

INFORMATION PAPER

SAMR-MP
29 Sep 14

SUBJECT: Distinguished Service Cross (DSC) nomination for MAJ Mathew L. Golsteyn

1. **Purpose:** To provide information on the current status of the DSC nomination for MAJ Golsteyn.

2. **Background:** On 3 Mar 11, LTG David M. Rodriguez, Deputy Commander, USFOR-A, awarded an interim Silver Star to CPT Golsteyn and further recommended upgrade to DSC for actions performed in the Helmand Province, Afghanistan on 20 Feb 10. The Secretary of the Army approved the DSC on 25 Oct 11; however, the action was suspended when Golsteyn was flagged on 8 Dec 11.

3. **Facts:**

a. Golsteyn Timeline:

14 Sep 11: CIA notifies DoD OGC of possible violation of criminal law due to CPT Golsteyn stating that he shot an unknown, unarmed Afghani male. Transcript of the interview is located at GREEN TAB A.

3 Oct 11: CID received a request for investigation.

1 Nov 11: CPT Golsteyn promoted to rank of Major.

8 Dec 11: MAJ Golsteyn flagged for adverse action. HRC suspends DSC per the Office of the Secretary of the Army until completion of the investigation.

27 Nov 13: CID closes their investigation. Final Report of Investigation is at GREEN TAB B.

24 Apr 14: US Army Special Forces Command issues GOMOR (Tab C); final disposition is filed on 11 Jun 14.

30 Jul 14: MAJ Golsteyn's Special Forces tab is revoked.

b. In an interview conducted at the CIA, then-CPT Golsteyn claimed to have captured and shot and buried a suspected IED bomb maker. He further went to comment that he went back out with two others to cremate the body and dispose of the remains. In the transcript, CPT Golsteyn stated that he knew it was illegal but was not remorseful as he had solid intelligence and his actions protected the safety of his fellow teammates.

c. CID investigation determined that MAJ Golsteyn committed the offenses of murder and conspiracy based on the interview provided by the CIA. In all the interviews conducted during the investigation, no one was able to provide any corroboration to the events as detailed by MAJ Golsteyn. One interviewee mentions then-CPT Golsteyn being upset after a previous IED attack had killed two Marines and told him that he would “capture whoever did it,” and “kill them.” (BLUE TAB 1)

d. The investigation included a forensic examination of all burn pit locations in and around FOB McQueary where MAJ Golsteyn’s unit was located. All locations turned up negative results. (BLUE TAB 2)

e. MAJ Golsteyn was provided multiple opportunities to provide a rebuttal or response and declined (BLUE TAB 3s). After being presented with the GOMOR on 29 Apr 14, he provided a rebuttal which was written by his legal representative. (BLUE TAB 4)

f. This incident occurred prior to and is distinctly separate from the action which MAJ Golsteyn is being recommended for the DSC.

g. Upon discovery of the derogatory information and resulting CID report of investigation, the Secretary of the Army must determine if the incident casts MAJ Golsteyn’s service as less than honorable. His options are to confirm his previous decision to award MAJ Golsteyn the DSC or revoke the DSC award. If the Secretary chooses to revoke the DSC, he should also consider the disposition on the interim Silver Star that was presented on 3 Mar 11 (GREEN TAB D).

4. Proposed Way Ahead: (b) (5)

(b) (6)

DACS-ZA

SUBJECT: Recommendation for Award of the Distinguished Service Cross (DSC) for
Captain Mathew L. Golsteyn

SECARMY ACTION:

Concur with SADB:
Confirm Approve DSC _____ Date _____

Nonconcur with SADB:
Recommend MOH _____ Date _____

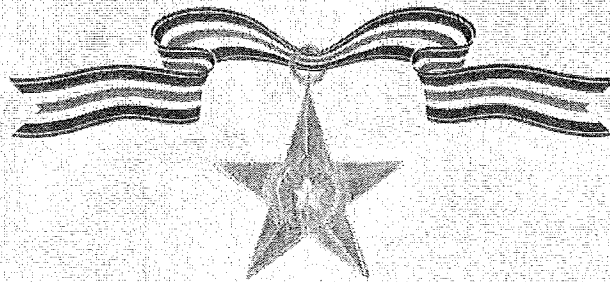
Nonconcur with SADB:
Revoke DSC, Retain SS _____ Date _____

Nonconcur with SADB:
Revoke DSC, Downgrade SS to BSM w/ V _____ Date _____

Nonconcur with SADB:
Revoke DSC, Revoke SS John M. McHugh Date 10/31/14

Nonconcur with SADB:
Other _____ Date _____

Comments: _____



THE UNITED STATES OF AMERICA

TO ALL WHO SHALL SEE THESE PRESENTS, GREETING,

THIS IS TO CERTIFY THAT
THE PRESIDENT OF THE UNITED STATES OF AMERICA
AUTHORIZED BY ACT OF CONGRESS, JULY 9 1918
HAS AWARDED

THE SILVER STAR

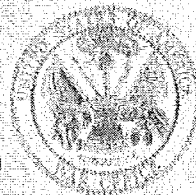
TO
CAPTAIN MATHEW L. GOLSTEYN
COMBINED FORCES SPECIAL OPERATIONS COMPONENT COMMAND-AFGHANISTAN
FOR
GALLANTRY IN ACTION

ON 20 FEBRUARY 2010

GIVEN UNDER MY HAND IN THE CITY OF WASHINGTON

THIS 3RD DAY OF MARCH 2011

DAVID M. RODRIGUEZ
Lieutenant General, United States Army
Deputy Commander, United States Forces - Afghanistan
Permanent Order # 062-082


SECRETARY OF THE ARMY



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
HEADQUARTERS, UNITED STATES ARMY
SPECIAL FORCES COMMAND (AIRBORNE)
2929 DESERT STORM DRIVE (STOP A)
FORT BRAGG, NORTH CAROLINA 28310-9110


AOSO-CG

APR 24 2014

MEMORANDUM FOR Major Matthew L. Golsteyn, Headquarters and Headquarters Company, 3d Special Forces Group (Airborne), Fort Bragg, North Carolina 28310-9110.

SUBJECT: General Officer Memorandum of Reprimand

1. On 6 September 2011, during an interview with the Central Intelligence Agency, you admitted to committing a Law of Armed Conflict violation.
2. You are hereby reprimanded. Your behavior in this matter manifests a complete lack of judgment and responsibility. You have discredited yourself, the U.S. Army Special Forces Command, and the United States Army. Your conduct constitutes a serious departure from the high standards of integrity and professionalism expected of a Commissioned officer of this command. This behavior cannot and will not be tolerated, and it forces me to seriously consider your suitability for continued service as a Commissioned officer in the United States Armed Forces.
3. This reprimand is administrative in nature and is not imposed as punishment under the UCMJ. I have enclosed the information upon which I based this reprimand. Under the provisions of AR 600-37, paragraph 3-6, you will acknowledge this memorandum in writing. You may submit a written rebuttal to this reprimand and should include any other documents or statements you would like me to consider. You have seven days to submit your written rebuttal. I have not made a determination regarding the filing of this reprimand and will carefully consider any matters you submit in rebuttal before making the final decision. I will notify you in writing of the final filing decision.


DARSIE D. ROGERS
Brigadier General, USA
Commanding