

# Exhibit 2.4



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HEADQUARTERS  
UNITED STATES AFRICA COMMAND  
UNIT 29951  
APO AE 09751-9951

AC-COS

MEMORANDUM FOR COMMANDER, U.S. AFRICA COMMAND, KELLEY  
BARRACKS, APO AE 09751

SUBJECT: (U) Executive Summary (EXSUM) of Army Regulation (AR) 15-6  
Investigation Findings - 4 October 2017 Enemy Contact Event in Tongo Tongo, Niger

(U) I would like to convey my sincere condolences to the families and loved ones of our fallen heroes and those of our Nigerien partners. Sergeant First Class (SFC) Jeremiah Johnson<sup>1</sup>, Staff Sergeant (SSG) Bryan Black, SSG Dustin Wright, and Sergeant (SGT) LaDavid Johnson gave their last full measure of devotion to our country and died with honor while actively engaging the enemy.

(U) What follows is an executive summary of my findings and conclusions with regard to the tragic events of 4 October 2017 that resulted in the deaths of four American and four Nigerien Soldiers. My findings and recommendations are based on all available evidence used to determine the individual actions and decisions made by the members of a U.S. Special Operations Forces team (USSOF Team), partner Nigerien forces, and higher headquarters personnel during active combat near Tongo Tongo, Niger. In addition, the report explains how Nigerien and French units assisted without hesitation and very likely saved the lives of U.S. and Nigerien Soldiers, several of whom were wounded in the attack. The investigation team examined documentary, photographic, audio, video, and testimonial evidence to make findings of fact. We interviewed 143 witnesses, including survivors of the attack, one of whom accompanied us on the battlefield to explain what happened. We examined the battlefield to gain a better understanding of the terrain and photographed, collected, and catalogued physical evidence that corroborated their accounts. I am confident this report documents the events of 3-6 October 2017 as accurately as possible.

(U) This investigation identifies individual, organizational, and institutional failures and deficiencies that contributed to the tragic events of 4 October 2017. Although the report details the compounding impact of tactical and operational decisions, no single failure or deficiency was the sole reason for the events of 4 October 2017. To the extent this report highlights tactical decisions made by Soldiers in the heat of battle, it should not be overlooked that American and Nigerien forces fought courageously on 4 October

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<sup>1</sup> (U) SFC Jeremiah Johnson was promoted posthumously to the rank of Sergeant First Class. To avoid confusion, throughout this report SFC Johnson is referred to as Staff Sergeant (SSG) Johnson, as that was his rank at the time of the attack and all witnesses referred to him as SSG Johnson.

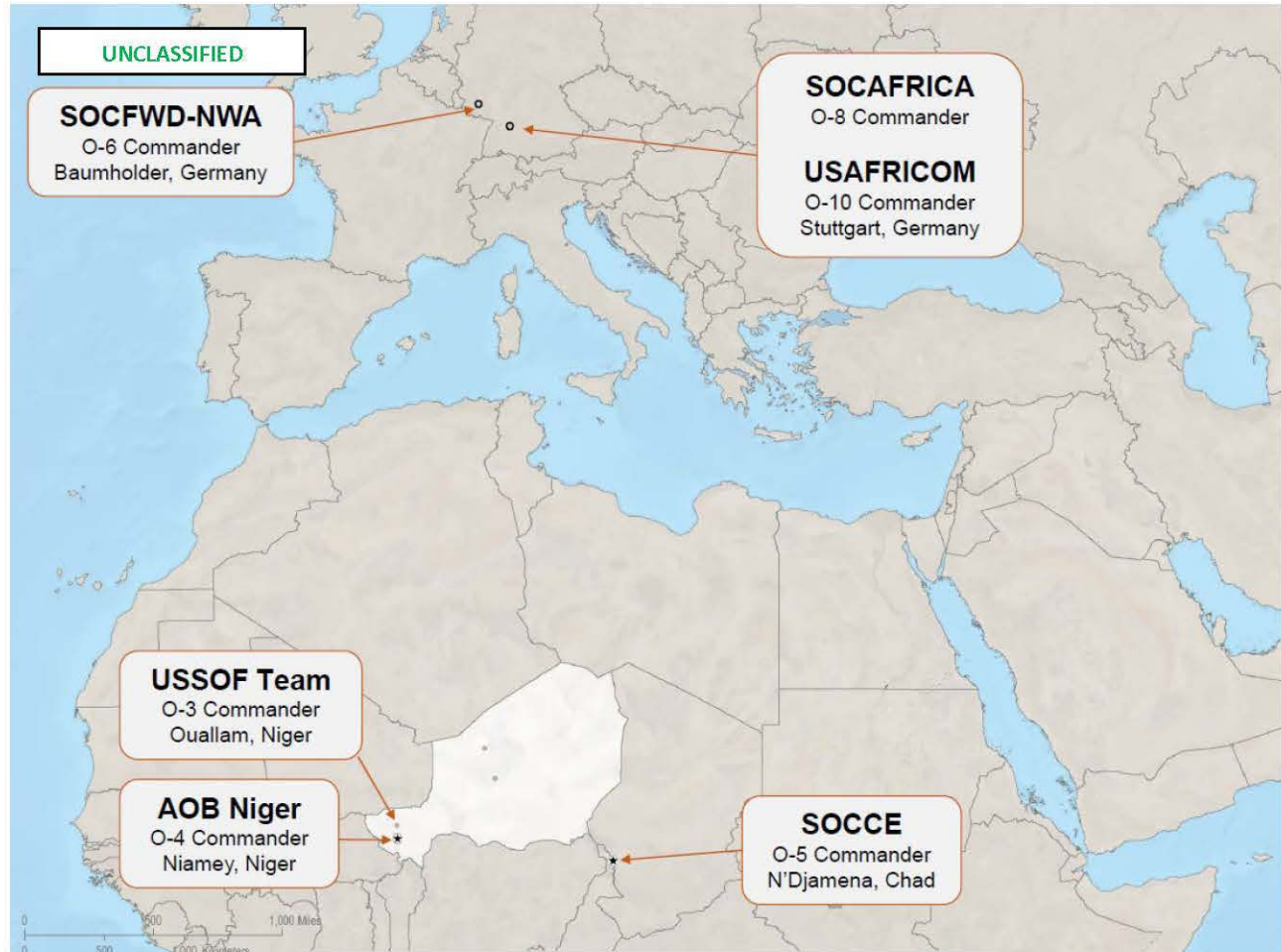
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2017 despite being significantly outnumbered by the enemy. The following is an executive summary of this report:



a. (U) At the request of the Government of Niger, U.S. Special Operations Forces (USSOF) in Niger conduct a variety of counterterrorism and security force assistance activities with the Nigerien military to build the capacity of those forces to conduct operations to counter Boko Haram, Al Qaeda in the Islamic Maghreb (AQIM), and the Islamic State in Iraq and Syria – Greater Sahara (ISIS-GS).

b. (U//~~FOUO~~) Prior to 4 October 2017, USSOF in Ouallam (Team OUALLAM), Niger were concentrated on two primary lines of effort: training and equipping a new Nigerien Counter Terrorism (CT) Company; and conducting CT operations with a separate Nigerien unit, (b)(3) 130b until the new CT

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Company reached full operational capacity.

c. (U) The USSOF Team involved in the attack on 4 October 2017 previously deployed to Maradi, Niger in 2016. Team members knew when they returned from that deployment they would go back to Niger a year later. From November 2016 to August 2017, the USSOF Team focused their training plan and deployment preparation on the anticipated return to Niger in the fall of 2017. Personnel turnover during that year, however, prevented the USSOF Team from conducting key pre-deployment collective training as a complete team. When they arrived in Ouallam, only half of the team had conducted any collective training together.

d. (U//~~FOUO~~) In the first three weeks they were in Ouallam, the USSOF Team (hereafter referred to as Team OUALLAM) concentrated primarily on training the new CT Company. Prior to 3 October 2017, Team OUALLAM conducted two partnered operations with (b)(3) 130b

e. (U) On 3 October 2017, Team OUALLAM left Camp Ouallam with Nigerien forces on a CT operation in the vicinity of Tiloa, Niger targeting a key member of ISIS-GS. Before departing, Team OUALLAM did not conduct pre-mission rehearsals or battle drills with their partner force. Once in Tiloa, the element was unable to locate the target, so Team OUALLAM and their partner Nigeriens continued to a military camp near Tiloa and conducted a key leader engagement (KLE) with a partner force commander. Although USSOF have the authority to conduct CT operations with partner Nigerien forces, the initial concept of operations (CONOPS) submitted for this mission was not approved at the proper level of command. Rather, the USSOF Team commander and the next higher level commander at the Advanced Operations Base (AOB), the company-level command, inaccurately characterized the nature of the mission in the CONOPS. The AOB commander then approved the CONOPS based upon an incorrect belief that he had the authority to do so. At the time of Team OUALLAM's departure on the initial mission, no command higher than the AOB was aware that the mission sought to find/fix and, if possible, capture a key member of ISIS-GS. The acting AOB commander (a captain) was the most senior officer aware of the true nature of the mission. Proper characterization of the mission would have required approval by the Special Operations Command and Control Element (SOCCE) commander, the battalion-level command, in N'Djamena, Chad. The SOCCE commander was unaware of the true nature of the mission.

f. (U) Intelligence, Surveillance, and Reconnaissance (ISR) aircraft were initially unable to locate the target near Tiloa, but after being directed to reconnoiter areas to the north, ISR located the target and tracked his movement to a desert campsite approximately four kilometers (km) south of the Niger/Mali border. Though the SOCCE

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commander was unaware of the true nature of Team OUALLAM's original mission, the AOB briefed the SOCCE commander on the new intelligence. The SOCCE commander then directed a multi-team raid including a second USSOF Team and their partner Nigerien force out of Arlit, Niger as the main effort, and Team OUALLAM and their partner Nigerien force as the supporting effort. Weather forced the second USSOF Team to abort the air assault and the SOCCE commander subsequently ordered Team OUALLAM to execute the mission. The mission was unsuccessful in capturing the target because he fled before Team OUALLAM arrived. Some media reports alleged Team OUALLAM crossed the border into Mali in pursuit of terrorists. Those reports are false. The SOCCE commander's approval of this mission was within his authority and he remained in communication with his higher headquarters. Following the raid, Team OUALLAM began their movement back to their home base. The Team OUALLAM commander directed the ISR platform to maintain surveillance over suspected enemy motorcycles observed several kilometers to the west.

g. (U) While returning to base, Team OUALLAM's partner Nigerien forces needed water so the convoy stopped near the village of Tongo Tongo to resupply. While there, the Team OUALLAM commander conducted an impromptu KLE with village leaders. At the completion of the KLE, they departed the village and, at 1140 on 4 October 2017, Team OUALLAM and their partner Nigeriens were ambushed immediately south of Tongo Tongo by a large enemy force. The American and Nigerien Soldiers dismounted and returned fire. During the initial contact, only two members of Team OUALLAM were wearing their Personal Protective Equipment (PPE). Several members of Team OUALLAM immediately put on their PPE under fire while others did not. The Team OUALLAM commander, the Nigerien force commander, and several Nigerien Soldiers attempted to counter attack the enemy in a flanking maneuver, killing approximately four enemy personnel. Soon after, the enemy massed and began to envelop Team OUALLAM. Realizing then that the team was significantly outnumbered by a well-trained force, the Team OUALLAM commander returned to the vehicles and ordered everyone to break contact and withdraw to the south. Team members yelled to SSG J. Johnson, who acknowledged the order to withdraw by giving a thumbs up. Team members threw canisters of smoke to mask their movement and, under increasing enemy fire, the convoy began to withdraw. Two Nigerien vehicles and one U.S. vehicle, including three U.S. Soldiers (SSG Black, SSG Wright, and SSG J. Johnson) did not withdraw from the initial ambush site. They were last seen by team members actively engaging the enemy from defensive positions near their vehicle and preparing to withdraw with the rest of the team.

h. (U) After the lead two vehicles began moving they lost visual contact with the third vehicle. SSG Wright entered the third vehicle and began driving it slowly south while SSG J. Johnson and SSG Black moved next to the vehicle using it as cover while

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AC-COS

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Investigation Findings - 4 October 2017 Enemy Contact Event in Tongo Tongo, Niger

providing suppressive fire. During the movement, enemy small arms fire hit SSG Black killing him instantly. SSG Wright halted the vehicle and dismounted. Despite increasing enemy fire, both SSG Wright and SSG J. Johnson remained with SSG Black and attempted to provide cover and assess his wounds. Overrun by enemy fighters, SSG Wright and SSG J. Johnson were forced to evade on foot. Approximately 85 meters from the vehicle enemy small arms fire hit SSG J. Johnson, severely wounding him. SSG Wright stopped, returned to SSG J. Johnson, and continued to engage the enemy until each was shot and killed by small arms fire. SSG Black, SSG Wright, and SSG J. Johnson were never captured alive by the enemy. As enemy fighters advanced through the ambush site, they fired several additional bursts into the bodies of the three Soldiers.

i. (U) The front two U.S. vehicles and three partner vehicles moved approximately 700 meters south and consolidated at what the investigating team calls "Position Two." Realizing that the third vehicle and their associated personnel were not present, and after repeated attempts to contact them by radio, four U.S. Soldiers moved on foot back to the ambush site to find them. Four other members of Team OUALLAM and approximately 25 partner Nigeriens remaining at Position Two continued to engage advancing enemy forces. The enemy pressed their attack with mounted and dismounted forces and began to envelop the remaining Soldiers from the east and from the south. The remaining Team OUALLAM members at Position Two were forced to evade under overwhelming enemy fire. Prior to leaving Position Two, all team members acknowledged the order to break contact. U.S. and Nigerien Soldiers observed SGT L. Johnson running to his vehicle. One vehicle carrying three members of Team OUALLAM and four additional partner Nigeriens accelerated away from Position Two under heavy fire. Two U.S. Soldiers and three partner Nigeriens were wounded as the vehicle evaded enemy fighters. One partner Nigerien was killed. The Soldiers in this vehicle were unaware that the team had become separated as they struggled to break contact with the enemy.

j. (U) SGT L. Johnson was in a prone position to the rear of his vehicle when the order to break contact was given. SGT L. Johnson acknowledged the order and, as the driver of his vehicle, he and two partner Nigeriens attempted to get into his vehicle and follow. SGT L. Johnson and the two Nigerien Soldiers were unable to get into the vehicle and were driven back to their prone positions by accurate and heavy enemy fire. Unable to reach the vehicle and with enemy forces rapidly closing on their position, they were forced to evade on foot. Running in a westerly direction, the first Nigerien Soldier was shot and killed approximately 460 meters from Position Two. The second Nigerien Soldier was shot and killed approximately 110 meters further to the west. SGT L. Johnson continued to evade, running west for an additional 450 meters before eventually seeking cover under a thorny tree approximately 960 meters from Position

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Two. There, SGT L. Johnson continued to return fire against the pursuing enemy. The enemy suppressed SGT L. Johnson with a vehicle-mounted heavy machine gun. Dismounted enemy then maneuvered on SGT L. Johnson killing him with small arms fire. The enemy did not capture SGT L. Johnson alive. SGT L. Johnson's hands were not bound and he was not executed but was killed in action while actively engaging the enemy.

k. (U) Under heavy fire from pursuing enemy vehicles and dismounted personnel, the first vehicle continued north at a high rate of speed becoming stuck in a swampy area southwest of the original ambush site. With enemy fire increasing and becoming more effective, all personnel dismounted from the vehicle. The driver called over the radio indicating they were about to be overrun. The radio call occurred 53 minutes after first contact and was Team OUALLAM's first request for assistance since first reporting "Troops in Contact." The remaining U.S. and Nigerien personnel dismounted and began moving west.

l. (U) The four U.S. Soldiers who had returned to the ambush site killed several enemy soldiers near the original ambush site but were unable to locate the vehicle or SSG Black, SSG Wright, and SSG J. Johnson. Under heavy machine gun fire, they rejoined the rest of the group dismounting from the vehicle stuck in the swamp. It was at this point they realized SGT L. Johnson was not present. The enemy forces began engaging them with heavy machine gun and mortar fire forcing them to withdraw. The team members provided critical medical care to the wounded, and evaded to a wooded area west of the ambush site. The combined group established a final defensive position, where they prepared to make their last stand.

m. (U) Upon receipt of the initial report of troops in contact, the AOB alerted Nigerien forces while the SOCCE alerted the French through their liaison officer. Both partners responded immediately. Nigerien ground forces departed 8 minutes after notification and arrived in Tongo Tongo approximately 4 hours and 25 minutes later due to distance, lack of roads, and rough terrain. French Mirage aircraft conducted the first show of force approximately 47 minutes after receiving notification. A single Nigerien helicopter took off approximately 40 minutes after receiving the request. The helicopter diverted prior to arrival in Tongo Tongo in order to de-conflict airspace for French jets. Despite being armed, the French aircraft were unable to engage because they could not identify U.S. troop locations and did not have communications with the team on the ground. Instead, they flew at low altitude in four separate shows of force that caused the enemy to retreat for cover, likely saving the lives of the surviving members of the USSOF Team. At approximately 1715, French forces from Task Force (TF) BARKHANE arrived in two helicopters and evacuated the surviving Soldiers.

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n. (U) A Nigerien ground quick reaction force located the remains of SSG Wright, SSG Black, SSG J. Johnson, and one Nigerien Soldier as they swept through the ambush site. At approximately 1900 on 4 October 2017, the Nigeriens transferred the remains of the three American Soldiers to U.S. custody. Additional U.S. and Nigerien ground forces remained in the Tongo Tongo area searching for SGT L. Johnson until approximately 0540 hours on the morning of the 5th before returning to base to refit and continue search and recovery operations.

o. (U) ISR maintained continuous surveillance and search patterns over Tongo Tongo for the duration of the recovery effort. Three separate surveillance platforms scoured the area searching for signs of life. The aircraft monitored avenues leading out of Tongo Tongo looking for signs that SGT L. Johnson was alive or possibly captured.

p. (U) At 0320 on 5 October 2017, the Commander, U.S. Africa Command (CDRUSAFRICOM) deployed his theater Crisis Response Force and called for the mobilization of nationally-controlled assets trained and dedicated for personnel recovery (PR) missions. U.S. and partnered Nigerien forces continued to search for SGT L. Johnson using aerial surveillance platforms throughout periods of darkness and then using ground forces again beginning at first light.

q. (U) On the morning of 6 October 2017, Nigerien forces recovered SGT L. Johnson's remains approximately 960 meters from Position Two and approximately 1.6 km from the original ambush site. The Tongo Tongo village elder first notified and then led Nigerien forces to the location of SGT L. Johnson's remains. When found, SGT L. Johnson's hands were not bound and he was laying on his back with his arms to his sides. At 1522 on 6 October 2017, the Nigeriens transferred the remains of SGT L. Johnson to U.S. custody.

r. (U) The investigation determined SSG Jeremiah Johnson, SSG Bryan Black, SSG Dustin Wright, and SGT LaDavid Johnson were killed by small arms fire while actively engaging the enemy. At no point were U.S. forces captured alive.

s. (U) During the recovery efforts there were many initial reports that U.S. surveillance systems detected signals from equipment assigned to Team OUALLAM. Those reports proved false. U.S. surveillance systems did not detect any signals from any devices or Personnel Recovery equipment assigned to Team OUALLAM during the Troops in Contact event near Tongo Tongo. The "beacons" or "hits" reported by other organizations supporting this event were not associated with U.S. forces.

t. (U) All four Soldiers killed in action sustained wounds that were either immediately fatal or rapidly fatal, and were deceased by the time the initial site was

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Investigation Findings - 4 October 2017 Enemy Contact Event in Tongo Tongo, Niger

accessible to PR assets. All four Soldiers were killed in action before French and Nigerien responding forces arrived in Tongo Tongo. Both Soldiers wounded in action sustained injuries that were managed expeditiously by Team members.

u. (U) SGT L. Johnson evaded on foot to a location outside the immediate search area of responding forces resulting in a 48-hour delay in finding his remains. Efforts to locate SGT L. Johnson were initially delayed by errant reporting that SGT L. Johnson was being held in a village north of Tongo Tongo near the Mali border. U.S. forces focused recovery efforts on gaining intelligence to locate SGT L. Johnson, while simultaneously mobilizing national assets to conduct a specialized personnel recovery operation.

v. (U) While there is evidence to indicate that the enemy enjoys freedom of movement in Tongo Tongo, there is not enough evidence to conclude that the villagers of Tongo Tongo willingly (without duress) aid and support them. Additionally, there is insufficient evidence to determine if villagers aided the enemy or participated in the attack.

w. (U) Contradictory and ambiguous CONOPS approval matrices between SOCAFRICA, SOCFWD-NWA, SOCCE-LCB, and the AOB resulted in confusion regarding the proper approval level for certain types of CONOPS. A reliance on templated CONOPS (cut and paste from previous CONOPS), a lack of attention to detail in quality control and quality assurance, and inadequate notification of CONOPS to SOCAFRICA all contributed to a general lack of situational awareness and command oversight at every echelon. The CONOPS development, review, approval, and notification processes were pro-forma and did not reflect the detailed, deliberate planning and oversight tools they are intended to be.

x. (U) The immediate response by French and Nigerien partner forces saved American lives. Shows of force by French aircraft prevented surviving members of the team from being overrun, and caused the enemy to break off their pursuit and flee the area. Nigerien ground forces played a crucial role in securing the area and assisting in the recovery efforts.

y. (U//FOUO) Individual members of the USSOF Team performed numerous acts of bravery while under fire on 4 October 2017 and their actions should be reviewed for appropriate recognition.

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