

~~SECRET//REL TO USA, GBR~~

Major General Votel: I'm Major General Joe Votel. I currently serve as the chief of staff at SOCOM but I've been appointed by the CENTCOM commander, General Mattis, to investigate the relevant facts and circumstances surrounding this hostage rescue operation up in Konar that involved Ms. Norgrove last week.

This is an official investigation so it's going to take on a few trappings here that are going to sound legalistic and administrative to you. But it is for the record and it is official.

WIT: Yes, sir.

Major General Votel: During the course of this interview, I'm going to ask you to furnish some information about yourself. The Privacy Act of 1974 requires that I inform you of the authority for this requirement. This statement that I'm going to ask you to take a look at and sign here basically serves that purpose. It tells you that we are going to ask for some information about you and then that information may appear in this investigation.

Okay. If I could ask you to please sign and print your name on that.

[The witness did as directed.]

Major General Votel: We are recording the testimony that we're going to have this evening. It will be transcribed so that a written report that can be made available to General Mattis. I would just ask you to answer every question verbally. This digital recorder won't pick up nods and that type of stuff.

We will get into discussions of the objective here. We've put some very simple very diagrams here in front of you, we have a broader map with the annotated locations, and we also have some video that we refer to. As we go through this, I would just ask you to refer to buildings by the numbering system that you all have established. We've adopted that for the investigation.

Before we go any further, I do want to remind you how important it is to give truthful testimony. It is a violation of federal law to knowingly make false statements under oath. I'm going to administer an

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oath to you here and that will constitute a swearing and official statement.

WIT: Yes, sir.

[The witness was sworn.]

Major General Votel: Okay. I've introduced everybody who is in the room so you know everyone who is present. The time is currently 1755 Zulu on 16 October 2010. We are located here at Jalalabad Airfield.

Major General Votel: Okay. Thank you. At this time, I want to inform you that you are not suspected of any offense under the Uniform Code of Military Justice, Federal or local law. Therefore, you're not authorized to have a legal counsel and I am not advising you of any of your Article 31 rights. In addition, you must answer all the questions that we pose to you unless you determine that something that I'm asking may incriminate you to some manner and you always have that right against self incrimination.

Okay. With that, I'd like just to invite you to sit back and relax a little bit here and what I'd like to really move into this discussion here about the facts and circumstances that surrounded this operation here. I've got a series of questions that I'm going to ask. Some of them I will use and some of I won't. I'll expand in other area. We'll kind of take it in phases here. We'll talk a little bit about the preparation. We'll talk about the execution. We'll talk about what happened afterwards. And we'll try to approach it chronologically if we can.

I'll start off asking some questions and when I come to about to the end of where my questions are, I'll refer to the Brigadier and I'll offer him an opportunity to ask any questions that he might have and then we'll move on. At the end of this, I'll invite the other two officers to ask anything that they might have for clarification purposes for the investigation.

Obviously, your role in this is as the ~~(a), (b)(2) High~~ commander of ~~(a), (b)(2) High~~ in to execute this operation.

WIT: Yes, sir.

Major General Votel: I wonder if you can talk in as much detail as you care to about the intelligence and the assessment that you had going into this objective with respect to where Ms. Norgrove may be on this objective.

WIT: I put together a time for my own sanity. I can't vouch that that is 100 percent correct. I wasn't sure how detailed we would get.

Major General Votel: So let's just talk about the intel assessment and then what I'm going to follow up with after is I'm going to ask you to talk a little bit about the ground plan on what you're going to do. That's kind of the direction I'm going right now. Why don't you start with the intel assessment.

WIT: As we're all aware. It was approximately two weeks since Ms. Norgrove was abducted. It was sustained operations. The battle space owner, flew up there and did a phenomenal job. We sent numerous guys in

1.4(a), (b)(2)High

started to add up as we came to this. We did one operation I believe two nights prior. It was our first pretty aggressive op up in 1.4(a), (b)(2)High and that was a 1.4(a), (b)(2)High There was an absolute lack of other means to get there. We knew it was extremely high risk to go about it that way.

As we were driven to the final objective here, for me, personally, it did - and I know we tend to see what we want to see. It started to add up to me that this made sense. The crew that had abducted Linda didn't seem to be big players. They didn't seem to be that well connected. They were getting a lot of heat from what we were picking up. They were getting a lot of heat from village elders. There was talk of killing her. They didn't move into more heavily Taliban controlled areas and as we started looking at this, I started in my head seeing this as these guys are mid-level guys and they are in a pinch.

And as I started looking at the terrain involved and where this was driving us to and we started utilizing and picking up the 1.4(a), (b)(2)High is what drove us to this which is not super pin point accurate, but it just started to add up to me that these guys are in a pinch and this place is - someone they know or relative or whatever it is but it is an absolute

forbidding location at the end or a horribly steep phenomenally challenging terrain. For my personal view on what we were getting into, it seemed to add up. I was like I'm not 100 percent. I was far from 100 percent that she was going to be there but if she was there, it would have added up to me at that point. And the intel folks did a phenomenal job of building the case and getting us and driving us in that direction. I don't know if that answers what you're asking.

Major General Votel: So your general assessment was this was probably - the probability of her being in this location was -

WIT: I felt it was higher, probably a little higher than 50 percent. If it was below 50 percent, I would have pushed the issue with my chain of command. I still did bring all my concerns to my chain of command. I was probably in the 65 percent realm that she was there. Knowing that we had threats of her being executed, it started to add up. We gave it a 4(a), (b)(2)High pause because when we first looked at it, we were like there's just nowhere to get into this valley. The terrain was in all honestly the steepest, it was phenomenal terrain. We looked at it the first night and just said well let's give this a second - let's give it a 4(a), (b)(2)High pause. Look for an offset possibility and it just wasn't there. The helos
1.4(a), (b)(2)High The valley went straight up. The only place they could get up was going to be like, their ACLs for like three packs and then this came back to an X. And we knew the risk involved going to the X. I voiced those concerns to 1.4(a), (b)(2)High.

Major General Votel: If I could just for a second here. I'm obviously aware that the forces 1.4(a), (b)(2)High operate in a variety of different environments in Afghanistan from the mountains to other flat-land areas here. I'm wondering if you could a little bit about your troops experience throughout this deployment and the types of operations you've done, kind of the percentage of contact and just 30, 40 percent times you've made contact and then if you could specifically talk about any experiences you've had up in Konar.

WIT: This deployment would be the 4(a), (b)(2)High operation that was in Konar for us. When we first got here, we planned an actual push up to Konar at one point that we

1.4(a), (b)(2)High

terrain, we did a few that required some pretty decent terrain to get to. We've executed operations. I don't have the exact numbers for you, sir, but about or less than 50 percent, maybe 40 percent involved some sort of exchange with the enemy, be it just a couple small shots - we had

1.4(a), (b)(2)High

but that's about where we at for this deployment.

Major General Votel: How long have you been commander?

WIT: I went through selection training in January of '07. I went to the Task Force originally. I did two pumps with the Task Force as the commander.

Major General Votel: Here in Afghanistan?

WIT: Yes, sir. And then I became their operations officer and then we had a shuffling of bodies due to somebody getting in trouble and I was the most junior guy at the command who was still eligible in my window to be commander so I was pulled from Task Force operations back in to be commander. And I believe I moved over in November, early December of '09. I joined the mid-cycle.

Major General Votel: Up front I have a large scale piece of imagery that kind of shows the operating area for Objective and we've highlighted where the buildings are and based on our best estimate from the prep work we've done here where your locations are there and then to your front I have a simple diagram of the building scheme on Objective that was used that evening. I'm wondering if you could take a little bit of time and talk about your task organization for how you were organized for this thing, and then if you could kind of tell us what the plan was going into this based on the intelligence assessments that you just talked about and the information that you had. What was the plan for how you were going to approach this?

WIT: As far as your task, it wasn't drastically different than what we were used to doing. The only change was

1.4(a), (b)(2)High

us. I expressed to my (b)(2)High chief flat out for the level of risk that we're going to have to accept on this, I wanted the fewest bodies possible on those helos. We went lighter than usual. I believe we were (b)(2)High PERSONNEL.

Major General Votel: When you say "lighter," you mean lighter in terms of people?

WIT: Fewer people.

Major General Votel: Okay.

WIT: I mean I was thinking catastrophic worst case, I'd rather have (b)(2)High on that bird than (b)(2)High and if we didn't need them -- we were a little bit light. We

1.4(a), (b)(2)High

tasker was pretty typical of how we would split things up minus the (b)(2)High. We had Alpha, myself and (b)(2)High my (b)(2)High chief and (b)(2)High.

Major General Votel: Alpha and Bravo being teams?

WIT: Alpha team and Bravo team. I'm sorry, sir. And then I'm pretty sure that this (b)(2)High point is not correct. I'm not sure what this was based off of. And it could be correct but to my best recollection, it was actually more about here because we were when we - I'm sorry.

LTC (b)(3), (b)(6) I was just going to say that you were referring to the one that was further south.

WIT: The (b)(2)High point that's up the valley further I don't believe is correct. That's too far down in the wadi. We were not down that far. When we landed, we were on parallel terrace as building 21, 22, and 23. We were on this terrace. I believe we (b)(2)High approximately there. So (b)(2)High came in here (b)(2)High land down - I couldn't pin point that to be honest with you down in this area. They cleared 30 right off the bat. Actually there's 30 over there. They cleared 30 right off the bat so

they [1.4(a), (b)(2)High] probably in this vicinity and pushed over there and immediately cleared 30 before coming up. There was no reason not to clear it. They were going to land beside it. It made sense. It was going to take them a couple minutes. It was a single building.

Major General Votel: Just a point of clarification here. Where are you physically located during this? You're going in right there.

WIT: I was [1.4(a), (b)(2)High]

Major General Votel: And your [1.4(a), (b)(2)High] chief is on the other one?

WIT: He's [1.4(a), (b)(2)High]

Major General Votel: That is the A team on that side?

WIT: Yes, sir. I was in chalk one out on [1.4(a), (b)(2)High] with myself and Alpha team.

Major General Votel: And then B team over to the [1.4(a), (b)(2)High]

WIT: B team was [1.4(a), (b)(2)High] with my [1.4(a), (b)(2)High] chief and they landed down in the valley.

Major General Votel: Okay. Thanks.

WIT: The general scheme of maneuver is - and we knew the terrain was going to be difficult but the birds could only come in so close giving the tightness of the valley. It was phenomenally steep as mentioned. So they spread out. There wasn't really a legitimate spot to get Bravo team up higher in this area. It was just too steep. They chose to go down there which also gave us the option of taking care of the 30 series. The scheme of [1.4(a), (b)(2)High] that night. And generally Alpha and Bravo just flip [1.4(a), (b)(2)High] They are both equally qualified teams and they just [1.4(a), (b)(2)High] on deck that evening. Alpha was to come in and move up hill of the 21, 22, and 23 and go directly to the 10 series which was building 11 and 12.

Major General Votel: So in other words, bypass 21, 22, and 23 and move up to 12 and 11?

WIT: This is where we had suspected that she was located. Most of the traffic that we had was in those

buildings, in buildings 11 and 12, so that was our primary objective.

Major General Votel: Your suspicion that she's in 11 and 12 is because of the pattern of life that you're seeing up there or -

WIT: Yes, sir. It was based on ISR.

Major General Votel: Most activity.

WIT: Exactly. The ISR observed the most activity in those buildings. That was the main house that was seen. There was a lot of goats there and it just seemed that was their main house. The other buildings down lower didn't have quite as much traffic in and out. That was our best guesstimate at that point. We didn't have any HCHs or anything like that.

Major General Votel: Thanks. Go ahead, please.

WIT: Alpha was to come in and take 11 and 12 right off the bat. Myself with C2 were generally the last - we were last ones out of the bird. Our intention was to come down and just hold this area and hold - the northwest corner I guess just in front of the 21, 22, and 23 series. We were just going to lock down the front of these, the C2 element and just wait for - we were going to let these guys do what they had to do, we were going to be over here which is covering down the front of this and then their intention was to come down and clear these. And Bravo, after taking care of the 30, was going to come and work their way 27, 28, 26, 25 in that direction. 24 is actually down here and 24 was not really a building it was just something to store grain or something. It wasn't really a structure but it was labeled on our original (b) (2) High a structure. That was 1.4(a), (b)(2) High 1.4(a), (b)(2) High. I don't know if you want me to get into anything -

Major General Votel: Let me just hold you right there and just you were taking about the plan and scheme of maneuver. Rob, any questions?

Brigadier Nitsch: Was there a huge amount of disturbance in the Task Force command structure because the new CO joined didn't he?

WIT: Myself?

Brigadier Nitsch: TF Commander had recently joined, didn't he? How many of you -am I getting a false impression of quite a fluid command structure or would actually most of the structure traveled through the training period together and therefore you were much had formed the team through training or did the team actually come together quite late in the training? I'm just trying to pick up the impression here. It's just two of you we've spoken have been late joiners.

WIT: It's not outside the norm at all for folks to join in different phases. The machine keeps going. It's a rather seamless transition and you jump in where you can. Ultimately, for the training level stuff, the officers, our involvement in the day-to-day training of the guys is really pretty minimal. It's a matter of getting in and meeting the guys and getting to know them and establishing rapport and which I've had no problem with. We're a small community. I know a lot of these guys before.

Brigadier Nitsch: It was really of no consequence?

WIT: No, sir.

Major General Votel: Okay, what I'd like to now - I have picked up in some of my other discussions here that the movement of B team up from the eastern most 1.4(a), (b)(2)High location there was assessed that they were going to move a little slower and so there was some modifications that were made to the plan on the ground. Can you talk about any modifications? I don't know if that's true or not. Maybe you can confirm that for me. Or if you could just talk about any - okay, now you're on the ground and you have to adjust to the real world, what kind of modifications to the plan is being made?

WIT: So when we landed, I don't know the exact time that we were on station to get everybody off 1.4(a), (b)(2)High. It took a little time to get 1.4(a), (b)(2)High there and then get everybody 1.4(a), (b)(2)High. By the time I was on the 1.4(a), (b)(2)High I don't know the solid number for that, sir. By the time I was down 1.4(a), (b)(2)High I was the last one out 1.4(a), (b)(2)High. The guys were well on their way with the clearance. TM 1 is one our absolute, most seasoned guys.

Major General Votel: TM 1 being the call sign for the team leader?

WIT: TM 1 is our team leader for Alpha team, no question he is our most experienced. He quickly identified and he was on the ground well before I was and quickly identified. As I landed, I was looking well down into the valley. I was looking through the top rotors of (a), (b)(2) High realizing it was even - we knew it was steep going in and we realized it was even more so than we mentally anticipated. I knew immediately they were going to have almost no part of the clearance and TM 1 was ahead of me on that. He redirected his team and I couldn't tell you a hundred percent without looking at the video, sir, exactly how many guys went in which direction but he pushed guys around to go ahead and take care of 21, 22 and 23.

Major General Votel: Enroute to -

WIT: Enroute to, yes. He did make that split going in. The video would obviously tell exactly which guys went where. I know where a couple of them went. That was about the only modification. As soon as I got on (a), (b)(2) High I confirmed with TM 1 and 2, my (b)(1) (a), (b)(2) High Chief. I just pinged him because we knew it was going to be a challenging location to get into. I just confirmed that we had all eagles on (a), (b)(2) High and everybody is 100 percent, no injuries, no nothing. He called and confirmed that with me that all (a), (b)(2) High safely. I had confirmed we had no one hurt and I relayed that back to (a), (b)(2) High. And that's not a call that I would normally pass.

Major General Votel: (a), (b)(2) High being -

WIT: The JOINT OPERATIONS CENTER here, sir. Not a call that I would normally pass because generally it not but given the fact that we were going to hit the ground and have 30 seconds to executing the mission and if somebody did get hurt catastrophically slipped (a), (b)(2) High or something, it was information that the JOINT OPERATIONS CENTER could use. It's not a call that would be typically in my list of things I want to go through that night.

Major General Votel: Okay. Good. So you explained how that decision was made to split and to sending 21, 22, and 23 and 11

and 12. Did that change your personal plan? You still continued to take your CP down to kind of the -

WIT: It just alleviated - I was to fall back with - I had my radio and we left a interpreter with me and TM X-1 who was a member of Alpha team. He's their primary [redacted] 1.4(a), (b)(2)High [redacted] 1.4(a), (b)(2)High. He didn't bring [redacted] 1.4(a), (b)(2)High that evening, so he was also staying back with us so I had one full-time real shooter. It was myself, the radioman, and the terp. We had one full shooter with us and he went ahead and pushed up quickly and got right there to 21. By the time he got there, they guys were pretty much clearing it. It just alleviated the responsibility that we had preplanned for the C2 to freeze down in the front of those buildings.

Major General Votel: I wonder if I could just ask you to clarify this point for me. Where is the TM 10 and any - I don't know if you had an EOD tech on this objective.

WIT: We had both, sir.

Major General Votel: Can you tell me where they were?

WIT: I don't know off the top of my head, sir.

Major General Votel: Do you know what the plan was for where they were going to be located? Were they moving within A team?

WIT: Yes, sir. The lead TM 10 stays with Alpha.

Major General Votel: So he stays with the team leader himself?

WIT: Yes, sir. They go through all our training. Generally, they will stay with Alpha team and they'll stay with Bravo team. They're generally sort of the back of the team but they are completely qualified. They do clearance.

Major General Votel: But they're not - but they just kind of stay with the team not necessarily with the team leader?

WIT: Yes, sir, with the team.

Major General Votel: And so would the A team leader, he would have both a TM 10 and TM 7 with him?

WIT: Yes, sir.

Major General Votel: As we kind of know here, we've obviously looked at the videos and everything else as well here. If I could just kind of jump ahead to - any questions of modifications of plans?

Brigadier Nitsch: I really appreciate what you do. I'm very grateful for what you do. You said that they lay of the group quite surprised you. Was there any other bits of the intelligence picture or the picture that you developed at the target that surprised you when you actually got on target?

WIT: Not significant other than the terrain and I knew going in that the terrain was going to be challenging and I was still impressed by it but no, there was nothing significant on target other than maybe (b)(2)High actually wasn't a structure. That was a minor detail.

Brigadier Nitsch: I think the illumination or visibility was terribly difficult that night, wasn't it?

WIT: Yes, sir. We were excited about that. That's totally (b)(2)High. We were happy.

Brigadier Nitsch: Okay. So you were happy with that?

WIT: Absolutely.

Brigadier Nitsch: And could you see (b)(2)High you (b)(2)High looking across?

WIT: Yes, sir. I got out. Obviously, I'm on (b)(2)High but I looked right at (b)(2)High

Brigadier Nitsch: So you could see that?

WIT: Yes, sir.

Brigadier Nitsch: So that visibility was quite good?

WIT: Yes, sir.

Brigadier Nitsch: And just a final question. Alpha team changed what it was going to do. Do you think that led to a significant reorganization and tasking within Alpha team?

WIT: I wouldn't say it was significant level. It was a quick decision made on the fly. I'm not a hundred percent sure where TM 2, was located when that split happened.

Major General Votel: He was the assistant team leader?

WIT: Yes, sir. Typically, if the team leader has to split his team down with enablers he'll have (b)(1), (b)(2) High guys. If he has to split his team down into groups, they'll generally obviously number two is going to take half of the guys and he may very well have been in that position. I don't - because he hasn't really been the spot light of any of this, I can't tell you for a 100 percent exactly where TM 2 was. If he wasn't co-located, then the guys who ended up in front of 21, 22, and 23 were -

Brigadier Nitsch: That's exactly the questions I'm driving. Whether it had to completely restructure or whether it was just - because it was the pace and it's probably not a fair question for you it's was just your impression whether they just sort of went for it or whether there was a chance to get organized to do it.

WIT: Absolutely, sir. These are extremely dynamic targets and this is not the first. This is what the guys train for and it is - you pick up threats as you pick up threats and you deal with what you have to deal with. They are all trained to do this level stuff. I do not know exactly who ended up in front of 21, 22, and 23. I know who know who ended up on point obviously.

Brigadier Nitsch: So you're absolutely happy that the training and the preparation that (b)(1), (b)(2) High managed to do would have been okay for this task and this mission?

WIT: I mean to be totally honest, sir, I'm totally disappointed. One of our guys didn't pay attention in training and he killed someone.

Major General Votel: Thank you for that. Good clarification there. What I'd like to move to now is obviously we've kind of modified the plan and A-team is continuing to move up towards the 20 series and then splitting off to the north and heading up towards 11 and 12. There is contact on the front porch or the terrace there in front of 21, actually 22 and 23.

WIT: Yes, sir.

Major General Votel: I'm wondering when did you become aware of that and if you could talk a little bit about what you assessed was happening there. Are you guys are hot

netted together? I mean are you instantly picking up what they're transmitting?

WIT: As far as who is what net communication wise?

Major General Votel: Yes.

WIT: Yes, sir. At that point, I was still on 1.4(a), (b)(2)High

1.4(a), (b)(2)High

Generally once things get going, I knew this was going to be a very dynamic target that was going to go down very quickly so I didn't bother coming off of

1.4(a), (b)(2)High

it was so quick and I had no need. There wasn't that much - everything was so close. There wasn't a whole lot of over the radio calls. Which the team leaders 1.4(a), (b)(2)High. But, yes, everybody is connected.

Major General Votel: Okay. And then we were talking with contact and initial contact.

WIT: Initial contact, I came out and within a few seconds of hitting the ground and I believe all of this was probably done within 90 seconds of my boots being on the ground. I'd have to bust out a stop watch to give you a dead on answer for that but it's pretty quick. Within just a few seconds of being on the ground, I heard shots. I heard suppressed shots. I also heard unsuppressed, what I believed to be AK fire and then I heard the grenade so I knew we had some things going on on target which is not out of the norm.

Major General Votel: I'm sorry. Did you say you heard a grenade?

WIT: I heard an explosion.

Major General Votel: Okay. You heard an explosion.

WIT: I heard an explosion, sir.

Major General Votel: At that time when you're hearing all that both suppressed shots and non suppressed shots and then an explosion, you're still in the process of moving along that terrace towards the -

WIT: By the point I was just - I just moved over to here so I could cover down. I was looking at [1.4(a), (b)(2)High] and talking to (b)(1) [1.4(a), (b)(2)High] and then spotted the guys. Xray-1 went ahead and pushed up. He saw the guys clearing and so Xray 1 being an assaulter, he got right in there and then I was a few - a minute behind him.

Major General Votel: Would it be normal within the operation of (b)(1) [1.4(a), (b)(2)High] here for them if there's a contact for them to push information to you or are you asking for stuff or how is that working?

WIT: As far as the actual contacts on the objective, if it's within the scope of what the teams are handling

[1.4(a), (b)(2)High]

guys should have that.

Major General Votel: So you didn't say hey I heard an explosion, what was that or -

WIT: No.

Brigadier Nitsch: You mentioned non suppressed shots. Have you got any idea of where they came from or where they were?

WIT: No. I couldn't pin point them. I mean, I knew they were coming from the target area, sir.

Brigadier Nitsch: So there was actually engagement coming your way from the target area?

WIT: I couldn't say for a 100 percent they were actually shooting our way. I mean, they couldn't see anything. It was pitch black. So whatever they were shooting at - I don't know. If we had better footage, they could have been shooting at the sky. I don't know. I'm assuming they saw some movement as

the guys got closer and they were engaging the guys but I couldn't say they were shooting at us.

Brigadier Nitsch: In terms of the ROE and orders that are given when you give your orders for the mission, is it just standard? Do you tune the talk to the mission? Do you provide any instruction on those or anything?

WIT: We definitely adjust. We knew we were going to do a hostage rescue situation so you're going to adjust your tactics which is probably the X's and O's of what goes down on the objective is covered by the team leaders and (b)(2)High Chief during the -

Brigadier Nitsch: So the issuing of that bit of the orders, that level of detail is a team leader responsibility?

WIT: Yes, sir.

Major General Votel: I would like to move ahead a little bit here. If I'm skipping some things here or I'm missing some things that you think is pertinent, please feel free to bring it up to our attention. Obviously, there are some engagements and the (b)(2)High continues to fight up towards building 11 and 12 and then at some point, can you talk we either clearing those enemy KIA that we have in the vicinity of 22, 23, and 25, we come to know that there is a female down there who is mortally wounded or wounded. Can you talk a little bit about how all that came together and how you came to know that information.

WIT: That Linda had been killed?

Major General Votel: Yes, that Linda had been killed and then kind of talk about what happened there.

WIT: Sir, if you watch the tape - I don't know the exact time. It was pretty quick, things went down pretty quick.

Major General Votel: We can run the tape if that would aid you.

WIT: We don't need it in this instance, sir. If you want to go through it at some point I'd be happy to. I'm just saying it was pretty dynamic. It went down pretty quickly. I moved - I ended up moving down to 21. As soon as I got to the front of 21, I could see an 1.4(a), (b)(2)High it's been cleared. I knew the guys had already

cleared 21, 22, and 23 as I walked up 21 and 22. TM 6 was in the vicinity. He was also moving forward with me. There was one EKIA right in front of 23 I believe and maybe 22, 23 area. I walked up past and just gave him a quick look. I looked over and saw 24 and put an 1.4(a), (b)(2)High there to see. It was just grain storage or something, just gave that a look. Moved through the gap between 23 and 25, went down a little bit. You can see in the picture. It's not really close up but there was a terrace built in front of 21, 22, and 23. I walked across that terrace and then right there at the edge of the terrace where it dips into - there was a steep walkway that went up towards buildings - the 10 series building, 10 and 11.

Major General Votel: I'm sorry. So if I'm looking at this picture or this little schematic right here, there's a stairway that goes right up here?

WIT: This was a terrace. Something like that. This is my approximation of the EKIA. And this was just steep. The back of this roof was built into the hillside. It was extremely steep. The front of this was eight-foot tall. This was all downhill. And it was just dirt steps. There was a terrace in front of 25.

Brigadier Nitsch: You've described the area around building 23.

WIT: Yes, the steep little terrain between 23 and 25. Ultimately I knew TM 1 ended up here. I don't know if you want me to go into this detail right now but as far as when - to answer your question, I moved up, I passed EKA number one who was in front of 22, 23 area and then I moved down. This dipped down a little bit maybe about over four feet. There was a second EKIA just about here. I gave him a quick look and then near the corner of 25 and downhill a little bit, there was two bodies, one was obviously EKIA and as I came up, I believe and again I can't be 100 percent. I know TM 1 had moved down and I'm not sure who the other assaulter was at that point. I walked down and there was two assaulters there. They were still dealing with 25 and moving on. But as I moved down, I confirmed, I was, like, hey, do we have 25 clear because I didn't want to walk down to start surveying the scene if they hadn't cleared the building. I didn't want to get in the way. I was like are we good at 25, 25 was cleared, got it, so I

went ahead and stepped down and I saw two bodies. One of the assaulters, I'm not sure who, said do you think that's her? And as soon as I heard that, I leaned in for a closer look and there was no mistaken.

Major General Votel: Do you recall what type of clothing the enemy killed in action and Ms. Norgrove were wearing when - and I recognize it's dark. I know you've got flashlights.

WIT: The guy was wearing typical man garb. I believe the guy up on the terrace had a black vest. I'm not a 100 percent sure of that, sir, but I think one of those two had a black vest on. The guy who we had thought had blown himself up who was right there beside Linda was just in like typical, no vest, just the typical stuff. It wasn't the big, long shirt thing. It was a pair of pants and a top.

She had - we had reports of her being dressed as being in black pajamas and stuff. I remember she had some sort of color - she had a head veil I believe like a maroon color if I remember correctly.

Major General Votel: Do you know, so when you arrived at her location, can you say again who said, do you think that's her?

WIT: It was either TM 1, sir, or -

Major General Votel: Okay. This being the team leader?

WIT: Team leader. Or I'm not sure who the second assaulter was at that point. There was two assaulters talking. I just overheard and I didn't -

Major General Votel: And what was their disposition at that time? Were they standing? Were they rendering aid? Were they close to her down at looking at her closely or do you kind of recall that posture?

WIT: I don't - I think TM 1 may have been leaning in and the other was - I had nods on and I'm looking and my field of view is like tubes. I was looking down at the bodies. I couldn't say a 100 percent what exact position and - I mean, I know we had an ongoing clearance so if they were continuing to move, I can understand if they were continuing to move but there was definitely a pause there and I did hear that, do you think that's her.

Major General Votel: Do you recall what the positioning was of her body on the ground? Which way was she facing or up or down or -

WIT: Yes, sir. To the best of my recollection, she was on her right side. Her head was facing up.

Major General Votel: Facing up meaning -

WIT: Her head was uphill.

Major General Votel: Facing up towards this crevice between 23 and 25?

WIT: Yes, sir. She was facing - her body was lying uphill. She was on her right side facing towards building 23 with her back towards building 25 and the enemy was somewhat on her. They were definitely touching. He was on her a little bit. He got pulled off of her within a second or so but she more or less on her right side, back. I could see her face immediately.

Major General Votel: And was it your view that she had expired at that point?

WIT: My initial call on the radio was that we hit jackpot that appears to be KIA. Sorry.

Major General Votel: Take your time. Take your time.

WIT: I made the initial call because I knew that 99 percent that she had been killed but you never want to rule anything out so when I came over the radio, I didn't say 100 percent it was KIA because the TM 10 hadn't been there yet. Everything that I saw said she had been killed.

Major General Votel: And I know this is difficult for you so, again, take your time here as we - did you observe any of her wounds or anything else?

WIT: I did. I'm not sure - TM 10 who is our (b) (7)(C), (b) (7)(D) picked up pretty quickly. I said - I think I repeated to him, hey, appears to be KIA, give me an honest assessment as fast as you can. And he's a great guy. He went to work. Sorry.

Major General Votel: It's all right. Take your time. We've got forever, and I know this is difficult so take your time.

WIT: So he went to - he started to asses and it was - like I said, I pretty much knew she had expired. I saw her face immediately. Her face looked fine, clean. I could see she had sort of strawberry blondish hair. When I heard someone saying do you think that's her, I'm like, you're - mentally, I'm saying you're not going to run into anybody else that looks like that up here. She was clothed so she had - immediately there was two - I think both ears had some chunks missing of her ears, maybe the size of quarter out of each ear. And then when TM 10 started working on her, he rocked her up to do a full check looking for exit wounds and everything and she had some peppering on her back. It looked to be, a guesstimate, four, six, ten, I don't know good nickel sized bloody spots on her back. I just at a glance ~~on (a), (b)(2) High~~ the middle of the night with him with ~~at (a), (b)(2) High~~ and everything, I said, did these guys shoot her? I don't know what I said. I don't know what I said to them. I asked him basically did they shoot her. And he said, no, no, this is frag. And I really couldn't tell from my vantage point just from seeing a bullet hole and a frag. They looked - like I said they were nickel sized - a bunch of them on her back. He's like no, this is all frag here. I was like okay and then let him go on about and do his business.

And then again that's the reason I wrote the timeline down. I don't think we had everything secure by that point. And then sort of 11 and 12 were secured. By the time I passed that she was believe to be KIA, Bravo made it up and we got 28, 27, 26, and 25 all clear. And that was passed about the same time.

Major General Votel: Rob, any questions there with respect to that?

Brigadier Nitsch: It's probably - in terms of your recollection, as to where she was, you described the head as being up at the top. Were you pretty alert to her position or was that just an approximation?

WIT: Alert to her what, I'm sorry.

Brigadier Nitsch: Were you pretty alert to her position? I know you said you were pretty alert to her position.

WIT: Yes, sir.

Brigadier Nitsch: Where did you think her back was facing because you said she had frag on her back?

WIT: Yes, sir.

Brigadier Nitsch: Where did you think her back was? Can you just check on the diagram?

WIT: Well her back was to building 25. She was more or less on her back right sidish, head uphill, back towards building 25, the enemy EKIA kind of on her between her and building 23. I don't remember which direction he was facing. I don't believe that that's - she was thrown to that location. That's not where she was engaged.

Major General Votel: US SOF SME, I wonder if you might go to the SENSITIVE SITE EXPLOITATION photos there, one of the photos there. There's one there that shows the enemy that was killed there and her approximate location. I think it was the one that was included in the initial story board, if we have that. If you could pull that up, please.

Brigadier Nitsch: I might have it here, actually.

Major General Votel: It was actually this one right here. It doesn't really show much here but -

US SOF SME: I've got a few here, sir.

Major General Votel: Yeah. This is exactly what I'm talking about there.

WIT: He had been moved off of her. At that point, TM 10 had already worked on her and obviously was getting her prepared to get her out of there. That's not how we found them. She was probably just a little bit more over this way. There's pieces of a gun - his gun was blown up.

Major General Votel: Okay. We're looking at picture PA080214 from some of the post SENSITIVE SITE EXPLOITATION here. I presume this would be building 25 that I get from looking at it here.

WIT: Yes, sir.

Major General Votel: And the rise up to the little terrace in front of 21, 22, and 23 would be right here to -

WIT: This is probably, I can't say for sure, but this is probably a shot from the edge of the terrace down. It probably went down about four feet. You can see the last - this is probably the last step there

before the terrace. It's probably the edge of the terrace.

Major General Votel: And, again, I know that this is very approximate here but the enemy had been moved away from her. When you first saw them both there, he was much closer to her?

WIT: Yes, sir.

Major General Votel: She would have been lying on her right side, her head up hill in this direction, and her back towards building 25?

WIT: Yes, sir.

Major General Votel: Okay. And the wounds that you observed were really on her back and a number of - what were described to me as fragmentary wounds.

WIT: Yes, sir. Yes, sir.

Major General Votel: Okay.

Brigadier Nitsch: Can I just ask you one question?

WIT: Absolutely.

Brigadier Nitsch: And, again, please excuse my ignorance but do you think that's where the grenade, if there was a grenade thrown, do you think that's where it went off? Would that scarring on the ground be consistent or is that just a completely unfair question?

WIT: It's not unfair, sir, I just can't give you an honest answer. I don't know. By the time this was taken, there was so much foot traffic, I can't - that could be a grenade but I don't think - I can't honestly say to be honest with you.

Brigadier Nitsch: So just to really force the point because what strikes me is this is quite - this is a different color here.

WIT: It's a wet. Yes, sir.

Brigadier Nitsch: That's all wet there and then there's a bit that appears to be dry and a bit which appears to be singed which would indicate to me there could have been something in that gap but I may be being -

WIT: Again, sir, I don't know a 100 percent answer if this wiped off of him, I really don't have a full answer for you. He was moved from here and I don't know if that's a drag mark or a scar or whatever it is. I can't honestly give you an answer. It would be speculation.

Major General Votel: Good. Thanks. That's very helpful. Thanks. All right. So at this point, we've discovered we've brought the TM 10 down and we'll have an opportunity to talk with him a little bit later and kind of get his view. She is obviously prepared for movement off of the objective. You continue operations on the objective and then EXFIL out. Anything of any significance related to the investigation on the exfiltration away from the objective then?

WIT: Not that this stuff is a witch hunt and we've replayed things ridiculous number of times in our heads. I did, as I look back now, TM 5 arrives who was ultimately the guy on the trigger and throwing the grenade, as I replay things in my head, he was particularly involved with that. And as I look back now, I realize -

Major General Votel: He was particularly involved with -

WIT: He was particularly involved with that scene; what can I do, what can I help? He was there on that scene which isn't completely out of the norm but it's typically - I've never - that's not typically his job to really - he's not doing that stuff. He already knew what was going on so he got involved. I didn't think a thing of it at the time. So this all happened - do you mind if I look at the timeline, sir, just to refresh myself?

Major General Votel: Sure. Go ahead.

WIT: We had some personnel moving up on the ridgeline to the east. Bravo team made it up. Buildings 11 and 12 were passed secure and buildings 23, 24, and 25 and then I passed that she appeared to be KIA. Shortly after passing within the few minutes of passing that she appeared to be KIA, I grabbed TSE, my (a) (b) (2) High Chief and pulled him aside and I explained, initially to his shock but not in a bad way. He just didn't understand my question initially. I grabbed TSE and I said, hey, very matter of fact, on target,

I said, hey, right now get with everybody. I want to know if anybody on this target thinks they could have shot her. He gave me a look of shock that I was asking that on target and I stopped again and I said, hey, this is not an accusation. This is not a witch hunt. There's a lot of stuff that just went on here. This guy obviously blew himself up and killed her but amidst this chaos, the concept of her being shot, not intentionally, but if the concept of her catching a round is not beyond the scope of possibilities, and this is our target. We're going to get the right story out right now first. Nobody is being accused of anything. But I wanted to get that clear and then so then he went to the team leaders at that point and hit them up for, hey guys, anything, you know? I didn't mean that to accuse anybody of anything at all, you know? I had been - we all at that point - I at that point, I had no reason to assume someone was lying to me or covering something up and I saw what made sense. The guy said, hey, TM 1, hey, I shot this guy, he blew up. We've all - almost all of us have been suicide bombers. No reason to think anything else had happened.

Major General Votel: But your particular concern was about her being caught in the cross fire?

WIT: Absolutely, sir.

Major General Votel: With small arms fire?

WIT: With small arms fire. And it wasn't - I was not out to accuse anybody of anything at all but given the gravity and the level of national - international level of this mission - and I said on target, I was like, they're going to take a good look at her. If BAF or wherever she's examined is going to find (b)(1)1.4(a), (b)(2)High in her, we're going to be the ones telling them expect to see this and this is why because she was in this position and this happened and this guy blew himself up and I cannot tell you for sure that one of my rounds didn't catch her. We did not target her. You know what I mean? I gave the opportunity to the whole gang right clean if there was anything - and I think in my entire - I've probably been on a 100 plus targets. I think I've done that maybe one other time when things were kind of squirrely and it was kind of ironic that this was the night that I said, hey you know what? And I wouldn't have blamed anybody if

someone would say - if this had come to light, it would have been a different story but if somebody was like, yeah, absolutely, I shot that guy from over there, she was right beside him, and I cannot tell you for sure that I didn't catch her with a round, you know? But she was never in my cross hairs. I was never engaging her blindly as a combatant or whatever. So, anyway, that discussion went down on target.

TSE got with the team leader, whatever. We continued with doing everything we were doing on target. He came back to me at some point within a few minutes and was like, hey, no, we're good. The guys are good. I was like, cool, no problem, got it. I just wanted to get it out there in case something like that -

Major General Votel: Good. That's all on the objective before your departure?

WIT: Yes, sir.

Major General Votel: And then the force exfiltrates from the objective - and just for the record, how was she lifted out of there? How was she transported off of the objective?

WIT: Well you saw she was put on the stokes, the flexible and then when ~~1.4(a), (b)(2) High~~ came in, ~~1.4(a), (b)(2) High~~, they lowered the big steel litter.

Major General Votel: All right. So she was put in a steel litter and lifted then into the aircraft?

WIT: Yes, sir.

Major General Votel: And then the remainder of the force, you guys climbed out on caving ladders?

WIT: A ladder, Jacob's ladder, sir.

Major General Votel: Okay. Jacob's ladder. Okay. Unless there's any other questions related to the objective. What I'd like to move to, is now the force back here at ~~1.4(a), (b)(2) High~~ and what I'd like you to talk a little bit about and again I'll just let you free flow here. That seems to be a good way. What I'm interested in you discussing is the post-mission debriefs, the hotwashes that are occurring at various levels within the ~~1.4(a), (b)(2) High~~ within the Task Force that are ultimately resulting in information being passed up

to the chain of command here. Can you talk a little bit about that process and then some of what you heard as part of that?

WIT: Sir, it was pretty much as per SOP as far as our routine. We came back, landed, got on the buses, rode over here, five to ten minute ride, dropped our kit in our ready room, and then we all did a - we just mustered by our fire pit to do a sort of a quick hotwash. My (b)(2) High Chief generally runs those. He'll talk through everything in his mind sequence wise and hit up all key players. It's a reasonably informal -

Major General Votel: This is the (b)(2) High hotwash?

WIT: Yes, sir. Yes, sir. And we had all of - we had brought down (b)(2) High from (b)(2) High possible support in case we started going port and starboard on missions like we did with (b)(2) High (b)(2) High ago. We actually moved up there to help them.

Major General Votel: So everybody in (b)(2) High at this one?

WIT: Everybody in the (b)(2) High believe everybody from TF (b)(2) High everybody from (b)(2) High so it was a much bigger audience than normal. It was pretty quiet. It was pretty somber.

Major General Votel: What type of questions would the (b)(2) High Chief be asking during one of these?

WIT: Sir, there's really not a whole lot of questions. Just kind of recapping everything. TSE said, hey, we tried, we did what we can, there's only so much you can do against the guy who is going to blow himself up.

Major General Votel: Right. So he's not asking any particular questions? Nothing leading, nothing enticing anybody to offer anything in particular?

WIT: He basically goes through his account and then hits all key leaders, Alpha, do you have anything in particular; Bravo, anything in particular; Charlie, anything; and then hit all the key players generally ending up with me and just giving everybody a chance to take the floor if needed. That was a 10 to 15 minute process.

Major General Votel: Is that a fairly - is that fairly typical for how you guys do this then?

WIT: Yes, sir.

Major General Votel: I've been to the fire pit out there so I know what you're referring to. That's pretty a typical way that goes for a post-mission hotwash at the [1.4(a), (b)(2)High] level?

WIT: Yes, sir. We started those initially when we first got here for our first [1.4(a), (b)(2)High] missions maybe. A little bit more formal in our SPA or briefing room and coming in and bringing all the TF around in. But once we kind of comfortable enough, everybody kind of knew their roles, we gave the guys the opportunity to scale it down a little bit. It's still the exact same information being covered, just a slightly less formal setting and we just kind of go through the thing. That is pretty much typical what we've been doing.

Major General Votel: And, again, the [1.4(a), (b)(2)High] chief kind of runs that for you.

WIT: He does.

Major General Votel: I guess we'll have an opportunity to talk with him and I'll ask him so questions so I'll hold on that. Following the [1.4(a), (b)(2)High] level hotwash there, then what?

WIT: We generally go and try to get our products - our initial wave of products [1.4(a), (b)(2)High] as quick as we can, raw photos and things. We try to get those out within [1.4(a), (b)(2)High] of landing so it's a pretty tight timeline because by the time we land and get over here and drop your stuff, you've already eaten [1.4(a), (b)(2)High] minutes of that.

Major General Votel: Is there another gathering where the team leaders, assistant team leaders, and others come together and talk more specifically about things that were pulled off the objective or -

WIT: We bring - so as soon as the hotwash is over, everybody has already dropped their kit, they guys walk immediately over to the SPA, which is where we do our briefing, and we have our intel crew standing by and all the guys - the key guys that handle the TQ, tactical questioning, and sensitive sight

exploitation, they all bring everything they have, all the evidence there and we spread it out on the table and they begin doing that. So that's the next step. They come over there.

Major General Votel: Who from (b)(1), (b)(2) High would normally attend that?

WIT: I believe TM 1 has gotten - generally the (b)(2) High Chief would be there most nights. Over the last three to four ops, TM 1 has sort up stepped up and taken that responsibility for him and so he's been in there. I didn't go in there.

Major General Votel: And this night you weren't -

WIT: I generally don't go in there, sir. I stick my head in just to confirm, hey, we getting pictures out, we getting up - the raw photos going (b)(2) High okay, let's get that going and then I go around and start diving into my post op products and I'll usually - actually I'll go down to (b)(2) High first. I'll go to (b)(2) High and then I'll come back and start working on my products.

Major General Votel: Given the sensitivity of this operation and the fact that Ms. Norgrove had been killed, any specific discussions between you and (b)(2) High or anybody about how we treated any of this information in a more or less sensitive manner or -

WIT: No earth shattering discussions just TF OPS, who was ops is our J3 (b)(2) High do our post op, clam shell, story board, EXSUM anything above and beyond. If it was a heavy engagement, then he does a special story board with a little bit more detail. He's sort of taken those on. So he immediately dove into knowing he was going to do a special story board because of the magnitude of this operation. (b)(2) High OPS compiled that. That's about the only thing different and that's not vastly different. He's done six or eight of those I'm sure.

Major General Votel: Up to this point, it's still your understanding that there was a suicide vest detonation on the objective, that that detonation probably led to the death of Ms. Norgrove.

WIT: Yes, sir.

Major General Votel: And certainly caused the wounds that you saw and that what has been described as EKIA number three down there at the southern most end of building 25 there.

WIT: I didn't go in super depth digging through EKIA number three. But based on what I saw of him, and I didn't manipulate the body or flip him around. I did a quick look at him and I saw him when he was on his back and I saw him when he was on his belly. His left side was just destroyed. His left arm was hanging on by just a little bit of flesh and he had a rack that had - I don't remember exactly what was in his rack but several guys had chest racks with grenades. I didn't think it was an S-vest. I thought it was a grenade. I thought given as loud as it was, I thought probably two grenades went off. We got a call at one point that the guy is like these guys have got vest, I'm sorry. They have chest racks and they've got them rigged with their grenades exposed so spoons out, pins out, giving you ability to pull your pins and spoons are going to fly. A poor man's S-vest in sorts. Not a true S-vest in the definition of what we would think of.

Major General Votel: Thank you for that. That's very useful. Then the special board goes - I'm sorry. Anything to that point?

Brigadier Nitsch: Can I just ask you a couple of ones?

WIT: Yes, sir.

Brigadier Nitsch: Do you think that there's any danger, given the size of the debrief, the large number of people down there, that it was an intimidating environment? Was it difficult for a young, perhaps less experienced guy to come forward and say something in that environment?

WIT: I could see that it would be. It would be uncomfortable to say the least, sure, yes, sir.

Brigadier Nitsch: Okay. That's great. On the debrief process, just a couple of questions really. Is there any benefit in the external person doing it or do you think the internal is the best way to crack it? I don't mean external from the Task Force but I mean external from the ~~(a), (b)(2) High~~

WIT: I just don't think anybody would have the information to talk through it, sir, because I mean it's just -

Brigadier Nitsch: Or even just orchestrate it, to lead it?

WIT: Possibly. We started off and I had used the debrief format in the past. We developed it when we were doing the - 1.4(a), (b)(2) High were doing the 1.4(a), (b)(2) High and so we just came up with a format that was by phase and by player. And so we started off doing that and it's pretty much the same that we're doing. We just kind of modified it into that.

Brigadier Nitsch: Just my final query. Have you had any lessons from anybody else's debrief since the time that you've been here? How is debrief information really recycled?

WIT: As far as - I'm not sure of your -

Major General Votel: Let me ask a question here. Have debriefs caused you to make any changes in the way you're doing things or -

WIT: I think we modify - I think absolutely. Maybe not earth shattering but I think that's why we have them when guys for the smallest points, the fact that we put out that some of the guys from Bravo who weren't engaged in the actual fire fight when they heard, maybe they didn't see it on target hey these guys have their grenades set up in this configuration. That's a lesson learned for Bravo team. They have to remember, hey, I don't see an S-vest but I do see a chest rack. You learn from everyone. I think that it's constantly - maybe not any overwhelming giant changes but you're always going to - that's why we do them. I don't know if that answered your question or not?

Brigadier Nitsch: I think it was also. When you exchange between (b)(1) 1.4(a), (b)(2) High almost, so information that you get from a debrief, for example the suicide - the poor man's suicide vest for example, how would that information get to one of the other 1.4(a), (b)(2) High

WIT: It would just go under our post op product, sir.

Major General Votel: It kind of gets recorded and then it's just - part of it is word of mouth and part of it is just reading what is produced on other - there's no particular

formal process that says hey, we learned this on this objective here, disseminate widely?

WIT: I generally - no. It's on each guy to be as proactive as he wants to be as far as getting stuff. The information is there. Everybody does their after-action reports. They do all the stuff and it's always archived. Personally, I've - my relief coming in from the other Task Force , about halfway through deployment, I just started nagging, nagging, and nagging him and I basically do a weekly wrap up every week and I send him just a long email until he tells me to stop sending these. I just keep hitting every Monday. But that's the sort of information I'm giving to my replacement.

Major General Votel: Okay. Well, then as we now know some further information comes out here about what may have occurred on the objective with respect to a potential grenade having been thrown. I wonder if you could kind of fast forward here and talk a little bit about how you became aware of that information?

WIT: It was quite some time before I had knowledge of it and it came to me 100% top down, which was just unbelievable. So, the evening of, we just talked about the SENSITIVE SITE EXPLOITATION collection. So, we came back, the assault force came back about 2245, hot wash complete, we started about 5 minutes later the guys started the DOCX, SENSITIVE SITE EXPLOITATION stuff. A couple of minutes after that TM 3 dropped off his camera at DOCX and just specifically again, this is just my, people talking about what happened and what sequence. About 15 minutes after the camera was dropped off, TM 3 informed TM 1 about TM 5 having thrown a fragmentation grenade on the target. TM 5 spoke to TM 1 just minutes after TM 3 had spoken to TM 1 and explained what he had done. Then TM 1 spoke to his guys. So, that was when the information got to TM 1 and Alpha Team.

Major General Votel: Do you assess that's the first time that the team leader is aware a grenade is thrown?

WIT: I believe that to be the case, sir, I do. I believe TM 1 made a really, really bad decision to not bring that, approximately 23 whatever, 2308 when he approximately got that information I think it is

unfortunate that he made the choice he did to not bring that forward. In all other aspects he is just an outstanding guy. If I could have made him my 1.4(a), (b)(2) High Chief at time I would have. He's a phenomenal operator. I don't believe he's missed a deployment since 9-11 kicked off; just back to back to back. Literally one of the most experienced operators at the TF, without a doubt. And in his mind, I'm not sure; I really believe that TM 1 believed that the guy he engaged blew up within seconds. Ultimately it doesn't appear that he engaged the same guy. I don't know if you have looked at that level of detail but that's my little amateur view of looking at the tape.

Major General Votel: Do you think that the team leader engaged more than one person on the objective? I mean, now we've talked about this individual right here who was engaged at the bottom of the, kind of the rise going up to the ----

WIT: Are these 1, 2, and 3, I'm sorry.

Major General Votel: Yeah, 1, 2, and 3. Do we think that he potentially from the back corner of building 23 both engaged EKIA number 2 and 3?

WIT: I cannot be sure to be honest with you, sir. I'm nearly positive, 99.9% that he engaged number 2 because from the angle he comes around and he appears to shoot number 2 and then within a second the grenade goes off. Which kind of adds up and again, TM 1 has been in front of guys blowing themselves off. A few of us have been. He gets a couple of shots off, hits the guy, and then the grenade goes off within seconds. Very closely within about 5 or 6 feet, so in his head it adds up. Yes, the guy I just shot blew up. So I really do believe that TM 1 believed that he had shot a guy who detonated himself.

Major General Votel: Okay. But no other indication that he may have known earlier than, you know, 2300 thereabouts, 2300Z on Saturday, October 8th, that there may have been a grenade thrown?

WIT: I believe that was the first time he was aware of it.

Major General Votel: And you can accept that that was the first time he knew that?

WIT: Yes, sir, I believe that.

Major General Votel: Okay. And then if you would just like to go ahead and kind of keep talking about your timeline here with respect to ----

WIT: As far as with respect to the information and everything?

Major General Votel: Yes.

WIT: The information didn't come in until like 2 days later, sir. The next day I don't know if you want me to go through all these?

Major General Votel: Let me just make sure I am clear. So, this is late on Saturday night, this is when he knows, the team leader knows that there is a grenade thrown and then it is not until ----

WIT: 2 days. The next day I can read through this if you want me to, sir.

Major General Votel: This would be early morning ----

WIT: The operation went down POD 8/9.

Major General Votel: That's Friday to Saturday?

WIT: Yes, sir.

Major General Votel: And this is after your return, this is early Saturday morning.

WIT: Yes, well, actually late, late.

Major General Votel: And then it isn't until the next day that a - the high resolution was available.

WIT: It was actually the day after that. The next day, the 9th, it kind of all blurs together.

Major General Votel: Saturday the 9th, okay, I've got it. Okay, I'm with you and then Sunday the 10th is when that information actually becomes known to you.

WIT: Yes, sir. My (a), (b)(2) High chief reviewed the footage the next day with somebody in the JOINT OPERATIONS CENTER. It is typical; someone in the JOINT OPERATIONS CENTER says hey, here's the footage. I watched it like once. It wasn't the footage that ultimately. This was the footage that supported the

story that I believed. So, we watched that. I gave it like one viewing and was like, yeah, so, that's us. The Chief shows that to TM 1 in the morning. The guys come in just before our CUB. We have a CUB. We had a CUB that morning and again TM 12 reviewed it without the team afterwards because TM 1 was, you know personally involved, up close and personal. 1830ish Z (b)(1), (b)(2) High Chief distroed an email saying the British Deputy Ambassador and 196 commander were going to come visit then the next day is when your folks came and visited us.

Major General Votel: And that would have been Sunday?

WIT: Yes, sir. That would have been 2 sleep cycles later we had the official party with the Ambassador and Deputy Ambassador come. We briefed them. I briefed the Deputy Ambassador and 196 commander and talked them through the original footage briefing what I believed to be true. I know you see what you want to see. I think you would have a really hard time going back and seeing that first one unless you knew this information and see something different. So, I started talking through what I believed to be the truth. Then that evening, (b)(1), (b)(2) High had gone to link up with Colonel (b)(3), (b)(6) and spent the day with Colonel (b)(3), (b)(6) and he returned that evening.

Major General Votel: Okay. I think we have pretty well established that now. Once the high resolution video comes back from (b)(1), (b)(2) High there. Can you talk about how it kind of becomes then common knowledge amongst the leadership and how you acted or I mean is it just that process there?

WIT: Again, that was on the 10th I believe, sir. The times are in there approximately, (b)(1), (b)(2) High returned at some point Colonel (b)(3), (b)(6) said, hey, I need you to take a look at this. It doesn't quite add up. It is pretty obvious what happens and every boss has seen the tape now, (b)(1), (b)(2) High and TFSE first grab my (b)(1), (b)(2) High, I guess they saw him first, grabbed him, told him what was going on, brought him over, showed him the tape. They went - my (b)(1), (b)(2) High Chief went and grabbed TM 1 at that point and brought TM 1 over to view the tape. Probably within 30 to 45 minutes I had bumped into, it was just around the camp, I bumped into (b)(1), (b)(2) High who was speaking with (b)(1), (b)(2) High at the time and he informed me. He informed me. He had pulled me aside

and said, you know, Colonel (b)(3), (b)(6) has given me a tape which shows one of the guys throwing the grenade on target.

Major General Votel: Okay. I guess the last question I have here for you, really a little bit of retrospective on your part; is there something we could have done there (a), (b)(2) High the Task Force, the Command, that we should have done or is there something lesson learned out of this that we should apply based on kind of now what you have had an opportunity to reflect on for a few days?

WIT: There's a lot. I think what happened is a symptom of maturity. Our selection process is not perfect. No one's is. You are always going to have problems. Due to the integrity thing is just absolutely inexcusable. The selfishness of the individual who did this, who shot her and threw a grenade on her. I'm not convinced a grenade wasn't throw as a cover up when he realized he had shot her. That is just me speculating. I am highly disgusted by the whole thing and the integrity issue is mind blowing there. I have 16 years doing this, which is a blip on the radar compared to some, but for someone to do that, to be that far out of his league and to come and do that on target and then to just blatantly tell everybody by his actions that I have zero respect for any of you. It is just mind blowing. I don't know how you screen for that but I think it is a symptom of an overall sickness that, you know, that guy, whether we missed him on (a), (b)(2) High or I don't know what the issue is but ----

Major General Votel: You are referring to the TM that threw the grenade?

WIT: Yes, sir. I truly feel bad for TM 3 who, he spoke up within

Major General Votel: That's the individual who was ----

WIT: He was the first one to do the right thing and take it to his chain of command and he sat on the information for approximately 2 hours from the time it happened to the time the SENSITIVE SITE EXPLOITATION began and [inaudible]. But he didn't bring the information up when he should have. He did do it later and I commend him for that as difficult as that was, but the other individual has not come forward. It is disrespectful and then try to justify

and make stories up. It was a 10 meter shot. The enemy couldn't see anything. The enemy wasn't shooting at him. The enemy was maybe two feet lower than him. She was right there, plain as day. He wasn't in a hail of gunfire. There was nothing which is - I don't know how you solve that. I mean I think we are going to take a seriously hard look at how we are vetting, how we are screening, how we are selecting and at the team level I feel horrible for the guys who went out and did, what in my opinion not to toot anyone's horns, but one of the most daring HRs ever. No one is going to remember who did what and where, what environment and under what risk level they are just going to remember that somebody botched it.

Major General Votel: Okay. Thanks, I appreciate it. US SOF SME, anything for clarification there?

US SOF SME: No, sir.

Major General Votel: (b)(3), (b)(6)

Lieutenant Colonel (b)(3), (b)(6): I have a couple of questions. The initial hot wash around the fire pit, the individual who threw the grenade, he was at that?

WIT: Yes, sir.

Lieutenant Colonel (b)(3), (b)(6): And we talked about the other individual who came forward after a couple of hours.

WIT: Yes, sir.

Lieutenant Colonel (b)(3), (b)(6): How long did the fire pit session, that hot wash last?

WIT: Approximately 15 minutes.

Lieutenant Colonel (b)(3), (b)(6): He eventually told who?

WIT: His team leader.

Lieutenant Colonel (b)(3), (b)(6): Right after that hot wash his team leader had to go, where did he have to go?

WIT: At that point, sir, I'm over here doing this. I'm assuming that they all got together at some point. So the guys kind of debrief internally below or the big picture thing with little tiny Xs and Os on targets. The team leaders get it and give it to

their guys and debrief those points. So, that's probably where he went off to.

Lieutenant Colonel (b)(3), (b)(6): I'm just trying to see, I just wanted to see if he had any additional responsibilities to go to another briefing himself.

WIT: Who is that, sir?

Lieutenant Colonel (b)(3), (b)(6): The team leader.

WIT: No, the team leader came over, was at the SENSITIVE SITE EXPLOITATION room briefly, I believe. He's generally there for a couple of minutes and then back to the guys and that's where, like I said, just a few minutes after, approximately 15 minutes after is when TM3 told TM1.

Lieutenant Colonel (b)(3), (b)(6): And then finally, sir, I'm just going to raise this. I know we hadn't talked through the things on here and he made a lot of references to the video. I didn't know if you guys wanted to actually show him the video and go through that because I think that would be very helpful when it came time to, when you are asking about positioning of her it would be very easy for us to then point that out on the video and also I think there were a couple of other actions like, okay, so what was going on here and I see you giving the north/south here.

US SOF SME: I just thought of that too and where you were if you could just kind of walk us through where you were and what you saw.

WIT: Yes, sir.

Major General Votel: Please, go ahead. Let's do it.

Lieutenant Colonel (b)(3), (b)(6): And, then, sir, while he is cuing that up, could we go ahead and label 1, 2, and 3 as we were talking about the EKIA's on there?

WIT: It is a bit of a mess, I can redraw that for you if you want me to?

Lieutenant Colonel (b)(3), (b)(6): No, it's perfect because you guys were referring to it consistently this is just so when we listen to it later on, we know what the - who you were, where you were pointing on the paper, that's all.

WIT: I'm just saying this out loud. EKIA number 1 was right in front of 22 and 23. EKIA number 2 was more uphill. The body that was not right next to Linda and then EKIA number 3 was right next to Linda, who was hit with the grenade.

Major General Votel: Okay. Thanks. I just want to make sure I'm clear on one thing here. So, as I'm looking at your timeline here, so, what this basically establishes as the assault force de-jock complete approximately 2230Z on the 8th.

WIT: Yes, sir.

Major General Votel: Assault Force hot wash out at the fire pit at 2245Z complete by 2045Z. Just a few minutes later, 2250Z approximately the SENSITIVE SITE EXPLOITATION team they begin to move with the Intel debriefers and look at all the gear and lay it all out and everything else.

WIT: Yes, sir.

Major General Votel: Okay. And then just a couple of minutes after that, TM 03 ---

WIT: Just TM 3, sir.

Major General Votel: Okay. TM 3 drops off his camera at DOCX and then about 15 minutes after that TM 3 goes to see the team leader, TM 1 and basically tells him about TM 5 having thrown a fragmentation grenade on the target?

WIT: Yes, sir.

Major General Votel: TM 5 spoke to TM 1 just minutes after TM 3 in regards, so then the thrower then talks to the team leader just moments after that in regards to what he had on ----

WIT: Yes, sir.

Major General Votel: And is it my presumption here that TM 5 confirms with the team leader that he threw the grenade at that point?

WIT: Yes, sir, and TM 3, once I believe on target and once after before going to the team leader, before going to TM 1. Once on target and I believe once when we were back here told TM 5, we had to take this to our team leader.

Major General Votel: And then shortly after that, TM 1, the team leader, spoke to his guys, meaning his team about this?

WIT: I don't know exactly who and what was covered, but that was when all the teams went and debriefed.

Major General Votel: So, the source of this information right here is based on things that you are hearing?

WIT: The timeline for TM 3 is his words to me.

Major General Votel: Okay. So, this is based on your discussions with him?

WIT: Yes, sir.

Major General Votel: Good, I just want to make sure I establish that. For the record, what we are about to do is we are going to look at the full motion video off of ~~1.4(a), (b)(2)High~~ here for Objective ~~1.4(a), (b)(2)High~~; we are going to ask the ~~1.4(a), (b)(2)High~~ commander to talk about some observations from this. Let's roll through this relatively quickly. This is the unannotated version, right?

Lieutenant Colonel ~~(b)(3), (b)(6)~~: Yes, sir.

Major General Votel: Okay. So, let's roll through this and let me - we can go back through this as many times as you think would be beneficial for us. You really are helping us by going through this and so just please make some comments on this and you can pick a particular part out and we'll run through it and then we'll go back and talk about a different part if you want to. So, go ahead please.

[The video began.]

WIT: Okay. We are coming around. I think that is enemy moving off target, I'm sorry it's not showing up there. You'll see one enemy depart and him engaging us. We are not on target yet. Here we come on target and this is Alpha, and that's 21, 22, and 23. There is an enemy coming out there. He comes back and appears to be shooting. You see something fly out. That's probably hot brass and then he's engaged and killed right there. Alpha at that point is splitting the high ground and the low ground with no one on camera right there just now. I believe that is TM 1 up front. I'm not sure who this is. Here

comes Linda and then EKIA number 3. There's EKIA number 2.

Major General Votel: From this video, who do you think engaged, if you could stop it for a moment, who do you think engages, your review of this high resolution video, who do you think engages the enemy referred to EKIA number 2?

WIT: Can we go back a little bit.

Lieutenant Colonel (b)(3), (b)(6): We can. You'll notice this is two people now.

WIT: Yes, sir. So, there's number 2 coming out. He comes to this corner here. I don't think TM 1 sees him just yet. He gets engaged. I believe, I can't say for sure, sir, I believe TM 3 based on that. If we want to watch it one more time, I think that would be TM 3 because we know this is TM 5 at this point. I believe TM 3 probably engaged initially on EKIA number 2. TM 1 ends up engaging him later. You can see him move at one point.

Major General Votel: When you say, you can see the enemy move?

WIT: Yes, sir. That was TM 3 right there and here comes TM 5.

Major General Votel: TM 5 was behind TM 3?

WIT: When he engaged EKIA number 2. So, number 2 comes out and engaged by TM 3. It appears that TM 3 engages.

Major General Votel: Let me ask you stop it right there. In fact if you could just back it up a couple of frames and then stop it.

WIT: I think at that point TM 3 ----

Major General Votel: So, in your view right there, you think that is TM 3, not the person who ultimately throws a grenade but the other one who came forward and told about the grenade?

WIT: Yes, sir.

Major General Votel: So, we think, did he engage - is he the one that engaged EKIA number 1?

WIT: I'm not sure who did that, sir. It's hard to tell. I don't even think they are on camera to be honest with you, sir.

Major General Votel: Okay. But you do think he is the one who actually engages EKIA number 2 coming up on him?

WIT: It appears that way. To be honest with you I have watched this a couple of times before.

Major General Votel: But you haven't had that discussion with anyone?

WIT: I have not. I have intentionally not sat down with everybody and spoke about this.

Major General Votel: I think that's TM 3?

WIT: I believe so. I believe that's TM 3 right there, sir and I think you'll see TM 5 come up beside him then TM 3 takes us around and then you'll see Linda and EKIA 3 run up this hill. They are almost beside him when he engages them. So, they just pop up over that hill and engage both of them.

Major General Votel: Okay. So, at that point the operator going inside I guess what would be 21 at this point in the intersection here, 21 and 22 is TM 3, TM 3 and the person who appears to be taking a knee is TM 5?

WIT: 5, yes, sir.

US SOF SME: Where are you right now?

WIT: I'm off camera still, sir. Basically I'm over here.

US SOF SME: Okay. Thank you.

Brigadier Nitsch: Why would TM 5, having engaged as he has done, drop to his knee in that position? Is that the normal procedures rounds and then drop to your knee?

WIT: He wanted to get a grenade out.

Brigadier Nitsch: That's the reason I was asking the question because you think the decision to throw the grenade was made now?

WIT: Yes, sir, I believe so.

Brigadier Nitsch: Because he would have had to prepare it as well, wouldn't he?

WIT: I'm sorry.

Brigadier Nitsch: He would have had to prepare it as well?

WIT: You'll see him, he takes, I don't know, 8 or 10 seconds to get it out.

Brigadier Nitsch: So, yes, he would have had to find it in his pouch. It wouldn't be instantly available; it would be somewhere you would have to feel for it. So, you think that's what he's doing at the time?

WIT: Yes, sir.

Brigadier Nitsch: Okay, thank you.

WIT: You can see EKIA number 2, at one point you'll see TM 1 come around the corner and you'll see where his confusion is. The two bodies are now down here kind of where we ended up finding them near the tree, near the corner of 25ish. They were up here right beside when they were initially shot and then he moves and you can see TM 1 engage EKIA number 2 and I can totally understand why when the grenade goes off he thinks this guy exploded which is understandable.

Major General Votel: Okay. Go ahead, please. If we could go back to the frame right after the explosion, if you could go back there for a second. Where I want to stop is right after that guy rolls a little further down after the explosion. So, we are now looking at what the approximate position of the bodies are here and the one thing that we are just trying to understand a little bit here is, it does look like the EKIA 3 actually rolls over and further downhill here.

WIT: Yes, sir.

Major General Votel: But there also appear that there is contact between his body and hers.

WIT: Yes, sir.

Major General Votel: Can you describe again what you, kind of the physical relationship of those two bodies as you first saw them?

WIT: Sir, to the best of my memory, sir, when I initially came up on Linda's body she was head uphill on her back, slightly on her right side. Her face was facing building 23 back to building 25. He was on

her somewhat but the other two assaulters were pulling him off of her pretty quickly. They were definitely touching.

Major General Votel: His orientation of his head, was he down?

WIT: I believe he was uphill. I am not 100% of that but I believe he was still facing uphill and he got moved off. Actually I'm just coming on camera at this point. That is probably me and my radioman there just to the north.

Lieutenant Colonel (b)(3), (b)(6): On, number 2, when you came up here, could you see number 2?

WIT: No. Well, no, not from - the elevation, if you are asking about elevation change basically.

Lieutenant Colonel (b)(3), (b)(6): I am. I am very interested in that.

WIT: The elevation change, to the best of my memory from all the way down where they ended up to up to this ledge is probably about 4 1/2 or 5 feet maybe difference in height. Then from up here, his body is probably - EKIA's number 2 body is probably 2 feet vertically lower than this terrace. You know, by the time I was standing by the body of EKIA number 1 I could see EKIA number 2, I could see his body. From standing here I could easily see all the way down here. The shot was taken, the initial shots that dropped Linda and EKIA number 3 were taken right on the edge of 21 and 22.

US SOF SME: So she was shot by TM 5?

WIT: I absolutely believe she was, yes. I think she was. If you watch the tape I believe it is inequitable.

Brigadier Nitsch: Could I ask just a quick question in procedure. After you've thrown a grenade, what is your normal procedure within your teams? Do you clear the area or is it just something that because of your particular training and your professionalism, do you just throw a grenade and move on?

WIT: As you are preparing to throw it you are going to call out "Frag out". Someone yelling a grenade means the grenade is coming to your direction.

Brigadier Nitsch: So, someone who knew what they were doing they would declare ----

WIT: Frag out.

Major General Votel: Frag out, meaning I am employing a grenade.

Brigadier Nitsch: That means you are preparing to throw. And then do you make a shout when you throw or do you just say frag out and that's enough.

WIT: That is pretty much coming. You have committed to throwing more or less at that point. That's very close to throwing it and if someone stops you with all their - you are just about to throw it at that point. If you say frag out and someone says stop, then that's that last little second warning.

Brigadier Nitsch: Okay. Thank you. And you are listening to the team net, weren't you?

WIT: He wouldn't have put that over. He would have just verbally said that. He wouldn't have put that over the net.

Major General Votel: So, he verbalized, shouted frag out.

WIT: Yeah. He yelled get back.

Major General Votel: That's what TM 5?

WIT: Yes, sir.

Brigadier Nitsch: Would that be normal?

WIT: It would have conveyed the message. It wouldn't have been normal but it would have conveyed the message.

Brigadier Nitsch: So, one of those things that can become corrupted?

WIT: Yes.

Brigadier Nitsch: Thank you.

Major General Votel: Okay. Anything else on this?

US SOF SME: Final thing, sir. Can you play it forward a little bit? The next question I had ----

Lieutenant Colonel (b)(3), (b)(6): Right here?

US SOF SME: Yes, please. What I wanted to see is what the team was doing next.

WIT: Well, at that point, TM 1 still, he knows he has committed his guys to take care of these buildings. He knows he has had an engagement here. He knows he still owns this as primary responsibility and he knows that Bravo is down in the valley working their way up. So, I'm assuming and this is just my assumption, I can't read his mind, that he is trying to position himself to take in as much information as he can and he is going to sort of become, the traffic cop of sorts. What do you have there? Is 21, 22, and 23 clear? Okay, good. What is going on with those bodies? Everybody is down hard, no movement seen, okay, get up here we have to take care of the 10 series. I think that is pretty much what he would be doing.

Major General Votel: So, at this point you would not necessarily expect anybody down and clearing as long as there is no further movement down at those bodies down there, no one going down there to do anything in particular in that they are continuing to move up towards 11 and 12?

WIT: Just these personnel are moving there at that point and he has positioned himself so he can see what is going on down here.

Major General Votel: Have you watched the high resolution video of it that occurs after this?

WIT: No, sir, I've only watched this one.

Major General Votel: Do we have that?

Lieutenant Colonel (b)(3), (b)(6): I have the (a), (b)(2) High.

Major General Votel: That's it. The (a), (b)(2) High; it's not the high resolution thing.

Lieutenant Colonel (b)(3), (b)(6): Do you have any more questions on this one?

US SOF SME: No, and I think, sir, I think you are going where I think I was wanting to go and that was if we continue forward I believe that these they don't continue to clear those last two buildings and that is what I was getting at.

WIT: Those structures were Bravo Team's responsibilities. So, that is why I was saying, TM understands that now he knows that Bravo is at the bottom of the hill

working their way up. There has been an engagement in an alleyway but he still owns the - I think he was just doing what he was trained.

US SOF SME: And we were referring to buildings 25 and 26?

WIT: Yes, sir, and 27 and 28 also.

Major General Votel: Okay, thanks. Now, for the record what we are now looking at is the full motion video off of the 1.4(a), (b)(2)High and we are looking at a portion of the video that occurs just after the explosion and records the movements of the team as they kind of continue their operation.

Okay, there's the explosion.

WIT: That actually isn't me. When I said I thought that might be me, I'm actually over here. There are three of us here and this is probably X-Ray 1.

Major General Votel: Okay. So, the explosion has taken place here. We are watching the team leader reposition a little bit there.

US SOF SME: So, that's TM 1?

WIT: To the best of my knowledge, I believe it is.

Major General Votel: Yes.

WIT: At this point the guys still believe they are searching for Ms. Norgrove. You can see somebody up there cautious of clearing space, you know, at that point with now already having an explosion, you know, it is going to change the game somewhat, a better alerted presence but you are not hearing any gunfire yet so, I mean the guys are factoring all of that in.

Major General Votel: Okay and they are moving up the little space in between 23 and 25 here towards buildings 11 and 12. What I would like to do is if you could move ahead to that portion where we are, where they are initially in and around Ms. Norgrove's remains please.

And again, to the best of your recollection, can you say who you think it is who first discovered the female?

WIT: I'm positive TM 1 was there and there was a second assaulter that I'm not positive, sir.

US SOF SME: Sir, here's the first light. That was the first light in the vicinity. I don't know what they saw.

Lieutenant Colonel (b)(3), (b)(6): Which video feed was it that we were looking at when we saw TM 1 engage from the ----

Major General Votel: That was 1.4(a), (b)(2)High the high resolution. Okay. I don't recall if there was a shot where we had - it seemed to me that we saw some, US SOF SME, where there were a variety of folks standing around her.

US SOF SME: There is, sir. I've just got to find it here.

WIT: There was obviously myself, my 1.4(a), (b)(2)High chief was there, I believe TM 10. I don't recall - I know I said there were a few guys coming and getting involved and helping out with the documenting the scene. I stressed to the guys at that point, either before or after telling my 1.4(a), (b)(2)High chief, let's just clear this up in case there are any issues. I did, whoever was taking pictures, I remember saying to somebody at that point like, hey, whatever you would normally take, take double because I knew the level we were at, not that that would have been anything out of the norm for them, they would be like, alright got it. The boss wants us to take a bunch of extra photos, you know what I mean.

Major General Votel: Okay, you can see now there are a variety of people moving in and around there. Just let it run from here, US SOF SME. We are at 16:25 there.

Are these visible lights that they are deploying or are they IR?

WIT: Those are IR, sir. Almost definitely IR, sir.

Major General Votel: So, your first viewing of her is under IR conditions?

WIT: My first viewing was through the 1.4(a), (b)(2)High, and I keep a full 1.4(a), (b)(2)High 1.4(a), (b)(2)High. It lit up the scene.

Major General Votel: Okay. Is there a particular time we are looking for there?

US SOF SME: Yes, sir, 49 seconds is the first time this video captures and obviously it's focused on buildings 11 and 12. It is the first time it captures people converging on the bodies there and beginning to provide or trying to provide recessitation. 4

minutes earlier there is somebody who shines 14(a)(b)(2)High light near the bodies. I don't know if they don't see anything or they keep moving or don't recognize the situation.

WIT: I don't know the exact time. I'm nearly positive that she had died. I don't know the exact time. I immediately said, hey, we need TM 10 here. I don't know the exact time in my mind. TM 10 determined it by how long it took him to get to me.

Major General Votel: Okay. Good. Let's shut that off. Thanks. Are there any other questions?

Brigadier Nitsch: I have none, sir.

Major General Votel: Okay, thanks very much. I want to remind you that this is an official investigation. It is a protected investigation in the sense that this report will be made to the appointing authority, General Mattis, for his use as he determines. I am ordering you not to divulge the nature of this investigation or the questions, answers, or discussions included in this interview with anyone except for the Chaplain, and your counsel if you have one until closure or unless approved by me, the IG, or the appointing authority. If someone should approach you regarding your testimony or matters discussed here, you are required to report immediately to me or General Mattis for our information and knowledge. As the investigating officer, I am prohibited from providing you a copy of the testimony that will developed from the recording we made here today. However, you may make a request in writing for it or any part of it to the appointing authority or to the Freedom of Information Act Office. The release authority will evaluate your request under both the Freedom of Information Act and the Privacy Act and provide the releasable information to you. If this report becomes the basis of any adverse action against you, you or your counsel may request access to the report. It is entirely within the appointing authorities purview to provide you access to the relevant portions of the report to use in your defense. Obviously I have not advised you of any of your rights so I'm not suspecting you of anything.

We are going to be around here probably for the next 36 or 48 hours here, if something come up that

you think of in kind of the post reflection here that you think would be useful for us; I would invite you to share that with us. We will be able to reconvene and sit down and discuss it. So, if something comes up please let us know.

Are there any other matters that we haven't covered here with you today that you think might be important to our investigation?

WIT: I can't really, you know, I do have some concerns and - I did have some concerns that we were not kind of split up, you know, but it is what it is. The guys are going to come in here and under oath and say what they are going to say. So, that was my only concern I had with sitting here for the last week, but also, where are you going to put us. I understand that, so, that's about it. I don't think they will ----

Major General Votel: I think you are aware of those who we are going to question or we are going to interview here as we kind of move forward. Is there anybody else that you think might be germane to this? You've highlighted a couple of folks here that we will probably consider adding into the interview mix here but is there anybody else who you think might be particularly pertinent to the investigation?

WIT: Who have I mentioned? Can I ask you that?

Major General Votel: We talked about.

WIT: 1.4(a), (b)(2) ~~REFS~~.

Major General Votel: Yeah, we'll talk to him. Anyone else you thing we might want to consider talking to?

WIT: No. Not outside of here, no. I mean, I assume your intent is to kind of go through the whole little crew or the whole ----

Major General Votel: We'll talk to those who, based on our investigation, who we think are relevant. I don't think we will just do a performers discussion of everybody who happened to be on the objective but we will focus on those who we think have relevant knowledge that will contribute to the investigation.

WIT: I think you probably had me, I think I would talk to the team leaders, even though like Bravo wasn't

necessarily there but I think his experience level would be huge. He's going to have some insight. That's the only one I can think that was not personally involved who, he's a planner and a leader.

Major General Votel: Okay. We will certainly take that into consideration.

Lieutenant Colonel (b)(3), (b)(6): I keep screwing up his name, TM 5.

WIT: Yes, sir.

Lieutenant Colonel (b)(3), (b)(6): Who is his best friend?

WIT: I don't know, sir.

Lieutenant Colonel (b)(3), (b)(6): Who does he hang out on the -----

WIT: This is actually a really good, not very klickish kind of group, this is a really good (a), (b)(2) High everybody really gets along really well down to the; just the nature of the way (a), (b)(2) High. The teams generally keep to - we don't have a very good common area so the teams keep to themselves. Not that other guys aren't welcomed but that's just kind of how it unfolds, so TM kind of sticks to TM, really.

Major General Votel: Okay. Do you have any questions for us?

WIT: I don't believe so, sir.

Major General Votel: Okay. I want to thank you for coming in and talking to us. I know this has been a rather lengthy interview here so I appreciate your candidness and I appreciate you taking time to go through all this with us and answer all of our various questions here. I'm noting the time is now 1950 Zulu, and this interview is concluded. Thanks very much.

[The witness departed the room.]