the subordinate's behavior and include a specified time line for implementation and assessment (Part IV below.)

You will report as directed to P.T formation Monday thru Friday at 0600 hrs. After the PT session, I will release you for personal hygiene. You will then report to [redacted] at 0820 Monday thru Sunday from 3 Dec 03 until 12 Dec 03. You will remain at OP-5 until at least 1700hrs. At anytime you are not at OP-5, you are to report back to me immediately. You will not be at any other location, to include doctor's appointments or sick-call, without my knowledge and expressed approval. This intensive training will begin 3 Dec 03 until 12 Dec 03.

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, SSG [redacted] request ~~ask~~ to utilize the Company COE's open door policy. [redacted] also requested from me the friend's room phone number in which I had taken to the airport which I provided. [redacted] stated ~~and~~ would be to validate flight information.

[redacted] of Individual Counseled:

Date: 2 DEC 03

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

Signature of Counselor:

[redacted]

Date:

2 Dec 03

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.)

Soldier did meet requirements stated above.

Counselor:

[redacted]

Individual Counseled:

[redacted]

Date of Assessment:

15 Dec 03

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

BAR TO REENLISTMENT CERTIFICATE
For use of this form, see AR 601-280; the proponent agency is ODCSPER

1. DATE
26 JULY 2004

2. THRU! (Include ZIP Code)
[Redacted]
HQ, USAG
FORT BRAGG, NC

3. TO (Include ZIP Code)
COMMANDER
SPECIAL TROOPS BATTALION
FORT BRAGG, NC 28310

4. FROM (Include ZIP Code)
COMMANDER
HQ, USAG
FORT BRAGG, NC 28310

SECTION I - COMMANDER'S RECOMMENDATION

Under the provisions of Chapter 8, AR 601-280, I recommend the soldier named below be barred from reenlistment in the United States Army for reasons indicated in Item(s) 11 through 14 as may be applicable. Prior to submission of this recommendation, the soldier was counseled by the undersigned about his undesirable traits which are the basis for this action. The soldier has been counseled and advised of the adverse consequences that may ensue from this or similar action.

5. NAME (Last, First, Middle)
[Redacted]

6. SSN
[Redacted]

7. RANK
[Redacted]

8. ETS
20051225

8. DEROS
N/A

10. TOTAL ACTIVE SERVICE COMPUTED FROM BASD TO DATE OF BAR INITIATION

05 YEARS 10 MONTHS 10 DAYS

11. RECORD OF COURT MARTIAL CONVICTIONS (Indicate date adjudicated and approved, type, offense, sentence)
N/A

12. RECORD OF NON-JUDICIAL PUNISHMENT (Article 15)(Indicate date, specific offense, sentence and article)
N/A

13. RECORD OF NON-PAYMENT OF JUST DEBTS (Indicate dates of letters of indebtedness, counseling, and results)
N/A

14. OTHER FACTUAL AND RELEVANT INDICATORS OF UNTRAINABILITY OR UNSUITABILITY
SEE LIST OF ENCLOSURES

15. TYPED NAME, RANK AND BRANCH OF COMMANDER
[Redacted]

16. SIGNATURE
[Redacted]

SECTION II - SOLDIER'S REVIEW (Check and initial as appropriate)

- 1. I have been furnished a copy of my Commander's recommendation (Sec 1) to bar me from further reenlistment.
- 2. I have been counseled and advised of the basis for this action.
- 3. I do do not desire to submit a statement in my own behalf. (If applicable, make statement - use continuation sheet if required.)

4. See attached continuation statement (if applicable)

5. TYPED NAME AND RANK OF SOLDIER	6. SSN 211-50-6564
7. SIGNATURE	8. DATE 27 July 04

SECTION III - BATTALION OR NEXT HIGHER COMMAND

1. TO (Include ZIP Code) COMMANDER HQ, USAG FORT BRAGG, NC 28310	2. FROM (Include ZIP Code) COMMANDER DRAGON BRIGADE, ATTN: DCO FORT BRAGG, NC 28310
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3. I have reviewed Sections I and II and
- a. Recommend the soldier be barred from reenlistment.
 - b. The bar certificate is disapproved.
 - The bar certificate is approved. The unit commander will officially counsel the soldier in writing on the implications of this action and the soldier's right to appeal. After counseling, one copy will be provided to the soldier and the original will be forwarded to the servicing PSB for posting filing in the soldier's MPRJ.

4. TYPED NAME AND RANK OF COMMANDER	5. SSN 297608158
6. SIGNATURE	7. DATE 27 Jul 04

SECTION IV - COUNSELING

- 1. The Bar to Reenlistment initiated against you was approved on 27 Jul 04.
- 2. You have the right to appeal the imposition of the Bar to Reenlistment. If you elect to appeal you must submit the appeal within 7 days from today.
- 3. Check and initial the appropriate block to indicate your option:
 - a. I will appeal the Bar to Reenlistment.
 - b. I will not appeal the Bar to Reenlistment.

4. TYPED NAME AND RANK OF SOLDIER	8. DATE 27 Jul 04
7. TYPED NAME AND RANK OF COMMANDER	9. DATE 27 Jul 04

SWORN STATEMENT

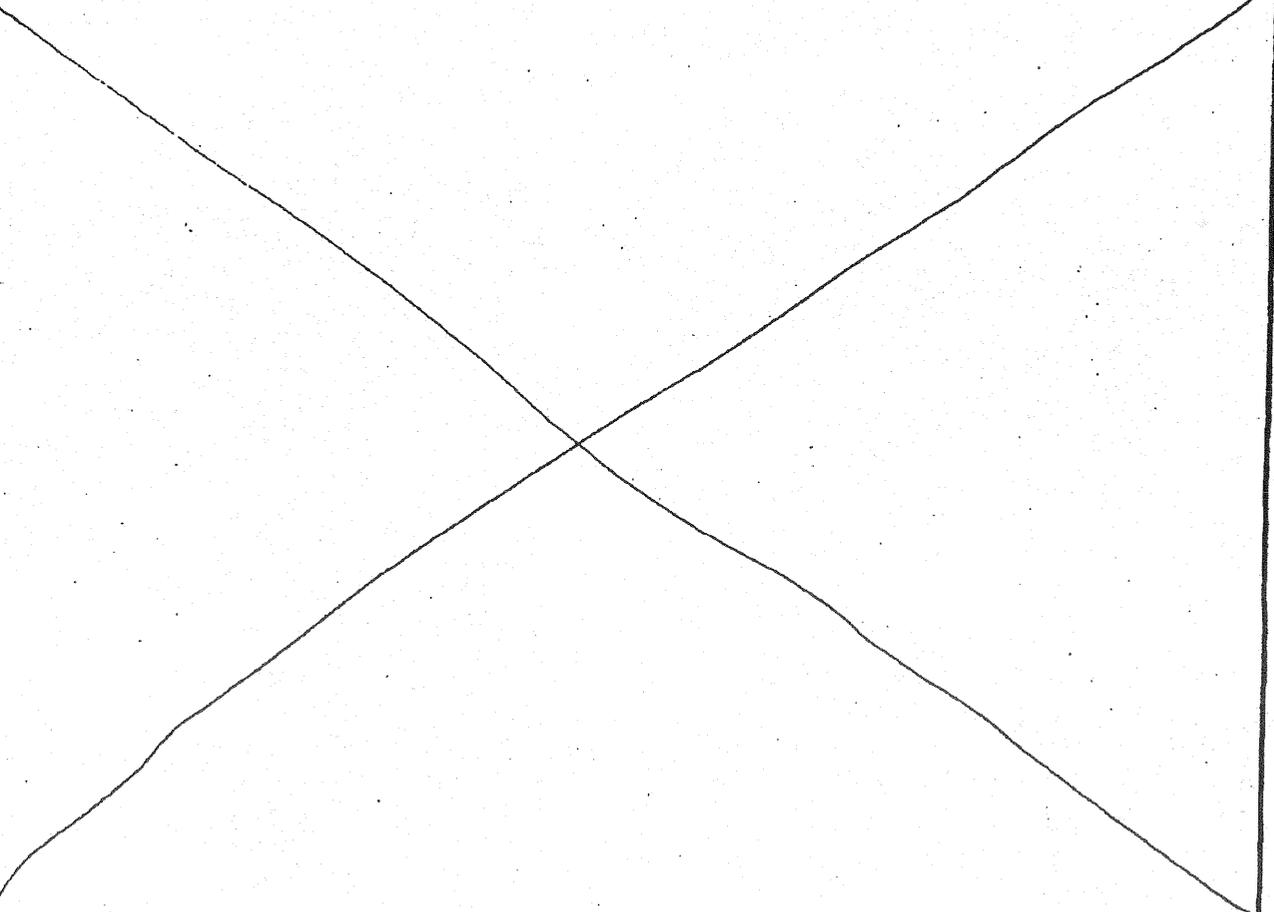
For use of this form, see AR 180-45; the proponent agency is ODCSOPS

PRIVACY ACT STATEMENT

PRINCIPAL PURPOSE: Title 10 USC Section 301; Title 5 USC Section 2851; E.O. 9387 dated November 22, 1943 (SSA). 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 S-4
2. DATE (YYYYMMDD) 2004/09/24
3. TIME
4. FILE NUMBER
5. LAST NAME, FIRST NAME, MIDDLE NAME
6. SSN
7. GRADE/STATUS
8. ORGANIZATION OR ADDRESS HHC XVIII ABN CORPS G-4 FORT BRAGG, NC 28310

I, [redacted], WANT TO MAKE THE FOLLOWING STATEMENT UNDER OATH:
Around or about the last week of June 2004 [redacted] for school (BNCOC) [redacted] type up a hand receipt for the printer. I told him I would returned it after I completed BNCOC 17 September 2004. I returned the printer to Mr. Steinmetz 23 September 2004. See attached statement. End of statement



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

Certificate:

Around the last week of July [redacted] and myself had gone to 1st BCD to check out some computers. After arriving and checking the equipment over, I informed [redacted] that we couldn't use it because it was older and outdated. He asked me if I was sure we didn't have any use for the computers. I said yes I was sure. So he then told the officer in charge to go ahead and turn it in to DRMO. Once we left and headed back to Brigade, that's when [redacted] informed me. He said that ~~he could have gotten the equipment. He would then taken the equipment and switched it out. Being it was going to DRMO, no one would know as long as some equipment was turned in. He said he had some that wasn't on the property book. I said I was not interested.~~ Around the 10th of August, [redacted] approached me in hall outside office. He wanted to know if I might be interested in a 19 inch monitor. I said no. He asked me to check if I knew of anyone that might be interested. I said ok. As for the equipment in [redacted] office, [redacted] knew about it. I had

asked him to see if there were any computer systems available. He and I had gone into the storage room on the 3rd floor to look at some laptops. I asked him about the Dell computer on the floor. It was the one that had been confiscated from 731st. I told him that [redacted] needed a more up to date computer. He said I could, so he helped me carry the system to my office because no one else was around. I then told him I would check the PC to make sure it's good. ~~she said that a hard receipt needed to be done~~, but she could use the computer. — END OF STATEMENT —

[redacted]

20 Sept 2004

CERTIFICATE

STATEMENT

REFERENCE THE COMPUTER EQUIPMENT IN THE COMMAND FINANCE OFFICE

I, [REDACTED] make the following statement regarding DELL Monitor SN: 22C-G252. On or about 18 March 2004, [REDACTED], brought this monitor, as well as a CPU, Dell SN: 47N5911 into my office. I recall this date because I graduated from Command Finance Course on 17 March 04 and moved into the Command Finance Office. Prior to that I was working on the 3rd floor in the Housing Office and I had contacted [REDACTED] regarding my computer. He stated that it was old and obsolete. So I requested a new computer, but he said since I would be moving soon downstairs to the CFNCO Office that I could use the computer that was in there already that [REDACTED] was using. However, when I moved into the CFNCO Office, [REDACTED] took his computer with him. So my computer I was using in the Housing Office was brought downstairs to the CFNCO Office. [REDACTED] took another look at it and trying to make it work properly but stated he could not fix it and that I needed another computer. So he brought the computer that is currently in my office. The computer that I was using was turned into [REDACTED] [REDACTED] came and picked it up later.

Later [REDACTED] came into my office and asked if he could look at my computer. So he did and wrote down the serial numbers, stated some equipment was missing and left. He asked me where I got this computer and I told him [REDACTED] brought it to my office. I did not see [REDACTED] with a hand receipt.

[REDACTED] came into my office today (30 Nov 04) and requested to inventory my computer equipment.

Noone else has interviewed or contacted me regarding this computer.

SIGNED: [REDACTED]

30 Nov 04

Bde Spt Coordinator

nc/84

9 DEC 04

To whom it may concern:

I, ^{(b)(6)} [REDACTED] would like to make the following statement regarding ^{(b)(6)} [REDACTED]

I have known ^{(b)(6)} [REDACTED] for more than a year and worked with her while assigned to Dragon Brigade S-4. While working with this superb Non-Commissioned Officer, she has displayed consistent trust-worthiness, professionalism, and honesty. I know in my heart and mind that ^{(b)(6)} [REDACTED] was not involved in anyway with the loss of the equipment in this report of survey. She was not negligent in her duties and responsibilities in any way.

According to AR 735-5 Section II 2-8c, direct responsibility results from assignment as an accountable officer, receipt of formal written delegation or acceptance of the property on hand receipt from the accountable officer. ^{(b)(6)} [REDACTED] is not the PBO, therefore, she should not be held liable. Further, IAW AR 735-5 para 2-9 (2), the appointment as a PBO carries with it, direct responsibility for all the property carried on the property book records that has not been issued on hand receipt.

Lastly, I believe ^{(b)(6)} [REDACTED] should be relieved from responsibility based on the regulations stated above. Please consider this information when determining financial liability.

^{(b)(6)} [REDACTED]

Dragon Bde S-4

Encl 9

DEFENSE FINANCE AND ACCOUNTING SERVICE MILITARY LEAVE AND EARNINGS STATEMENT																
ID	NAME (LAST, FIRST, MI)				SOC. SEC. NO.	GRADE	PAY DATE	YRS SVC	ETS	BRANCH	ADSN/DSSN	PERIOD COVERED				
							890208	15	130228	ARMY	4842	1-31 DEC 04				
ENTITLEMENTS			DEDUCTIONS			ALLOTMENTS			SUMMARY							
TYPE		AMOUNT	TYPE		AMOUNT	TYPE		AMOUNT	+AMT FWD							
A	BASE PAY	254.46	FEDERAL TAXES		401.17	DISCRETIONARY ALT		200.00	+TOT ENT							
B	BAS	885.00	FICA-SOC SECURITY		194.67	DISCRETIONARY ALT		500.00	4,279.32							
C	BAH	.03	FICA-MEDICARE		45.53	TRICARE DENTAL		22.66	-TOT DED							
D	REFUND MEDICARE	.03	SGLI FOR 250,000		16.25	BANK ACCT ALLOT		214.78	658.12							
E	REF SOC SECURITY	.03	AFRH		.50				-TOT ALMT							
F									937.44							
G									=NET AMT							
H									2,683.76							
I									-CR FWD							
J									.00							
K									=EOM PAY							
L									2,683.76							
M									DIEMS							
N									881230							
O									RET PLAN CHOICE							
	TOTAL	4,279.32			658.12				937.44							
LEAVE		BF BAL	ERND	USED	CR BAL	ETS BAL	LV LOST	LV PAID	USE/LOSE	FED TAXES	WAGE PERIOD	WAGE YTD	M/S	EX	ADD'L TAX	TAX YTD
		54.5	7.5	3	59.0	304.0	.0	.0	21.5		3139.80	67677.80	S	01	.00	12314.04
DATA		WAGE PERIOD	SOC WAGE YTD	SOC TAX YTD	MED WAGE YTD	MED TAX YTD	STATE TAXES	ST	WAGE PERIOD	WAGE YTD	M/S	EX	TAX YTD			
		3139.80	37677.80	2336.01	37677.80	546.33			.00	.00	S	01	.00			
DATA		BAQ TYPE	BAQ DEPN	VHA ZIP	RENT AMT	SHARE	STAT	JFTR	DEPN	2D JFTR	BAS TYPE	CHARITY YTD	TPC	PACIDN		
		W/DEP	CHILD	28310	.00	1	R		0		STANDARD	.00		HQDUJAAA		
Thrift Savings Plan (TSP)		BASE PAY RATE	BASE PAY CURRENT	SPEC PAY RATE	SPEC PAY CURRENT	INC PAY RATE	INC PAY CURRENT	BONUS PAY RATE	BONUS PAY CURRENT							
		0%		0%		0%		0%								
TSP YTD DEDUCTIONS		DEFERRED	EXEMPT													
		.00	.00	.00												
REMARKS: YTD ENTITLE 82569.72 YTD DEDUCT 15397.44																
<p>-USING DIRECT DEPOSIT FOR INCOME TAX REFUNDS IS FASTER AND SAFER THAN A CHECK AND WITH IRS E-FILE, YOU COULD GET YOUR REFUND IN HALF THE TIME. -TRICARE DENTAL PREMIUM RATES INCREASE IN JAN 05. FOR INFO GO TO WWW.UCCI.COM OR CONTACT UCCI CUSTOMER SERVICE. -THE CENTER FOR ARMY LESSONS LEARNED CAN BETTER PREPARE YOU FOR COMBAT AND TRAINING. VISIT HTTP://CALL.ARMY.MIL. -OIF AND OEF VETS WANTED FOR SPECIAL RECRUITER ASSISTANCE PROGRAM (S-RAP) DUTY. FUNDED TDY TO YOUR HOMETOWN TO TELL YOUR ARMY STORY IN YOUR OWN WORDS. FOR DETAILS</p>								<p>GO TO WWW.USAREC.ARMY.MIL. -CONTINUE TO SERVE YOUR COUNTRY. FOR INFO ON DOD CIVILIAN JOBS, GO TO WWW.GO-DEFENSE.COM. -YOUR W2 WILL BE AVAILABLE AT HTTPS://MYPAY.DFAS.MIL AFTER 14 JAN 05. -AAFES SAVES YOU MONEY..GO TO WWW.AAFES.COM! USED LEAVE BALANCE ADJUSTED. CURRENT MONTH LEAVE BALANCE ADJUSTED. CHARGE LEAVE 041122-041124(341) CORRECT FICA WAGES/DEDTN YTD (355) CORRECT MEDICARE WAGES/DEDTN YTD (355) BAH BASED ON W/DEP, ZIP 28310 BANK USAA FEDERAL SAVINGS BANK THE FORT BRAGG TAX CENTER OPENS 14 JAN 2005 TO PROVIDE FREE TAX PREPARATIONS, ELECTRONIC FILING, AND TAX DISTRIBUTION FOR FEDERAL AND ALL STATE TAX RETURNS. THE TAX CENTER IS LOCATED IN BLDG 2-1133 ON THE CORNER OF MACOMB AND ARMISTEAD. CONTACT THE TAX CENTER FOR MORE INFORMATION @ 398-1040 OR WWW.BRAGG.ARMY.MIL/18ABN/TAX.HTM.</p>								

HHC, XVIII Airborne Corps
Equipment unaccounted for
As of 14 February 2005

LIN	NSN	ITEM DESCRIPTION	SER NUMBER	SECTION	Remarks
70212N	7025-01-Z01-1059	Computer, Laptop	QCHCGW04100079	PAO	
70212N	7025-01-Z01-1060	Graphic Input Device	19413358, 19413370	PAO	
70236N	7025-01-Z01-6020	Printer, Canon BJ	XDW/60889	PAO	
70236N	7025-01-Z01-6022	Printer, HP 710	USFB048495	Chaplain	
70236N	7025-01-Z01-6049	Printer, HP LaserJet 2300	CNBCC24126	Dragon Forward	
70236N	7025-01-Z01-6065	Printer, HP 4600	CNBDD08683	PAO	
70249N	5836-01-Z01-0102	VCR, Hitachi	JPBGD37198	G-5	
98P07N	7730-01-Z01-1005	Television, Hitachi	81185940	Crops NBC	
CL08	6115-00-Z04-0005	Honda Generator	MC90130512	Corps NBC	
D78555	5810-01-393-1973	ANCYZ-10	EZCP1016992	Supply	SSG Stewart
R68044	5820-01-451-8246	Radio Set ANM/RC-90F	408171, 408779	Commo	
S64488	5810-01-082-8404	KY-68 TSEC	10366	Commo	
CA9910	7025-01-Z01-5574	Case Transit Ulls-G		Maintenance	
S49794	8465-01-416-4629	Spectacles, Ballistic	46887/WL0HHD	Supply Milvan	
T190966/T49119	3930-01-054-3833	Fork Lift	3198K6-1629	Maintenance	
V12141	4930-01-274-0021	Tank and Pump Unit	126-T2199	Maintenance	
V15566/V5566	5430-01-276-9756	Tank Liquid Storage		Maintenance	

Notes:

1. The Ballistic Glasses were mistaken loaded into the deployment MILVAN instead of the connex behind the Brigade contain ntaining the rest of the glasses. All 50 pairs of glasses are packed into one box.
2. [redacted] is aware of the circumstances surrounding the Honda Generator.
3. The Serial number for the Fork Lift taken forward is for the one left in the rear, while the serial number for the one left in the rear was taken forward. The PBO needs to do a Lateral Transfer to correct this problem.
4. The serial numbers on the Tank and Pump Unit and on the Storage Tanks do not match what is on the books here. It is probably a case like the Fork Lift. Please verify the serial numbers taken forward.
5. Please check with the sections listed above for the remainder of the equipment listed above.

From: [REDACTED]
Sent: Wednesday, February 16, 2005 5:26 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Equipment unaccounted for

ALCON

Attached you will find a list some equipment that should be deployed forward but never got dropped from the books here. Also there are some other minor adjustments that need to be made. I would like to resolve these issues as soon as possible as I am now transitioning from the military and would like to ensure that everything that [REDACTED] should be signed for is accounted for without any discrepancies. My last day in the Army is May 1st. I am on leave now until 27th March but will make myself available to resolve these issues.

Thanks,

[REDACTED]

WHAUKAA
 HHQIS Discrepancies From

LN	NSN	NOM	SERIAL NUMBER	SECTION	POC	LOCATION
70082N	6720-01-201-0020	CAMERA CANON	8722142647	Bde S3		
70208N	6160-01-201-0013	BATTERY CHARGER KIT GARMIN	8B70444006088	Bde S3		
	7025-01-201-1059	COMPUTER LAPTOP	US13800049	G4		
			3EYUA03346	G3		COL Palmer's Office @ Fort Bragg
			3EYUA03370	G3		G3 IMO @ Fort Bragg
			3EYUA03714	G3		G3 IMO @ Fort Bragg
			3EYUA03721	G3		G3 IMO @ Fort Bragg
			31YUA05103	G1		G1 Sale @ Fort Bragg
			2GYUA02218	G6		G1 Sale @ Fort Bragg
			2GYUA08738	G1		G1 Sale @ Fort Bragg
			03N841298122H6702	MP		HHQ Motor Pool @ Fort Bragg
			9R30J31	G4		Parachute Office @ Fort Bragg
			0LYUA02744	G4		G3 IMO @ Fort Bragg
			SGH23110NS	G3		G3 IMO @ Fort Bragg
			CNBD842811	HO CMT		G3 IMO @ Fort Bragg
			CNBD008692	G3		G3 IMO @ Fort Bragg
			CNBD008722	G3		G3 IMO @ Fort Bragg
			25688550	G3		G3 IMO @ Fort Bragg
70236N	7025-01-201-6049	LASERJET 2300				
91621N	3610-01-201-1002	CORNER SHARP		Bde S3		
K4975	4720-00-376-1528	HOSE & FITTING KIT (2 each)	NA			
K52826	4720-00-202-8731	HOSE ASSY RUB WTR 10FT (8 each)	NA			
K53748	4720-00-288-8123	HOSE COT RUB SGT 29FT (8 each)	NA	FUEL		
SS4858	8145-01-319-3299	CONTAINER SHIP ISU 90	14841	NBC		Milivan in Dragon Bde Parking Lot
			14842	NBC		Dragon Bde Parking Lot
769890	5810-01-408-8498	STEEL AG DEBRIE				

22nd MPAD's Rear Detachment Discrepancies

	Nomenclature	Serial Number	QTY
J-01-329-3451	Heater, Space		-2
J-01-Z01-0005	Lens Zoom Nikon 24mm	345937	-1
0-01-Z01-0006	Sigma 14MM AF Lens	1001854	-1
0-01-Z01-0009	Lens Camera Nikon1982	3026471	-2
0-01-Z01-0010	Nikon Teleconverter	5202533	-1
5-01-Z01-6086	Printer HP LJ 330MFP	SGH25C06CV	-1
0-00-108-1173	Cam Scrn Spt W/D		-3
0-01-179-8025	Support Assembly Camo		-8
0-00-103-1246	Cam Scrn Wldd Rad Sct		-2
0-01-266-1824	Camouflage Screening		-4
0-01-266-1827	Camouflage Screening		-3
15-00-Z10-1025	Case, 13" Color Monitor		-2
15-00-Z10-1030	Case, Monitor Video	79163	-1
01-2378	Promax Format Converter	2106283	-1
0-Z01-9000	Expansion Station Latitude	00B0D010373B	-2
20-01-457-2790	Fan Circulating Heat		-1
30-01-Z02-0324	Flash Camera SB-25	2543467	-1
15-01-Z01-8190	Generator Yanmar MDL YDG2000E	ZW1284	-1
20-01-353-2517	Light Sub System		-2
30-00-299-7077	LT ST Gen Illum 250T		-1
30-01-049-0879	Overshoes Vinyl SZ:6		-1
30-01-049-0885	Overshoes Vinyl SZ:11		-1
65-01-211-4217	Radiac Set AN/PDR-75	2088	-1
15-01-137-1703	Suit Chem Prot S		-2
15-01-137-1704	Suit Chem Prot M		-1
15-01-137-1705	Suit Chem Prot L		-7
10-01-Z01-0001	Da-Max Analogw/SDI	2014329	-1

UNIT PREPARED: 07/06/2005
LIC/DESC: WHILMHD 22 PI DST (REAR)

LIN NSN SUBLIN SRI ERC
SYSNO SER/REG/LOT NO LOT QTY

7035012012045 EA 400
70236N 7025012016011 EA 506
472635

MONITOR GATEWAY 17*
PRINTER HP710
PRINTER DL 1200 FUITE

LCC RCS SRRG CTRC DIA

NO DA PUB
NO DA PUB
NO DA PUB
NO DA PUB

REQ
OH
DI

ADWH
ADWH

* There are two printers that have same nomenclature, but different SN's

AUDIO ACQUISITION SUBSYSTEM
AUD ACQN SUBSYSTEM

7045012015331 EA 149.99
APC BACKUPS 500
APC BACKUPS 500

R D 5143

NO DA PUB

5

BUILDING STORAGE
10X12 STORAGE BLDG

CABLE TELEPHONE: WD-1/TM DR-8 1/2 RM
CA TEL WD-1A/TM DR-8

N U 5143

NO DA PUBS

1

(8-OH)

HAND RECEIPT
GENERIC NOMENCLATURE

NSN NOMENCLATURE
MONITOR GATEWAY 17*
PRINTER HP710
PRINTER DL 1200 FUITE
LCC RCS SRRG CTRC DIA
NO DA PUB
NO DA PUB
NO DA PUB
NO DA PUB
REQ
OH
DI
ADWH
ADWH

NO DA PUB
NO DA PUB
NO DA PUB
NO DA PUB

REQ
OH
DI

NO DA PUB

2

NO DA PUB

1

NO DA PUB

5

NO DA PUB

9

NO DA PUBS

9

NO DA PUBS

1

NO DA PUBS

1

5

(8-OH)

DATE PREPARED: 07/06/2005
 LBE - UNIT EQUIPMENT NOT DEPLOYED WITH UNIT (CURRENT WFOE AUTHORIZED EQUIPMENT LEFT BEHIND UPON DEPLOYMENT THAT COULD BE REDISTRIBUTED)
 UIC/DESC: WHMWD 22 PI DEP (REAR)

HAND RECEIPT

LIN	SUBLIN	SRI	ERC	GENERIC NOMENCLATURE	NSN NOMENCLATURE	ICC	ECS	SRBC	CTIC	DLA	PUB DATA	REQ	AUTH	DI
SYSN0	SER/REG/LOT NO	LOT	QTY											

J08190
 6115012018190 EA 1500 GENERATOR YANMAR MDL: YDG2000B
 ZW1284

L02197
 5820000332517 EA 2199 LIGHTING SUBSYSTEM:
 LIGHT SUBSYSTEM

L63994
 6230002997077 SE 4821 LIGHT SET GENERAL ILLUMINATION: 25 OUTLET (

N05482
 N04456
 5855012280936 EA 4300 NIGHT VISION GOOGLE: AN/PVS-7B
 19297A

N39848
 8430010490879 PR 8.95 OVERSHOES BOOT COMBAT: HIGH VINYL PLASTISOL
 8430010490880 PR 8.95 OVERSHOES VINYL OG 6
 8430010490881 PR 8.95 OVERSHOES VINYL OG 7
 8430010490882 PR 8.95 OVERSHOES VINYL OG 8
 8430010490883 PR 8.95 OVERSHOES VINYL OG 9
 8430010490884 PR 8.95 OVERSHOES VINYL OG 10
 8430010490885 PR 8.95 OVERSHOES VINYL OG 11
 8430010490886 PR 8.95 OVERSHOES VINYL OG 12
 8430010490886 PR 8.95 OVERSHOES VINYL OG 13

Overboes 52 14

ARM ROOM 15 JUL 05

25
 2-1ea
 4-4ea
 2-1ea
 2-4ea
 5-Sea
 5-4ea
 4-7ea
 2-1ea
 1- express

DATE PREPARED: 07/06/2005

HAND RECEIPT

LBE - UNIT EQUIPMENT NOT DEPLOYED WITH UNIT (CURRENT MOTOR AUTHORIZED EQUIPMENT LEFT BEHIND UPON DEPLOYMENT THAT COULD BE REDISTRIBUTED)
 UIC/DESC: WHLWHD 22 PI DEF (REAR)

LINE	SUBLINE	SRI	ERC	GENERIC NOMENCLATURE	LCC	ECS	SRRC	CIIC	DIA	PUB DATA	REQ	AUTH	DI
NSN	UI	UP	NSN NOMENCLATURE										
SYNO	SER/REG/LOT	NO	LOT QTY										

NS5862 NAVIGATION SEP SATELLITE SYSTEMS: **ARMS ROOM** 15 JUL 05 7

5825013953513 EA 1872.74 NAVIGATION SEP: SAF A S Y 5143
 V173086 U173087
 V173174 U173173
 V173316 U173310

V06380 RADIO, MOBILE STATION VHR 30-40 WATTS GE MD
 5820013026381 EA 639.92 MOTOROLA WALKABOUT RA A N U 5143 NO DA PUBS 8

RACK STORAGE SMALL ARMS: 7/9MM PISTOL. RE INVENTORIED (1)
 1095012362203 EA 284 RACK STOR SMALL ARMS A N U 5143 15 JUL 05 1
 19 JUL 05 NOT RECOVER

RADAC SET: AN/PDR-75
 6655012114217 EA 2978 RADAC SET AN/PDR-75 A A S 7 5143 7M1166523612 1
 2088

V859160 REELING MACHINE CABLE HAND: RL-39
 3895004988343 EA 58.84 REELING MACH CA RL-39 A N U 5143 2
 2 (3-04)

R98145 RIGID WALL SHELTER: COMMAND POST MOUNTED TO VEHICLES 15 JUL 05 motor pool
 5411013330663 EA 140000 SHELTER NON LP/PDI-90 B R U 5143 1
 V0020
 V0027

V840645 SECURE TELEPHONE UNIT IIT (LCT): LCT TYPE I
 5810012941099 EA 2372 G20 MOT SEC1000SI2/4W A C 9 5143 1
 1

DATE PREPARED: 07/06/2005
 LBE - UNIT EQUIPMENT NOT DEPLOYED WITH UNIT (CURRENT KNOE AUTHORIZED EQUIPMENT LEFT BEHIND UPON DEPLOYMENT THAT COULD BE REDISTRIBUTED)
 UIC/DESC: WMLMHD 22 PI DET (REAR) HAND RECEIPT

LINE	SUBLINE	SRI	ERC	GENERIC NOMENCLATURE	LOC	ECS	SRRC	CTIC	DIA	PUB DATA	REQ	AUTH	DI
NSN	SEA/REG/LOT	NO	LOT	QTY	SYNO	SYNO	SYNO	SYNO	SYNO	SYNO	SYNO	SYNO	SYNO
8415011371705	EA	89.55		SUIT CHEM PROT I	A	N	7	5143					
TELEPHONE SER: TA-312/PT TELEPHONE S TA-312/PT													
5805005433012	EA	377			A	N	U	5143					
TELEPHONE SER: TA-312/PT TELEPHONE S TA-312/PT													
5710013018081	EA	1795		DA-MAX ANALOG W/SDI	A	S	U	5143		NO DA PUB		1	
DA-MAX ANALOG W/SDI DA-MAX ANALOG W/SDI													
435258	EA	66.25		TRUNK LOCKER: PLYWOOD W/GRAY F/BARRACKS USE	A	N	U	5143				12	
TRUNK LOCKER: PLYWOOD W/GRAY F/BARRACKS USE TRUNK LOCKER CLOTHING													

Can we take off property book if not non-expendable using AAR?
 SIGNATURE _____ GRADE _____ DATE _____

140/H 21 - Need to Turn-in ASAP



DEPARTMENT OF THE ARMY
HEADQUARTERS, XVIII AIRBORNE CORPS AND FORT BRAGG
FORT BRAGG, NC 28310

12 August 2005

Office of the Inspector General

(b)(6)

HHC XVII ABV Corps
Fort Bragg, NC 28310

(b)(6)

This letter is in response to your 26 July 2005 complaint to the XVIII Airborne Corps and Fort Bragg Inspector General concerning the conduct required for the Survey Officer (b)(6) in regards to the report of survey completed against you, as well as the other issues in which you brought to this offices attention.

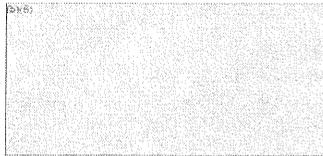
In accordance with AR 20-1, *Inspector General Activities and Procedures*, we completed a preliminary investigation and then referred the issues to the chain of command for appropriate action. The chain of command was provided with recommendations to correct/prevent the perceptions, in which you brought to light.

As to your initial complaint, Report of Survey #41-04, the review and appeal process has not been completed; however, your right to due process is being afforded.

I trust this information responds to your concerns. This office will take no further action pertaining to the issues you reported on 26 July 2005.

Sincerely,

(b)(6)



Inspector General