



DEPARTMENT OF DEFENSE
COMMANDER
COMBINED JOINT INTERAGENCY TASK FORCE 435
CAMP PHOENIX
APO AE 09320

5800
SJA
10 Jan 11

From: Commander, Combined Joint Interagency Task Force 435
To: Commander, United States Forces, Afghanistan

Subj: COMMAND INVESTIGATION INTO THE DEATHS OF HT2 JUSTIN J. MCNELEY, U.S. NAVY AND CS2 JAROD P. NEWLOVE, U.S. NAVY

- Ref:
- (a) JAGINST 5800.7E (JAGMAN)
 - (b) AR 15-6 Investigation - Missing Service Members, IO (b)(3) (b)(6) (b)(3) (b)(6), Approved 27 August 2010
 - (c) AR 15-6 Investigation - Counterinsurgency Training Center - Afghanistan, IO BG Jeffrey Smith, approved 18 September 2010
 - (d) Preliminary Inquiry into the death of HT2 Justin McNeley, IO (b)(3) (b)(6), approved 14 August 2010 w/end
 - (e) Preliminary Inquiry into the death of CS2 Justin Newlove, IO (b)(3) (b)(6), approved 14 August 2010 w/end
 - (f) Uniform Code of Military Justice

- Encl:
- (1) USFOR-A appointing order dtd 9 November 2010
 - (2) Military suspect of acknowledgement and cleansing waiver of rights form (b)(3) (b)(6) dtd 4 August 2010
 - (3) Order to Provide Testimony - Grant of Testimonial Immunity in the Matter of the Death of Two Sailors (b)(3) (b)(6) (b)(3) (b)(6) dtd 28 August 2010
 - (4) Summary of telephonic interview of (b)(3) (b)(6), USN by (b)(3) (b)(6), USN on 8 December 2010
 - (5) Statement of (b)(3) (b)(6) of 3 December 2010
 - (6) Summary of telephonic interview of (b)(3) (b)(6) (b)(3) (b)(6) USN by (b)(3) (b)(6) USN on 6 December 2010
 - (7) Orders and personnel files ICO HT2 McNeley
 - (8) Validation for Combat Advisors Class 82 memo of 23 October 2009
 - (9) Advisors Training Program of Instruction dtd 29 July 2010
 - (10) CTC-A Duty Roster dtd 25 July 2010
 - (11) HT2 McNeley Counseling dtd 17 January 2010
 - (12) CS2 Newlove Orders, personnel, and awards records
 - (13) Validation for Transition Teams Class 84 dtd 8 December 2009
 - (14) (b)(3) (b)(6) Orders, personnel, and awards records
 - (15) (b)(3) (b)(6) Orders, personnel, and awards records
 - (16) Results of interview of (b)(3) (b)(6) dtd 28 July 2010
 - (17) Results of interview of (b)(3) (b)(6) dtd 30 August 2010
 - (18) (b)(3) (b)(6) Orders, personnel, and awards records

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- (19) (b)(3) (b)(6) Orders, personnel, and awards records
- (20) Summary of Background Info of (b)(3) (b)(6)
- (21) (b)(3) (b)(6) Orders, personnel, and awards records
- (22) ~~(NATO ISAF RESTRICTED REL TO CIA/EA)~~ NATO Training Mission - Afghanistan/Combined Security Transition Command - Afghanistan
- (23) Map of Camp Dubs, Camp Julien, and King's Castle
- (24) NTM-A/CTSC-A Task Organization Chart
- (25) Statement and background of (b)(3) (b)(6) dtd 26 July 2010
- (26) CTAG-A Op Order 09-001 Update 6
- (27) Request for Information Pertaining to (b)(3) (b)(6) Period of Absence in July 2010
- (28) Results of interview of (b)(3) (b)(6) dtd 4 August 2010
- (29) Statement of (b)(3) (b)(6) dtd 27 July 2010
- (30) Statement of (b)(3) (b)(6) dtd 29 July 2010
- (31) MFR of the Interview of (b)(3) (b)(6) dtd 25 July 2010
- (32) Results of interview of (b)(3) (b)(6) dtd 28 July 2010
- (33) Results of interview of (b)(3) (b)(6) dtd 31 July 2010
- (34) Results of interview of (b)(3) (b)(6) dtd 29 October 2010
- (35) Statement of (b)(6) dtd 26 July 2010
- (36) Summary of telephonic interview of (b)(3) (b)(6) dtd 4 December 2010
- (37) CTC-A Ground Movement Request ICO HT2 McNeley and CS2 Newlove dtd 23 July 2010
- (38) Statement of (b)(3) (b)(6) dtd 27 July 2010
- (39) MFR of the Interview of (b)(6) dtd 26 & 27 July 2010
- (40) ~~(NATO/ISAF Restricted)~~ Map of Kabul with routes and Kabul cluster
- (41) ~~(SECRET//REL TO USA, ISAF, NATO)~~ Small map of Kabul cluster with routes shown
- (42) Statement of (b)(3) (b)(6) dtd 28 July 2010
- (43) Statement of (b)(3) (b)(6) dtd 31 August 2010
- (44) Statement of (b)(3) (b)(6) dtd 27 July 2010
- (45) Statement of (b)(3) (b)(6) dtd 1 September 2010
- (46) Statement of (b)(3) (b)(6) dtd 31 August 2010
- (47) Summary of telephonic interview of (b)(3) (b)(6) dtd 4 December 2010
- (48) Camp Julien Welcome Information/In Processing dtd 17 Jun 2010
- (49) Navy Personnel Debrief
- (50) Summary of telephonic interview of (b)(3) (b)(6) on 29 November 2010
- (51) MFR of Interview of (b)(3) (b)(6) dtd 25 July 2010
- (52) Log kept by (b)(3) (b)(6) on 23 and 24 July 2010
- (53) ~~(SECRET//REL TO USA, ISAF, NATO)~~ JTF Kabul Daily Intelligence Update dtd 23 July 2010
- (54) NCIS Examination of Toyota Land Cruiser dtd 31 July 2010
- (55) Forensic Examination of Cellular Phones
- (56) Results of interview of (b)(3) (b)(6) dtd 4 August 2010
- (57) Results of interview of (b)(3) (b)(6) dtd 4 August 2010

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- (58) Results of interview of (b)(3) (b)(6) dtd 4 August 2010
- (59) Statement of (b)(3) (b)(6) dtd 2 December 2010
- (60) Results of interview of (b)(3) (b)(6) dtd 26 July 2010
- (61) MFR of Interview of (b)(3) (b)(6) dtd 9 August 2010
- (62) Summary of interview of (b)(3) (b)(6) dtd 10 August 2010
- (63) Summary of interview of (b)(3) (b)(6) dtd 11 August 2010
- (64) Results of interview of (b)(3) (b)(6) dtd 1 August 2010
- (65) Summary of Review of Kabul Weather on 23-25 July 2010
- (66) ~~(SECRET//REL USA, ISAF, NATO)~~ Overhead imagery of Camp Moorehead, Camp Julien, (b)(1)1.4a And (b)(1)1.4a intersection
- (67) Summary of interview of (b)(3) (b)(6) dtd 1 December 2010
- (68) Statement of (b)(6) dtd 4 August 2010
- (69) CTC-A Daily Staff Journal or Duty Officers Log dtd 23-25 July 2010
- (70) Summary of interview of (b)(3) (b)(6) dtd 2 August 2010
- (71) Summary of interview of (b)(3) (b)(6) dtd 16 November 2010
- (72) ~~(SECRET//REL TO USA, ISAF, NATO)~~ Statement of (b)(3) (b)(6) dtd 1 December 2010 and 23 July 2010 SIGACTS
- (73) JTF Kabul Log of 23 and 24 July 2010
- (74) ~~(SECRET//REL TO USA, FVEY, NOR, NLD)~~ JTF Kabul Events Briefing 23-24 July 2010
- (75) Summary of interview of (b)(3) (b)(6) dtd 26 November 2010
- (76) Camp Dubs BDOC Log 23-24 July 2010
- (77) Summary of interview of (b)(3) (b)(6) (b)(3) (b)(6) dtd 26 November 2010
- (78) ~~(SECRET)~~ RC-East Watchkeeper Log dtd 23-25 July 2010
- (79) ~~(SECRET//REL TO USA, AUS, CAN, GDR)~~ (b)(1)1.4a (b)(1)1.4a
- (80) ~~(SECRET//REL TO FVEY)~~ (b)(1)1.4a (b)(1)1.4a
- (81) ~~(SECRET//REL TO ISAF, NATO)~~ Duty Status Whereabouts (b)(1)1.4a
- (82) ~~(SECRET//REL TO USA, ISAF, NATO//MR)~~ Task Force Raptor Summaries
- (83) Summary of interview of (b)(3) (b)(6) dtd 1 December 2010
- (84) FBI Form 302 dtd 29 July 2010
- (85) CSTC-A-BTL-CPT report 1033 dtd 24 July 2010
- (86) Results of interview of (b)(3) (b)(6) dtd 1 August 2010
- (87) ~~(SECRET//REL TO USA, FVEY, NOR, NLD)~~ Results of interview of (b)(3) (b)(6)
- (88) Results of interview of (b)(3) (b)(6) dtd 1 August 2010
- (89) Wide area map of Logar and Kabul Provinces
- (90) ~~(SECRET//REL TO USA, FVEY, NOR, NLD)~~ Summary of map

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information by (b)(3) (b)(6) dtd 7 December 2010 with map included

- (91) ~~(SECRET//REL TO USA, ISAF, NATO//MR)~~ Task Force Bayonet DUSTWUN Ambush Site SS
- (92) ~~(S//NF)~~ [Redacted]
- (93) ~~(S//NF)~~ [Redacted] (b)(1)1.4c
- [Redacted] (b)(1)1.4c
- (94) Receipt of FBI Vehicle Examination Report and Evidence
- (95) Photographic Documentation of Bloodstain in Toyota Land Cruiser
- (96) NCIS Examination of Undercarriage of Toyota Land Cruiser
- (97) ~~(SECRET//REL TO USA, ISAF, NATO//MR)~~ Receipt of Documentation Related to the Exploitation of Ambush Site
- (98) DNA Examiner Final Report
- (99) ~~(S//NF//MR)~~ [Redacted] (b)(1)1.4a
- (100) ~~(S//NF)~~ [Redacted]
- (101) ~~(S//NF)~~ [Redacted]
- (102) ~~(S//NF)~~ [Redacted] (b)(1)1.4a
- (103) ~~(S//NF)~~ [Redacted]
- (104) FBI Reporting on Missing Personnel
- (105) Spot Reports/Tip line Reports
- (106) Results of contact with (b)(3) (b)(6) dtd 2 August 2010
- (107) ~~(SECRET//REL TO USA, ISAF, NATO)~~ Slide-TB Kidnapping US Sailor
- (108) JPRC PR Event Intelligence Report
- (109) Record of Identification Processing ICO HT2 McNeley
- (110) Receipt of FBI Report from Mortuary Affairs ICO HT2 McNeley
- (111) FBI Investigation at Mortuary Affairs
- (112) Witness interview ICO DUSTWUN
- (113) Results of interview of (b)(3) (b)(6) dtd 1 August 2010
- (114) Results of interview of (b)(3) (b)(6) dtd 1 August 2010
- (115) LEP Report SHK-10-0147-02 dtd 28 July 2010
- (116) (GRAPHIC PHOTOGRAPHS) Crime Scene Examination
- (117) Statement of Recognition of Deceased
- (118) (GRAPHIC PHOTOGRAPHS) Receipt of Crime Scene Examination ICO Recovery of CS2 Newlove
- (119) FBI Investigation at Mortuary Affairs ICO CS2 Newlove
- (120) Autopsy Examination Report ICO HT2 McNeley
- (121) (GRAPHIC PHOTOGRAPHS) Autopsy Photographs ICO HT2 McNeley
- (122) Autopsy Examination Report ICO CS2 Newlove
- (123) (GRAPHIC PHOTOGRAPHS) Autopsy Photographs ICO CS2 Newlove
- (124) Movement Control Policy for Camp Eggers Personnel
- (125) ~~(NATO/ISAF RESTRICTED//REL TO GCTF/CIRoA/ANSF)~~ ISAF Driving Directive
- (126) NTM-A/CSTC-A Movement Policy of 22 November 2009
- (127) ~~(NATO/ISAF RESTRICTED REL CIRoA)~~ Revision of NTM-A/CSTC-A Movement Control Policy dtd 15 June 2010

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- (128) CTC-A Convoy Ops SOP dtd 1 Jan 2010
- (129) CTC-A Convoy Tracking SOP
- (130) Statement of (b)(3) (b)(6) describing Personal Locator Beacons dtd 6 December 2010
- (131) Statement of (b)(3) (b)(6) dtd 27 July 2010
- (132) Summary of interview of (b)(3) (b)(6) (b)(3) (b)(6) dtd 27 July 2010
- (133) Summary of interview of (b)(3) (b)(6) dtd 16 November 2010
- (134) Statement of (b)(3) (b)(6) dtd 8 August 2010
- (135) Statement of (b)(3) (b)(6) dtd 4 September 2010
- (136) Summary of interview of (b)(3) (b)(6) dtd 6 December 2010
- (137) Statement of (b)(3) (b)(6) dtd 10 August 2010
- (138) Statement of (b)(3) (b)(6) dtd 4 September
- (139) Additional Statements made by (b)(3) (b)(6) dtd 7 December 2010
- (140) Summary of interview of (b)(3) (b)(6) dtd 4 December 2010
- (141) Statement of (b)(3) (b)(6) dtd 11 August 2010
- (142) Statement of (b)(3) (b)(6) dtd 2 September 2010
- (143) Statement of (b)(3) (b)(6) dtd 5 September 2010
- (144) Statement of (b)(3) (b)(6) dtd 5 September 2010
- (145) Statement of (b)(3) (b)(6) dtd 1 September 2010
- (146) Statement of (b)(3) (b)(6) dtd 27 July 2010
- (147) Statement of (b)(3) (b)(6) dtd 11 August 2010
- (148) Summary of interview of (b)(3) (b)(6) dtd 30 November 2010
- (149) Summary of interview of (b)(3) (b)(6) dtd 27 November 2010
- (150) Statement of (b)(3) (b)(6) dtd 2 September 2010
- (151) Statement of (b)(3) (b)(6) dtd 27 July 2010
- (152) Summary of interview of Brigadier General Levey
- (153) Summary of interview of (b)(6), CTC-A interpreter, dtd 16 November 2010
- (154) Statement of (b)(3) (b)(6) dtd 31 August 2010
- (155) Statement of (b)(3) (b)(6) dtd 2 August 2010
- (156) Statement of (b)(3) (b)(6) dtd 8 December 2010
- (157) Memorandum for Record ICO Search of (b)(3) (b)(6) Office
- (158) Email from BG Anthony Ierardi to BG Jefforey Smith Dtd 6 September 2010
- (159) SOP Regarding Conduct, Good Order, and Discipline dtd 23 June 2010
- (160) General Order Number 1 dtd 13 March 2006
- (161) MFR of Interview of (b)(6) dtd 26 July 2010
- (162) MFR of Interview of (b)(3) (b)(6)
- (163) Interview of (b)(6) dtd 26 July 2010
- (164) Memorandum for Record ICO Army Regulation 15-6 Investigation - CTC-A: (b)(3) (b)(6) Interview
- (165) Statement of (b)(3) (b)(6) dtd 31 August 2010
- (166) Addendum to Leadership Environment at CTC-A by (b)(6) (b)(3) (b)(6)

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- (167) Statement of [redacted] dtd 21 September 2010
- (168) Statement of [redacted] (b)(3) (b)(6) dtd 31 August 2010
- (169) Statement of [redacted] dtd 27 July 2010
- (170) Statement of [redacted] (b)(3) (b)(6) dtd 2 September 2010
- (171) Summary of interview of [redacted] (b)(3) (b)(6) dtd 16 November 2010
- (172) Statement of [redacted] (b)(3) (b)(6) dtd 28 July 2010
- (173) Notification of Proposed Adverse Action to Relieve for Cause dtd 19 September 2010
- (174) Notification of Proposed Adverse Action to Relieve for Cause [redacted] (b)(3) (b)(6)
- (175) Request for extension to respond dtd 21 September 2010
- (176) Response to BG Patterson's Notification of Proposed Action
- (177) Response of Brig Paterson to [redacted] (b)(3) (b)(6) Memo dtd 28 September 2010
- (178) Filing Decision of Memorandum of Reprimand
- (179) [redacted] (b)(3) (b)(6) Interview
- (180) ~~(NATO/ISAF RESTRICTED)~~ CTC-A Ground Movement Control SOP dtd 7 September 2010
- (181) Summary of interview of [redacted] (b)(3) (b)(6) on 16 November 2010
- (182) CSTC-A Driver Training Convoy Ops/IED Awareness Log
- (183) ~~(S//NF)~~ Summary of Detainees held at the Detention Facility of Parwan (DFIP) who are connected to the murder of the two United States Sailors
- (184) ~~(S//NF)~~ [redacted] (b)(1)1.4a
- (185) Summary of Interview between Lieutenant General Caldwell By Vice Admiral Harward on 9 December 2010
- (186) Follow up to Summary of Interview between Lieutenant General Caldwell By Vice Admiral Harward dtd 10 December 2010
- (187) AR 15-6 Investigation - Missing Service Members, IO [redacted] (b)(6) [redacted] (b)(3) (b)(6), Approved 27 August 2010
- (188) AR 15-6 Investigation - Counterinsurgency Training Center - Afghanistan, IO BG Jeffrey Smith, approved 18 September 2010
- (189) Preliminary Inquiry into the death of HT2 Justin McNeley, IO [redacted] (b)(3) (b)(6), approved 14 August 2010 w/end
- (190) Preliminary Inquiry into the death of CS2 Justin Newlove, IO [redacted] (b)(3) (b)(6), approved 14 August 2010 w/end

1. (U) Subject Report of Investigation is submitted in accordance with reference (a), as directed in Enclosure (1).

2. Preliminary statement. (U) This report was ordered following completion of references (b) through (e). Those investigations focused on: (1) in the case of reference (b) - the facts and circumstances surrounding the disappearance of HT2 McNeley and CS2 Newlove; and (2) in the case of reference (c) - allegations of poor leadership, and an unhealthy command climate at the Counterinsurgency Training Center-

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Afghanistan. References (d) and (e) focused on whether the deaths of the two Sailors were in the line of duty, not due to their own misconduct.

3. (U) In addition, the Naval Criminal Investigative Service has lead for the criminal investigation into the killings of the two Sailors. Their investigation continues and, unlike the other investigations, has not been included as a full enclosure to this report. However, the enclosures to this report of investigation contain witness statements and other factual materials from the NCIS investigation, and as well as the earlier command investigations, references (b) and (c).

4. (U) Numerous witnesses in those investigations have been re-interviewed for the purpose of this investigation. Despite not being named in enclosure (1) as "investigating officers," I directed several experienced enlisted Marines and Sailors to conduct research and re-interview several witnesses under the supervision of my Staff Judge Advocate. I am satisfied with the accuracy and reliability of their efforts and the statements taken; in many respects those statements are corroborated by other events and deemed accurate. Additionally, with respect to the re-interview process, it is noteworthy that [redacted] (b)(3) (b)(6) [redacted] (b)(3) (b)(6) [redacted] (b)(3) (b)(6) respectively invoked their right to remain silent, pursuant to Article 31(b) of reference (f). No adverse inference was drawn as a result of their doing so.

5. (U) [redacted] (b)(3) (b)(6) [redacted] (b)(3) (b)(6) had invoked her right to remain silent in connection with the NCIS investigation into this matter. She was later ordered to provide testimony based upon a grant of immunity signed by Commander, Combined Security Transition Command - Afghanistan on 28 August 2010. That grant of immunity protected [redacted] (b)(3) (b)(6) [redacted] (b)(3) (b)(6) from prosecution for "Failure to Obey a Lawful Order in connection with the investigation into the deaths of the two Sailors." As discussed more fully below, [redacted] (b)(3) (b)(6) [redacted] (b)(3) (b)(6) is suspected of violations other than Violation of Article 92 of reference (f) in connection with the events of 23 July 2010. Therefore, the grant of immunity would not apply, requiring that she be advised of her rights under Article 31(b) of reference (f).

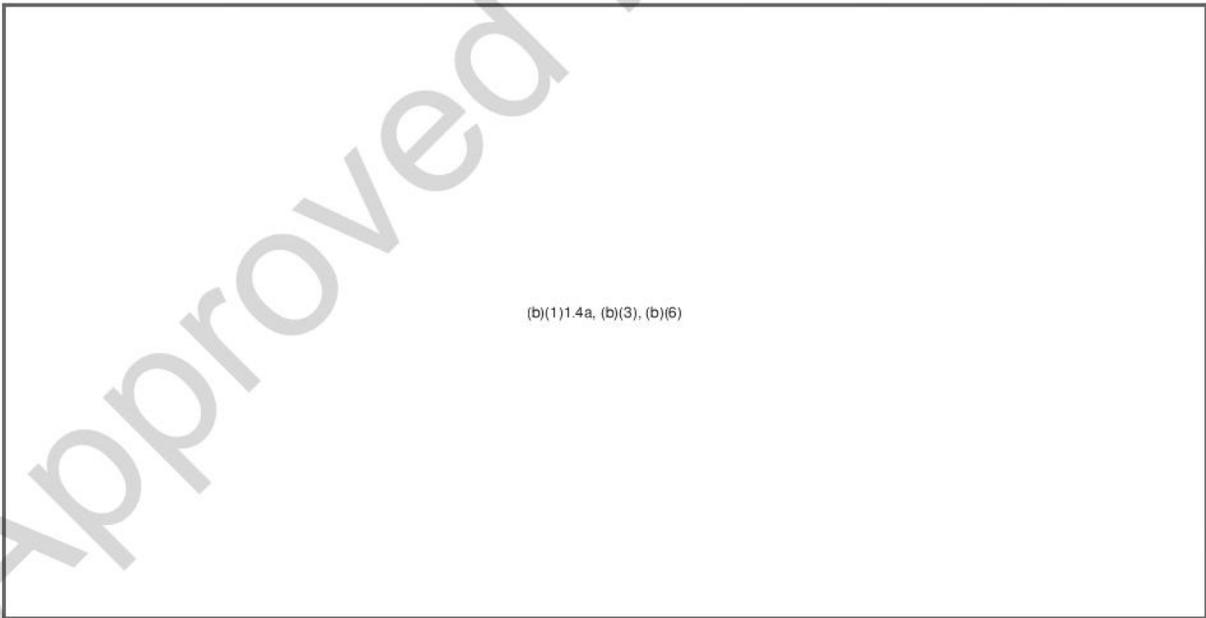
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Executive Summary

6. (U) The following is an Executive Summary of the key findings of fact, opinions, and recommendations contained in this report of investigation:

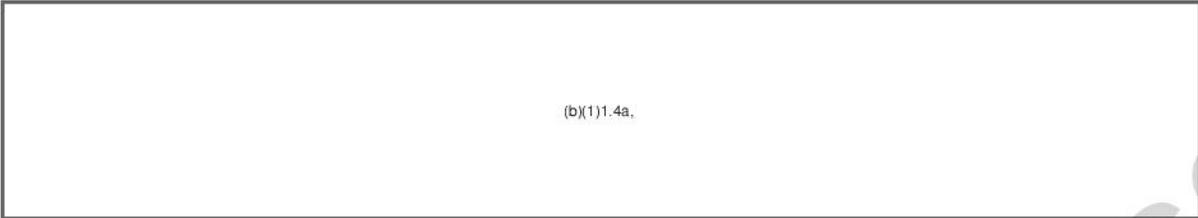
a. (U) On 23 July 2010, HT2 Justin McNeley and CS2 Jarod Newlove executed a single vehicle convoy movement from their command, the Counterinsurgency Training Center-Afghanistan (CTC-A) located at Camp Julien in southern Kabul. Their intention was to travel to numerous destinations in and around Kabul, including Camp Phoenix, Camp Eggers, and a lake where they planned to take pictures. The lake was to the west of Kabul. They intended to be gone from Camp Julien from approximately 0800 until late afternoon (1630 to 1730);

b. (U) Members of CTC-A saw the pair driving in central Kabul at approximately 1330, 23 July, and exchanged text messages. At 1746, (b)(6) (b)(3) (b)(6), the senior enlisted member assigned to CTC-A and the Support Section NCOIC, received a text message from CS2 Newlove saying that he and HT2 McNeley were "still good and should be there soon." By 1930, the pair had not returned to Camp Julien. (b)(3) (b)(6) (b)(3) (b)(6), the CTC-A (S-1) authorized a single vehicle search party to look for the Sailors. By approximately 2030, the search party had not located the two Sailors. At this time, (b)(3) (b)(6) notified the Acting Director of CTC-A, (b)(3) (b)(6) (b)(3) (b)(6) that the two Sailors had not returned to camp and that he had authorized a search party to find them;



(b)(1)1.4a, (b)(3), (b)(6)

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(b)(1)1.4a.

f. (U) In the late evening hours of 25 July 2010/early morning hours of 26 July 2010, information was received that a U.S. service member had been buried in a shallow grave in Kharoti Village, Charkh District, Logar Province. U.S. forces responded and found HT2 McNeley's body in a shallow grave, buried inside a wooden box. They recovered HT2 McNeley's remains and transported the remains to Bagram Airfield for autopsy and further transport to the United States for burial. Autopsy results indicate that the cause of death was a gunshot wound to the torso, complicated by multiple blunt force injuries to the head;

g. (U) On 28 July 2010, a local national reported finding the body of a U.S. service member washed-up on a riverbank north of Charkh District, Logar Province. U.S. forces responded and recovered the body of CS2 Newlove. CS2 Newlove's remains were transported to Bagram Airfield for autopsy and further transport to the United States for burial. Autopsy results indicate that the cause of death was multiple gunshot wounds, complicated by blunt force injuries;

h. (U) The available evidence does not fully explain why HT2 McNeley and CS2 Newlove were in Logar Province, more than 50 miles south of Camp Julien. Several witnesses describe that HT2 McNeley was adventurous and liked to take pictures. At least one witness described how HT2 McNeley had been on the road that runs from Kabul to Logar Province (b)(1)1.4a) approximately two weeks before this incident. Two soldiers attempted to catch rides with HT2 McNeley and CS2 Newlove into Kabul on the morning of 23 July 2010 and both were rebuffed. According to one witness, HT2 McNeley and CS2 Newlove left 40 minutes early from Camp Julien to avoid having to take the two additional soldiers with them;

i. (U) The convoy on which HT2 McNeley and CS2 Newlove had been traveling was approved by (b)(3) (b)(6), even though, by his own admission, he suspected that the two Sailors intended to go "sightseeing." (b)(3) (b)(6) felt that the route reconnaissance to be undertaken by the two Sailors was a good idea after checking the intelligence, and Fridays were "good days" for "route reconnaissance." He felt that HT2 McNeley and CS2 Newlove were trustworthy Sailors. (b)(3) (b)(6) also admits that she knew the Sailors would be gone all day from Camp Julien;

j. (U) In accordance with the policy of the CTC-A Director, (b)(3) (b)(6) (b)(3) (b)(6), convoys at CTC-A were usually approved by (b)(3) (b)(6)

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(b)(3) (b)(6) admits that it was unusual for him to have approved the convoy, but says that he told HT2 McNeley to coordinate the movement with (b)(3) (b)(6), as well. HT2 McNeley did not do so. (b)(3) (b)(6) states that had he known about the movement plan, he likely would have disapproved it in whole or in part;

k. (U) As a result of carefully reviewing all available information, it is clear that (b)(3) (b)(6) approval was in keeping with (b)(3) (b)(6) command philosophy, which tended to ignore the risks associated with U.S. Forces' operations outside secure operating bases. In fact, (b)(3) (b)(6) philosophy was to encourage assigned personnel to intermingle with local nationals, without regard to risks or risk assessments. (b)(3) (b)(6), the CTC-A Director encouraged members to stop during convoys to purchase food and other items from local vendors, get out of vehicles to speak with Afghan security personnel at check points, and similar activities;

l. (U) The CTC-A movement control policy reflected the same philosophy. Even though higher headquarters (NTMA/CSTC-A) movement control policy required that all personnel in convoys wear full body armor, Kevlar helmet, hand, eye, and ear protection, etc., (b)(3) (b)(6) (b)(3) (b)(6) movement control policy made the wear of such gear optional for everyone in vehicles except the Driver and Truck Commander. In addition, although the higher headquarters movement control policy required that single vehicle convoys operating in the Outer Zone of Kabul (where Camp Julien is located) be approved by an O-6 or equivalent, (b)(3) (b)(6) authorized CTC-A convoys to be approved by an E-5, (b)(3) (b)(6);

m. (U) CTC-A generally lacked good order and discipline, and (b)(3) (b)(6) is directly responsible for that. Pornography was found on a computer in his office. The same computer was found to have an inappropriate screen saver (scantily clad women) on it that (b)(3) (b)(6) (b)(3) (b)(6) had been directed to remove. Multiple inappropriate, unprofessional, and/or offensive posters were found on (b)(3) (b)(6) office walls. A review of cell phone text messages and emails between (b)(3) (b)(6) and subordinates, including (b)(3) (b)(6) and HT2 McNeley, reveal an unduly familiar and unprofessional relationship. (b)(3) (b)(6) (b)(3) (b)(6) statement of 27 July 2010 reveals a questionable and potentially inappropriate relationship between junior enlisted personnel, (b)(3) (b)(6), almost all of whom had been classmates in pre-deployment training;

n. (U) As discussed more fully below, (b)(3) (b)(6) was detached for cause and received a General Officer Memorandum of Reprimand in his Official Military Personnel File. It is recommended in this report of investigation that he be retired from the Army. (b)(3) (b)(6) command philosophy and his actions are incompatible with future military service. In short, good commanders train and oversee subordinate personnel. They do so through vigilant mentoring and promulgation of, and adherence to, clear policies and directives. This is especially

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important when assigning inexperienced personnel unfamiliar duties. In this case, it was critical that (b)(3) (b)(6) exercise rigorous leadership oversight given the combat environment in which CTC-A operates and the inexperience of the Navy personnel assigned to key jobs within the organization. He failed woefully to exercise such oversight, choosing instead to delegate command responsibility to junior personnel and establish a command climate that disregarded formality, ignored risks, and dispensed with good order and discipline. The tone that (b)(3) (b)(6) set within the command significantly contributed to the decision by HT2 McNeley and CS2 Newlove to drive in and around Kabul for non-official purposes. It also significantly contributed to the poor decision making process exercised by (b)(3) (b)(6) and (b)(3) (b)(6). In keeping with the command climate set by (b)(3) (b)(6), they failed to exercise even the minimum level of acceptable operational risk assessment and management in allowing the two sailors to execute the convoy plan they had requested;

o. (U) It is further recommended that (b)(3) (b)(6) and (b)(3) (b)(6) be held accountable for their failure to exercise sound judgment in approving the convoy requested by HT2 McNeley and, in the case of (b)(3) (b)(6), violation of UCMJ Article 92 (Fraternization) and 107 (False Official Statements);

p. (U) Finally, it is recommended that Navy: (1) re-validate the billets that it is filling at CTC-A to ensure that personnel are performing the functions for which they are being trained; and (2) send only those personnel who are properly experienced, trained, and qualified to fill validated billets in this war zone; and,

q. (U) Based on all of the facts and circumstances available, it is determined that HT2 McNeley and CS2 Newlove respectively died in the line of the duty, not due to their own misconduct.

Findings of Fact

7. (U) The following findings of fact are made:

Background

1. (U) HT2 Justin McNeley. HT2 Justin McNeley joined the Navy on 30 April 2001, at the age of 21. Encl 7
2. (U) He had no prior military experience. Encl 7
3. (U) He began 'A' school on 1 July 2001. Encl 7
4. (U) His first duty station was USS NIMITZ (CVN-68), San Diego, CA, where he performed duties as a Hull Technician. Encl 7

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5. (U) On 17 November 2006, he was transferred and was stationed at Assault Craft Unit ONE, performing duties as Combat Support. Encl 7

6. (U) On 10 July 2009, he received orders in support of GWOT Contingency Operation Afghanistan. Encl 7

7. (U) On 23 August 2009, he reported to Naval Mobile Processing Site, San Diego, CA, where he received his initial medical screening. Encl 7

8. (U) He was cleared for duty and reported to Expeditionary Combat Readiness Center (ECRC) Detachment Fort Polk, LA, for pre-deployment training on 24 August 2009. Encl 7

9. (U) HT2 McNeley attended pre-deployment training at ECRC Detachment Fort Polk, LA, as a member of Class #81, from 24 August to 23 October 2009. Encls 7-9

10. (U) HT2 McNeley's training at ECRC Detachment Fort Polk, LA, included the following subjects: search, rescue, and evasion; MII51 HMMWV driver's training; marksmanship on the M4 and M9; short range marksmanship; close combat attack - call for Fire; IED defeat; unexploded ordnance; and mounted combat patrol. Encls 8, 9

11. (U) HT2 McNeley's course of instruction at ECRC Detachment Fort Polk, LA, did not include training on driving non-standard vehicles such as Suburbans or other similar sport utility vehicles. Encl 8

12. (U) HT2 McNeley deployed to Kuwait on 7 November 2009, where he received Mine Resistant Ambush Protected vehicle (MRAP) rollover training while at Reception, Staging, Onward Movement, and Integration training. Encl 7,8

13. (U) HT2 McNeley successfully completed his training in Kuwait and deployed to Afghanistan on 14 November 2009. Encl 7

14. (U) HT2 McNeley reported aboard Combined Security Transition Command-Afghanistan (CSTC-A) on 14 November 2009, and was assigned to perform duties at Counterinsurgency Training Center-Afghanistan (a.k.a COIN Academy). Encl 7

15. (U) Once assigned to CSTC-Afghanistan, HT2 McNeley performed duties as a Driver, Truck Commander (TC), and Assistant FOB Mayor. Encl 10

16. (U) Prior to 23 July 2010, HT2 McNeley had been subject to formal disciplinary or adverse administrative actions on 17 January 2010, in which he was counseled for poor performance and personal behavior. Encl 11

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17. (U) HT2 McNeley posthumously received a Combat Action Ribbon for action on 23 July 2010, a Purple Heart Medal for action on 23 July 2010, and a NATO Ribbon in relation to ISAF Operations from November 2009 to July 2010. Encl 7

18. (U) CS2 Jarod Newlove. CS2 Newlove joined the Navy on 18 September 2003, at the age of 18. Encl 12

19. (U) He had no prior military experience. Encl 12

20. (U) He attended 'A' school on 18 May 2004. Encl 12

21. (U) His first duty station was USS NEW ORLEANS (LPD-18), where he performed duties as a Culinary Specialist. Encl 12

22. (U) He was next stationed at PCU NEW ORLEANS (LPD-18), Avondale, LA, performing duties as a Culinary Specialist. Encl 12

23. (U) CS2 Newlove performed four years of active duty, separated from active duty on 15 December 2008, and joined the Navy Reserves on 16 December 2008. Encl 12

24. (U) On 18 March 2009, he received orders in support of GWOT Contingency Operation Afghanistan. Encl 12

25. (U) On 27 September 2009, he reported to Naval Mobile Processing Site Port Hueneme, CA, where he received his initial medical screening. Encl 12

26. (U) He was cleared for duty and reported to ECRC Detachment Fort Polk, LA, for pre-deployment training on 5 October 2009 in Class #84. Encls 12, 13

27. (U) From 8 October to 10 December 2009, CS2 Newlove received largely the same training as HT2 McNeley at Fort Polk, which included the following subjects: search, rescue, and evasion; MII51 HMMWV driver's training; marksmanship on the M4 and M9; short range marksmanship; close combat attack - call for Fire; IED defeat; unexploded ordnance; and mounted combat patrol. Encls 8, 9, 13

28. (U) CS2 Newlove's course of instruction at ECRC Detachment Fort Polk, LA, did not include training on driving non-standard vehicles such as Suburbans or other similar sport utility vehicles. Encl 8

29. (U) CS2 Newlove deployed to Kuwait on 12 December 2009, where he received MET (MRAP) rollover training while at RSO&I training. Encl 12

30. (U) CS2 Newlove successfully completed his training in Kuwait and deployed to Afghanistan on 26 December 2009. Encl 12

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31. (U) CS2 Newlove reported aboard CSTC-Afghanistan on 26 December 2009, and was assigned to perform duties at CTC-A(a.k.a COIN Academy). Encl 12

32. (U) While at the COIN Academy, CS2 Newlove performed duties as the Camp Dubs DFAC NCOIC and additional duties as a Driver/Truck Commander. Encl 10

33. (U) Prior to 23 July 2010, CS2 Newlove had received CO's NJP on 27 August 2008, for Violation of the UCMJ, NFI. Encl 12

34. (U) CS2 Newlove posthumously received a Combat Action Ribbon for action on 23 July 2010, a Purple Heart Medal for action on 23 July 2010, and a NATO Ribbon in relation to ISAF Operations from December 2009 to July 2010. Encl 12

35. (U) [REDACTED] (b)(3), (b)(6) joined the Navy on 25 March 2004, at the age of 19. Encl 14

36. (U) He had no prior military experience. Encl 14

37. (U) He attended 'A' school on 9 July 2004. Encl 14

38. (U) His first duty station was NAS Patuxent River (VX-1), where he performed duties as an Airman. Encl 14

39. (U) He was next stationed at NAS Jacksonville, FL (HS-11) performing duties as Aviation Machinist's Mate, from 17 October 2006 to 17 Aug 2009. Encl 14

40. (U) On 2 July 2009, he received orders in support of GWOT Contingency Operation Afghanistan. Encl 14

41. (U) He reported to Naval Mobile Processing Site Gulfport, MS, where he received his initial medical screening on 17 August 2009. Encl 14

42. (U) [REDACTED] (b)(3), (b)(6) attended pre-deployment training at Fort Polk, LA, as a member of Class #81, from 24 August to 23 October 2009. Encls 8

43. (U) [REDACTED] (b)(3), (b)(6) training at Fort Polk included the following subjects: search, rescue, and evasion; MII51 HMMWV driver's training; marksmanship on the M4 and M9; short range marksmanship; close combat attack - call for Fire; IED defeat; unexploded ordnance; and mounted combat patrol. Encls 8, 9

44. (U) [REDACTED] (b)(3), (b)(6) course of instruction at Fort Polk did not include training on driving non-standard vehicles such as Suburbans or other similar sport utility vehicles. Encls 8, 9

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45. (U) [redacted] (b)(3) (b)(6) deployed to Kuwait on 7 November 2009, where he received (MRAP) rollover training while at RSO&I training. Encl 14

46. (U) [redacted] (b)(3) (b)(6) successfully completed his training in Kuwait and deployed to Afghanistan on 14 November 2009. Encl 14

47. (U) [redacted] (b)(3) (b)(6) reported aboard CSTC-Afghanistan on 14 November 2009, and was assigned to perform duties at Counterinsurgency Training Center-Afghanistan (a.k.a. COIN Academy). Encl 14

48. (U) While at the COIN Academy, [redacted] (b)(3) (b)(6) performed duties as the NCOIC for Movement Control/Convoy Operations. Encl 10

49. (U) Prior to 23 July 2010, [redacted] (b)(3) (b)(6) received CO's NJP for Violation of Article 111 (Driving Under the Influence) on 13 June 2006. Punishment awarded was restriction for 30 days, forfeiture of ½ month's pay for 1 month, and reduction in rank to the next inferior pay grade. Encl 14

50. (U) [redacted] (b)(3) (b)(6) received an Army Commendation Medal for exceptional service from 14 November 2009 to 4 September 2010, a Letter of Commendation, and an Army Commendation Medal for exceptional service on 18 May 2010. [redacted] (b)(3) (b)(6) also received a Battle Field Promotion on 5 July 2010. Encl 14

51. (U) [redacted] (b)(3) (b)(6) joined the Navy on 26 June 2001, at the age of 19. Encl 15

52. (U) He had no prior military experience. Encl 15

53. (U) He completed basic training and attended 'A' school on 19 December 2001. Encl 15

54. (U) His first duty station was USS BUNKER HILL (CG-52), San Diego, CA, where he performed duties as a Culinary Specialist. Encl 15

55. (U) On 22 June 2009, he received orders in support of GWOT Contingency Operation Afghanistan. Encl 15

56. (U) He reported to Naval Mobile Processing Site San Diego, CA, where he received his initial medical screening on 23 August 2009. Encl 15

57. (U) He was cleared for duty and on 24 August 2009 reported to ECRC Detachment Fort Polk, LA, for pre deployment training. Encl 15

58. (U) [redacted] (b)(3) (b)(6) attended pre-deployment training at Fort Polk, LA, as a member of Class #81, from 24 August to 23 October 2009. Encls 8, 15

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59. (U) [redacted] training at Fort Polk included the following subjects: search, rescue, and evasion; MII51 HMMWV driver's training; marksmanship on the M4 and M9; short range marksmanship; close combat attack - call for Fire; IED defeat; unexploded ordnance; and mounted combat patrol. Encls 8, 9

60. (U) [redacted] course of instruction at Fort Polk did not include training on driving non-standard vehicles such as Suburbans or other similar sport utility vehicles. Encls 8, 9

61. (U) [redacted] deployed to Kuwait on 7 November 2009, where he received rollover training while at RSO&I training. Encl 15

62. (U) [redacted] successfully completed his training in Kuwait and deployed to Afghanistan on 14 November 2009. Encl 15

63. (U) [redacted] reported aboard CSTC-Afghanistan, on 14 November 2009, and was assigned to perform duties at Counterinsurgency Training Center-Afghanistan (a.k.a. COIN Academy). Encl 10

64. (U) While at the COIN Academy, [redacted] performed duties as the NCOIC for Facilities and Logistics and additional duties as the Intelligence Officer, Driver, and Truck Commander. Encls 16, 17

65. (U) Prior to 23 July 2010, [redacted] received CO's NJP on 2 July 2004 for Violation of the UCMJ, Article 86 (Unauthorized Absence) and Article 92 (Failure to Obey an Order or Regulation). NJP occurred 2 July 2004. Encl 15

66. (U) [redacted] was awarded a Joint Service Commendation Medal on 25 September 2010 for outstanding service from 14 November 2009 to 4 September 2010. Encl 15

67. (U) [redacted] joined the Navy on [redacted]. Encl 18

68. (U) She had no prior military experience. Encl 18

69. (U) After basic training, she attended 'A' school on [redacted]. Encl 18

70. (U) Her first duty station was [redacted], where she performed duties as a Seaman Apprentice. Encl 18

71. (U) [redacted] performed four years of active duty, separated from active duty on [redacted], and joined the Navy Reserves on [redacted]. Encl 18

72. (U) On 24 June 2009, she received orders in support of GWOT Contingency Operation Afghanistan. Encl 18

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73. (U) She reported to Naval Mobile Processing Site Norfolk, VA, where she received her initial medical screening on 17 August 2009. Encl 18

74. (U) She was cleared for duty and on 24 August 2009 reported to ECRC Detachment, Fort Polk, LA, for pre deployment training. Encl 18

75. (U) (b)(3) (b)(6) attended pre-deployment training at Fort Polk, LA, as a member of Class #81, from 24 August to 23 October 2009. Encls 8, 18

76. (U) (b)(3) (b)(6) training at ECRC Detachment Fort Polk, LA, included the following subjects: search, rescue, and evasion; MII51 HMMWV driver's training; marksmanship on the M4 and M9; short range marksmanship; close combat attack - call for Fire; IED defeat; unexploded ordnance; and mounted combat patrol. Encls 8, 9

77. (U) (b)(3) (b)(6) course of instruction at ECRC Detachment Fort Polk, LA, did not include training on driving non-standard vehicles such as Suburbans or other similar sport utility vehicles. Encls 8, 9

78. (U) (b)(3) (b)(6) successfully completed pre-deployment training on 31 October 2009, and on that date deployed to Kuwait where she received (MRAP) rollover training while at RSO&I training. Encl 18

79. (U) (b)(3) (b)(6) successfully completed her training in Kuwait and deployed to Afghanistan on 7 November 2009. Encl 18

80. (U) (b)(3) (b)(6) reported aboard CSTC-Afghanistan on 14 November 2009, and was assigned to perform duties at Counterinsurgency Training Center-Afghanistan (a.k.a. COIN Academy). Encl 10

81. (U) Once assigned to the COIN Academy, (b)(3) (b)(6) was assigned duties as the Support Section NCOIC. Encl 18

82. (U) Prior to 23 July 2010, (b)(3) (b)(6) had received no disciplinary or adverse administrative actions. Encl 18

83. (U) On 16 August 2010, (b)(3) (b)(6) was recommended for a Meritorious Service Medal covering her tour of duty at the COIN Academy. No action has been taken on this award recommendation since it was submitted. Encl 18

84. (U) (b)(3) (b)(6) was commissioned in the Navy on 25 May 1988, at the age of 22. Encl 19

85. (U) (b)(3) (b)(6) service record contains no documentation indicating that he had any military service prior to his commissioning. Encl 19

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86. (U) [redacted] first duty station was VP-17, Barbers Point, HI, he continued on Active Duty until March 1997, when he resigned from the Active Duty Navy. He affiliated with the Naval Reserves in February 1990 with VP-66. Encl 19

87. (U) He was on the Individual Ready Reserves from May 2000 to January 2003, when he again became a drilling reservist. He was most recently assigned to Navy Reserve-NR CPPD MW as a Leadership Facilitator. Encl 19

88. (U) On 15 June 2009, he received orders in support of GWOT Contingency Operation Afghanistan. Encl 19

89. (U) He reported to Naval Mobile Processing Site Gulfport, MS, where he received his initial medical screening on 17 August 2009. Encl 19

90. (U) He was cleared for duty and on 24 August 2009 reported to ECRC Fort Polk, LA, for pre deployment training. Encl 19

91. (U) [redacted] attended pre-deployment training at Fort Polk, LA, as a member of Class #81, from 24 August to 23 October 2009. Encl 8, 19

92. (U) [redacted] training at Fort Polk included the following subjects: search, rescue, and evasion; MII51 HMMWV driver's training; marksmanship on the M4 and M9; short range marksmanship; close combat attack - call for Fire; IED defeat; unexploded ordnance; and mounted combat patrol. Encl 8, 9

93. (U) [redacted] course of instruction at Fort Polk did not include training on driving non-standard vehicles such as Suburbans or other similar sport utility vehicles. Encl 8, 9

94. (U) [redacted] deployed to Kuwait on 7 November 2009, where he received (MRAP) rollover training while at RSO&I training. Encl 19

95. (U) [redacted] successfully completed his training in Kuwait and deployed to Afghanistan on 14 November 2009. Encl 19

96. (U) [redacted] reported aboard CSTC-Afghanistan, on 14 November 2009, and was assigned to perform duties at Counterinsurgency Training Center-Afghanistan (a.k.a. COIN Academy). Encl 19

97. (U) While at the COIN Academy, [redacted] performed duties as the S-1. Encl 19

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98. (U) [redacted (b)(3) (b)(6)] service record contains no documentation indicating that he was subject to any punitive or disciplinary actions prior to 23 July 2010. Encl 19

99. (U) There are no records indicating that prior to 23 July 2010, [redacted (b)(3) (b)(6)] was subject to any adverse administrative or disciplinary actions while stationed at the COIN Academy. Encl 19

100. (U) On 16 August 2010, [redacted (b)(3) (b)(6)] was recommended for a Meritorious Service Medal covering his tour of duty at the COIN Academy. The recommendation was approved by Brigadier General Patterson on 19 August 2010, and was later disapproved by Lieutenant General Caldwell, Commander, NTM-A/CSRC-A. Encls 10, 19

101. (U) [redacted (b)(3) (b)(6)] is an Australian Infantry Officer. Encl 25

102. (U) He joined the Australian Army in 1987 and graduated from the Royal Military College in 1990. Encl 25

103. (U) He was assigned to CTC-A from 9 May to 14 November 2010. Encl 25

104. (U) While at CTC-A, [redacted (b)(3) (b)(6)] performed duties as Deputy Director. Encl 25

105. ~~(NATO ISAF RESTRICTED REL TO GIRA)~~ [redacted (b)(3) (b)(6)]. [redacted (b)(3) (b)(6)] was commissioned in the U.S. Army on 25 May 1980 upon graduation from West Point. Encls 21,

106. (U) He was the CTC-A Director on 23 July 2010 and assumed his position on 15 July 2008. Encl 21

107. (U) [redacted (b)(3) (b)(6)] was promoted to the rank of Colonel on 1 July 2003. He has performed duties at the Company, Brigade, and Division levels (3rd Infantry Division), as well as the Joint Task Force "6" and the Combatant Commander level (USCENTCOM). Encl 21

108. (U) He has attended Surface School at the Armed Forces Staff College in Norfolk, VA. Encl 21

109. (U) He has received numerous military awards including the Legion of Merit, multiple Meritorious Service Medals (Army and Defense), and Army Commendation Medals. Encl 21

110. (U) He was scheduled to depart 15 July 2010, but extended his tour of duty. Encl 21

111. (U) His rater was the Commander of CTAG-A and his senior rater was Commander CSTC-A/NTM-A. Encl 21

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Counterinsurgency Training Center-Afghanistan

112. (U) The Counter Insurgency Training Center - Afghanistan (CTC-A), also known as the Counter Insurgency Academy or COIN Academy is located on the southern outskirts of Kabul in an area known as Darulaman. Encl 23

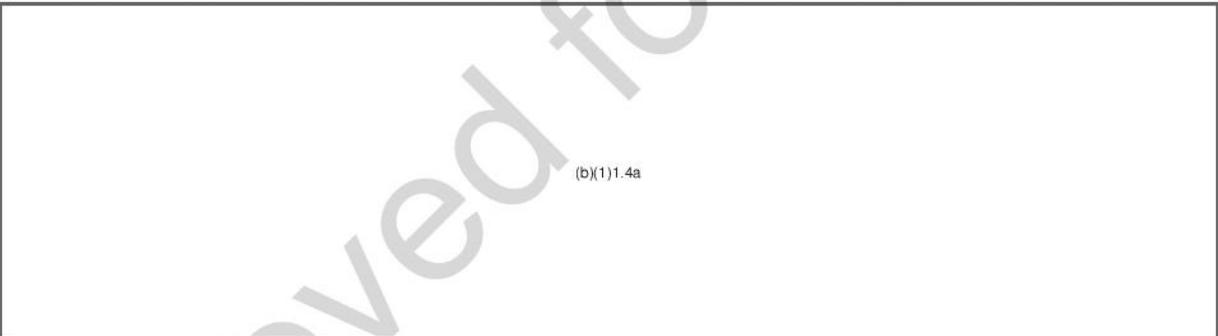
113. (U) The CTC-A is a subordinate element of NATO Training Mission Afghanistan/Combined Security Transition Command-Afghanistan (NTM-A/CSTC-A). Encl 26

114. (U) The chain of command for CTC-A is as follows: CTC-A, reporting to Combined Training Advisory Group-Afghanistan (CTAG-A), reporting to Deputy Commander, NTM-A/CSTC-A Army, reporting to Commander, NTM-A/CSTC-A. Encl 24

115. (U) CTC-A is overseen by a Director and a Deputy Director. Encl 10

116. (U) In July 2010, CTC-A was authorized 57 personnel, but averaged 35 assigned. Encls 10, 25

117. (U) In November 2009, 11 Navy personnel were assigned to CTC-A, to fill 22 open billets. Encl 25



120. (U) [redacted (b)(3) (b)(6)] was outside Afghanistan on a period of temporary additional duty and leave from 16 July to 28 August 2010. During this period, the Deputy Director, [redacted (b)(3) (b)(6)] was the Acting Director. Encls 21, 27

22 July 2010

121. (U) On 22 July 2010, HT2 McNeley asked the CTC-A S-1, [redacted (b)(3) (b)(6)] for authorization to conduct a single-vehicle movement the following day, 23 July 2010. Encls 28-30

122. (U) HT2 McNeley's requested single vehicle convoy route was as follows: (1) Camp Julien north on [redacted (b)(1)1.4a] (2) then west on [redacted (b)(1)1.4a]

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(b)(3) (b)(6) to a lake approximately eight kilometers west of the Afghan Police Academy; (3) then south to join with (b)(1)1.4a to Camp Phoenix to pick-up/drop off mail; (4) then west on (b)(1)1.4a to Camp Eggers for a medical appointment for CS2 Newlove; and (5) back to Camp Julien, via (b)(1)1.4a. Encls 16, 28-29, 31-34

123. (U) (b)(3) (b)(6) was aware that (b)(1)1.4a and (b)(1)1.4a were routes the CTC-A rarely took. Encl 28

124. (U) In the remarks section of the movement request, HT2 McNeley wrote, "no other passengers need room for boxes to ship." Encl 37

125. (U) On 22 July, HT2 McNeley discussed with (b)(6), a local national employed by CTC-A, and (b)(3) (b)(6) his plans to go see the lake. Encls 38-39

126. (U) The lake he wanted to see was located to the west of downtown Kabul, and north of (b)(1)1.4a. Encl 79

127. (U) CS2 Newlove wanted to apply to enter active duty as a Naval Recruiter. The medical appointment at Camp Eggers was for this purpose. Encls 61, 63

128. (U) HT2 McNeley further requested that after the medical appointment, he and CS2 Newlove return to Camp Julien via (b)(1)1.4a and (b)(1)1.4a. HT2 McNeley told (b)(3) (b)(6) that he planned to depart Camp Julien at approximately 0800L and return at approximately 1800L. Encls 28-29

129. (U) (b)(3) (b)(6) approved the request. Encls 28-29

130. (U) According to (b)(3) (b)(6), although he did not routinely review or approve convoy requests, he knew it was an unusual request and he suspected that they were going "sightseeing." Encl 28-29

131. (U) Nevertheless, (b)(3) (b)(6) stated that he felt that the route reconnaissance was a good idea after checking the intelligence, and Fridays were "good days" for "route reconnaissance." Encls 29,

132. (U) (b)(3) (b)(6) said he believed a portion of their mission was a 'boondoggle'; however, he approved the mission because HT2 McNeley and CS2 Newlove were trustworthy Sailors and had earned the privilege. Encl 28

133. (U) Accordingly, he approved the request with the caveat that HT2 McNeley also run it through the convoy operations NCOIC, (b)(6) (b)(3) (b)(6). Encls 28-29

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134. (U) Approval authority for all Camp Julien vehicle movements was delegated to (b)(3) (b)(6). Encls 30, 43-45, 47, 172

135. (U) (b)(3) (b)(6) did not relay his approval to the duty NCO for 23 July 2010 and HT2 McNeley did not discuss the movement request with (b)(3) (b)(6), as he had been told to do. Encls 29-30

136. (U) (b)(3) (b)(6) stated that he was aware of HT2 McNeley's convoy, but stated that he believed the purpose of the trip was to travel to Camp Phoenix for a mail run and to Camp Eggers for CS2 Newlove's medical appointment. Encl 30

137. (U) (b)(3) (b)(6) was unaware that (b)(3) (b)(6) had authorized HT2 McNeley to conduct the "route recons" or go to the lake. Encls 30, 46

138. (U) (b)(3) (b)(6) stated that if HT2 McNeley had asked him, he would not have approved the movement to the west toward the lake, but may have approved the use of (b)(1)1.4a. Encl 30

139. (U) (b)(6), a linguist who had worked for CTC-A for more than eight months and had been on more than 50 convoys, stated there was never any reason to take (b)(1)1.4a to Kabul. Encl 35

140. (U) Although (b)(1)1.4a was rarely used, HT2 McNeley and (b)(6) (b)(3) (b)(6) had traveled on (b)(1)1.4a without authorization approximately two weeks before 23 July 2010. Encls 17, 28-30, 32, 38, 47

141. (U) According to (b)(3) (b)(6), HT2 McNeley "seemed excited about it" when discussing the trip down (b)(1)1.4a. Encl 38

142. (U) (b)(3) (b)(6) had traveled down (b)(1)1.4a from Camp Julien to (b)(1)1.4a at least once before 23 July 2010. Encls 17, 30, 32, 36, 38, 47

143. (U) Initially, HT2 McNeley's 22 July 2010 request for movement on 23 July 2010 listed (b)(3) (b)(6) as a second passenger. Encl 37

144. (U) (b)(3) (b)(6) knew CS2 Newlove and HT2 McNeley would be gone most of the day and her workload would not allow her to go, so she stayed behind. Encls 34, 42

145. (U) (b)(3) (b)(6) stated she had no knowledge as to whether CS2 Newlove or HT2 McNeley intended to deviate from the destinations approved in the request. Encl 34

Subj: COMMAND INVESTIGATION INTO THE DEATHS OF HT2 JUSTIN J. MCNELEY, U.S. NAVY AND CS2 JAROD P. NEWLOVE, U.S. NAVY

23 July 2010 - Convoy Movement

146. (U) HT2 McNeley, CS2 Newlove, and (b)(3)(b)(6) went to breakfast at Camp Dubs at 0620, 23 July 2010 and returned to Camp Julien at approximately 0720. Encls 16, 31-33

147. (U) Camp Dubs is adjacent to Camp Julien. The Camp Dubs dining facility services both Camp Dubs and Camp Julien. Camp Julien has no dining facility. Encl 48

148. (U) Between approximately 0720 and 0730, 23 Jul 2010, HT2 McNeley and CS2 Newlove departed Camp Julien in a single vehicle movement, driving a white Toyota Land Cruiser, in a white up-armored Toyota Land Cruiser, with the call sign (b)(1)1.4a." Encls 25, 29, 33, 42, 49, 50-52, 64

149. (U) HT2 McNeley and CS2 Newlove had their personally issued weapons (M4s and M9s) and protective equipment (b)(1)1.4a (b)(1)1.4a) with them in the vehicle. Encls 49-50

(b)(1)1.4a

151. (U) HT2 McNeley also had a backpack with 10 extra M4 magazines and five M9 magazines. Encls 49-50

152. (U) They also had one M18 green smoke grenade in the passenger side compartment of the vehicle. Encls 49-50

153. (U) The vehicle was equipped with a Radio Transmitter and a Multi-Band Inter/Intra Team Radio (MBITR). Encls 34, 49-50

154. (U) CS2 Newlove had his cell phone with him; HT2 McNeley left his in his room. Encls 29-30, 32, 42

155. (U) The Toyota Land Cruiser driven by HT2 McNeley and CS2 Newlove (2007, Model HZJ105, 1HZ 4.2L Diesel engine) VIN JTGCB09J475002921, was a white four door, up-armored sport utility vehicle. Encl 54

156. (U) There are two exterior doors at the back end of the vehicle which open up to a secondary bullet proof door which allows access to the back rear compartment. Encl 54

157. (U) (b)(3)(b)(6) has made statements that she was contacted by HT2 McNeley and CS2 Newlove as they were departing Camp Julien. Encls 34, 42, 51, 55

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158. (U) (b)(3) (b)(6) has said that she was called and awakened by HT2 McNeley who told her that he was calling her because there was no duty person available. Encls 34, 42, 51, 55

159. (U) (b)(3) (b)(6) statements that she was contacted as the two Sailors were leaving Camp Julien are not consistent with available cell phone records. Encls 34, 42, 51, 55

160. (U) (b)(3) (b)(6) arrived at his office on Camp Julien at 0745, 23 Jul 2010 and noticed the white up-armored Toyota Land Crusier that HT2 McNeley and CS2 Newlove were scheduled to drive was already gone. Encl 56

161. (U) (b)(3) (b)(6) stated that HT2 McNeley and CS2 Newlove intended to leave early from Camp Julien to avoid taking other passengers. Encls 32, 37

162. (U) According to (b)(3) (b)(6), HT2 McNeley and CS2 Newlove changed their departure time to 0730 because they did not want (b)(6) (b)(3) (b)(6) to accompany them into Kabul. Encls 32, 37, 57, 58

163. (U) HT2 McNeley told (b)(3) (b)(6) the night before that he intended to drive around and take pictures. Encl 16

164. (U) According to (b)(3) (b)(6), he had business at International Security Assistance Force (ISAF) Headquarters on the 23 July 2010 and he had learned that HT2 McNeley and CS2 Newlove would be making a single vehicle movement on the 23 July 2010. Encls 37, 57

165. (U) (b)(3) (b)(6) stated that he spoke with HT2 McNeley about a ride to ISAF. Encls 37, 57

166. (U) (b)(3) (b)(6) further stated that HT2 McNeley and CS2 Newlove made an excuse about the time it would take to do their business and seemed reluctant to take him with them. Encl 57

167. (U) According to (b)(3) (b)(6), on the 22 July 2010, he asked HT2 McNeley for a ride to the U.S. Embassy because he needed to renew his passport. Encls 37, 58

168. (U) According to (b)(3) (b)(6), HT2 McNeley did not say no, but his response was not inviting. Encls 37, 58

169. (U) ISAF Headquarters and the U.S. Embassy are within easy walking distance of Camp Eggers. Encl 59

170. (U) (b)(3) (b)(6) told HT2 McNeley that if he (b)(3) (b)(6) was up when HT2 McNeley and CS2 Newlove left, he would go with them. Encl 58

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171. (U) (b)(3) (b)(6) was up at 0800 and HT2 McNeley and CS2 Newlove had left Camp Julien. Encls 37, 58

172. (U) At 0807, CS2 Newlove contacted (b)(3) (b)(6) via text message saying "We are good text you in a bit." Encls 34, 42, 51, 55

173. (U) At 0808, CS2 Newlove contacted (b)(3) (b)(6) via text message saying "no this is Newlove." Encls 34, 42, 51, 55

174. (U) (b)(3) (b)(6) stated that right after HT2 McNeley and CS2 Newlove departed Camp Eggers, they sent him a text asking if he wanted to meet them at Camp Eggers, to which he responded "no." Encls 32, 55

175. (U) The text message and cell phone records for CS2 Newlove and (b)(3) (b)(6) reflect that at 0824 (b)(3) (b)(6) called CS2 Newlove's cell phone, but no text messages were exchanged in that time frame. Encl 55

176. (U) According to (b)(3) (b)(6), HT2 McNeley and CS2 Newlove called her at 0830 when they arrived at Camp Phoenix. Encls 32, 55

177. (U) (b)(3) (b)(6) recollection of this call is supported by her cell phone records, which reflect a call at 0836. Encls 32, 55

178. (U) According to records for (b)(3) (b)(6) cell phone, between 0836 and 1030, 23 Jul 2010, CS2 Newlove contacted (b)(3) (b)(6) three times; once via cell phone call and twice via text message. The cell phone call occurred at 0836. The text messages were sent at 0857 and 1030. In both text messages, CS2 Newlove stated, "we are still good." Encl 55

179. (U) According to (b)(3) (b)(6), she received a call from HT2 McNeley and CS2 Newlove when departing Camp Phoenix at 1230 and another call from Camp Eggers at 1330. Encl 51

180. (U) There is no record of these calls in the cell phone records for either (b)(3) (b)(6) or CS2 Newlove. Encl 55

181. (U) At approximately 1345, while on their convoy to Kabul International Airport (KIA), (b)(3) (b)(6) saw HT2 McNeley and CS2 Newlove in their vehicle in the vicinity of KIA, heading in the direction of Camp Phoenix on (b)(1)1.4a. Encl 32

182. (U) The cell phone records for the cell phone carried by (b)(6) (b)(3) (b)(6) contains a text message from CS2 Newlove sent at 1336 saying "Hi" and another text message sent at 1337 saying "shit." Encls 32, 55

183. (U) (b)(3) (b)(6), U.S. Navy, MC, saw HT2 McNeley and CS2 Newlove in his office at Camp Eggers, at approximately 1500. Encls 61-63

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184. (U) According to statements made by (b)(3) (b)(6) during an interview on 28 July 2010, HT2 McNeley and CS2 Newlove called her at 1630 and 1645 and reported that they were leaving the Green Zone. She further stated, "I expected they would be back in about an hour and a half." Encl 51

185. (U) In later statements to NCIS, (b)(3) (b)(6) said that HT2 McNeley and CS2 Newlove stated that they would be back in an hour and a half. Encls 34, 42, 60

186. (U) There is no record of this call described above in the cell phone records for either (b)(3) (b)(6) or CS2 Newlove. Encls 55,

187. (U) Typical driving time between Camp Eggers and Camp Julien is 40 to 60 minutes. Traffic on Fridays in Kabul is light due to the "holy day." Encls 16, 59

188. (U) (b)(3) (b)(6) returned to Camp Julien from their convoy at approximately 1630. Encl 30

189. (U) (b)(3) (b)(6) went to dinner at approximately 1700. Encls 30, 32, 42

190. (U) At 1746, 23 Jul 2010, (b)(3) (b)(6) received a text from CS2 Newlove stating, "We are still good should be there soon." Encls 55, 60

191. (U) The cell phone records for (b)(3) (b)(6) confirm this text message. Encl 55

192. (U) (b)(3) (b)(6) stated that between approximately 1800 and 1815, 23 July 2010, she called CS2 Newlove on his cell phone. Newlove advised (b)(3) (b)(6) that "they" were on (b)(1)1.4a and would be coming through the gate shortly. Encls 34, 60

193. (U) According to the NCIS Summary of Interview, (b)(3) (b)(6) stated that she was certain that they said they were on (b)(1)1.4a and that she ordered them back to base during the telephone conversation. Encls 42, 60

194. (U) According to (b)(3) (b)(6), between 1830 and 1900, she returned to her office following dinner and tried communicating with CS2 Newlove and HT2 McNeley, calling twice, radioing twice, and texting twice, one call and one text per Sailor. Encls 42, 60

195. (U) A review of the cell phone records for the cell phone used by (b)(3) (b)(6) contains no record of a call to CS2 Newlove or HT2 McNeley during the afternoon of 23 July 2010 and specifically contained no record of the calls referred to by (b)(3) (b)(6) between 1800 and 1900 described above. Encl 55

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196. (U) The telephone records for the phone used by (b)(3) (b)(6) reflect an incoming text message from CS2 Newlove at 1746 stating, "we are still good, should be there soon" and an outgoing text message at 1909 saying, "where you at?" Encl 55

197. (U) According to (b)(3) (b)(6) her attempts to re-contact CS2 Newlove and HT2 McNeley were unsuccessful. Encls 34, 42, 60

198. (U) At approximately 1900, (b)(3) (b)(6) spoke with (b)(3) (b)(6) expressing that she was worried about CS2 Newlove and HT2 McNeley. Encl 30

199. (U) During this conversation, (b)(3) (b)(6) to check the rooms of HT2 McNeley and CS2 Newlove to see whether they had returned to base. Encls 42, 60

200. (U) (b)(3) (b)(6) approached (b)(3) (b)(6) and asked whether he had heard from CS2 Newlove and/or HT2 McNeley. (b)(3) (b)(6) responded that he had not heard from the two Sailors and that he had verified that the two were not in their rooms. Encl 60

201. (U) Immediately thereafter, (b)(3) (b)(6) agreed that they would go and look for CS2 Newlove and HT2 McNeley if they had not returned by 2000. Encl 56

202. (U) According (b)(3) (b)(6), at 1915 (b)(3) (b)(6) informed him that CS2 Newlove and HT2 McNeley were overdue [in their return to the camp], and requested to go and look for them with (b)(6) (b)(3) (b)(6). Encls 28, 33, 42, 56

203. (U) At that time, (b)(3) (b)(6) granted (b)(6) (b)(3) (b)(6) authorization to take (b)(3) (b)(6) to look for HT2 McNeley and CS2 Newlove. Encl 29

204. (U) (b)(3) (b)(6) stated that she would have departed the base, regardless of (b)(3) (b)(6) reply. Encl 42

205. (U) (b)(3) (b)(6) stated that he never spoke to any officers before leaving Camp Julien to search for HT2 McNeley and CS2 Newlove. He states that when "we decided to go look for them, Senior Chief told us okay let's go; I figured she cleared it with the officers, but I was never in the office so I don't really know." Encl 30

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206. (U) (b)(3) (b)(6) left Camp Julien at between 1930 and 1940 in a single vehicle convoy, a silver Suburban, call sign (b)(1)1.4a, to look for CS2 Newlove and HT2 McNeley. Encls 28-30, 32, 42, 51, 60, 64

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207. (U) [redacted] departed the base wearing his ACU trousers and a brown tee shirt. He forgot his blouse. Encls 32, 42

208. (U) [redacted] was the Convoy Commander, [redacted] was the driver, and [redacted] sat in the rear seat. Encls 34, 67

209. (U) According to [redacted], it was dark when he, [redacted] [redacted] left Camp Julien. Encl 30

210. (U) Official sunset occurred at 1903, 23 Jul 2010. Encl 65

211. (U) [redacted] did not want [redacted] to accompany him and [redacted] out of fear that if their vehicle became disabled, he and [redacted] would be required to protect [redacted]. Encl 33

212. ~~(SECRET//REL TO USA, ISAF, NATO)~~ Upon exiting Camp Julien, they turned south on [redacted]. Encl 29-30, 32 51, 66

213. (U) The [redacted] search party started out traveling south on [redacted] because this was the last route reported by CS2 Newlove and HT2 McNeley. Encls 32, 42, 51, 56

214. (U) According to [redacted], he does not recall receiving an intelligence assessment for this convoy, but had received one earlier in the day in support of earlier convoys that he had been on. He was unaware of any changes to the intelligence since the earlier briefing he had received. Encl 36

215. (U) The group continued on [redacted] looking for CS2 Newlove and HT2 McNeley. They believed the two Sailors could have experienced vehicle problems and may have been stopped on the side of the road. Encls 30, 32, 33

216. (U) [redacted] stated that he was in contact with [redacted] while looking for CS2 Newlove and HT2 McNeley. Encl 33

217. ~~(SECRET//REL TO USA, ISAF, NATO)~~ The three drove south along [redacted], past Checkpoint [redacted], until they reached the front side of Camp Morehead, at which time they got turned around and drove to the back side of Camp Morehead. Encls 30-33, 42, 49-50, 66

[redacted]

(b)(1)1.4a

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(b)(1)1.4a

221. (U) (b)(3) (b)(6) then contacted (b)(6), a Dari linguist/interpreter employed at CTC-A, and requested that he ask the guards: (1) had they seen the SUV driven by HT2 McNeley and CS2 Newlove; (2) had they seen the Sailors walking along the road; and, (3) was (b)(1)1.4a passable if they continued to travel in the same direction? Encls 30, 32, 60, 68

222. (U) The trio was hoping to connect with (b)(1)1.4a when asking, through his interpreter, whether (b)(1)1.4a was passable. Encls 30, 32, 60

223. (U) The Afghan guards advised (b)(3) (b)(6) that they had not seen the White Toyota SUV that CS2 Newlove and HT2 McNeley had been driving in, nor had they seen the two Sailors walking on the side of the road. Encls 32, 39, 42

224. (U) The Afghan guards also told (b)(3) (b)(6) through his linguist, that his vehicle could go no further on the road he was on and he had to turn around and head back in the direction from which they came. The only road was the main road. Encls 32, 38-39

(b)(1)1.4a

227. (U) (b)(3) (b)(6) was using a map as they drove, but (b)(6) (b)(3) (b)(6) was not proficient at map reading. Encls 30, 32,

228. (U) According to the CTC-A log for 23-24 July 2010, at 2113, (b)(1)1.4a " passed through Check Point B1. Encls 40, 69

229. (U) (b)(3) (b)(6) indicated that the trio was heading south on (b)(1)1.4a, toward the intersection of (b)(1)1.4a. Encl 56

230. (U) According to (b)(3) (b)(6), the Camp Dubs TOC S2, he was in disbelief that the missing Sailors had taken (b)(1)1.4a because the day before (22 July 2010) there had been small arms fire in the vicinity of (b)(1)1.4a and he would not allow convoys to use that route. Encls 70, 71

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(b)(1)1.4a

232. (U) The (b)(3) (b)(6) search party accidentally missed the (b)(1)1.4a (b)(1)1.4a intersection and continued south on (b)(1)1.4a onto (b)(1)1.4a toward Forward Operating Base (FOB) Shank and Logar Province. Encls 30, 49-50, 56

233. (U) (b)(1)1.4a runs to the North and then bears to the East, North of Camp Julien, crossing (b)(1)1.4a, North of Camp Julien. The intersection of (b)(1)1.4a is South of (b)(1)1.4a and (b)(1)1.4a intersection. Encl 40

234. (U) During the search, (b)(3) (b)(6) was also handling communications, including "several telephone conversations with (b)(3) (b)(6)." Encls 17, 32

235. (U) According to (b)(3) (b)(6), he contacted (b)(3) (b)(6) during this timeframe via cell phone and ordered her to return to Camp Julien. Encls 28-29

236. (U) Neither (b)(3) (b)(6) recall a direction or order from (b)(3) (b)(6) for them to return to Camp Julien. Encls 28, 30, 42

237. (U) While traveling south on (b)(1)1.4a, (b)(3) (b)(6) became concerned that they had traveled too far south and had missed their turn onto (b)(3) (b)(6). At this point, he suggested that they turn around. Encls 30, 32, 42

238. (U) (b)(1)1.4a turns into (b)(1)1.4a South of Kabul where Logar Province begins. Encl 89

239. (U) As the vehicle entered a traffic circle, an Afghan National Police (ANP) vehicle flashed its lights and compelled the three to stop. Encls 30, 32, 42, 49-50

240. (U) When the vehicle stopped, (b)(3) (b)(6) told (b)(3) (b)(6) to stay in the vehicle while they got out and spoke to the ANP officers. Encls 30, 42, 49-50

241. ~~(SECRET//REL TO USA, ISAF, NATO)~~ When the vehicle was stopped at the ANP checkpoint, (b)(3) (b)(6) contacted (b)(6) (b)(6) via phone and asked him to once again speak with the ANP officers and ask them the same questions that he asked of the ANP officers at the Camp Morehead checkpoint. Encls 17, 30, 42, 46, 49, 50, 53, 64, 68

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242. (U) The search party was informed by the Afghan officers that they were in Logar Province, approximately 50 kilometers south of Kabul. Encls 32, 49-50

243. (U) The ANP officers related through [redacted (b)(6)] that they would not allow the three Sailors to turn back to Kabul, due to the dangerous environment they were in; however arrangements would be made to get them to FOB Shank, which, according to [redacted (b)(3) (b)(6)], the ANP officers said FOB Shank was just to the South of the location where they had stopped the [redacted (b)(3) (b)(6)] search party. Encls 17, 30, 42

244. (U) The ANP stated that it was too dangerous either to continue further south or to return to Kabul. Encl 42

245. (U) The ANP escorted the QMCS search party to a local ANP station where they contacted FOB Shank. Encls 30, 32, 42, 49-50, 64

246. (U) From there, the ANP escorted them to FOB Shank. They arrived at FOB Shank at approximately 0030 on the morning of 24 July 2010. Encls 30, 32, 42, 64, 69

247. (U) FOB Shank is approximately 40 miles south of the intersections of [redacted (b)(1)1.4a] Encl 67

248. (U) According to [redacted (b)(3) (b)(6)], 30 minutes after he had ordered [redacted (b)(3) (b)(6)] to turn around, [redacted (b)(3) (b)(6)] called and informed him that her vehicle had been stopped at an ANP checkpoint and her party was being escorted to FOB Shank. Encl 28

Formal Search and Recovery Operation 23/24 July 2010

249. (U) Between approximately 2040 and 2045, on the evening of 23 July 2010, 60 minutes after [redacted (b)(3) (b)(6)] convoy had departed Camp Julien, [redacted (b)(3) (b)(6)] notified [redacted (b)(3) (b)(6)] that HT2 McNeley and CS2 Newlove were overdue [in returning to Camp Julien] and that [redacted (b)(3) (b)(6)] had taken a single vehicle convoy out to look for them. Encls 25, 28, 69

250. (U) The conversation between [redacted (b)(3) (b)(6)] and [redacted (b)(3) (b)(6)] was overheard by [redacted (b)(3) (b)(6)]. Encl 44

251. (U) [redacted (b)(3) (b)(6)], thereafter, contacted the Camp Dubs TOC, spoke to [redacted (b)(3) (b)(6)] who was then on duty, and asked for support to look for an overdue vehicle. Encl 25

252. (U) [redacted (b)(3) (b)(6)] came to [redacted (b)(3) (b)(6)], the second shift S-2 on duty at the Camp Dubs TOC, at approximately 2100 and asked what air assets were airborne in the Kabul area. Specialist Foss stated that [redacted (b)(3) (b)(6)] was not specific at that time as

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to why air was necessary, but noted that some of his "guys" were overdue. Encl 73

253. (U) Thereafter, Camp Dubs' TOC attempted without success to contact CS2 Newlove and HT2 McNeley on the radio. Encl 76

254. ~~(SECRET//REL TO USA, FVEY, NOR, NLD)~~ According to records maintained by JTF Kabul regarding the events on 23 July 10, "at 2100, there was a report by the Australians at Camp Dubs of a missing up-armored Toyota Land Cruiser with two Australian personnel inside." Encl 74

255. (U) According to [redacted (b)(3) (b)(6)], the Soldier who was assigned to the Camp Dubs S2, and [redacted (b)(3) (b)(6)] the JTF Kabul S2, [redacted (b)(6)] [redacted (b)(3) (b)(6)] did not provide sufficient identifying information regarding the vehicle the two personnel were in when the initial reports were made to support a formal Personnel Recovery Mission. Encl 75, 77

256. (U) [redacted (b)(3) (b)(6)] advised [redacted (b)(3) (b)(6)] of the information that was required to generate a request for air support to search for missing personnel. Encl 25

257. (U) In response to [redacted (b)(3) (b)(6)] questions about air assets that were available, [redacted (b)(3) (b)(6)] advised him that a UAV had taken off. According to [redacted (b)(3) (b)(6)], he [redacted (b)(3) (b)(6)] then called Bagram to ask that the UAV be reassigned to look for the overdue vehicle. Encl 25

258. (U) According to [redacted (b)(3) (b)(6)], JTF-101 provided one helicopter and International Joint Command (IJC) provided a Turkish Helicopter to assist in the search. Encl 25

259. (U) However, according to [redacted (b)(3) (b)(6)] and [redacted (b)(3) (b)(6)], the matter was not yet being treated as a Duty Status Whereabouts Unknown (DUSTWUN) situation, because [redacted (b)(3) (b)(6)] [redacted (b)(3) (b)(6)] had not yet clearly articulated that personnel were missing. Encl 77

260. (U) At 2145, Camp Dubs TOC contacted JTF Kabul at Camp Phoenix and related that there may be personnel missing from Camp Dubs. Encl 76

261. (U) A notification was made to the Regional Command-Central LNO at 2119. Encl 73

262. (U) At 2120, a SIPRNET instant message, known as a MIRC Chat message, was released stating "there is a report from the Australians at Camp Dubs of a Missing Toyota Land Cruiser with two Australian personnel inside. They last reported-in three hours ago on [redacted (b)(1)1.4a], 3-4 kilometers north of Morehead. The single truck convoy was scheduled to return at 2000 to 2030. There is currently another Australian up-

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armored Toyota Land Cruiser checking the last known location along (b)(1)1.4a (b)(1)1.4a" Encl 73

263. (U) At 2122, an email was sent to the Region Command-Central (RC-C) Liaison Officer (LNO) providing the call signs for the McNeley/Newlove vehicle (b)(1)1.4a and the vehicle driven by (b)(3) (b)(6) (b)(1)1.4a), as well as the radio frequencies on which the two vehicles were supposed to be operating. Encl 73

264. (U) At 2132, JTF Kabul asked TF 10 if they had any ISR available. TF 10 said "no," and directed JTF Kabul to contact International Joint Command (IJC). Encl 73

265. (U) At 2136, JTF Kabul contacted the IJC ISR Officer in Charge. The JTF Kabul caller was directed to call RC-C and was told not to call IJC. Encl 73

266. (U) At 2145, (b)(3) (b)(6) returned to the Camp Dubs TOC with all necessary information and specifically requested that air assets be employed to locate the missing personnel. Encls 25, 69, 73

267. (U) At 2145, JTF Kabul representatives called JTF Paladin to inquire as to whether JTF Paladin could conduct cell phone exploitation/signals intelligence collection on the phones carried by CS2 Newlove and HT2 McNeley. Encls 69, 73

268. (U) At 2153, JTF Kabul informed TF Wolverine of the incident and TF Wolverine gave JTF Kabul the number to the Region Command - East (RC-E) Battle Captain. Encls 69, 73

269. (U) 2157, JTF Kabul emailed RC-C LNO stating "we need to know if RC-C is going to spin up air, if not we can try to get it from Bagram Air Field (BAF)." Encls 69, 73

270. (U) At 2200, according to Camp Dubs' J2 timeline, the TOC requested rotary wing and UAV assets from JTF Kabul and TF Odin. Encls 52, 76

271. (U) At the same time, 1-101 identified two teams (Raven and Apache) that were most familiar with the area where (b)(1)1.4a" was last believed to be located, and further stated that these units were prepared to launch to look for the missing vehicle. Encls 52, 69

272. (U) At 2205, JTF Kabul was advised by RC-C that they would not fly at night. Encls 73

273. (U) At 2209, JTF Kabul contacted the RC-E Battle Captain and provided RC-E the contact information for (b)(3) (b)(6) (b)(3) (b)(6) at Camp Dubs. Encl 73

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274. (U) At 2215, TF10 at Camp Morehead was contacted by 1-101st (b)(1)1.4a element and agreed to send out an element to assist with the search for the missing vehicle. Encl 52

275. (U) As of 2225, 1-101 (b)(1)1.4a contacted Afghan National Army forces positioned at a fuel point in (b)(1)1.4a and asked them to assist in the search. The Afghan National Army forces agreed to send two elements to assist (1 heading South and 1 heading North). Encl 52

276. (U) At 2230, 101 Battalion leadership issued instructions to its units to standby/ready to roll out. Encl 52

277. (U) Following the report from (b)(3) (b)(6), the TOC made repeated attempts to contact the Newlove/McNeley vehicle via VHF, HF, and cell phone without success. Encl 52

278. (U) At 2256, (b)(3) (b)(6) instructed (b)(1)1.4a (b)(1)1.4a " to return to base. Encls 52

279. (U) At 2258, Camp Dubs TOC reported that "IJC have rotary wing assets up." This report is corroborated by the JTF Kabul Log which indicates that as of 2308, rotary wing assets were up. Encl 52

(b)(1)1.4a

282. (U) At 2331 JTF Kabul informed (b)(3) (b)(6) to advise Navy higher headquarters of the missing personnel. Encl 73

283. (U) At 2348, Joint Personnel Recovery Center (JPRC) had declared PR event 10-022. CPRC was designated as the lead. Encls 78

284. (U) At 2358, (b)(1)1.4a " is reported to have moved to FOB Shank, because it was the closest Camp where it was to remain overnight. Encl 52

24 July 2010

(b)(1)1.4a

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(b)(1)1.4a

287. (U) The Predator began its search for the missing personnel focusing on (b)(1)1.4a in an expanding box pattern. Encl 75

(b)(1)1.4a

291. (U) The suspected vehicle turned out to be a blue Toyota Corolla Station Wagon. Encl 73

(b)(1)1.4a

299. (U) The ambush site was discovered shortly after the vehicle was secured. The vehicle had been moved approximately one kilometer from the ambush site. Encl 86

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(b)(1)1.4a

24 - 25 July 2010 Examination/Recovery of the Vehicle

301. (U) The vehicle was located to the West of (b)(1)1.4a, Southwest of FOB Shank. Encl 89

302. (U) There is an unnamed road that connects to (b)(1)1.4a, just North of FOB Shank running to the Southwest. Encl 89

(b)(1)1.4a

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Vehicle Examination at FOB Shank



(b)(1)1.4a

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(b)(1)1.4a

328. (U) On 31 July 2010 and 1 August 2010, agents from NCIS Resident Agency (NCISRA) Afghanistan conducted an additional forensic examination of the vehicle at FOB Shank. Encls 54, 95-96

329. (U) During the NCISRA examination, there were over 200 perforations/impacts were documented in the vehicle skin, windows, and undercarriage, which were caused by either SAF and/or post-blast event. Encls 54, 95-96

330. (U) Evidence of a post-blast event was noted on the left rear end door of the vehicle, traveling along the driver's side rear undercarriage. Encls 54, 95-96

331. (U) The undercarriage of the vehicle sustained severe fragmentation damage from a rocket-propelled grenade, including holes to the fuel tank, break lines, and rear tires. Encls 54, 95-96

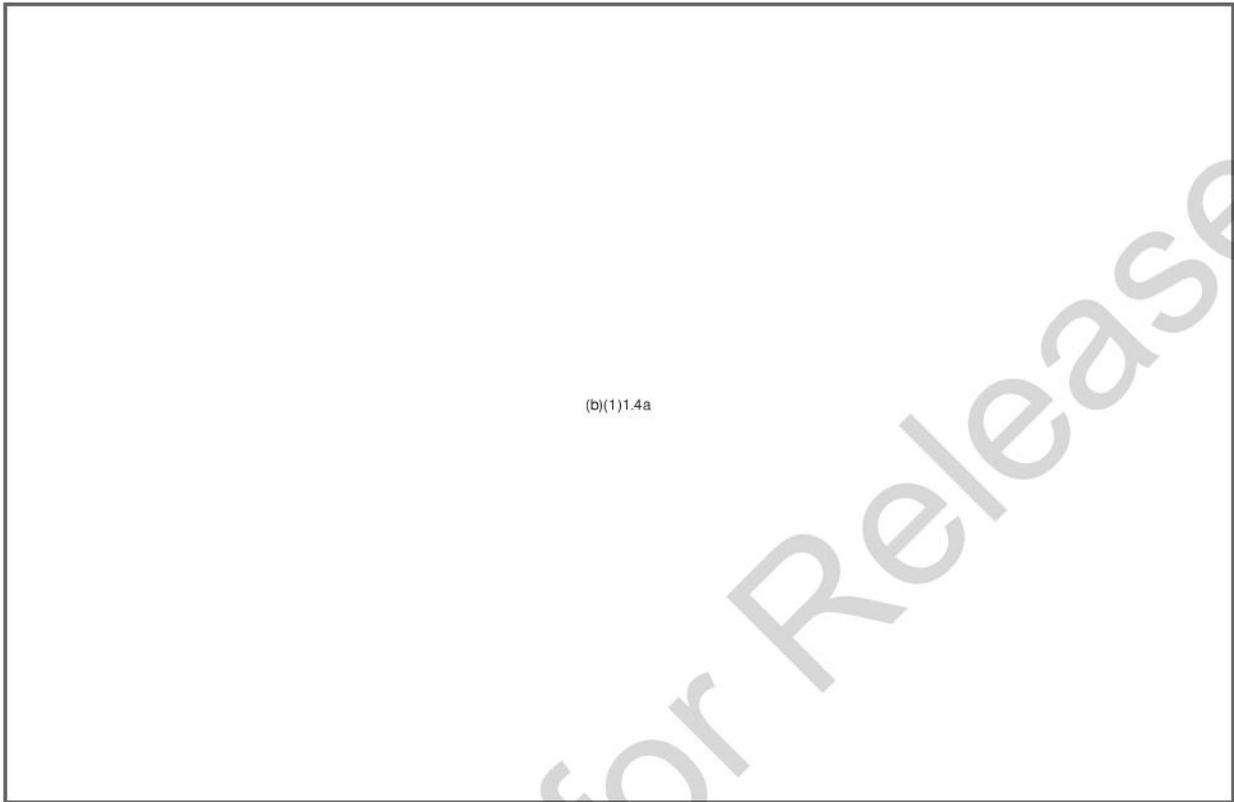
332. (U) The front passenger's door window sustained sufficient SAF to breach the ballistic glass. Encls 54, 95-96

333. (U) Several items of evidence were seized, including a piece of exploded RPG, which had been lodged in the rear driver's side suspension spring. Additional items of evidence seized were bullet fragments and bloodstains. Encls 54, 95-96

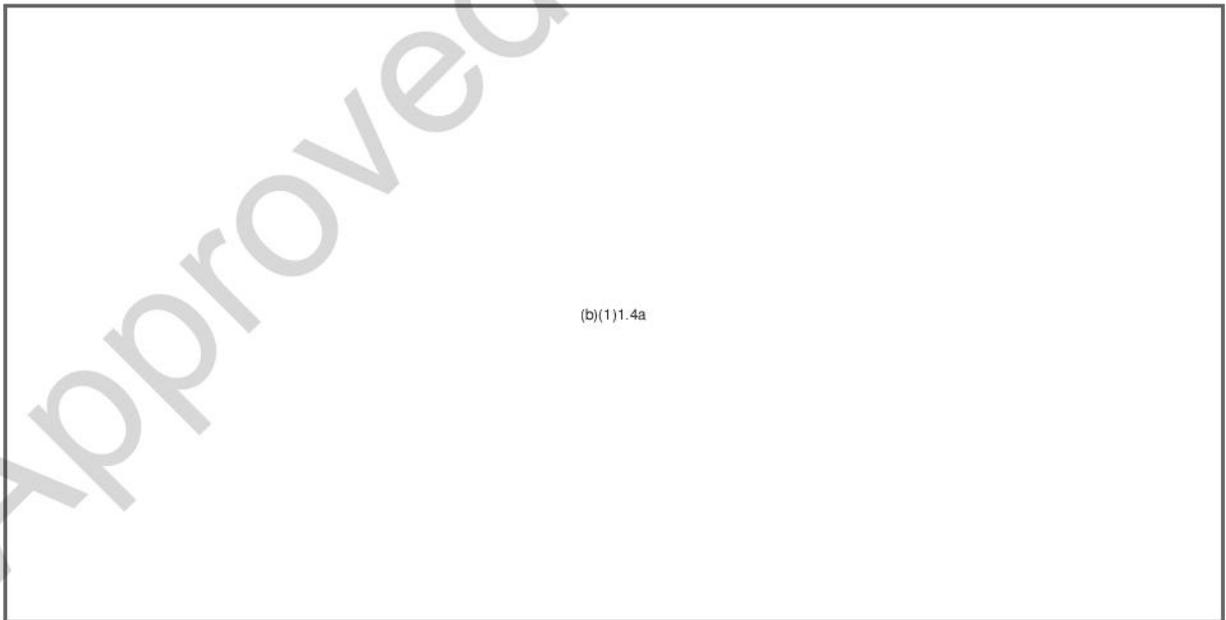
Circumstances of Ambush

(b)(1)1.4a

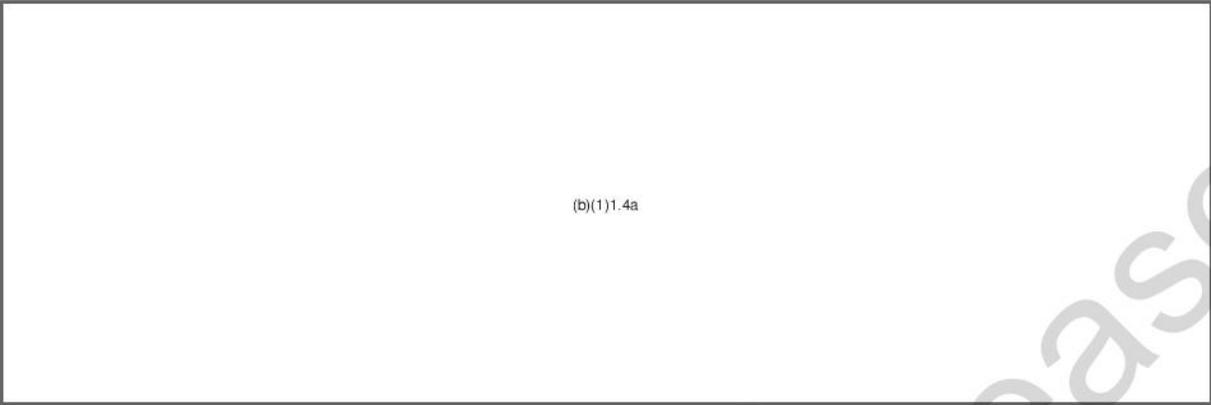
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Intelligence reporting 24-25 July 2010

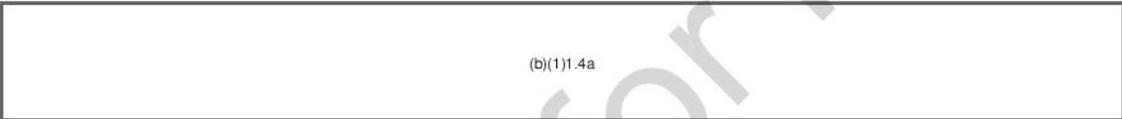


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(b)(1)1.4a

349. (U) One report of particular interest recounted that, on the morning of 24 July 2010, two Coalition personnel riding in a white up-armored sport utility vehicle had been captured. One had been shot and health condition was unknown. The person shot was last seen in Charkh District, Logar Province. As of the time of the report, it was not known whether insurgents were attempting to transport the Sailors from the Charkh District further south in Logar Province. Encl 108



(b)(1)1.4a

351. (U) Another significant intelligence report that was received on 24 July 2010 (NFI) indicated a Kabul restaurant owner had reported to insurgents that two Americans were driving a white Toyota Land Cruiser from Kabul to Logar. The insurgents contacted by the restaurant owner prepared an ambush in the Musayi area of Logar Province. In Musayi, the road was blocked and all vehicles were required to travel off the road. The ambush was set at the roadblock. After being ambushed, the Americans were taken to an insurgent's home in the Mohammad Agha District of Logar Province. At approximately 0030, 24 July 2010, the insurgents moved the two soldiers to the village of Patang (spelled phonetically in the report) in Charkh District. The soldiers had two weapons, two sets of binoculars, and two radios. The insurgents reportedly killed "the tall, white guy." The remaining soldier was taken to Gap Village, in Charkh District to another insurgent's house, where he was then being held. Encl 99-109

Insurgent Telephone Contacts of 25 July

352. (U) Cell phone calls began coming in on (b)(3) (b)(6) (b)(3) (b)(6) cell phones on 25 July 2010. With the assistance of various interpreters, conversations were conducted with the caller(s). Encls 34, 39, 42

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353. (U) The caller claimed to have two Americans in his custody. The caller wanted to know who the Americans were, where they came from, and their purpose in Charkh District. Encl 39

354. (U) Additionally, the caller wanted to conduct a trade; the two Americans for all of the prisoners currently being held in Bagram. Encl 39

355. (U) The caller claimed that the Americans were fine, although one of them was wounded in the arm. Encls 29, 39

356. (U) In all, five calls were received, the last occurring at 1715 on 25 July 2010. Encls 29, 39

Recovery of the Remains of HT2 McNeley, 26 July 2010



(b)(1)1.4a

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(b)(1)1.4a

Recovery of Remains of CS2 Newlove 28 July 2010

374. (U) On the morning of 28 July 2010, a local national reported to Outpost Ultimer, Logar Province, that a body of an American male had washed up in a river north of Charkh District, Baraki Barak District, Logar Province. Encl 89, 112-115

375. (U) The local national stated that at approximately 0830, he was outside of his residence and heard numerous people from the village talking about a body being found. Encls 112-113, 115

376. (U) The local national left his residence and walked to what could be described as a small river. Encls 112-113

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377. (U) The area is a large gulley that filled with water from rain that fell the previous evening. Encls 112-113

378. (U) Once at the water's edge he noticed a body in the water near the riverbank. Encls 112-113

379. (U) The body appeared to be caught on trees near the bank. Encls 112-113

380. (U) The local national (described above) and another local national entered the water while a third individual stayed on the bank. Encls 112-113

381. (U) They were able to pull the body from the water, although the body was heavy and they had difficulty moving him. Encls 112-113

382. (U) Once on the bank, they noticed that the body was unclothed. The local national used a flour sack to cover the body out of respect. Encl 112

383. (U) The local national recalled what appeared to be a cut over one of [CS2 Newlove's] eyes, but he could not recall which eye. Encls 112-113

384. (U) The local national said he knew he had to tell someone, so he traveled to the closest American base he knew of (OP Roadhouse) and reported what he had found. Encl 112

385. (U) It took the local national until approximately 1100 to reach the American base. Encls 112-113

386. (U) A patrol was dispatched to the area described by the local national. Encls 112-117

387. (U) The patrol confirmed the presence of the body, later identified as CS2 Newlove. Encls 112-117

388. (U) At approximately 1400, Law Enforcement Professionals (b)(3) (b)(6) along with (b)(3) (b)(6) responded to assist with Tactical Site Exploitation (TSE) of the body. Encls 115-116 (GRAPHIC PHOTOGRAPHS)

389. (U) The LEP's did a crime scene examination, collecting all potential evidence found at the scene. Encls 113-116, 118 (GRAPHIC PHOTOGRAPHS)

390. (U) An EOD specialist checked the body for booby-traps, with negative results. Encl 114

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391. (U) The body was recovered, placed in a body-bag and then placed on top of a stretcher. Encls 114,

392. (U) At approximately 1545, 28 July 2010 the remains of CS2 Newlove were transported to Bagram Airbase, and then to Port Mortuary, Dover Air Force Base, Dover DE for autopsy. Encl 119

Autopsy Results

393. (U) HT2 McNeley sustained blunt force trauma to the face and head. Encl 120

394. (U) HT2 McNeley sustained multiple gunshot wounds, many after death, and skull fractures. Encls 120-121 (GRAPHIC PHOTOGRAPHS)

395. (U) Autopsy results indicate that the cause of death in the case of HT2 McNeley was gunshot wound to the torso, complicated by multiple blunt force injuries to the head. Encl 120

396. (U) CS2 Newlove had suffered a gunshot to the back of the head with an exit wound over the left eye and multiple skull fractures. Encls 122-123 (GRAPHIC PHOTOGRAPHS)

397. (U) Evidence was found indicating CS2 Newlove had been bound at the elbows and possibly dragged, causing abrasions to the left foot. Encls 112, 123 (GRAPHIC PHOTOGRAPHS)

398. (U) Autopsy results indicate the cause of death in the case of CS2 Newlove was multiple gunshot wounds complicated by blunt force injuries. Encl 122

USFOR-A, ISAF, NTM-A/CSTC-A Vehicle Movement Control Policies for the Kabul Area

399. (U) USFOR-A's ground movement policy was limited to personnel on the New Kabul Compound and did not direct the policies of subordinate units. Encl 124

(b)(1)1.4a

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(b)(1)1.4a

403. (U) On 23 July 2010 CTC-A was and remains subject to the policies and orders of NTMA/CSTC-A, unless otherwise authorized by an appropriate authority within NTM-A/CSTC-A. Encls 26, 126

404. (U) The NTM-A movement control policies in effect on 23 July 2010 were the NTM-A/CSTC-A Movement Control Policy of 22 November 2009, as revised in part by the and the NTM-A/CSTC-A Movement Control Policy of 15 June 2010. Encls 126-127

405. (U) The policies above, in pertinent part, provided for and required the following:

a. The policy of 15 June 2010 revised the November 2009 policy that established three zones of travel within the city of Kabul (inner, middle and outer) and permitted movement in one vehicle within the Inner Zone and required two or more vehicles for travel in the Outer Zone. The 15 June 2010 policy permitted one-vehicle movements throughout the city limits;

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b. The 15 June 2010 policy defined the city limits as Camp Julien to the south, the ANSF Detention Center at Pol-e-Charki in the East, the Afghans Defense University (ADU) and [redacted] west to [redacted] South intersection to the West, and [redacted] intersection in the North;

c. The 15 June 2010 policy retained all other two-vehicle movement requirements established in the November 2009 policy;

d. The 15 June 2010 policy required all drivers and passengers to attend the NTM-A/CSTC-A Driver Training Class prior to traveling in a vehicle, other than as a third occupant, within the first 30 days on board; two armed personnel, two means of communications, and ECM for all movements. In addition, the policy required each vehicle to have one combat life saver (CLS) qualified person with CLS bag;

e. The November and June policies required all personnel in vehicles wear duty uniform, IBA, and Kevlar helmet, as well as hand, ear, and eye protection;

f. The June 2010 policy retained the movement coordination process put into effect in November 2009 and the previously established reporting points;

g. Under the June 2010 policy, Outer Zone single vehicle movements required the approval of an O-6 or equivalent subordinate command leadership, with approvals documented using the standard movement control form. Thorough risk assessments were also required;

h. The June 2010 policy prohibited all non-mission essential travel; and,

i. The June 2010 policy also prohibited the wearing of civilian attire off Camp Eggers without the express written permission of the Chief of Staff, Deputy to the Commander, or Commander, who could approve civilian attire for compelling reason. Encl 128

The CTC-A Policy

406. (U) The CTC-A policy of 1 January 2010 contained requirements that differed with the November 2009 policy, as revised by the June 2010 policy of NTM-A/CSTC-A. Encls 126-128

407. (U) The CTC-A movement control policy of 1 January 2010 provided for the following:

a. Required two vehicle SUV convoys within Kabul, two occupants per vehicle, two communications devices (MBITR and cell phone) per vehicle, the carriage of weapons by driver and TC (with full basic ammunition load), CLS trained driver and TC;

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b. Required Kevlar helmets to be in the vehicles, (but did not require that they be worn), body armor to be worn by driver and TC, made optional the wearing of body armor by passengers, but required that passengers have their body armor in the vehicles, authorized the use of green/black fleece caps, authorized the wear of ball caps/scarves during movements but required that they be removed before movement through an entry control point;

c. Sets forth responsibilities of Convoy Commander, Assistant Convoy Commander, Driver, TC, dismount, and the requirements for submitting and approving convoy requests;

d. Permitted Convoy Commanders to deviate from the SOP, to the extent reasonably necessary as the mission or situation dictates. Encl 128

408. (U) The policy states that Ground Movement Requests should be submitted to the Ground Movement NCOIC (b)(3)(b)(6) at the time), but contains no further information regarding in the convoy approval process (e.g., the requirement for O-6 approval of single vehicle convoys for the Outer Zone). Encl 128

409. (U) The CTC-A Convoy Tracking SOP (undated) set forth protocols for how and when convoys were required to communicate with the CTC-A tactical Operations center, including the following:

a. Those seeking to go out on a convoy were required to turn in a Ground Movement Request form by 1900 the day prior;

b. The Transportation NCO was responsible for determining the convoy plan for the following day and providing the Ground Movement Request form to the Tactical Operations Center;

c. Prior to departing on a convoy, the Convoy Commander was required to report to the S2 for an intelligence update and advise the Tactical Operations center of any changes to the details listed in the Ground Movement Request Form;

d. When the convoy was ready to depart, the Convoy Commander was required to establish radio communications with the TOC and confirm the vehicle's call sign, destinations, and passenger details;

e. Duty personnel were required to enter the information above into the TOC Convoy Log Sheet;

f. The Convoy Commander was required to maintain communications with the TOC throughout convoy operations to ensure the operations center had situational awareness of the convoy's progress;

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g. Convoy Commanders were required to notify the TOC when the convoy cleared designated checkpoints (IAW the "1:25000 Kabul Route map") or by radio check every 20 minutes.

h. Convoy Commanders were required to report arrival at destinations, resumption of convoy operations, and mission complete upon return to Camp Julien;

i. Convoy Commanders were required to use designated radio procedures and carry and use cell phones as secondary communications as necessary and appropriate. Encl 129

CTC-A Command and Control Practices for Vehicle Movement

410. (U) According to [REDACTED (b)(3) (b)(6)], the formal written guidance contained in the CTC-A Ground Movement Guidance was often ignored. Encl 43

411. (U) [REDACTED (b)(3) (b)(6)] stated that CTC-A was not properly resourced or organized to comply with the CTC-A Ground Movement Policy of January 2010. Encls 29, 34, 44

412. (U) An [REDACTED (b)(3) (b)(6)], was responsible for approving all CTC-A convoy requests. Encl 30

413. (U) [REDACTED (b)(3) (b)(6)] approved where convoys went, who was on the convoys, and how they traveled (single or multiple vehicles). Encl 30

414. (U) [REDACTED (b)(3) (b)(6)] filled the position of Intelligence Officer for CTC-A and was expected to provide intelligence briefs to Convoy Commanders prior to their departure from Camp Julien. Encl 17

415. (U) [REDACTED (b)(3) (b)(6)] received no training to perform Intelligence Officer functions. Encl 32

416. (U) [REDACTED (b)(3) (b)(6)] did not have an intelligence background. He stated however, if he did not understand something in an intelligence report or needed assistance, he would email [REDACTED (b)(3) (b)(6)], the Assistant S2 at Task Force Kabul to get help. Encl 36

417. (U) According to [REDACTED (b)(3) (b)(6)], he fought to get an actual Intel officer assigned at Camp Julien, without success. Encl 17

418. (U) CTC-A had Personal Locating Beacons (PLBs) in its possession; however, they were never issued to anyone as they required an officer to sign for them and the unit lacked training. Encls 17, 25, 32, 44

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419. (U) PLBs are devices that utilize GPS to send a signal indicating the precise location of the individual activating the device. Encl 130

420. (U) CTC-A had radios in their TOC, but the radios were not located in the vicinity of the Duty Officer whose duty it was to answer the radios when calls came in. This resulted in numerous people throughout the day receiving calls from the field. Encls 29, 131-133

421. (U) [redacted (b)(3) (b)(6)] at CTC-A, Camp Julien, from January - March 2010, stated that she observed many violations of NTM-A/CSTC-A vehicle movement policies while stationed at CTC-A. Encls 134-136

[redacted (b)(1)1.4a]

423. (U) According to [redacted (b)(3) (b)(6)], she met resistance from her CTC-A leadership when she recommended that drivers be trained through the CSTC-A drivers' training course. Encls 134-136

424. (U) CTC-A personnel did not usually wear personal protective gear (body armor, Kevlar helmets, protective eyewear, gloves) or use ECM when operating vehicles off Camp Julien. Encls 25, 131, 135-136, 138-144

425. (U) Gear and weapons were required to be carried in vehicles, although gear wear was optional for passengers. Encls 146

426. (U) Those who attempted to correct CTC-A convoy personnel were frequently told that CTC-A personnel were not required to wear full gear, in accordance with the CTC-A SOP, or words to that effect. Encls 134-135

427. (U) On one occasion, during a convoy, [redacted (b)(3) (b)(6)] ordered HT2 McNeley, [redacted (b)(3) (b)(6)] to put on their Kevlar helmets and Individual Body Armor and turn on the vehicle ECM. The three refused stating it was not required by the CTC-A SOP. Encls 134-135

428. (U) [redacted (b)(3) (b)(6)] reported the matter to [redacted (b)(3) (b)(6)] at CSTC-A and asked that he place the three on report. Encls 134-136

429. (U) She then told [redacted (b)(3) (b)(6)] to prepare to move her back to Camp Eggers because the CTC-A leadership would not be happy with her. Encls 134-136, 138-139, 147

430. (U) When she arrived back at Camp Julien that day, [redacted (b)(6)] [redacted (b)(3) (b)(6)] yelled at her, told her that he had heard there was an issue

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with the convoy, and things would not change unless his Colonel told him to. Encls 134-136

431. (U) [redacted] then spoke to [redacted] about the matter and told [redacted] she wanted the drivers to go to driver's training and get Personal Locating Beacons (PLBs). Encls 134-136

432. (U) According to [redacted], as a result of the above, she was written-up, accused of being disloyal to [redacted], and was forced to move back to Camp Eggers, where her chain of command supported her. Encls 45, 135-136, 148-149

433. (U) According to the CTC-A Movement Policy, drivers were required to receive route status and intelligence updates before they left Camp Julien. Encl 127-128, 146

434. (U) There were conflicting reports from witnesses as to whether this regularly occurred. Encls 43, 45, 146

435. (U) It was typical for CTC-A convoys to be one-vehicle moves, especially after the 18 May 2010 IED attack just outside Camp Julien. Encls 143-145, 150, 164

436. (U) CTC-A typically drove 100 convoys per month. Encls 134, 146

437. (U) ISAF, IJC, and CTAG-A leadership, including the CTAG-A Command Sergeant Major, were aware that CTC-A was operating one-vehicle convoys "for quite some time" and did not agree with it. Encls 138-139, 141, 147, 152

438. (U) CTAG-A did not direct CTC-A to cease single vehicle movements. Encls 140, 151-152

439. (U) CTC-A vehicles were equipped with radios, which had limited range, but no GPS or other tracking devices. Encls 29, 31, 70

440. (U) Drivers typically used cell phones to communicate with CTC-A Tactical Operations Center at Camp Julien. Encls 134, 146

441. (U) While assigned at CTC-A, [redacted] attempted to acquire PALLAS B1 GPS Trackers and Personal Locator Devices (PLBs) for all convoy vehicles. These devices would allow CTC-A vehicles and personnel to be tracked by Blue Force Tracker. Encls 17, 25, 32, 44, 130, 134

442. (U) According to [redacted], when she asked for the above devices, [redacted], the NCOIC of vehicle movement for CTC-A, pulled her aside and told her he did not want the devices, saying that the driving teams go to many places that they did not want anyone to know about. Encl 134

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443. (U) [redacted] stated that [redacted] kept asking for the GPS devices, saying that she wanted them to map-out the interpreter's houses, because the interpreters were being threatened by local insurgents. She further stated that when she told [redacted] that these devices would allow the JOC to monitor vehicle position and movement, [redacted] said she did not want the devices. Encls 134-135

444. (U) There was at least one report that CTC-A vehicles went out at night with personnel in civilian clothes, with no radios in the vehicles or antennas attached to the outside of the vehicles. Encl 134

445. (U) [redacted] said he had never heard of anyone taking antennas off vehicles or removing radios. Encl 137

446. (U) According to [redacted], in March 2010, he was advised by [redacted] of non-compliance with uniform and NTM-A/CSTC-A vehicle movement policies by CTC-A personnel. Encls 138-139, 147-148

447. (U) [redacted] Encls 138-139, 147-148

448. (U) He described that he went to CTC-A to make an assessment and while at CTC-A he saw Navy enlisted members wearing John Deere hats and local scarves with their duty uniforms. Encls 138-139, 147-148

449. (U) He stated that when he directed personnel to take off the unauthorized clothing, he was told that the clothing was part of the CTC-A SOP. Encls 138-139, 147-148

450. (U) He went on to state that at a later date, the CTC-A driving team picked him up at Camp Eggers to drive him to KIA. Encls 138-139, 147-148

451. (U) During that trip, [redacted] confirmed the typical manner in which CTC-A operated their vehicles (no personal protective gear or ECMS), as described above. He received the same response, as described above, to his requests that they put their gear on and turn on the ECM - doing so was inconsistent with CTC-A SOP, or words to that effect. Encls 138-139, 147-148

452. (U) When [redacted] told the CTC-A convoy team to put on their gear, the CTC-A team told [redacted] that if he had a problem with that (them not wearing gear) he could call their Colonel. Encls 138-139, 147-148

453. (U) [redacted] also stated that the convoy team did not clear their weapons coming into Eggers. When he questioned this, the team stated that they always stayed in Amber because they were an

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Amber camp and members of the force protection personnel. Encls 138-139, 147-148

454. (U) [redacted] brought the incident to the attention of [redacted], who said he would look into the issue. Encls 138-139, 147-148

455. (U) [redacted] states that "about a week later I got a call from [redacted], who indicated that she heard that I talked to [redacted] and that compliance with convoy requirements was improving." Encls 138-139, 147-148

456. (U) [redacted] later discussed the GPS tracking devices with CS2 Newlove. Encls 138-139, 147-148

457. (U) CS2 Newlove stated that he did not want the devices because CTC-A often brings their interpreters to places that they do not want to be tracked. Encls 138-139, 147-148

458. (U) At least one interpreter disputed CS2 Newlove's statement that the interpreters objected to GPS or other tracking devices. Encl 153

459. (U) Convoys were frequently conducted at night, including convoys for taking [redacted] to dinner. These trips were from approximately 1900 to 2200 hours. Encls 45, 135, 137, 146, 154-155

460. (U) At times after dark, convoy passengers/participants would leave Camp Julien in civilian clothes. Encl 135

Good Order and Discipline within CTC-A

461. (U) On 29 August 2010, Brigadier General Jefforey Smith, U.S. Army was appointed to conduct an AR 15-6 investigation into allegations of misconduct, poor leadership, and an unhealthy command climate at CTC-A. Encls 156-157

462. (U) As a result of that investigation, a sexually suggestive screen saver and pornographic material were discovered on a U.S. Government computer in [redacted] Office at CTC-A. Encls 156-157

463. (U) Additionally, numerous questionable posters of a potentially sexually suggestive and/or profane nature were found on the walls of [redacted] office. Encls 156-157

464. (U) Prior to 23 July 2010, [redacted] was verbally counseled by Brigadier General Ierardi about the former's screen saver and was directed to remove it. [redacted] failed to do so. Encl 158

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465. (U) CTC-A policy was that weapons could be stored in the vehicles over night. Encls 43, 45, 143, 150, 154, 161, 165

466. (U) According to [redacted (b)(3) (b)(6)], no weapon has ever gone missing as result of this policy. Encl 143, 164

467. (U) According to at least two witnesses, [redacted (b)(3) (b)(6)] allowed the consumption of alcohol at command events. Encls 135, 154

468. (U) The USCENTCOM General Order Number 1b of 13 March 2006 prohibits the possession, consumption, introduction, of alcohol in Afghanistan and in addition prohibits the display of pornographic or sexually explicit photographs or video tapes, drawings, or similar representations. Encl 160

469. (U) Authority to waive or modify USCENTCOM General Order Number 1b is delegated to the Deputy Commander, USCENTCOM and the Chief of Staff, USCENTCOM. Encl 160

470. (U) The NTM-A/CTC-A SOP of 23 June 2010 states that:

Personnel who have been issued weapons and ammunition must maintain positive personal control over them at all times. "Personal Positive control" is defined as the weapons are carried by the person, is under the control (guard) of a known individual who is authorized to possess a weapon or is double locked (i.e., inside a locked cabinet or footlocker within a locked room or office). When outdoors, personnel must carry their issued weapon at all times, except when conducting physical training or for brief periods of time (i.e. conducting personal hygiene, latrine breaks, and smoke breaks). Weapons, ammunition, explosives, and sensitive items may not be left in vehicles unattended at any time. Encl 159

471. (U) The NTM-A/CTC-A SOP of 23 June 2010 further prohibits non-mission related travel to locations off post or outside secure compounds. Personnel seeking authority to conduct non-mission related travel off post must obtain written approval as required in the NTM-A/CSTC-A Movement and Control policy. Encls 126-127, 159

472. (U) Both the USCENTCOM General Order Number 1b and the NTM-A/CSTC-A SOP are punitive orders, as they pertain to the matters described above. Encls 159-160

[redacted (b)(3) (b)(6)]

474. (U) Other members of CTC-A, were also known to get out of their vehicles in Kabul and purchase food. This practice was approved by [redacted (b)(3) (b)(6)]. Encls 164

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475. (U) [redacted] (b)(3) (b)(6) did not regulate work hours, formations, or uniform. He trusted all to act in good judgment. He was only concerned with getting the job done to standard on time. Encls 143, 164

476. (U) [redacted] (b)(3) (b)(6) gave guidance and spot checked, but as he grew comfortable with the subordinates, he checked less. Encls 143, 164

477. (U) Several witnesses described how CTC-A lacked any written policy or procedures absent the ground movement guide. Encls 43, 45, 143

478. (U) These witnesses also described that CTC-A lacked a clear chain of command and a viable command structure. Encls 43, 45,

479. (U) [redacted] (b)(3) (b)(6) expressed concern about the command climate at CTC-A, including a failure to enforce standards, a poor working environment, a lack of seriousness about convoy operations, poorly aligned duties (e.g., the support section running convoy operations rather than the Operations Department), poor understanding of the chain of command, and inappropriate actions on the part of the Director in regards to his leaving CTC-A after USCENCOM had disapproved his leave. Encl 45

480. (U) [redacted] (b)(3) (b)(6) stated that CTC-A was a very relaxed command under [redacted] (b)(3) (b)(6). [redacted] (b)(3) (b)(6) made it clear that he did not care what higher said and that he was in charge and he would do things his way. Encl 154

481. (U) On at least one occasion, [redacted] (b)(3) (b)(6) was gone all day in a CSTC-A vehicle with his son and daughter. Encls 43, 166

482. (U) [redacted] (b)(3) (b)(6) daughter interned with a NGO in Kabul. He often visited with his daughter. His daughter often visited Camp Julien and spent the night at Camp Julien at least once. Encls 142-143, 167-168

483. (U) [redacted] (b)(3) (b)(6) arranged to have his son, a ROTC Cadet, come to Kabul during his summer vacation from school. Encls 142-143, 167-168

484. (U) While in Kabul, his son qualified on the M4/M9 and wore a uniform with the rank of a SPC. Encls 142-143, 167-168

[redacted] (b)(3) (b)(6)

486. (U) [redacted] (b)(3) (b)(6) states that he was confused about who CTC-A "belonged to" because the unit did not perform a training mission similar to other elements of NTM-A/CSTC-A. Encl 140

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487. (U) Nonetheless, he visited CTC-A on three occasions. Encl 140
488. (U) During his first visit in April, (b)(3) (b)(6) noticed a few minor issues (non-conforming uniforms, baseball hats, scarves, etc.) but nothing led him to believe there was any danger or risk of mission failure. Encl 140
489. (U) (b)(3) (b)(6) met with (b)(3) (b)(6) and reminded her that standard uniform regulations applied. Encl 140
490. (U) (b)(3) (b)(6) raised no concerns during this meeting. Encl 140
491. (U) (b)(3) (b)(6) visited CTC-A for the second time, following a report from (b)(3) (b)(6) that NCOs were not meeting service standards. Encl 140
492. (U) He spoke with (b)(3) (b)(6) during the second visit and again she raised no concerns. Encl 140
493. (U) (b)(3) (b)(6) returned a third time based on comments from (b)(3) (b)(6) that matters had not improved at CTC-A. Again he spoke to (b)(3) (b)(6). Encl 140
494. (U) Again (b)(3) (b)(6) raised no concerns. Encl 140
495. (U) Aside from the minor issues noted above, (b)(3) (b)(6) makes no mention of any other issues that he saw as a result of his three visits to Camp Julien and CTC-A, and notes that he received no reports of issues at CTC-A through his email communications. Encl 140
496. (U) While he mentioned the visit with LTG Caldwell, he did not formally raise any concerns up the chain of command. Encl 140
497. (U) (b)(3) (b)(6) stated that he did not hear of any unsafe acts undertaken by CTC-A. Encl 140
498. (U) (b)(3) (b)(6) believes that CTC-A personnel were aware of the NTM-A/CSTC-A movement policy of 15 June 2010, as a result of his weekly Senior NCO meetings (although he is not certain that anyone from CTC-A attended when this was discussed). Encl 140
499. (U) According to Brigadier General Levey, former Commander of CTAG-A, he was unaware that alcohol had been served at Unit events and was unaware that individuals were permitted to drive in CTC-A vehicles without personal protective gear being worn. Encl 152
500. (U) Additionally, he was unaware of the posters discovered on (b)(3) (b)(6) office walls and was particularly surprised about the nature of the posters given the mission of the COIN Academy. Encl 152

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501. (U) General Levey stated that had he been aware of these issues, he would have corrected them. Encl 152

502. (U) General Levey stated that he was aware CTC-A was undermanned and made proper manning of CTC-A, his number one priority. He noted that CTAG-A was also undermanned forcing him to utilize staff officers for functions such as convoy security, and similar functions. Encl 152

503. (U) Lieutenant General Caldwell, Commander, NTM-A/CSTC-A, stated he was unaware of the leadership and good order and discipline issues at CTC-A. He stated that had he been aware he would have taken corrective action. (U) In addition, Lieutenant General Caldwell, stated the following:

a. (U) [redacted] had been counseled about the inappropriate screen saver on the computer in his office sometime before the events of 23 July 2010 and had been directed to remove it. Lieutenant General Caldwell was surprised when he learned this had not been done; and,

b. (U) He and [redacted] had previously discussed changes to the NTM-A/CSTC-A Movement Control Policies, but [redacted] had not submitted a formal request seeking changes, and Lieutenant General Caldwell had not approved any changes, formally or informally. Encl 185

504. (U) In a follow-up communication, Lieutenant General Caldwell provided a slide describing the basis for [redacted] conclusion that HT2 McNeley and CS2 Newlove may have been misreporting their positions on 23 July 2010. Encls 185-186

Good Order and Discipline within the Navy Element

505. (U) [redacted] was aware of the CTC-A movement control policy that existed on 23 July 2010. Encls 29, 43

506. (U) He stated the convoy operations procedures that were released were written by the Deputy Director. Encls 29, 43

507. (U) He further stated,

"We have strict rules that we do not have the personnel do. It requires a real TOC. I did not really enforce that and really stayed with our previous procedures. People were not happy with the frequency that they had to answer the radios and the drivers got upset if there was a delay. We are not capable of really catching every checkpoint. When threat was high we did it, but normal day to day and the SPUNKS do not have the radios. The perception was that we had good procedures and a new guy came in and wrote new procedures for us." Encls 29, 30, 43

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508. (U) In describing the general command climate within the Navy element, [REDACTED] (b)(3) (b)(6) said:

"[P]ersonality wise, motivation wise, I am Papa and Senior Chief is Mama. She is the disciplinarian and I jump when I have to. When I have to do that, they know it is a serious thing. There are [REDACTED] (b)(3) (b)(6) is the boy. [REDACTED] (b)(3) (b)(6) and [REDACTED] (b)(3) (b)(6) are a little jealous about not getting the same credit but they are still all getting along. [REDACTED] (b)(3) (b)(6) currently runs the DFAC. He is not really close to anyone. [REDACTED] (b)(3) (b)(6) is the big sister. She watches over [REDACTED] (b)(3) (b)(6) is the supply guy, he is close to YN2. Newlove and [REDACTED] (b)(3) (b)(6) were closer with each other than with anyone else and McNeley and [REDACTED] (b)(3) (b)(6) were closer to each other than anyone else. [REDACTED] (b)(6) is everyone's little brother." Encl 29

509. (U) In describing the conversation between him and [REDACTED] (b)(3) (b)(6) in connection with her going out to search for HT2 McNeley and CS2 Newlove, [REDACTED] (b)(3) (b)(6) said "she is the senior enlisted, they are her boys and my boys too." Encl 29

510. (U) [REDACTED] (b)(3) (b)(6) as passive aggressive, dominating the officers and keeping others out. Encl 29, 169

511. (U) [REDACTED] (b)(3) (b)(6) as "the alpha males in the office." Encl 29, 169

512. (U) According to [REDACTED] (b)(3) (b)(6), leadership within the Navy element was very poor, allowing an "us against the world" attitude to develop. Encl 45

513. (U) He further described the Support Section, which was led by [REDACTED] (b)(3) (b)(6), and the drivers as complacent and lacking urgency about operating off of secure U.S. or Coalition installations. Encl 45

514. (U) In addition, he described being at odds with [REDACTED] (b)(3) (b)(6) "at every turn" and being told by her on more than one occasion, "this is not our job." Encl 45

515. (U) [REDACTED] (b)(3) (b)(6) stated that when he arrived on 21 July 2010, he saw that [REDACTED] (b)(3) (b)(6) was not treated with what [REDACTED] (b)(3) (b)(6) believed was a proper level of respect by the Navy staff. Encl 171

516. (U) [REDACTED] (b)(3) (b)(6) described what he believed to be inappropriate responses from staff when [REDACTED] (b)(3) (b)(6) tasked staff members, including [REDACTED] (b)(3) (b)(6) Encl 171

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517. (U) HT2 McNeley was described as adventuresome, or having gone exploring, by several witnesses. Encls 29-30, 56, 146, 172

518. (U) On 19 July 2010, HT2 McNeley and CS2 Newlove broke away from a convoy in which [redacted (b)(3) (b)(6)] was the convoy commander. Encls 17, 42

519. (U) HT2 McNeley disagreed with the route [redacted (b)(3) (b)(6)] was taking from Kabul International Airport (KIA) to back to Camp Eggers. Encls 17, 42

520. (U) The next convoy that HT2 McNeley and CS2 Newlove drove on was on 23 July 2010. Encl 30

521. (U) Early in the deployment, [redacted (b)(3) (b)(6)] counseled HT2 McNeley about his attitude and "doing his own thing." Encls 29, 43

522. (U) [redacted (b)(3) (b)(6)] stated that after the counseling, HT2 McNeley corrected his deficiencies in performance. Encl 29, 43

523. (U) According to [redacted (b)(3) (b)(6)], within the Navy element of the CTC-A, there was misplaced loyalty and "an inability to hold to account for their actions." Encl 150

524. (U) The cell phone records of [redacted (b)(3) (b)(6)], HT2 McNeley, and CS2 Newlove contain the following text messages:

- a. 24 May 10, 1824, from [redacted (b)(3) (b)(6)] - I went 2 give u fries and u were gone;
- b. 30 May 10, 210704, from CS2 Newlove - can you come read me a bed time story;
- c. 30 May 10, 210719, from [redacted (b)(3) (b)(6)] - come tuck me in please;
- d. 3 Jun 10, 1824, from [redacted (b)(3) (b)(6)] - I went 2 give u fries and u were gone;
- e. 6 Jun 10, 0956, from [redacted (b)(3) (b)(6)] - I miss u momma ☺;
- f. 12 Jun 10, 1236, from [redacted (b)(3) (b)(6)] - we r heading back now. We miss u momma;
- g. 16 Jun 10, 1333, from [redacted (b)(3) (b)(6)] - Smile senior;
- h. 16 Jun 10, 1336, from [redacted (b)(3) (b)(6)] - Guess what u will be with senior pete in a week☺;
- i. 16 Jun 10, 1450, from [redacted (b)(3) (b)(6)] - U r awesome senior;

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- j. 16 Jun 10, 1812, from [redacted] - Hi my senior;
- k. 16 Jun 10, 1824, from [redacted] - How r u;
- l. 10 Jul 10, 1655, from [redacted] - We missed u;
- m. 11 July 16 2010, from [redacted] - we miss u;
- n. 11 July 1530, from HT2 McNeley - You must only miss him cause im not getting any attention;
- o. 11 July 1535, from HT2 McNeley - Then what's in store for me?;
- p. 11 July 2010, 1540, from HT2 McNeley - Gotta give me something better than that for me to come home. The transient billets here are nice;
- q. 11 July 1530, from HT2 McNeley - You must only miss him cause im not getting any attention;
- r. 14 July 0649, from HT2 McNeley - Wakie wakie the early bird gets the worm;
- s. 23 July 2010, 0726, from [redacted] - The bottle in your top drawer is not water;
- t. 11 Jul 10, 1712, from [redacted] - Traffic is a bitch;
- u. 12 Jul 2010, 1306, from [redacted] = Did u fall asleep? Lol;
- v. 14 Jul 10, 1411, from [redacted] - Everything ok;
- w. 14 Jul 10, 1416, from [redacted] - Aww, want me 2 come back; and,
- x. 14 Jul 10, 1421, from [redacted] - R u sure? Encl 55

Post Event Actions

Relief For Cause ICO [redacted]

525. (U) Following the investigation by Brigadier General Jefforey Smith, [redacted] received a proposed Memorandum of Reprimand from Brigadier General David Patterson on 19 September 2010. Encls 173

526. (U) Among the matters raised in the proposed memorandum of reprimand dated 19 September 2010 were: lax leadership and an unhealthy command climate at CTC-A, violations of lawful punitive orders contained

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in the NTM-A/CSTC-A Movement Control Policy and Standard Operating Procedures Regarding Conduct, Good Order and Discipline, improper delegation of movement control authority to inexperienced junior enlisted personnel, permitting of members of CTC-A to store their assigned firearms in unauthorized vehicles, possession of sexually-oriented screen savers and pornographic images on a government computer, and countenancing a command climate that did not enforce good order and discipline. Encl 173

527. (U) [redacted] was provided three days to respond. Encl 173

528. (U) [redacted] acknowledged the proposed memorandum of reprimand on 19 September 2010. Encl 174

529. (U) On 21 September 2010, [redacted] requested an extension of time to respond to the proposed memorandum of reprimand. Encl 175

530. (U) On 23 September 2010, [redacted] responded to the proposed memorandum of reprimand in an eleven-page memorandum, accompanied by numerous memoranda of support. Encl 176

531. (U) In his 23 September response, [redacted] stated, *inter alia*:

a. (U) He was forced to operate with a chronic shortage of personnel;

b. (U) CTC-A experienced an extremely large turnover of personnel between December 2009 and July 2010;

c. (U) The staff had a high OPTEMPO due to various mission requirements, including a large construction project;

d. (U) CTC-A had a movement process that required staff to submit movement requests to the movement NCO, [redacted];

e. (U) [redacted] developed movement plans in coordination with intelligence to determine current threat status and route status;

f. (U) [redacted] resolved conflicts in movement plans or elevated such issue that could not be solved up the chain to the Deputy Director or [redacted];

g. (U) [redacted] approved movements on a day-to-day basis, unless threat status warranted elevation to the Deputy Director or [redacted];

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h. (U) Convoys were required to call in as they prepared to return to Camp Julien or moved between destinations during approved trips, allowing them to receive updated threat/route status;

i. (U) [redacted] believed the procedures described above met the intent of the NTM-A/CSTC-A movement policy requirement to get threat assessments before traveling on a convoy and were appropriate given the OPTEMPO of CTC-A;

j. (U) [redacted] demonstrated that he was "very capable" of handling his role and had been selected as Enlisted Sailor of the Quarter, had been submitted for a Bronze Star in connection with his actions in response to an IED event outside Camp Julien on 18 May 2010, and was [redacted];

k. (U) [redacted] was one person in a process for approving convoys;

[redacted]
(b)(1)1.4a, (b)(3), (b)(6)

[redacted]
(b)(1)1.4a, (b)(3), (b)(6)

n. (U) When [redacted] traveled in CTC-A convoys, he critiqued the drivers;

o. (U) On 27 May 2010, ISAF COS, Lieutenant General Kasdorf, asked [redacted] how he traveled around Kabul. [redacted] described that he moved without body armor on (but with it in the trunk), in one vehicle movements, with ECM off. He also described how he "stopped to buy food from street vendors and to talk to ANA, ANP, and NDS at checkpoints;"

p. (U) Lieutenant General Kasdorf responded to [redacted] recommendation that all ISAF adopt a movement procedure similar to his by saying he would look into it and see about implementing such a system. Brigadier General Levey advised [redacted] that the latter "did a great job in the briefing;"

q. (U) [redacted] never condoned route recons as cover for sightseeing. He stated that he once drove up a hill in Kabul to see if there was a way around heavy traffic congestion;

r. (U) As the Commander of Camp Julien, [redacted] was responsible for base defense. At times of heightened threat, [redacted]

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(b)(3) (b)(6) parked vehicles next to the billets and permitted weapons to be stored in the vehicles overnight, which allowed for rapid egress to the vehicles and arming of personnel;

s. (U) (b)(3) (b)(6) described the overall command climate as positive, but noted some frustrations between staff members. He stated that he focused on mission accomplishment vice PT, uniform of the day, work hours, etc., expecting staff to act like professionals. He also noted compliments that the instructor staff received;

t. (U) (b)(3) (b)(6) cited the ongoing support of and praise by outside organizations, including the U.S. Ambassador to Afghanistan as proof of a good command climate;

u. (U) (b)(3) (b)(6) admitted to bringing his son, an ROTC cadet, to Kabul, but stated that General McChrystal was aware of his intention to do so, and General Petraeus was aware of, and supportive of him having done so. General Petraeus asked (b)(3) (b)(6) son to stand up at the event to be recognized. In addition, Lieutenant General Rodriguez, Major General Linnington, Major General Ward, (b)(6) and Major General Flynn were aware that his son was in Kabul;

v. (U) (b)(3) (b)(6) admitted that for force protection purposes he had his son trained on the use of the M9 and the M4 because "he wanted all to know that his son could handle a weapon" if a threat developed;

w. (U) (b)(3) (b)(6) stated the computer in his office on which pornographic images were found was essentially a communal computer, open for wide use. He denied accessing pornographic sites. He admitted that he should have deleted the screen saver that had been the subject of conversation between him and Brigadier General Ierardi;

x. (U) (b)(3) (b)(6) attributed evidence of a poor command climate and personal misconduct to a small group of command members who failed to take into account a holistic view of the command;

y. (U) (b)(3) (b)(6) stated that the deaths of CS2 Newlove and HT2 McNeley, while tragic, were not the result of a command climate that failed to enforce good order and discipline or poor judgment; and,

z. (U) (b)(3) (b)(6) concluded by stating that the proposed memorandum of reprimand should be adjusted to be locally filed only and that he should not be relieved for cause. However, he also acknowledged that it would be best for the organization if (b)(3) (b)(6), who had been appointed on an interim basis, remain the Director. Encl 176

532. (U) (b)(3) (b)(6) memo was accompanied by memoranda from the following individuals:

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a. (U) [redacted (b)(6)], Italian Army. The following were among the comments in his memorandum: "[I]n conclusion I would like to define my experience in Afghanistan as a member of CTC-A as an awesome life and professional experience, and the person that set the conditions of this success is with no doubt [redacted (b)(3) (b)(6)], current CTC-A Commander, one of the best Commanders I have ever had in my entire military career;"

b. (U) [redacted (b)(6)], Australian Army. The following are among the comments in his memorandum: "The Director practiced a mission command style of leadership which was both effective and suitable for the multi-national and multi-service environment of the center . . . The Director gave clear expectations as to the end state required for the tasks and duties, outlined limitations, and made resources available."

c. (U) [redacted (b)(6)], a British National NGO worker. The following are among the comments in his memorandum: [redacted (b)(3) (b)(6)] was always extremely professional and helpful in his interactions with me and any other interactions I observed him in . . . During my visit I got the impression that [redacted (b)(3) (b)(6)] was highly respected amongst his staff-several CTC-A staff remarked in informal conversations how much they enjoyed working for him;"

d. (U) [redacted (b)(3) (b)(6)], Australian Army, Deputy Director CTC-A, 16 Nov 09 to 15 May 10. The following are among the comments in his memorandum: "Most convoy movement did not involve passengers wearing body armor. . . Passengers were always given the option of wearing their body armor if they wished . . . Single vehicle convoys were not the standard for general tasks at CTC-A . . . All personnel who conducted convoy operations as drivers of vehicle commanders had conducted tactical driver training however I can't remember the specific name of the course . . . There was a continuous attempt from the Junior Other Ranks and junior Officers to be involved in convoy operations as the driver or Vehicle Commander . . . This desire went as high as the [redacted (b)(3) (b)(6)] who would request convoy operations for things such as attending the bazaar at ISAF I quote "sir I will self drive so that it doesn't impact the convoy ops guys" . . . CTC-A has always been very low on the priority list for NTM-A's manning . . . Accordingly CTC-A has personnel in positions that are not ideally suited for them . . . A prime example of this is the way personnel filling the Urgent Request for Forces . . . The fact that a Navy [redacted (b)(3) (b)(6)], is running Convoy Operations is a situation that was created above CTC-A and beyond [redacted (b)(3) (b)(6)] control . . . [redacted (b)(3) (b)(6)] has a dedication to the mission, the Army, and the profession of arms that I have never seen matched in any other officer, in any army, in my 20 year career;"

e. (U) Major General Michael Linnington, ISAF Joint Command, Deputy Chief of Staff, Plans and Projects. The following are among the comments in his memorandum: "[redacted (b)(3) (b)(6)] is a well-versed,

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respected, and acknowledged subject matter exert on COIN in Afghanistan . . . I offer him my strongest support in resolution of the unfortunate and tragic events of the past year." In his memorandum, Major General Linnington confirmed the conversation between (b)(3) (b)(6) and Lieutenant General Kasdorf, described in (b)(3) (b)(6) memorandum of 23 September 2010;

f. (U) (b)(6), Acting Country Representative Office of Transition Initiatives, USAID and (b)(6), Chief of Field Program Division, Office of Transition Initiatives, USAID. The following are among the comments in their memorandum: "Under (b)(3) (b)(6) leadership, the CTC-A has set an exemplary standard for civilian military collaboration. Over the course of our relationship with (b)(3) (b)(6) and the CTC-A, and we've watched (b)(3) (b)(6) identify talent and invest in the professional development of his staff . . . The staff we have worked with have expressed nothing but respect and appreciation for (b)(6) (b)(3) (b)(6) "

g. (U) (b)(3) (b)(6), U.S. Navy. The following are among the comments in his email: "Anyone needing to travel outside of Camp Julien was required to submit a movement request form . . . This was submitted to (b)(3) (b)(6), our convoy commander/coordinator. He initially held the position of coordinating convoys as an O-2 and felt fully comfortable leaving this very important role in the hands of (b)(3) (b)(6) (b)(3) (b)(6) . . . He is not only smart, responsible, and capable, but was willing in every way to take charge of the convoys and on many occasions presented ideas to myself and (b)(3) (b)(6) to further improve the convoy process on Julien, many of which we utilized . . . Once Navy Team #2 arrived, we found ourselves with a surplus of personnel . . . (b)(3) (b)(6) (b)(3) (b)(6) stepped up and assessed all members' strengths and weaknesses and assigned jobs accordingly . . . Eleven Navy arrived, six instructors and the only (b)(3) (b)(6) left leaving a sharp learning curve for (b)(3) (b)(6) on the S1 side;"

h. (U) (b)(3) (b)(6), U.S. Army, CTC-A Instructor. The following are among the comments in his memorandum: "All convoys were requested using a form completed by the traveler . . . Drivers wore body armor while passengers were not required to wear armor but to have it in their possession while traveling . . . Based on the threat, single vehicle travel may be authorized lowering the visible profile of the travelers . . . At no time was it ever acceptable to travel outside of Kabul in SUVs . . . This was in no way unclear . . . In fact the entire staff was aware of efforts by (b)(3) (b)(6) to push for a convoy operation to Bagram Air Field . . . (b)(3) (b)(6) made clear to entire staff why it was never appropriate to travel outside of Kabul in SUVs . . . Technical aids, such as Blue Force Tracker were requested and denied . . . (b)(3) (b)(6) is a dynamic and visionary leader who was provided minimal resources and who therefore required the utmost professionalism from those who were responsible to him . . . I would follow him into any situation, trusting him to give appropriate direction and to support me to the best of his ability.

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i. (U) [redacted] U.S. Army Retired, MPPRI Contractor, Region Command-North. The following are among the comments in his memorandum: [I was an assigned civilian contract instructor for [redacted] [redacted] . . . and served at CTC-A for a year . . . All requests for convoys were submitted to [redacted] (sic), and as the Region Chief I was responsible for planning regular movement for our team and myself; I

[redacted]

(b)(1)1.4a, (b)(3), (b)(6)

j. (U) [redacted] U.S. Army, COIN Instructor, CTC-A. The following is among the comments in his memorandum: "There has not been a time during my tenure with the Academy that I questioned the judgment of [redacted]."

k. (U) [redacted], Manager, Human Terrain System Project, ISAF. "Over the past 18 months I have worked with and for [redacted] and the COIN Academy every month. At all times and at all locations [redacted] [redacted] conducted himself as a professional Army Officer and more importantly as a gentleman . . . over the past 18 months I have had dozens of women from my program in [redacted] office and not one has ever said a thing . . . I have had two of my female employees that specialized as gender advisors and Female Engagement Teams Advisors and both of them spent hours talking about these subjects with [redacted] in his office and neither felt anything but admiration and respect for [redacted] . . . I personally used his open computer, which was not password protected, late at night the two weeks I stayed there almost every night . . . It had the best connection in the camp . . . If anyone is responsible for porn site visit you need to look at the Afghans that also used the computer sometimes late at night . . . Also I have been in several convoys with [redacted] and his men . . . They travel in controlled movement always reporting and responding to MOVECON."

l. (U) [redacted] Australian Army, Deputy Director, CTC-A. The following are among the comments in his memorandum: "I believe the command climate was good . . . Of the personnel assigned to CTC-A, very few had the appropriate rank, skills, and/or qualifications for their position . . . The most telling example of this is that the support and enabling staff consisted of U.S. Navy personnel (and one USAF airman), the majority of whom were Reservists . . . While some adapted well, some did not . . . Those with the most responsibility had the most trouble adapting to working in a staff appointment at CTC-A . . . Key appointments were not filled . . . In particular, the XO and Command Sergeant Major (CSM) position have not been filled for more than 12 months . . . [redacted] was not capable of handling the duties of XO and never really attempted to do so . . . [redacted]"

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(b)(3) (b)(6) attempted to fill the CSM void, but was incapable of doing so . . . In particular she was unable to enforce standards among the support staff and this too resulted in friction . . . As a result of the aforementioned factors, key support staff - (b)(3) (b)(6) - had a difficult time meeting their assigned responsibilities and at times didn't do so . . . When they didn't meet the requirement they were held to account by me, or (b)(3) (b)(6)." In his memorandum, (b)(6) (b)(3) (b)(6) confirmed the conversation between (b)(3) (b)(6) and General Petraeus concerning (b)(3) (b)(6) son's presence in Afghanistan, as described in (b)(3) (b)(6) memorandum of 23 September 2010; Encl 176

533. (U) On 28 September 2010, Brigadier General D. J. Patterson, British Army, sent (b)(3) (b)(6) his "Response to Memorandum of Notification of Proposed Adverse Action to Relieve for Cause." Encl 177

534. (U) Brigadier General Patterson concluded his memorandum by stating "I am of the opinion that it is not in the Command's best interest that you remain as the Director of the COIN Training Center - Afghanistan. It is therefore my intent to relieve you." Encl 177

535. (U) On 28 September 2010, Brigadier General Patton, U.S. Army, issued (b)(3) (b)(6) a Memorandum of Reprimand. Encl 173

536. (U) Brigadier General Patton directed that the reprimand be filed permanently in (b)(3) (b)(6) Official Military Personnel File (OMPF). Encl 178

537. (U) The memorandum of reprimand has been filed in (b)(6) (b)(3) (b)(6) OMPF. Encl 178

CTC-A New Leadership

538. (U) (b)(3) (b)(6) was installed as the Interim Director of CTC-A on 23 September 2010 and remained in an interim status until 3 October 2010, at which time he became the director of CTC-A. Encl 179

539. (U) (b)(3) (b)(6) had previously been assigned to the FT. Leavenworth COIN Program, and was assigned to CTAG-Police immediately prior to being brought into the CTC-A Director billet. Encl 179

540. (~~NATO/ISAF RESTRICTED/REL TO CCF/GIROA/ANSP~~) Upon becoming Interim Director, (b)(3) (b)(6) suspended all existing policies and conducted a comprehensive review, renewal, and re-promulgation. Encl 179

541. (U) He promulgated a new movement control policy on 30 October 10, that superseded the policy that was put in place by (b)(6) (b)(3) (b)(6) the Deputy Director, on 7 September 2010. Encl 179

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(b)(1)1.4a

543. (U) The 30 October 2010 movement policy promulgated by (b)(6) (b)(3) (b)(6) contains a provision for waiver of requirements as authorized by (b)(3) (b)(6). Encl 179

544. (U) (b)(3) (b)(6) has yet to authorize any waivers of the current CTC-A Movement Policy. Encl 179

545. (U) All CTC-A drivers had gone through NTM-A/CSTC-A Drivers Training as of 19 August 2010. Encl 182

546. (U) Personal Locating Beacons were issued and training was conducted at CTC-A within several days of (b)(3) (b)(6) arrival. They are now required on every convoy. Encl 179

547. (U) (b)(3) (b)(6) was reassigned within CTC-A from the instructor side of the unit to become the NCOIC of Supply in the beginning of August 2010. Encl 181

548. (U) According to (b)(3) (b)(6), he is unsure when the unit received the PLBs, but when he took over, he found 46 PLBs in the CTC-A S-2 office. Encl 181

549. (U) On 12 August 2010, (b)(3) (b)(6) of CTC-A received the required training for the PLBs. Encl 181

550. (U) The training lasted half a workday. Encl 181

551. (U) Once trained, (b)(3) (b)(6) were authorized to train personnel on the use of PLBs and issue PLBs for movements. Encl 181

552. (U) Training on how to operate PLBs takes about five minutes. Encl 181

553. (U) When asked about why CTC-A had not issued the PLBs prior to the events of 23 July 2010 and his reassignment to the S-4 office, (b)(3) (b)(6) responded that he had no explanation, but stated that issuing the PLBs was easy and failure to do so could have been attributed to laziness on the part of the command. Encl 181

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(b)(1)1.4a

556. (U) Communications between vehicles and Camp Dubs/Camp Julien have been improved due to new repeaters that have been affixed to the Aerostats that fly over Kabul. Encl 179

557. (U) [redacted] described that he believed the command climate was poor prior to the July 2010 incident and CTC-A suffered from a clear lack of leadership and discipline. Encl 179

558. (U) Upon taking over, [redacted] and his new Sergeant Major focused on good order and discipline. Encl 179

559. (U) According to [redacted], the training at Fort Polk provided to Navy personnel may have created false expectations in terms of the job they would actually be doing at CTC-A. Encl 179

560. (U) [redacted] explained that Navy personnel are trained to be instructors at CTC-A, but lack the field experience necessary to give them credibility when teaching high-experienced operational personnel. Encl 179

561. (U) For this reason, [redacted] is often compelled to assign Navy personnel to administrative or camp function duties. Encl 179

Action against Taliban Attackers

562. ~~(S//NF)~~ Beginning on 26 July 2010, Coalition forces began capturing individuals assessed to have planned, assisted, or supported the attack on HT2 McNeley and CS2 Newlove. Between 26 July 2010 and 30 July 2010, 11 individuals were captured. All 11 are currently detained in the Detention Facility in Parwan. Encl 183

(b)(1)1.4a

a. ~~(S//NF)~~ Two Sailors who had become lost in Baraki Barak, District, Logar Province, asked directions to a U.S. base. An individual saw that they were U.S. Military personnel and called a Taliban associate.

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b. ~~(S//NF)~~ The Soldiers drove slowly in a vehicle following a child who was giving the Sailors directions. Taliban members attacked the two Navy Sailors from different directions. One Sailor came out of the car and surrendered unharmed.

c. ~~(S//NF)~~ The other was injured in the firefight. The two were taken to a house in Baraki Barak and held for two nights. Medical aid was called to administer medical assistance to the injured Sailor, but he died.

d. ~~(S//NF)~~ The other Sailor was transported to a house in Charkh District, Logar Province. Once the Sailor was in Charkh District, the search for him intensified and the Taliban captors became scared that they would be discovered.

e. ~~(S//NF)~~ Based on orders from their leadership, they used a turban to strangle the Sailor and dumped his body in a creek.

f. ~~(S//NF)~~ At the time, the creek bed had very little water in it, but it rained over night and the body was carried away. The source stated that the intention was to move the two Sailors to Pakistan.
Encl 184

Opinions

8. (U) The following opinions are offered:

1. (U) [redacted (b)(3) (b)(6)] was almost exclusively focused on the instruction mission at CTC-A, to the exclusion of good order and discipline within the unit. While he may have successfully trained COIN Academy students, he failed in his most important task, to exercise due diligence to protect his people. In short, good commanders train and oversee subordinate personnel. They do so through vigilant mentoring and promulgation of, and adherence to, clear policies and directives. This is especially important when assigning inexperienced personnel unfamiliar duties. In this case, it was critical that [redacted (b)(3) (b)(6)] exercise rigorous leadership oversight given the combat environment in which CTC-A operates and the inexperience of the Navy personnel assigned to key jobs within the organization. Instead, he deliberately exercised little, if any, command oversight or mentoring, disregarding formality, ignoring risks, and dispensing with good order and discipline. He allowed the least experienced among his staff to assess risk (e.g., [redacted (b)(6)] [redacted (b)(3) (b)(6)]), who was the acting Intelligence Officer responsible for ensuring that Convoy Commanders received the latest and most accurate intelligence available) and determine those issues that required his attention. When staff attempted to enforce standards, they were undermined. FF 1-100, 105-111, 410-524, 531-532, 538-561.

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2. (U) The tone that [redacted (b)(3) (b)(6)] set within the command contributed significantly to the decision by HT2 McNeley and CS2 Newlove to drive in and around Kabul for non-official purposes. Similarly, it contributed significantly to the poor decision making process exercised by [redacted (b)(3) (b)(6)]. In keeping the command climate set by [redacted (b)(3) (b)(6)], they failed to exercise even the minimum level of acceptable operational risk assessment and management in allowing the two Sailors to execute the convoy plan as requested. FF 121-196, 410-524.

3. (U) There is little doubt that [redacted (b)(3) (b)(6)] personal conduct contributed to a feeling of impunity/invincibility within the unit and among HT2 McNeley and CS2 Newlove. His office was decorated with inappropriate posters. His computer was adorned with an inappropriate screen saver that he did not remove, even after being told to do so. The computer in his office was being used to access pornographic websites. He brought his son into theater for his summer vacation, and allowed his son to be weapons-qualified. He regularly visited with his daughter who was interning at a local non-governmental organization (NGO), he attended dinners and functions at NGO offices and locations in and around Kabul, and allowed an extremely lax command atmosphere. In addition, he took unnecessary risks (regular nighttime convoys, travel without protective gear, stopping in the city of Kabul to shop and speak with Afghan Security Force personnel at checkpoints, etc.). His actions encouraged others to do the same. It is only natural that subordinates would adopt their commander's dismissive attitude when assessing risks. Prudence would have compelled the two Sailors to stop and turn around when it became clear they had missed the turn west onto [redacted (b)(1)1.4a] toward Camp Julien. However, they continued driving south, ultimately into the ambush that led to their deaths. FF 121-145, 146-171, 190, 293-295, 298-299, 311-398.

4. (U) By his own admission, [redacted (b)(3) (b)(6)] did not focus on basic good order and discipline (standard PT, uniform of the day, work hours, etc.). He expected his staff to execute his "commander's" intent as they saw fit, elevating to him those issues that could not be resolved at a lower level. He created an atmosphere where the rules did not apply, (e.g. NTM-A/CSTC-A Movement Policy) so long as CTC-A students were being trained. FF 399-504, 531-537.

5. (U) [redacted (b)(3) (b)(6)] implies in his rebuttal to the General Officer Memorandum of Reprimand that the lack of proper manning at CTC-A played a role in the tragic events of 23 July 2010. As noted above, the lack of qualified manning at CTC-A required that [redacted (b)(3) (b)(6)] exercise greater vigilance and oversight of those personnel assigned, than might otherwise have been required. He did exactly the opposite of what was demanded by the circumstances. He ran a "loose ship" allowing the inexperienced staff to execute the mission without the benefit of his 30 plus years of Army Infantry experience. FF 410-526, 530-536.

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6. (U) Although (b)(3) (b)(6) attempts in his rebuttal to the "Proposed General Memorandum of Reprimand" to shift responsibility to senior officers, he remains responsible and accountable for his unit and all that occurred there. While senior officers may have had knowledge of discrete aspects of the manner in which he operated his unit, no one but (b)(3) (b)(6) had the complete picture. FF 499-504, 531.

7. (U) (b)(3) (b)(6) described significant concern with CTC-A's ground movement practices and issues relating to good order and discipline. (b)(3) (b)(6) raised these issues to (b)(3) (b)(6) who made three visits to CTC-A and observed only minor uniform infractions. He saw nothing that would lead him to believe that CTC-A was acting in a particularly unsafe manner. He spoke to (b)(3) (b)(6) during each visit and she did not raise any concerns. (b)(6) (b)(3) (b)(6) mentioned his visits to Lieutenant General Caldwell, Commander NTM-A/CSTC-A, but did not formally submit any concerns that he had. Had he formally submitted concerns, it is possible that a review and corrective action would have been undertaken by higher headquarters. However, given what he saw when he visited and the failure of (b)(3) (b)(6) to raise any concerns, his decision to not go further is reasonable. FF 421-432, 441-458, 486-504.

8. (U) To outside observers, CTC-A under the direction of (b)(6) (b)(3) (b)(6) was meeting the mission. Given that the unit was under the direction of a senior O-6 with 30-plus years of experience, the international nature of CTAG-A, and the lack of any glaring deficiencies in performance, it was not unreasonable for CTAG-A to defer to (b)(6) (b)(3) (b)(6) to operate the unit as he deemed appropriate. Had CTAG-A been aware of all that was going on at CTC-A, CTAG-A would likely have stepped in to remedy the situation. FF 489-504, 532.

9. (U) Various enclosures contained in the report of investigation imply that CTC-A Ground Movement Policy was consistent with the ISAF Tactical Driving Directive (that was in place at the time of these events). The Tactical Driving Directive speaks of a doctrinally disciplined and deliberate effort to meaningfully engage the Afghan public dependent on the security situation. This is in sharp contrast to CTC-A's undisciplined, unplanned, and random sightseeing or roadside shopping detours. A relaxed version of military good order and discipline is not a COIN operation. FF 176, 410-432, 441, 443, 447-455, 459-460.

10. (U) It is impossible to state with certainty how and why HT2 McNeley and CS2 Newlove were in Charkh District, Logar Province on 23 July 2010. The most likely explanation, based upon a preponderance of the evidence, is that the Sailors were returning to Camp Julien driving south on (b)(1)1.4a and missed the right hand-turn at (b)(1)1.4a. It appears they continued down (b)(1)1.4a past the point where (b)(1)1.4a turns into (b)(1)1.4a, past FOB Shank (which is directly on (b)(1)1.4a (b)(1)1.4a) into Charkh District. FF 121-190, 293-295, 298-310, 341-351.

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11. (U) Given the distance traveled, more than 50 miles south of the (b)(3) (b)(6) intersection, it is likely that the two Sailors knew they had missed the turn for Camp Julien and they chose to continue driving South. FF 122, 150, 232, 237-247, 298-303, 310, 341-351.

12. (U) Given the risk to U.S. personnel driving through Logar Province, as demonstrated by eight significant activities within the 24 hours preceding this incident, it is likely the two Sailors were not aware of the dangers they faced by driving that far south. FF 122, 150, 230-231, 232, 237-247, 298-303, 310-333, 340-351.

13. (U) The preponderance of the evidence establishes that the Taliban was well aware of the presence of the two Sailors in Logar and had carefully planned the ambush against them. FF 301-351.

14. (U) HT2 McNeley died at the scene of the ambush, while CS2 Newlove was captured and removed from the area. He was later executed by the Taliban for reasons that are unclear. However, it is likely that he was injured in the ambush and became difficult to transport. Given the pressure brought to bear by responding U.S. and Coalition Forces, the Taliban executed him so that they could move more easily and attempt to avoid capture. FF 311-398.

15. (U) It was well known to (b)(3) (b)(6) (b)(3) (b)(6) that HT2 McNeley and CS2 Newlove intended to go sightseeing on 23 July 2010 when the convoy was authorized. Moreover, (b)(3) (b)(6) (b)(3) (b)(6) approved the convoy request even though he was fully aware they intended to drive routes that were not typically utilized by CTC-A and that he was not the usual convoy approval authority. Although (b)(3) (b)(6) states that the Sailors were trustworthy, numerous witnesses described HT2 McNeley as adventurous. Only two weeks before 23 July 2010, he and (b)(3) (b)(6) (b)(1)1.4a drove down (b)(3) (b)(6) without authorization from (b)(3) (b)(6). Additionally, at approximately that same time period, he had broken away from a convoy and proceeded back to Camp Julien independently. Approval of the convoys violated NTM-A/CSTC-A and CTAG policies on ground movements. FF 121-139, 143, 145, 148, 150, 160-162, 171, 187, 190, 399-408.

16. (U) Although (b)(3) (b)(6) states that he directed HT2 McNeley to coordinate the convoy with (b)(3) (b)(6), the CTC-A ground movement approval authority, given the unusual nature of the convoy that was requested, it was (b)(3) (b)(6) duty to notify (b)(3) (b)(6) that he had approved HT2 McNeley's request. FF 121-124, 128-140.

17. (U) (b)(3) (b)(6) also had an affirmative responsibility, as the CTC-A senior enlisted member to ensure that HT2 McNeley and CS2 Newlove were not placing themselves in undue danger by executing the convoy that

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they had planned and requested on 22 July 2010. (b)(3) (b)(6) failed to properly exercise her responsibilities in that she failed to intercede to stop the convoy from being approved. FF 121-124, 128-140, 145.

18. (U) Had (b)(3) (b)(6) been notified of the convoy request, he would likely have disapproved the request, in whole or in part. FF 134, 136-138.

19. (U) (b)(3) (b)(6) approval of the (b)(3) (b)(6) single-vehicle search party was inappropriate under the circumstances. There was no operational risk assessment done to ensure the safety of (b)(3) (b)(6). There was no search plan and no direction in terms of how far the search party could or should go or for how long. Consequently, (b)(3) (b)(6) ended up in relatively the same dangerous area that HT2 McNeley and CS2 Newlove had driven through. The (b)(3) (b)(6) search party easily could have fallen victim to Taliban attackers, just as the two other Sailors had. FF 206-248.

20. (U) (b)(3) (b)(6) failure to immediately report to (b)(3) (b)(6) that HT2 McNeley and CS2 Newlove were unaccounted for was wrongful and could have hampered efforts to rescue CS2 Newlove. With regard to HT2 McNeley, it is more likely than not that he had already been attacked and killed by the time (b)(6) (b)(3) (b)(6) was notified he was unaccounted for. As such, (b)(3) (b)(6) delayed notification to (b)(3) (b)(6) likely had no contributory effect to HT2 McNeley's death. FF 249-250, 280-283, 334-351.

21. (U) (b)(3) (b)(6) was interviewed multiple times in the course of earlier investigations. In those interviews she makes conflicting statements (enclosed herein) regarding the events of 22 through 25 July 2010. Of particular note, she described contact with HT2 McNeley and CS2 Newlove throughout the day of 23 July 2010. The weight of the evidence in this case establishes that (b)(3) (b)(6) received five text messages from CS2 Newlove (0801, 0808, 0857, 1030, and 1746). None of those text messages contains reference to the two Sailors' location. The evidence also establishes that (b)(3) (b)(6) received two cell phone calls from CS2 Newlove's cell phone (0836 for 48 seconds, and 1944 for 9 seconds). (b)(3) (b)(6) claims that she made or received cell phone calls as HT2 McNeley and CS2 Newlove were: (1) leaving Camp Julien; (2) leaving Camp Phoenix; (3) on Camp Eggers; (4) leaving Camp Eggers; and (5) on (b)(1).4a are not credible. It appears that (b)(3) (b)(6) is attempting to create the false impression that she was exercising a much higher level of oversight regarding the two Sailors while they were traveling around Kabul, than actually was the case. FF 157-159, 172-173, 175-182, 184-187, 190-197.

22. (U) There is no credible evidence that HT2 McNeley and/or CS2 Newlove purposefully misrepresented or attempted to hide their location

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in any communication with CTC-A or any other entity. FF 157-159, 172-173, 175-182, 184-187, 190-197.

23. (U) Considerable effort has been undertaken by the current director of CTC-A to correct the good order and discipline deficiencies identified in this report. FF 538-561.

24. (U) U.S. Coalition Operational Forces responded in an outstanding manner to locate and rescue/recovery HT2 McNeley and CS2 Newlove. They did the same in capturing many of those responsible for the ambush and killing of HT2 McNeley and CS2 Newlove. FF 249-310, 334-347, 357-392.

Recommendations

9. The following recommendations are made:

a. (U) That [redacted (b)(3) (b)(6)] be allowed to retire from active duty service. The weight of the evidence contained in report of investigation reflects that [redacted (b)(3) (b)(6)] actions and his leadership style are incompatible with continued military service.

b. (U) That Navy: (1) re-validate the billets that it is filling at CTC-A to ensure that personnel are performing the functions for which they are being trained; and (2) send only those personnel who are properly experienced, trained, and qualified to fill validated billets in this war zone.

c. (U) That Navy place only experienced, fully trained officers and enlisted personnel in leadership positions within CTC-A, e.g. post department head/post XO-level officers, post large department LCPOs in the senior enlisted positions.

d. (U) That [redacted (b)(3) (b)(6)] be held accountable under the UCMJ or through administrative processes for dereliction of duty and violation of a lawful order (Article 92) in connection with his authorization of the HT2 McNeley/CS2 Newlove convoy on 23 July 2010 and for condoning, or failing to take steps to end, an unduly familiar relationship between him, [redacted (b)(3) (b)(6)], and junior enlisted Navy personnel assigned to CTC-A.

e. (U) That a review be undertaken to address [redacted (b)(3) (b)(6)] accountability under the UCMJ or through administrative processes for: (1) dereliction of duty in connection with her failure to take reasonable and appropriate steps to prevent or object to the convoy that [redacted (b)(3) (b)(6)] approved on 23 July 2010, as it was her duty to do as the senior enlisted member assigned to CTC-A and a Senior Chief Petty Officer in the United States Navy; (2) violation of a lawful order (Article 92) for condoning, or failing to take steps to end an unduly familiar relationship between her and junior enlisted Navy personnel

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23. (U) Considerable effort has been undertaken by the current director of CTC-A to correct the good order and discipline deficiencies identified in this report. FF 538-561.

24. (U) U.S. Coalition Operational Forces responded in an outstanding manner to locate and rescue/recovery HT2 McNeley and CS2 Newlove. They did the same in capturing many of those responsible for the ambush and killing of HT2 McNeley and CS2 Newlove. FF 249-310, 334-347, 357-392.

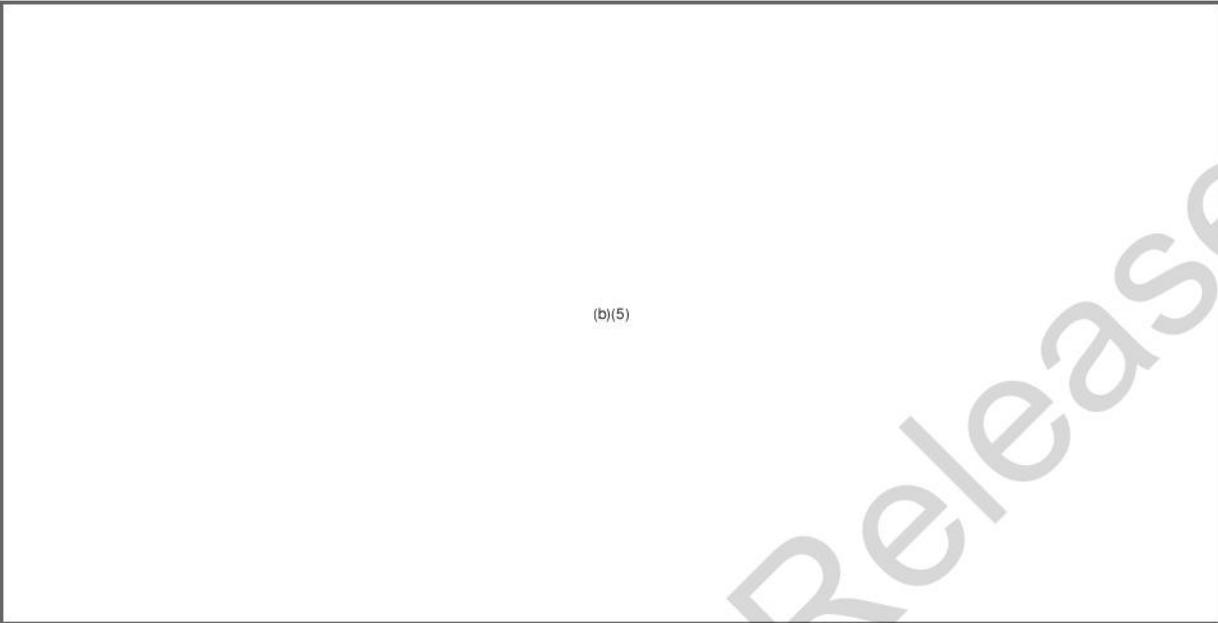
Recommendations

9. The following recommendations are made:



(b)(3), (b)(5) (b)(6)

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Line of Duty/Misconduct Determination

10. (U) Given all of the evidence in this case, including that HT2 McNeley and CS2 Newlove were on an approved convoy that their chain of command had full knowledge of and that more likely than not they had become lost after missing the turn from [redacted] (b)(1)1.4a, the conduct of HT2 McNeley and CS2 Newlove does not amount to reckless disregard for the foreseeable and likely consequences of such conduct. For this reason, I have determined that HT2 McNeley and CS2 Newlove died in the line of duty, not due to their own misconduct.

Conclusion

11. (U) The deaths of HT2 McNeley and CS2 Newlove were preventable. [redacted] (b)(3) (b)(6) set a dismissive climate concerning the risks associated with operations off secure U.S./Coalition facilities. [redacted] (b)(6) [redacted] (b)(3) (b)(6), HT2 McNeley, and CS2 Newlove adopted this same attitude in how they approached convoy operations. HT2 McNeley apparently felt comfortable asking to go sightseeing and [redacted] (b)(6) [redacted] (b)(3) (b)(6) was sufficiently comfortable to grant his request. [redacted] (b)(3) (b)(6) was not troubled by the movement plan, as evidenced by the fact that she did nothing to raise concerns or stop it. When HT2 McNeley and CS2 Newlove became lost, they continued driving south instead of turning around. [redacted] (b)(3) (b)(6), with [redacted] (b)(3) (b)(6) [redacted] (b)(3) (b)(6) approval, then placed herself and two other Sailors in similar danger when they became lost and continued driving south.

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12. (U) The lack of leadership provided by [redacted (b)(3) (b)(6)] and the lack of judgment exercised by [redacted (b)(3) (b)(6)] was clearly exacerbated by the unduly familiar relationship that existed within the Navy element assigned to CTC-A. Ultimate responsibility for all of the above rests with [redacted (b)(3) (b)(6)] who personally set the command climate which ultimately undermined good order and discipline within CTC-A.

13. ~~(S)~~ It is noteworthy that this report contradicts an earlier investigation that concluded HT2 McNeley and CS2 Newlove were purposefully misreporting their locations during the afternoon of 23 July 2010. That conclusion was reached as a result of [redacted (b)(3) (b)(6)] statements about receiving a call from the two Sailors at approximately 1630 saying they were leaving the Green Zone, a text message at 1746 saying they were almost back on base, and making a call to them at approximately 1815 during which they said they were on [redacted (b)(1)1.4a] heading back to Camp Julien. [redacted (b)(3) (b)(6)] cell phone records undermine her statements in this regard. There are no records that she made or received calls in the 1630 or 1815 timeframes. The location of the two Sailors when they sent the 1746 text message (on [redacted (b)(1)1.4a], south of [redacted (b)(1)1.4a] north of Logar Province) does not support a conclusion that they were purposefully misrepresenting their location when they said "should be there soon."

14. (U) I would like to thank NTM-A/CSTC-A, NCISRA, Afghanistan, BUPERS (PERS 3), NAVCENT Forward, and the office of the Staff Judge Advocate, U.S. Fleet Forces Command for their assistance and cooperation with this investigation.



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Vice Admiral, U.S. NAVY