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UNITED STATES CENTRAL COMMAND
OFFICE OF THE COMMANDER
7115 SOUTH BOUNDARY BOULEVARD
MACDILL AIR FORCE BASE, FLORIDA 33621-5101

11 October 2010

TO: Major General Joseph L. Votel, USA, USSOCOM

SUBJECT: Appointment as Investigating Officer into Possible Friendly Fire Incident during Hostage Rescue Operation in Konar Province, Afghanistan on 8 October 2010

1. Reference. AR 15-6, *Procedures for Investigating Officers and Boards of Officers*, dated 2 Oct 2006
2. You are hereby appointed as an investigating officer (IO) to conduct an informal investigation in accordance with the reference into the hostage rescue operation in Konar Province, Afghanistan, during which Linda Norgrove, a British citizen, died on 8 October 2010. The USSOCOM Commander has authorized your participation in this investigation.
3. You may generally use Army Regulation (AR) 15-6, *Procedures for Investigating Officers and Boards of Officers*, as a guide for the conduct of your investigation. You are not, however, strictly bound by the contents or internal requirements of AR 15-6 and you may conduct your investigation in whatever manner you feel necessary and proper.
4. You will ensure that the investigation is classified no higher than 'SECRET//REL USA, GBR' so that this investigation can be coordinated and shared with the British government. If any of the attachments are classified at a higher level, then immediately submit the documents to the Original Classification Authority for a declassification review and include the declassification review in your investigation. The investigating officer will provide a summary of any information or material that was reviewed during the conduct of this investigation that cannot be classified 'SECRET//REL USA, GBR.'
5. LTC [redacted (b)(3), (b)(6)], USA, is hereby appointed to serve as your legal advisor. You will consult with him before making any substantive efforts regarding your investigation. LTC [redacted (b)(3), (b)(6)] e-mail is [redacted (b)(2), (b)(3), (b)(6)]. You may request that additional individuals or subject matter experts be appointed in writing to accompany you and assist you in your investigation.
6. A UK official may be appointed as an advisor/subject matter expert/member of your investigation team. If so, he will fully participate in the investigation, to include assisting in the development of your findings and recommendations, and will have full access to the evidence, findings, and recommendations.

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7. All witness statements will be reduced to writing and sworn whenever possible. You may use DA Form 2823, *Sworn Statement*, or any other format. If it is impracticable to obtain a written and/or sworn statement from a particular witness, you will swear to the accuracy of any transcription or summary of such witness testimony in whatever form it appears within your report of investigation. You will provide witnesses, as may be legally required, with a Privacy Act statement before you solicit any personal information from them. Your legal advisor will assist you in determining when – and with which witnesses – this may be required.
8. If, during the conduct of this investigation, you deem it necessary to interview a British witness, submit a list of potential witnesses through the USFOR-A SJA to the USCENCOM SJA for further coordination before the interview.
9. No U.S. military or civilian witness can be ordered to provide information that may incriminate him or herself. You may order any witness to provide a statement if you believe that they have relevant information that would not incriminate themselves. If, in the course of your investigation, you suspect any specific person may have committed a crime, you will promptly consult with your legal advisor and then inform me. Under no circumstances should you attempt to elicit any information from any suspect without first thoroughly discussing the matter with your legal advisor and then providing the requisite advice and warnings required by Art. 31, UCMJ or other applicable U.S. law or regulation.
10. You may consider any evidence that you determine to be relevant and material to the incident. You should make appropriate findings and recommendations based on the facts gathered during the investigation. The completed investigation will include:
 - a. this memorandum of appointment;
 - b. a memorandum for record with your findings and recommendations. A completed DA Form 1574, *Report of Proceedings by Investigating Officer*, is not required. Your findings are to be based on the facts you gather and your recommendations should include whether any corrective action is appropriate;
 - c. an executive summary (with both unclassified and classified version);
 - d. an index of exhibits and all exhibits labeled in successive order;
 - e. a chronology of your investigation;

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- f. a list of all persons interviewed and those from whom no statement was taken; and
- g. proper classification markings for each paragraph, page, and exhibit included within your report of investigation.

11. You are free to make findings and recommendations to me on whatever matters you feel are relevant to your investigation. You shall also determine:

- a. the facts and circumstances surrounding the operation, to include a detailed chronology of the events;
- b. the role of any non-US forces in the development and approval of the operation;
- c. the post-operation debriefing information that the rescue team provided;
- d. what actions, if any, the unit commander took to gather the facts and circumstances surrounding this incident;
- e. the cause of death of Linda Norgrove, if possible;
- f. what, if any, fires and/or other actions from the rescue force contributed partially or wholly to the death of Linda Norgrove;
- g. any recommendations concerning improvements to tactics, techniques, and procedures to help prepare for or avoid this type of incident in the future; and
- h. any other matters pertaining to this incident that you deem relevant.

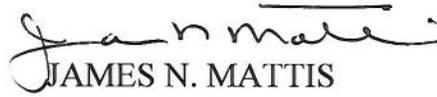
12. This investigation takes priority over all other duties. You must obtain my approval before committing any significant amount of time to any other duties prior to your completion of this investigation. By this memorandum, you shall receive the complete support of all USCENTCOM personnel and assets you feel you need to properly conduct this investigation. All USCENTCOM records and files, however and wherever stored or otherwise available, shall be made available to you.

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13. You will submit your completed report of investigation to me by 11 November 2010. You may receive an extension of time to complete this investigation from myself, my Deputy Commander, Chief of Staff, or Staff Judge Advocate. You will document the reason for any delay in your final report of investigation.


JAMES N. MATTIS
General, U.S. Marines

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