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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510–6250

November 15, 2026

The Honorable Pete Hegseth
Secretary of Defense
U.S. Department of Defense
1000 Defense Pentagon
Washington, DC 20301-1000

Dear Secretary Hegseth,

I write regarding reports of failures within the Department of Defense regarding force protection, command and control, and medical preparedness in connection with the March 1, 2026, Iranian drone strike on U.S. forces at Port Shuaiba, Kuwait, which killed six American servicemembers and injured more than 30 others. My office has received information from a whistleblower who survived the attack, and their statement raises serious questions about whether senior civilian leaders in the Department ignored known threats and failed to take necessary precautions to protect American servicemembers.

According to the Whistleblower, U.S. forces at Port Shuaiba lacked adequate defenses against Iranian drones despite repeated warnings about the vulnerability of the installation. Public reporting indicates that Port Shuaiba had been identified as a potential Iranian target, and military officials had raised concerns prior to the attack about the vulnerability of the tactical operations center (TOC), which concentrated U.S. personnel in a facility lacking adequate protection against Iranian strikes.[1] The Whistleblower alleges that these concerns were raised directly to senior leaders within the Department at least three times in the week before the

[1] Jonah Kaplan and Michael Kaplan, *Army survivors of deadly attack in Kuwait dispute Pentagon's account, say unit 'was unprepared' to defend itself*, CBS News, (Apr. 9, 2026) https://www.cbsnews.com/news/iran-war-kuwait-drone-attack-survivors-us-army; James LaPorta, *Military questioned use of makeshift office space in Kuwait where U.S. troops were killed*, CBS News, (Mar. 3, 2026) https://www.cbsnews.com/news/iran-strike-kuwait-officials-question-fortifications.

hostilities.[2] Additional reporting indicates that alternative plans to relocate personnel to more defensible locations were rejected.[3]

Even more alarming, the Whistleblower described how an Iranian drone struck near Port Shuaiba the day before the deadly March 1 attack.[4] This stark warning of the imminent threat to U.S. personnel does not appear to have prompted any action.[5] Servicemembers were directed to resume operations outside protective bunkers on March 1, despite the absence of overhead protection and concerns that the available radar systems could not reliably detect low-flying drones.[6] The fatal strike occurred shortly thereafter.

The failures further extend to the immediate medical response. The Whistleblower has described a lack of adequate medical personnel, ambulances, and established casualty evacuation and collection capabilities at Port Shuaiba.[7] Survivors reportedly relied on improvised transportation to evacuate wounded personnel, despite earlier requests for additional medical resources.[8] The Whistleblower has informed my office that they believe one of the six servicemembers killed could have survived had adequate medical support been available. The possibility that inadequate medical preparedness cost American servicemembers their lives demands immediate answers and accountability.

Congress has repeatedly sought answers regarding this attack, yet your Department has failed to provide a complete accounting of the decisions that preceded it or the findings of the Army's investigation. The families of the six fallen servicemembers, the wounded survivors, and the American people deserve transparency and accountability. Accordingly, I am demanding answers to the following questions:

1. What force-protection measures, including counter-unmanned aircraft systems, overhead protection, hardened shelters, and early warning capabilities, were available at Port Shuaiba on March 1, 2026? What additional capabilities were requested between March 1, 2025, and March 1, 2026, by whom, and were any requests denied or left unfulfilled?

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[2] Whistleblower Disclosure, pp. 4, 6.

[3] Jonah Kaplan, *Commander rejected plans to rebase farther from Iran before deadly drone strike, sources say*, CBS News, (Sept. 24, 2026) https://www.cbsnews.com/news/iran-drone-strike-kuwait-commander-rejected-plans-rebase/.

[4] Whistleblower Disclosure, p.4.

[5] Whistleblower Disclosure, p.7.

[6] Whistleblower Disclosure, p.7; Jack Brook, Konstantin Toropin, Julie Watson, and Russ Bynum, *Soldiers and Gold Star families press Army leadership after deadly Iranian drone strike*, Associated Press, (Oct. 5, 2026) https://apnews.com/article/iran-war-port-shuaiba-attack-soldiers-29f34587c6361261f6e803aff6791e8f.

[7] Whistleblower Disclosure, p.8.

[8] Tara Copp and Alex Horton, *Survivors of Iranian attack that killed 6 U.S. troops say generals ignored warnings*, Washington Post, (July 12, 2026) https://www.washingtonpost.com/national-security/2026/07/12/survivors-iranian-attack-that-killed-6-us-troops-say-generals-ignored-warnings.

2. Were proposals developed to retrograde or relocate personnel from Port Shuaiba to more defensible locations, including facilities in Saudi Arabia? Who reviewed or rejected these proposals, what was the rationale, and were the force-protection risks formally documented and accepted?

3. Were Iranian drones detected or confirmed to have struck Port Shuaiba or its immediate vicinity before the fatal strike on March 1? For each incident, what warning was provided to personnel, and what changes, if any, were made to protective measures or operating procedures?

4. What medical personnel, supplies, ambulances, and casualty evacuation capabilities were available at Port Shuaiba on March 1? Were requests for additional medical support submitted before the attack, and if so, why were those capabilities not provided?

5. Was there an approved mass-casualty response and evacuation plan for Port Shuaiba, and had personnel rehearsed it before March 1? What were the timelines for providing initial medical treatment and evacuating each wounded servicemember, and has the Army assessed whether additional medical resources could have prevented any deaths?

6. The Army reportedly completed its investigation of the attack in June but has yet to release the report.[9] Has the Army indeed completed its investigation into the Port Shuaiba attack? Did it specifically examine the decisions of senior commanders regarding threat warnings, force protection, alternative basing, bunker evacuation, medical preparedness, and command-and-control responsibilities? Please provide the complete investigation, including findings, recommendations, and any supporting documents, as well as the status of any related Inspector General or CENTCOM investigations.

Additionally, I request that you provide the Subcommittee a classified briefing on this topic and provide the following documents:

1. The complete AR 15-6 investigation with all classified annexes.
2. All relevant Army Central (ARCENT) operations orders and annexes.
3. Task Force Spartan daily update products from February 15, 2026, to March 10, 2026.

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[9] Jack Brook, Konstantin Toropin, Julie Watson, and Russ Bynum, *Takeaways from AP report on Iranian attack in Kuwait that killed 6 US soldiers and wounded dozens*, Associated Press (Oct. 5, 2026) https://apnews.com/article/iran-war-port-shuaiba-drone-strike-takeaways-77203e36ceaf49c798e18219f0e3506a.

4. All force protection assessments for the Port of Shuaiba.

Thank you for your attention to this urgent matter. I request a written response within 14 days of receipt of this letter.

Sincerely,

Richard Blumenthal
Ranking Member
Permanent Subcommittee on Investigations

Enclosure

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November 13, 2026

PROTECTED WHISTLEBLOWER DISCLOSURE
VIA E-MAIL

The Honorable Roger F. Wicker
Chairman
The Honorable Jack Reed
Ranking Member
Committee on Armed Services
United States Senate
Washington, DC 20510

The Honorable Mike Rogers
Chairman
The Honorable Adam Smith
Ranking Member
Committee on Armed Services
U.S. House of Representatives
Washington, DC 20515

The Honorable Richard Blumenthal
Ranking Member
Permanent Subcommittee on Investigations
Committee on Homeland Security and Governmental Affairs
United States Senate
Washington, DC 20510

RE: Protected Whistleblower Disclosure Concerning Force Protection Before the March 1, 2026 Iranian Drone Attack at the Port of Shuaiba, Kuwait

Dear Chairman Wicker, Chairman Rogers, Ranking Member Reed, Ranking Member Smith, and Ranking Member Blumenthal:

We represent a U.S. Army Reserve field-grade officer (the "Whistleblower") who served in the operations section of the 103d Expeditionary Sustainment Command at the Port of Shuaiba command post in Kuwait. He was wounded in the March 1, 2026 Iranian drone attack on that command post, which killed six soldiers and wounded more than 20 others. We write on the

Whistleblower's behalf to make a protected disclosure and to ask the Committees and the Permanent Subcommittee on Investigations (collectively, the "Committees") to obtain and review information that, to our client's knowledge, the Department of Defense[1] has not provided to Congress and its investigators have not examined.

Protected Status and Confidentiality

This letter is a lawful communication with Members of Congress by a member of the armed forces, made through counsel, and is protected under 10 U.S.C. § 1034. It contains no classified information, and matters that require a classified setting are identified by subject only in Section VIII of the enclosed memorandum. Our client's identity is known to us, and we will provide it to Committee staff at the appropriate time. We ask that it not be shared with the Department of Defense without his consent, and that any staff inquiry to the Department be framed so as not to identify him.

Background

The 103d, an Army Reserve command from Des Moines, Iowa, deployed to Kuwait in 2025 and served at Camp Arifjan as the Operational Command Post of the 1st Theater Sustainment Command. In late February 2026, U.S. forces in Kuwait dispersed personnel from Camp Arifjan and Camp Buehring to reduce their exposure, and the command post relocated to the Port of Shuaiba. U.S. and Israeli strikes on Iran began on February 28. On the morning of March 1, a one-way attack drone struck the command post's operations center, where about 60 soldiers, including our client, had just returned to work.

Our client's account, set out in the enclosed memorandum, is as follows:

1. The Port of Shuaiba was a long-established U.S. site with public road signs pointing to it. To our client's knowledge, it had no dedicated protection against one-way attack drones. The dispersal also fell short in two ways: it was not resourced to move everyone in Kuwait who was designated to relocate, and the plan did not define what capabilities were expected of the personnel who stayed behind, particularly those serving in sustainment and logistics roles.

2. The drone threat to the port was raised directly to the commanding general of the 1st Theater Sustainment Command at least three times in the week before hostilities: once by the command's own protection chief and twice by our client during operations and intelligence updates. Each warning was dismissed. Our client also asked his counterpart at Task Force Spartan, in writing, how the site was protected. He received no answer.

3. The evening before the attack, an Iranian drone struck near the port without warning, and alarms sounded only after impact. On March 1, the drone struck roughly thirty minutes after an all-clear, and no warning reached the site. In each case, either the drone was not detected, or it was detected and the warning did not reach the soldiers. Both possibilities call for review.

[1] On September 5, 2025, the President issued Executive Order 14347, *Restoring the United States Department of War*, 90 Fed. Reg. 43893 (Sept. 10, 2025), which authorizes the use of "Department of War" as a secondary title for the Department of Defense. Because the Department's statutory name remains the Department of Defense, this letter uses that name. References to the "Department" are to the Department of Defense.

4. When the drone struck, the site had no physician, no fixed aid station, and only one ambulance. Our client also observed that the two general officers at the site, both among the wounded, triaged their own injuries ahead of more seriously wounded soldiers. He did not see them leave, but they had departed in their vehicles by the time Master Sergeant Nicole Amor, one of the six killed, was being carried to the bunker.

5. No single commander was clearly accountable for protecting the Port of Shuaiba. Responsibility for protecting the dispersed sites in Kuwait was split among several general-officer and installation commands, each reporting separately to U.S. Army Central ("ARCENT"), the Army component of U.S. Central Command.

6. After the attack, the Army opened an investigation under Army Regulation 15-6, conducted by officers appointed through the 1st Theater Sustainment Command and ARCENT. In the spring of 2026, while the injured soldiers were being treated at Fort Hood, the investigating officer took unclassified statements from soldiers, including our client. No investigator returned to him, or to his knowledge to his peers, for the classified information that bears directly on these questions.

These points are difficult to reconcile with the Department's public and congressional statements. At a press conference, Secretary Hegseth described the drone as a "squirter" that "happened to hit a tactical operations center that was fortified."[2] Assistant Secretary of Defense Sean Parnell stated that "every possible measure has been taken to safeguard our troops – at every level."[3] On July 21, 2026, the Secretary reportedly told the Senate Appropriations Committee that "there was not a single drone or defense request denied at any level."[4] Our client does not ask the Committees to accept his account over the Department's. He asks that someone with access to the classified record test both.

Need for Congressional Oversight

According to public reporting, the Army completed its investigation in June 2026. The inquiry reportedly recommends no punitive action and does not assign fault for the decisions that placed troops at the port, and a separate classified ARCENT review of pre-attack warnings and the port's defenses will not be released.[5] Members of Congress have pressed the Department for answers,

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[2] Jonah Kaplan & Michael Kaplan, *Army Survivors of Deadly Attack in Kuwait Dispute Pentagon's Account, Say Unit "Was Unprepared" to Defend Itself*, CBS News (Apr. 9, 2026), https://www.cbsnews.com/news/iran-war-kuwait-drone-attack-survivors-us-army/.

[3] Kaplan & Kaplan, *Army Survivors*, *supra* note 2.

[4] Press Release, Sen. Tammy Baldwin, *Baldwin Demands Military Release Its Investigation into Iranian Attack That Killed 6 Servicemembers* (Aug. 5, 2026) (describing letter to the Commander of U.S. Central Command) [*hereinafter* Baldwin Press Release], https://www.baldwin.senate.gov/news/press-releases/baldwin-demands-military-release-its-investigation-into-iranian-attack-that-killed-6-servicemembers.

[5] Associated Press, *Soldiers and Gold Star Families Press Army Leadership After Deadly Iranian Drone Strike*, WCAX (Oct. 5, 2026), https://www.wcax.com/2026/10/05/soldiers-seriously-wounded-iranian-drone-strike-tell-ap-militarys-medical-system-failed-them/; Jack Buckby, *Soldiers Were Told It Was Safe to Leave Their Bunkers. 30 Minutes Later, an Iranian Drone Killed Six of Them*, Nat'l Sec. J. (July 13, 2026) (summarizing Washington Post reporting of July 12, 2026), https://nationalsecurityjournal.org/soldiers-were-told-it-was-safe-to-leave-their-bunkers-30-minutes-later-an-iranian-drone-killed-six-of-them/.

including Senators Warren, Blumenthal, Gillibrand, and Kelly in April and a group of Senate and House Democrats in July. Senator Baldwin asked the Commander of U.S. Central Command for these materials in her August 5 letter.[6] We are not aware that the full investigation or the classified review has been provided to any of the Committees. The evidence needed to test the Department's account is classified and resides on Department systems. Our client will not transmit it outside authorized channels, but he can identify for cleared Committee investigators exactly where it resides.

Requests

We respectfully ask that the Committees:

1. Obtain the full Army Regulation 15-6 investigation, with exhibits, and the classified ARCENT review, and assess whether they address the questions in Section VI of the memorandum.

2. Interview our client in a classified setting with appropriately cleared Committee staff, so that he can identify the specific records, systems, dates, and witnesses that bear on those questions. We will coordinate the arrangements with the Committees' security offices.

3. Ask the Department to preserve the records listed in Section VII of the enclosed memorandum, including working files and chat logs at risk of routine deletion.

4. Request that the Department of Defense ("DoD") Inspector General conduct an independent review of force protection for dispersed sites in Kuwait before and on March 1, 2026, and of the adequacy of the Army's investigation. We are concurrently filing a confidential complaint with the DoD Inspector General on our client's behalf.

This is the second time in just over two years that a one-way attack drone has killed U.S. Army Reserve soldiers at a lightly defended site in the region, after Tower 22 in Jordan on January 28, 2024. Our client does not seek to assign blame. He wants the lessons of March 1 identified while the records and witnesses are still available, so that no command post moved out of harm's way is ever again left as exposed as the Port of Shuaiba.

I thank you in advance for your time and attention to this matter. Should you require any further information, please do not hesitate to contact us.

Very respectfully,

Andrew P. Bakaj
Managing Partner

I. Charles McCullough, III
Senior Partner

Mark S. Zaid
Of Counsel

Enclosure: As Stated

[6] Press Release, Sen. Elizabeth Warren, *Warren, Kelly, Gillibrand, Blumenthal Investigate Hegseth's Failure to Protect Troops in Middle East After Fatal Attack* (Apr. 27, 2026), https://www.warren.senate.gov/newsroom/press-releases/warren-kelly-gillibrand-blumenthal-investigate-hegseths-failure-to-protect-troops-in-middle-east-after-fatal-attack; Natalie Oliverio, *Senate Democrats Press Pentagon over Medical Care for Troops Wounded in Kuwait Drone Strike*, Military Times (July 31, 2026), https://www.militarytimes.com/news/pentagon-congress/2026/07/31/senate-democrats-press-pentagon-over-medical-care-for-troops-wounded-in-kuwait-drone-strike/; Baldwin Press Release, *supra* note 4.

ENCLOSURE

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WHISTLEBLOWER DISCLOSURE MEMORANDUM

To: The Honorable Roger F. Wicker, Chairman, and
The Honorable Jack Reed, Ranking Member
Senate Committee on Armed Services

The Honorable Mike Rogers, Chairman, and
The Honorable Adam Smith, Ranking Member
House Committee on Armed Services

The Honorable Richard Blumenthal, Ranking Member
Permanent Subcommittee on Investigations
Senate Committee on Homeland Security and Governmental Affairs

From: Andrew P. Bakaj, Esq.

Date: November 13, 2026

RE: Unclassified Statement of Facts and Chronology: Force Protection Before the March 1, 2026 Iranian Drone Attack at the Port of Shuaiba, Kuwait

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I. Introduction, Scope, and Summary

This memorandum accompanies our letter of November 13, 2026, to the Senate and House Armed Services Committees and the Permanent Subcommittee on Investigations (collectively, the "Committees"). It sets out, at the unclassified level, the facts underlying a protected disclosure by our client (the "Whistleblower"), a U.S. Army Reserve field-grade officer who was serving at the Port of Shuaiba, Kuwait, on March 1, 2026. That morning, an Iranian one-way attack drone struck the 103d Expeditionary Sustainment Command's operations center, killing six soldiers and wounding more than 20 others, including the Whistleblower.[1]

This memorandum:

- States the facts as the Whistleblower observed them and as the public record now reflects them.
- Presents a dated chronology of events from the unit's mobilization through October 2026.
- Identifies statements by Department officials[2] that are difficult to reconcile with the Whistleblower's account.
- Sets out the questions an investigation with access to the classified record should answer.
- Identifies the records that should be preserved and reviewed, and the matters the Whistleblower can address only in a classified setting.

This memorandum is qualified in three respects.

First, it is unclassified. It was prepared to exclude classified information and identifies classified matters only by subject and by the place the underlying records can be found. The Whistleblower is prepared to address those matters with appropriately cleared Committee staff.

Second, it distinguishes between what the Whistleblower observed personally, what others told him, and what has been published. Each entry in the chronology in Section IV is marked accordingly.

Third, the Whistleblower has not seen the Army's investigation or the classified review by U.S. Army Central ("ARCENT"), the Army component of U.S. Central Command. Where this memorandum describes their contents, it relies on public reporting.

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[1] Jonah Kaplan & Michael Kaplan, *Army Survivors of Deadly Attack in Kuwait Dispute Pentagon's Account, Say Unit "Was Unprepared" to Defend Itself*, CBS News (Apr. 9, 2026), https://www.cbsnews.com/news/iran-war-kuwait-drone-attack-survivors-us-army/.

[2] On September 5, 2025, the President issued Executive Order 14347, *Restoring the United States Department of War*, 90 Fed. Reg. 43893 (Sept. 10, 2025), which authorizes the use of "Department of War" as a secondary title for the Department of Defense. Because the Department's statutory name remains the Department of Defense, this memorandum uses that name. References to the "Department" are to the Department of Defense.

The Whistleblower's account is as follows:

1. Before the war, a dispersal operation moved the 103d's command post from Camp Arifjan to the Port of Shuaiba, a long-established U.S. site with public road signs pointing to it. To the Whistleblower's knowledge, the site had no dedicated protection against one-way attack drones. The dispersal also fell short in two ways: it was not resourced to move everyone in Kuwait who was designated to relocate, and the plan did not define what capabilities were expected of the personnel who stayed behind, particularly those serving in sustainment and logistics roles.

2. The drone threat to the port was raised directly to the commanding general of the 1st Theater Sustainment Command at least three times in the week before hostilities: once by the command's own protection chief and twice by the Whistleblower. Each warning was dismissed. The Whistleblower also asked his counterpart at Task Force Spartan, in writing, how the site was protected. He received no answer.

3. The evening before the attack, an Iranian drone struck near the port without warning, and alarms sounded only after impact. On March 1, the drone struck roughly thirty minutes after an all-clear, and no warning reached the site. In each case, either the drone was not detected, or it was detected and the warning did not reach the soldiers. Both possibilities call for review.

4. When the drone struck, the site had no physician, no fixed aid station, and only one ambulance. The Whistleblower also observed that the two general officers at the site, both among the wounded, triaged their own injuries ahead of more seriously wounded soldiers. He did not see them leave, but they had departed in their vehicles by the time Master Sergeant Nicole Amor, one of the six killed, was being carried to the bunker.

5. No single commander was clearly accountable for protecting the Port of Shuaiba. Responsibility for protecting the dispersed sites in Kuwait was split among several general-officer and installation commands, each reporting separately to ARCENT.

6. After the attack, the Army opened an investigation under Army Regulation 15-6, conducted by officers appointed through the 1st Theater Sustainment Command and ARCENT. In the spring of 2026, while the injured soldiers were being treated at Fort Hood, the investigating officer took unclassified statements from soldiers, including the Whistleblower. No investigator returned to him, or to his knowledge to his peers, for the classified information that bears directly on these questions.

The records needed to resolve these questions are classified and reside on Department systems. The Whistleblower cannot provide those records in an unclassified setting and will not transmit them outside authorized channels. He can, however, identify for cleared investigators exactly where they reside.

II. The Whistleblower

The Whistleblower is a U.S. Army Reserve officer (Major, since selected for promotion to Lieutenant Colonel) assigned to the 103d Expeditionary Sustainment Command ("ESC"), an Army Reserve command headquartered in Des Moines, Iowa. The 103d ESC mobilized in July 2025 and deployed to Kuwait, where it served as the Operational Command Post ("OCP") of the 1st Theater Sustainment Command ("1st TSC").

The Whistleblower served as the OCP's Deputy Chief of Operations. He was responsible for the daily current operations briefs and for maintaining the command's operational picture, including its force protection posture. In that role, he was in a position to know the protection posture briefed to the command. He holds a security clearance.

He was wounded in the March 1 attack, suffering shrapnel wounds to the head, a concussion, and injuries to both ankles and knees.

III. Statement of Relevant Facts

A. The 103d ESC and the Port of Shuaiba

The 103d ESC arrived in Kuwait between August and early September 2025 and operated at Camp Arifjan as the 1st TSC OCP. The Port of Shuaiba, about ten miles away and the site to which the OCP later relocated, had been used continuously as an O-6-level U.S. command post for roughly 25 years. Public highway signs directed traffic to U.S. port operations, and contractors routinely worked at the port.

According to public reporting, pre-relocation force protection assessments found that the port lacked adequate defenses, and one complaint to the Army Inspector General states that the assessments recommended that no personnel be moved there.[3] Three soldiers told the Washington Post that a brigadier general and a major general received classified briefings that Iran had identified the port as a potential target.[4]

B. The "Off-the-X" Dispersal

From approximately February 15 to 27, 2026, U.S. forces in Kuwait executed a dispersal operation known as "Off-the-X." Its stated purpose was to reduce risk to personnel at Camp Arifjan and

[3] Jack Buckby, *Soldiers Were Told It Was Safe to Leave Their Bunkers. 30 Minutes Later, an Iranian Drone Killed Six of Them*, Nat'l Sec. J. (July 13, 2026) (summarizing Washington Post reporting of July 12, 2026), https://nationalsecurityjournal.org/soldiers-were-told-it-was-safe-to-leave-their-bunkers-30-minutes-later-an-iranian-drone-killed-six-of-them/.

[4] *Id.*; *see also* Kaplan & Kaplan, *Army Survivors*, *supra* note 1 (soldier recounting intelligence that placed the post on a list of potential Iranian targets). *But see* Associated Press, *infra* note 8 (reporting that the major general was told the port was not on the list of planned Iranian targets but was considered a likely secondary target).

Camp Buehring. According to public reporting, many personnel moved to Jordan and Saudi Arabia. The 103d ESC's OCP element, however, relocated to the Port of Shuaiba.[5]

According to the Whistleblower, the move took an O-8 command post to the long-standing location of an O-6 command post. As he put it, "We moved from a brighter X to a dimmer X." In his assessment, the plan repositioned and clustered forces rather than dispersing them. The Whistleblower also states that Off-the-X was not resourced to move everyone in Kuwait who was designated to relocate, and that the plan set no requirements for the capabilities expected of the personnel who remained, particularly those serving in sustainment and logistics roles.

C. Warnings Raised Before the War

About one week before hostilities, the 1st TSC OCP Protection Chief attended an OCP operations meeting by video teleconference from a sustainment base in a neighboring country. The Protection Chief is a lieutenant colonel whom the Whistleblower will identify to investigators. During the meeting, he told the major general (the commanding general of the 1st TSC) that he did not believe the OCP would be protected from drone threats at Shuaiba. The major general replied that the Protection Chief should not be concerned with protection at a location other than his own. Command Sergeant Major Adam Lepley acknowledged the concern. He said a plan was being worked to bring an EAGLS counter-drone system or a similar capability to Shuaiba. The meeting was not recorded. Several officers and noncommissioned officers who were present recall the exchange.

On two occasions before hostilities, the Whistleblower briefed the protection picture for Kuwait. Each time, he stated that he did not see how the OCP was protected at Shuaiba. Both times, the major general responded that there was no need to be concerned about protection. To the Whistleblower's knowledge, the slide he used in those briefings remains in the final iteration of the 1st TSC OCP brief, which the 103d ESC maintains on the Maven system. Properly cleared investigators can access it there.

The Whistleblower also emailed his counterpart at Task Force Spartan, headquartered in Jordan, asking how the Port of Shuaiba was protected. He received no response. The Whistleblower understands that then-Captain (posthumously Major) Cody Khork raised similar concerns with the brigadier general and was told not to worry. Major Khork was killed on March 1.

[5] *See* Kaplan & Kaplan, *Army Survivors*, *supra* note 1 (reporting that while "most American soldiers and airmen stationed in Kuwait were relocated to positions in Jordan and Saudi Arabia," members of the 103rd Sustainment Command received "a different set of orders: pack up everything and relocate to Port of Shuaiba"); *see also* Jonah Kaplan, *Commander Rejected Plans to Rebase Farther from Iran Before Deadly Drone Strike, Sources Say*, CBS News (Sept. 24, 2026) (reporting that sites in Saudi Arabia were presented to the unit's leadership, which instead chose the Port of Shuaiba), https://www.cbsnews.com/news/iran-drone-strike-kuwait-commander-rejected-plans-rebase/.

Separately, according to public reporting, the unit's requests for additional medical personnel and supplies were not acted on,[6] and a request for a mobile EAGLS counter-drone system was not filled because none was available.[7]

D. The Attack on March 1, 2026

U.S. and Israeli strikes on Iran began at approximately 10:00 a.m. local time on February 28, 2026. The OCP at Shuaiba tracked operations for roughly the next 24 hours. At about 6:30 p.m. that evening, an Iranian drone struck near the port without warning, and alarms sounded only after impact. No one was injured and no facility was damaged. Force protection personnel and 103d ESC soldiers also spotted suspicious reconnaissance drones.

On the morning of March 1, an incoming-missile alarm sent about 60 soldiers into a concrete bunker. At approximately 9:15 a.m., an all-clear sounded, and the soldiers returned to their workstations in the multi-trailer operations center, which had T-wall perimeter barriers but no overhead protection. About thirty minutes later, a one-way attack drone struck the operations center without warning.[8]

Six soldiers were killed: Chief Warrant Officer 3 Robert Marzan; Major Cody Khork; Master Sergeant Noah L. Tietjens; Major Jeffrey R. O'Brien; Master Sergeant Nicole M. Amor; and Sergeant Declan J. Coady. More than 20 others were wounded, including the Whistleblower and both generals.[9]

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[6] Michael Kaplan & Jonah Kaplan, *Troops Say Army Ignored Request for More Medical Support Before Deadly Attack on Kuwait Base*, CBS News (May 19, 2026), https://www.cbsnews.com/news/troops-army-medical-support-iran-kuwait-attack/.

[7] Buckby, *supra* note 3.

[8] Kaplan & Kaplan, *Army Survivors*, *supra* note 1; Buckby, *supra* note 3. The Associated Press reported that the drone struck about 20 minutes after the final all-clear. Associated Press, *Soldiers and Gold Star Families Press Army Leadership After Deadly Iranian Drone Strike*, WCAX (Oct. 5, 2026), https://www.wcax.com/2026/10/05/soldiers-seriously-wounded-iranian-drone-strike-tell-ap-militarys-medical-system-failed-them/.

[9] Kaplan & Kaplan, *Army Survivors*, *supra* note 1. Other reporting places the number of injured at about 30. *See* Buckby, *supra* note 3; Press Release, Sen. Tammy Baldwin, *Baldwin Demands Military Release Its Investigation into Iranian Attack That Killed 6 Servicemembers* (Aug. 5, 2026) (describing letter to the Commander of U.S. Central Command) [*hereinafter* Baldwin Press Release], https://www.baldwin.senate.gov/news/press-releases/baldwin-demands-military-release-its-investigation-into-iranian-attack-that-killed-6-servicemembers. For the names and ranks of the six soldiers killed, *see Pentagon Names Final 2 Victims of Kuwait Drone Attack*, Am. Legion (Mar. 5, 2026), https://www.legion.org/information-center/news/security/2026/march/pentagon-names-final-2-victims-of-kuwait-drone-attack (identifying Khork as a captain and Tietjens and Amor as sergeants first class); Pub. L. No. 119-80 (Mar. 20, 2026) (authorizing Khork's posthumous honorary promotion to major); *Fallen Nebraska Soldier Sgt. 1st Class Noah Tietjens Posthumously Promoted*, WOWT (Mar. 18, 2026), https://www.wowt.com/2026/03/18/fallen-nebraska-soldier-sgt-1st-class-noah-tietjens-posthumously-promoted/ (promotion to master sergeant); Madison Hunter, *Senate Honors Minnesota Soldier Nicole Amor Killed in Kuwait Drone Attack*, Fox 9 (Mar. 26, 2026), https://www.fox9.com/news/senate-honors-minnesota-soldier-nicole-amor-killed-kuwait-drone-attack (promotion to master sergeant). The generals' injuries are reported in Associated Press, *supra* note 8.

E. Medical Response and Evacuation

According to the Whistleblower, when the drone struck, the site had no physician, no fixed aid station, and only one ambulance. Soldiers triaged one another with improvised bandages and tourniquets and drove the wounded to Kuwaiti hospitals in commandeered civilian vehicles.[10] The Whistleblower believes Master Sergeant Amor could have survived with adequate medical support on site. The Whistleblower also observed that the two generals, both among the wounded, triaged their own injuries ahead of more seriously wounded soldiers. The Whistleblower did not see them leave, but they had departed in their vehicles by the time Master Sergeant Amor was being carried to the bunker. Other officers who were present can corroborate this account, and the Whistleblower can identify them to investigators.

Less seriously wounded soldiers, including the Whistleblower, sheltered in Kuwait City for about three weeks, then moved through Ramstein, Germany, to Fort Hood before release. Soldiers who asked what they could say publicly received guidance from the unit's rear detachment in Des Moines: tell your story, but do not disclose classified information.

F. The Army's Investigation

After the attack, the Army opened an investigation under Army Regulation 15-6 ("AR 15-6"). In the spring of 2026, the investigating officer (a major from Fort Knox appointed through the 1st TSC and coordinating with an O-6 appointed by ARCENT) took unclassified statements from soldiers at Fort Hood. An intelligence team separately conducted a classified debrief without investigative orders. No investigator returned to the Whistleblower, or to his peers to his knowledge, for classified follow-up.

According to public reporting, the Army completed its investigation in June 2026.[11] It reportedly recommends no punitive action and assigns no fault for placing troops at the port. A separate classified ARCENT review of the pre-attack warnings and the port's defenses will not be released.[12] As of October 5, 2026, the Army had not released the report, citing the need for redactions, and said it had not yet briefed families on the investigation's outcome.[13]

Separately, on July 20, 2026, the Army Inspector General, responding to a senior officer's complaint, concluded that the brigadier general did not engage in misconduct, citing "the limited evidence" the complainant had provided. A related complaint against the major general was withdrawn, which the complainant disputes.[14]

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[10] *See* Kaplan & Kaplan, *Army Survivors*, *supra* note 1; Jonah Kaplan & Michael Kaplan, *Wounded Soldiers, Families Accuse Army of Downplaying War Injuries*, CBS News (June 24, 2026), https://www.cbsnews.com/news/wounded-soldiers-families-accuse-army-downplaying-war-injuries/.

[11] Associated Press, *supra* note 8; *see also* Kaplan & Kaplan, *Wounded Soldiers*, *supra* note 10 (Army stating in June 2026 that its investigation was complete).

[12] Buckby, *supra* note 3; *see also* Baldwin Press Release, *supra* note 9.

[13] Associated Press, *supra* note 8.

[14] *Id.*

G. The Public and Congressional Record

Survivors' accounts disputing the Department's description of the attack have been published by CBS News, the Washington Post, and the Associated Press.[15] Members of Congress have pressed the Department for answers, including Senators Warren, Blumenthal, Gillibrand, and Kelly in April 2026,[16] a group of Senate and House Democrats in a July 29, 2026 letter,[17] and Senator Baldwin, who asked the Commander of U.S. Central Command for the investigation and the classified review in her August 5, 2026 letter.[18] To counsel's knowledge, the full investigation and the classified review have not been provided to the Committees.

IV. Chronology of Events

Each entry identifies its basis: "Firsthand" (observed by the Whistleblower), "Reported" (told to the Whistleblower by others), or "Public record" (the published sources cited in the footnotes).

Date	Event	Basis
July–Sept. 2025	103d ESC mobilizes and deploys to Kuwait; operates at Camp Arifjan as the 1st TSC OCP.	Firsthand
Before Feb. 2026	Pre-relocation assessments reportedly find the port lacks adequate defenses; senior leaders reportedly briefed that Iran had identified the port as a potential target.	Public record (Washington Post)
Approx. Feb. 15–27, 2026	"Off-the-X" dispersal; the 103d ESC OCP element relocates from Camp Arifjan to the Port of Shuaiba.	Firsthand; Public record (CBS News)
Approx. Feb. 21	1st TSC OCP Protection Chief warns the major general that the site will not be protected from drone threats; CSM Lepley references a plan for an EAGLS system.	Firsthand

[15] *See* Kaplan & Kaplan, *Army Survivors*, *supra* note 1; Kaplan & Kaplan, *Troops Say Army Ignored Request*, *supra* note 6; Kaplan & Kaplan, *Wounded Soldiers*, *supra* note 10; Buckby, *supra* note 3; Associated Press, *supra* note 8.

[16] Press Release, Sen. Elizabeth Warren, *Warren, Kelly, Gillibrand, Blumenthal Investigate Hegseth's Failure to Protect Troops in Middle East After Fatal Attack* (Apr. 27, 2026), https://www.warren.senate.gov/newsroom/press-releases/warren-kelly-gillibrand-blumenthal-investigate-hegseths-failure-to-protect-troops-in-middle-east-after-fatal-attack.

[17] Natalie Oliverio, *Senate Democrats Press Pentagon over Medical Care for Troops Wounded in Kuwait Drone Strike*, Military Times (July 31, 2026) (describing July 29, 2026 letter posing 23 questions to Secretary Hegseth), https://www.militarytimes.com/news/pentagon-congress/2026/07/31/senate-democrats-press-pentagon-over-medical-care-for-troops-wounded-in-kuwait-drone-strike/.

[18] Baldwin Press Release, *supra* note 9.

Date	Event	Basis
Week of Feb. 21	On two occasions, the Whistleblower states that he does not see how the OCP is protected at Shuaiba. The major general responds both times that there is no need to be concerned about protection.	Firsthand
Week of Feb. 21	The Whistleblower emails his Task Force Spartan counterpart asking how the site is protected; no response.	Firsthand
Before Mar. 1	CPT Khork raises concerns with the brigadier general and is told not to worry.	Reported
Before Mar. 1	Requests for additional medical support are not acted on; the EAGLS request is not filled.	Public record (CBS News; Washington Post)
Feb. 28, approx. 10:00 a.m.	U.S. and Israeli strikes on Iran begin.	Public record
Feb. 28, approx. 6:30 p.m.	An Iranian drone strikes near the Port of Shuaiba without warning; alarms sound only after impact. No injuries or facility damage. Force protection personnel and 103d ESC soldiers spot suspicious reconnaissance drones.	Firsthand; corroborated by other officers and NCOs
Mar. 1, approx. 9:15 a.m.	All-clear sounds; about 60 soldiers return from the bunker to the operations center.	Firsthand; Public record (CBS News)
Mar. 1, approx. 9:45 a.m.	Drone strikes the operations center without warning; six killed and more than 20 wounded.	Firsthand; Public record (CBS News)
Mar. 1, after the strike	The two generals, both wounded, triage their own injuries ahead of more seriously wounded soldiers and have left the site in their vehicles by the time MSG Amor is carried to the bunker.	Firsthand; corroborated by other officers
Mar. 2	Secretary Hegseth describes the drone as a "squirter" that hit a "tactical operations center that was fortified."	Public record (CBS News)
March	Wounded are evacuated through Kuwait City, Ramstein, and Fort Hood; departing soldiers receive guidance on public statements.	Firsthand
Spring 2026	AR 15-6 investigator takes unclassified statements at Fort Hood; no classified follow-up.	Firsthand

Date	Event	Basis
Apr. 9	CBS News publishes survivors' accounts; ASD Parnell's statement is cited.	Public record
Apr. 27	Senators Warren, Blumenthal, Gillibrand, and Kelly write to Secretary Hegseth.	Public record
June	The Army completes its investigation.	Public record (AP; CBS News)
July 12	Washington Post reports no punitive action is recommended and the classified review will not be released.	Public record
July 20	Army Inspector General finds no misconduct by the brigadier general on "the limited evidence" provided.	Public record (AP)
July 21	Secretary Hegseth testifies that no drone or defense request was denied at any level.	Public record (Sen. Baldwin letter)
July 29	Senate and House Democrats send Secretary Hegseth 23 questions.	Public record (Military Times)
Aug. 5	Senator Baldwin requests the investigation and classified review for the defense committees.	Public record
Oct. 5	AP reports the report remains unreleased and the families have not been briefed on its outcome.	Public record (AP)

V. Department Statements at Issue

The following statements by Department officials are difficult to reconcile with the Whistleblower's account:

- **March 2, 2026.** At a Pentagon press conference, Secretary Hegseth described the drone as a "squirter" that "happened to hit a tactical operations center that was fortified."[19]
- **Before April 9, 2026.** Assistant Secretary of Defense Sean Parnell stated on X that "every possible measure has been taken to safeguard our troops – at every level" and that "[t]he secure facility was fortified with 6-foot walls."[20]

[19] Kaplan & Kaplan, *Army Survivors*, *supra* note 1; Associated Press, *Hegseth Insists the Iran Conflict Is 'Not Endless' and Declares, 'We Fight to Win'*, Phila. Inquirer (Mar. 2, 2026), https://www.inquirer.com/news/nation-world/iran-us-war-hegseth-pentagon-news-conference-trump-caine-20260302.html.

[20] Kaplan & Kaplan, *Army Survivors*, *supra* note 1.

- **July 12, 2026.** ARCENT told the Washington Post the facility was chosen "in accordance with operational plans" and was fortified.[21]

- **July 21, 2026.** Secretary Hegseth reportedly told the Senate Appropriations Committee that "there was not a single drone or defense request denied at any level."[22]

The Whistleblower does not ask the Committees to accept his account over the Department's. He asks that someone with access to the classified record test both.

VI. Questions the Investigation Should Answer

1. **Counter-drone protection at the Port of Shuaiba.** Was any counter-drone or air defense capability planned, apportioned, or positioned to protect the Port of Shuaiba or the other sites to which forces dispersed? If the theater plan prioritized the major installations, who accepted the risk to the dispersed sites, and was that risk communicated to the units that occupied them?

2. **Detection and warning on February 28 and March 1.** Was either drone detected by any sensor before impact? If so, why did no warning reach the site? If not, why not, given the site's location and the known threat?

3. **Warnings to commanders before the attack.** What did commanders know about the threat to the port, including from protection staff, intelligence products, force protection assessments, and requests for counter-drone systems and medical support, and how were those warnings resolved?

4. **Command responsibility.** At the start of the war, ARCENT's air defense command, Task Force Spartan, the 1st TSC, and the theater medical command were general-officer commands reporting directly to ARCENT, as were the Area Support Groups ("ASGs") in Kuwait and Jordan. Protection of dispersed sites in Kuwait was shared among the air defense command, Task Force Spartan, ASG-Kuwait, and the Air Force element at Ali Al Salem Air Base. Which commander was responsible for protecting the Port of Shuaiba from air threats, and did that commander know it? The Whistleblower believes the responsibility rested with Task Force Spartan but does not know whether Task Force Spartan understood it.

5. **Selection of the site.** The port had been a U.S. command post for about 25 years and was publicly signposted (see Section III.A), and public reporting indicates Iran had identified it as a target.[23] Why was it selected as a dispersal location for a general-officer command post?

6. **Medical planning.** Why were requests for additional medical capability not acted on, and was access to care considered when the site was selected?

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[21] Buckby, *supra* note 3.

[22] Baldwin Press Release, *supra* note 9.

[23] *See* Buckby, *supra* note 3; Kaplan & Kaplan, *Army Survivors*, *supra* note 1.

7. **Adequacy of the investigation.** Did the AR 15-6 investigation or the classified ARCENT review obtain classified testimony from the operations and protection staff, and did either review the records listed in Section VII? If not, are their conclusions reliable?

VII. Records to Be Preserved and Reviewed

The Whistleblower can identify the following records by system, location, and date in a classified setting. He has not removed any of them from Department systems.

- ARCENT operations orders and annexes for the dispersal ("Off-the-X") operation and for theater air and missile defense and counter-drone protection (SIPRNet SharePoint).
- Task Force Spartan daily updates, protection, and counter-drone activity slides for February 15 to March 10, 2026.
- 1st TSC OCP Operations and Intelligence and current operations briefs hosted by the 103d ESC, including the final iteration on the Maven system.
- ChatSurfer (SIPRNet chat) logs for theater operations, protection, and air defense rooms for February 28 and March 1, 2026.
- The Whistleblower's NIPRNet and SIPRNet email, including his pre-attack email to Task Force Spartan.
- Sensor, track, and engagement logs and warning-system records for Kuwait for February 28 and March 1, 2026.
- Force protection assessments for the Port of Shuaiba and requests for counter-drone systems (including EAGLS) and medical support.
- The complete AR 15-6 investigation file and the classified ARCENT review, with all witness statements.

VIII. Matters Reserved for a Classified Setting

The Whistleblower can address the following only in a classified setting, with appropriately cleared staff:

- The number, location, and performance of air defense and counter-drone sensors and effectors in Kuwait on February 28 and March 1, 2026.
- Pre-attack intelligence concerning the targeting of the Port of Shuaiba.
- The content of the classified orders, briefs, and chat records listed in Section VII.
- The counter-drone activities (and non-activities) executed by Task Force Spartan.

IX. Requested Actions

Counsel respectfully asks that the Committees:

1. Obtain the complete Army Regulation 15-6 investigation, with exhibits, and the classified ARCENT review, and assess whether they addressed the questions in Section VI.

2. Interview the Whistleblower in a classified setting with appropriately cleared Committee staff. Counsel will coordinate the arrangements with the Committees' security offices.

3. Ask the Department to preserve the records listed in Section VII.

4. Request that the Department of Defense Inspector General conduct an independent review of force protection for dispersed sites in Kuwait before and on March 1, 2026, and of the adequacy of the Army's investigation. Counsel is concurrently filing a confidential complaint with that office.

The Whistleblower's identity is known to counsel and will be provided to Committee staff at the appropriate time. We ask that it not be shared with the Department of Defense without his consent.

Counsel is available to coordinate a classified interview at the Committees' convenience.