

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

Major General Votel: I think you know who I am. I am Major General Joe Votel. I'm currently assigned as the Chief of Staff at USSOCOM. In my present position right here, I'm detailed as the investigating officer by General Mattis, to conduct an investigation into the relevant facts and circumstances surrounding the hostage rescue operation done to recover Ms. Norgrove about a week or so again. So, that's my function.

Witness: Okay.

Major General Votel: This is an official investigation, so we are recording the stuff. It has all the trappings of that. I'm going to go through a little bit of administrative and legalistic type stuff here to begin with. Please don't let that turn you off.

Witness: Okay.

Major General Votel: We are going to get to a discussion here and that's going to be the bulk of what we are doing.

Witness: Right.

Major General Votel: I just want to make sure you are aware of that.

Witness: Okay.

Major General Votel: During the course of the interview, I am going to ask you to furnish information about yourself. The Privacy Act of 1974 requires that I inform you of the authority for this requirement. The statement which I'm going to hand to you right now and I'm going to ask you to sign. Basically it lays out that authority and certain bits of information you provide about yourself may be included in this report.

[The witness read through the statement and signed.]

Major General Votel: I want you to know that the testimony is being digitally recorded here today. It will be transcribed into a written record that could be available to General Mattis as part of the investigation. I would ask you to please answer each question verbally. It won't be able to pick up on pointing or nodding or stuff like that.

Witness: All right.

Major General Votel: We will probably get in with you a discussion of the actions on the objective. I've got a very simple

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diagram here. If you would just refer to building numbers. I know that you guys do refer to each other by your call sign and things like that. I may ask for clarification in terms of that as we go along just to make sure that it's clear. Although, internally I think we are picking up on that. Everything you say is on the record here today, whether this thing is operating or not. It has been operating fine.

Before we continue I want to remind you how important it is to give truthful testimony. It is a violation of Federal Law to knowingly make a false statement under oath. I'm going to ask you to please stand and raise your right hand.

[The witness was sworn.]

Major General Votel: Okay. Thank you. I do have to provide you some advice here. You are not suspected of any offense under the Uniform Code of Military Justice, Federal or local law; therefore, you are not authorized to have legal counsel present and I am not advising you of your Article 31 Rights. You do have the obligation to answer all my questions except those which you believe may incriminate you. I don't think that will be the case here.

With that then I please ask you and invite you to just kind of relax here. The way we are going to do this is we'll try to talk chronologically. We have talked quite a bit about, with some of the other members of the chain of command, about the intelligence and the stuff leading up to this.

Witness: Okay.

Major General Votel: I will touch very lightly on that with you and what I want to move to is more actions on the objective and drawing your experience there.

Witness: Okay.

Major General Votel: I'll start off asking some questions and we'll try to move through it chronologically. I will stop periodically and invite the Brigadier to ask questions and then we'll kind of move through it.

Witness: Okay.

Major General Votel: At the end of this I'll ask the US SOF SME and LTC (b)(3), (b)(6) if they have any questions for clarification from anything they have heard here just so we can kind of police it up for the record.

Okay, let me just start with a broad piece here. Can you talk briefly about your assessment as the (b)(1), (b)(2) Chief here on what you were going into, enemy wise, hostage rescue wise, situation wise on this particular objective, Objective (b)(1), (b)(2) High?

Witness: Okay. For this particular objective, obviously it has been developing over a period of about (b)(2) High days at this point, roughly. We had been following a lot of intelligence reporting indicating various potential locations for Ms. Norgrove. We tried to develop targets based on that information. We actually had a target that we executed approximately I want to say 2 days prior to this particular target, Objective (b)(1), (b)(2) High where we had some indicators saying she could potentially be at this location. We went and executed that objective. It was, again, based on location, had to be a HAF INFIL, (b)(1), (b)(2) High. Nothing significant was found other than enemy activity we had engaged on that target and so on and so forth as you typically do up in Konar.

A couple of days had passed and we had another intelligence report suggesting that she could be held at this current location which we were looking at. Upon that we looked at the target. We had eyes on the target compound. We noticed little to no movement. At that point we just maintained (b)(1), (b)(2) High. We were contemplating going in that evening and, you know, I was like, hey, our best option for success would be to try to walk in. So, let's - do we think she's moving, is there a risk of flight and everything else based on where she was located. We didn't feel there was a risk of flight and we wanted to try to come up with a course of action that allowed us to do an offset INFIL. So, at that point I got with the (b)(1), (b)(2) High pilots, and started looking at potential HLZ, routes with my RECCE guys. We opted to take my RECCE lead navigator, put him (b)(2) High (b)(1), (b)(2) High so he (b)(2) High on the terrain, see if it was even feasible based on the terrain, and/or just find some HLZ locations, anything we could use to get in there that would be out of earshot or enemy early

warning type scenarios. He conducted (b)(2)High. He came back and we went over his information, did a target update brief, bottom line from pictures he had brought back and what (b)(2)High was really, the terrain was not an option to walk in and the closest HLZ that we could find that would be out of earshot and away from any early warning systems that might be in place was actually at 11,000 feet and limited our (b)(1)1.4a, (b)(2)High personnel per bird if we were going to try that. I think, again, terrain would have - you really don't get an appreciation for the terrain until you are actually on the target. You wouldn't have been able to walk that thing for sure.

So, at that point, you know, it was the following day after he did the RECCE flight and at that point we just started coming up with, you know, diving deeper into our COA and going to the X and (b)(2)High into the target area and everything that had to be done with that. Specific meetings, you know the team leaders, specific to actions on, I usually have a brief-back with them. I'll give them the target. We'll come up with a course of action and I'll get with the flight lead and we'll look at the (b)(1)1.4a, (b)(2)High location, so on and so forth and we would develop a course of action based on that. So, what that entailed was probably about 30 to 45 minutes of me and the team leaders just sitting around the big table talking about different courses of action, how we are going to break this target down knowing that the terrain and enemy activity would probably dictate what actually what happens which is usually how it goes but we have a base plan when we go in there.

Based on that, the fact that we are (b)(1)1.4a, (b)(2)High right onto the target, in the Konar, at that altitude of roughly (b)(2)High feet, we had ACL limitations and I wanted to keep the chalk loads thin so as to get the guys out quicker. So, I'm looking at task force only specifically, cut some of the cat and dogs out of the chalk loads that I normally have, and we went within (b)(1)1.4a, (b)(2)High assaulters on each chalk. Based on the terrain, one chalk (b)(1)1.4a, (b)(2)High the north and (b)(1)1.4a, (b)(2)High the south to cut off any type of potentially which we would think would be the only avenue of escape down to the south. To the north really wouldn't be an option for them to try to make movement. So, we came up with those courses of

action, went into details on the team leaders, that HZ that we did have when it dropped off the day prior to actually executing the mission and landed on building 11 so we were treating that as the primary target building. That's where we expected that if she was on the compound that we were going to go to. 11 was the primary target location. At that point we made our base plan when (b)(1)1.4a, (b)(2)High was coming (b)(1)1.4a, (b)(2)High the (b)(2)High commander coming in up high, and I was taking (b)(1)1.4a, (b)(2)High with (b)(1)1.4a, (b)(2)High to the southern HLZ, (b)(1)1.4a, (b)(2)High. At that point, like I said, the details as far as actions on went in with the team leaders. They went to their teams and briefed their actions on specifically and then we went and did the OPORD/FRAGO com check type stuff.

Major General Votel: Okay. Thanks. I appreciate that. Now, we've got in front of you here a - we recognize up front that the location of these two (b)(1)1.4a, (b)(2)High location is at the wrong location.

Witness: Right.

Major General Votel: I know that the northern one was right up along this terrace right here and then this one was closer in, I think to the vicinity of building 30, I believe.

Witness: Right. If I may, sir?

Major General Votel: Yes, sir.

Witness: Building 30 is right down here and so (b)(1)1.4a, (b)(2)High location was actually in the vicinity and (b)(1)1.4a, (b)(2)High in the vicinity of this location right here.

Major General Votel: And for the record we'll correct that on this depiction here. So, you're with (b)(1)1.4a, (b)(2)High over here to the south?

Witness: Right, correct.

Major General Votel: To the south of the objective. All right. I'm going to move into some more specific stuff on the objective, but Rob, is there anything you have right up front here?

Brigadier Nitsch: If I could ask, did all the preparation feel normal, it felt pretty good, the intent, and nothing was missing, in your experience? Do you think that was the point and you were complete ready to go?

Witness: Yes, sir. I mean, we felt it was a good plan, it was a good mission. We actually, because like initially when I said we had that (b)(2)High that first day, you know, we planned to go that night on this, you know, (b)(1)1.4a, (b)(2)High to the X and going right in on it. Having that extra time to really study and delve into it I thought it was even more of a fluid plan than our initial, you know, kind of fire plan.

Major General Votel: Okay. As the operation unfolds, and again, we've talked to the (b)(1)1.4a, (b)(2)High commander and some others here, I think (b)(1)1.4a, (b)(2)High and the (b)(1)1.4a, (b)(2)High commander landed their HLZ followed by you guys down at your HLZ down in the southeast. A determination is made, I think by either the (b)(1)1.4a, (b)(2)High commander or the (b)(1)1.4a, (b)(2)High Leader that based on where you all are being inserted that there will be some difficulty with you all getting on.

Witness: Right.

Major General Votel: Can you talk a little bit about that and then what the actions were - how you got up on the objective?

Witness: Yes, sir. As we studied the imagery we had noticed what appeared to be a trail that kind of wrapped down around this way right here. So, our plan (b)(1)1.4a, (b)(2)High once we hit the deck we sent (b)(2)High shooters over here to clear that building almost immediately.

Major General Votel: Okay, building 30, right?

Witness: Right, building 30 and then we went ahead and started making movement. Now, this really doesn't do it justice. This is about a - we actually found a manmade ladder way that goes down into this gully right here. That is the only way could get down into that ravine. It was pretty deep, probably about 8 to 10 feet deep. Once we got across there then we started making movement which was, this distance was approximately 110 meters from the insert point to the actual target and the elevation changed about 100 feet during that short distance. So, it was a lot more drastic than we had imagined.

Major General Votel: So, just to clarify what you just said, from where the helicopter landing zone, (b)(1)1.4a, (b)(2)High location was, up to the vicinity of let's say the 20 series buildings ----

Witness: The 27 series.

Major General Votel: ---- it was about 100 feet?

Witness: I would say roughly about 100 feet. And that, as I said, we were trying to hit that trail. If we hit that trail we would boogie right up there no issues. Once again, that trail, we could not find that trail. (b)(2)High negotiating the terraces which was about 6 to 8 feet bearing, heights. Like I said, we were basically at a couple of points I was forearming it up the side of the cliff side here to get up to the target building.

Major General Votel: Okay. Please continue.

Witness: Right. So, as we made our way up, I would say I was roughly, we had just crossed the creek bed and I heard a loud explosion right up in here. I saw it. I heard it. I was like, "what the hell was that." I didn't know what it was. So, at that point, you know, there was no real coms coming over at that point because nobody really knows what's going on with it. We continued moving up, you know, I'm talking to the (b)(1), (b)(4)(a), (b)(2)High commander, he's telling me ----

Major General Votel: Okay.

Witness: I'm talking to the (b)(1), (b)(4)(a), (b)(2)High commander; he's keeping me apprised with what's going on, the situation. I'm probably just about in this vicinity here. He tells me that the Jackpot was found and the (b)(1), (b)(4)(a), (b)(2)High were making an assessment. They were calling for (b)(1), (b)(4)(a), (b)(2)High He said it wasn't a wounded Eagle. He was telling me this. That was my first thought was somebody got shot. I heard shots going on on target so I was assuming somebody might have got wounded.

Major General Votel: Okay. So you are about half way up there and can you give an approximate time estimate from how much time you had been on the ground by then do you think?

Witness: I would say probably 6 minutes. It took us about 10 minutes total time roughly, 10 minutes to go from here to get to the target.

Major General Votel: Okay. Just in the vicinity of the 20 series there. I've got it. And just one additional clarification, can you say what the transmission was again that you heard?

Witness: 11 had asked for (b) (1), (4), (b) (2) between building 25 and 23 or by building 25. And then I - this was on command net so this isn't on the inner team net. I said, you know, what's going on? No Eagles wounded, we may have possible Jackpot. Something along those lines. Then he came back shortly after that saying Jackpot, that was Jackpot and she was KIA is what he had said.

Brigadier Nitsch: Can I just ask you, Chief, two really quick questions?

Witness: Yes, sir.

Brigadier Nitsch: Did you hear any, and particularly given, you know, your enormous experience, did you hear any non-suppressed fire as you were coming across?

Witness: It's hard to pick that up. At that distance I couldn't really hear. Uhm, those suppressers work really well. Unless you are right on it and I had Peltors on, which allow you, you know, they amplify the sound surrounding you but for distance sound it is hard to hear. You know, it was hard to hear any suppressed fire.

Major General Votel: And no unsuppressed fire?

Brigadier Nitsch: Unsuppressed fire? Rounds that the enemy would actually fire?

Witness: Right, I heard some shots go off.

Brigadier Nitsch: Okay. So we definitely got engagement going on?

Witness: Right.

Brigadier Nitsch: Okay. That's great. Brilliant, thanks. And, uhm, just again, given your experience, what did the explosion sound like?

Witness: I thought it was larger - it sounded a lot - it was big. To me it seemed bigger than a grenade or anything like that or a rocket - it was a big explosion.

Brigadier Nitsch: It could have been amplified in the space a little bit?

Witness: Right and I think that's what it was because really I didn't know where it was until I got up there. Obviously I didn't know to what extent. I knew this

- I had just happened to be looking up and I saw the flash and heard the noise and I was like what happened.

Major General Votel: I recognize that you are obviously a very experienced senior NCO here but have you experienced an S-Vest going off in your - a suicide vest going off in your local vicinity?

Witness: Yes.

Major General Votel: Any comparison here?

Witness: Well, the last one I experienced last year and actually TM1 happened to be, we were on target together on a mission and he engaged an individual who blew up and we think he went low order that time so it wasn't a full explosion. That's the closest I've come to the actual detonation.

Major General Votel: Okay.

Witness: So, as we approached the target building, like I said it took us probably 10 minutes to get up to this point. We had the communications as I had already stated, ~~(b)(1), (4), (b)(2) High~~ asking for ~~(b)(1), (4), (b)(2) High~~ then stating that the Jackpot was KIA and at that point we had just gotten up, probably a couple of minutes later got up to the building 27, you know approaching from the south. At that point there, I pushed up, linked up with the ~~(b)(1), (4), (b)(2) High~~ Commander, right there, in between 25 and 23 there. She was laying right there. I saw her right there.

Major General Votel: What activities were taking place around here during that time?

Witness: At that time, ~~(b)(1), (4), (b)(2) High~~ was right there. He was checking her out and I asked him, you know, "is there any sign of life? Is she alive?" He was like, "no she's not." The ~~(b)(1), (4), (b)(2) High~~ Commander asked me you know, he's just asking hey, is there any bullet holes in her? I was like, I'm going to ask the ~~(b)(2) High~~ you know what is going on? Have you examined her? Did you look at her? I'm looking at her and she doesn't have anything on the front of her body. I didn't see anything, I didn't go down and examine her but I didn't see any bullet holes, wounds, blood, nothing on the front of her body at all. The ~~(b)(2) High~~ looks up to me and he's like, she's riddled. Her whole back is

riddled with dime sized fragmentation and as I looked over to the left, you see the enemy EKIA, his whole side of his body and arm is just all blown up. You know, at that point TM1 is also saying, I shot this guy and he exploded. Automatically, it's, put this together as this guy either pulled a grenade or had some kind of bomb or some other explosive and just, you know, blew himself up. That's like the immediate thing I saw when I got right to the target.

Major General Votel: Okay. Good. That's very useful. If I could for just a moment return to Ms. Norgrove, did you have the opportunity to see the wounds that she sustained yourself?

Witness: I did not see her back. I did not see - I looked at her, she was laying there. ~~(b) (1), (b) (2)~~ had already been examining her.

Major General Votel: So, when you say, 'examined her' had he actually removed some of her clothing so he could physically -

Witness: He rolled her over because she had no wounds on her front. So, he rolled her over and looked at her back and he said, [inaudible] was blown off, he had big --
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Brigadier Nitsch: Sorry to interrupt. Was she on her back? So, when ~~(b) (1), (b) (2)~~ was there dressing her she was lying on her back as opposed to, so she wasn't in a fetal position or anything like that?

Witness: When I walked up there she was on her back.

Major General Votel: And what at that time, did ~~(b) (1), (b) (2)~~ had actually been examining her and doing - that was all in process when you arrived?

Witness: Right. So he might have moved her. I don't know exactly what position she was in when he came upon her because it still took us a couple of minutes to get up to that location. But when I saw her she was just laying on her back.

Major General Votel: Okay. Any discussions between you and the ~~(b) (1), (b) (2)~~ High commander in the vicinity there of 25, 23 to discuss what might have happened? I know you had mentioned that he had asked ~~(b) (1), (b) (2)~~ look for any signs of bullet holes or anything like that?

Witness: Right, because he was still uncertain as well. So, he just wanted to be sure. Did she have any - did she catch any stray bullets. You know, there were engagements going on, you know, what happened. So, we just wanted to make sure ~~(b)(1), (b)(2) High~~ a thorough examination of her as best he could in the field to see what kind of wounds she had sustained.

Major General Votel: I recognize that this is an operation still, even with Ms. Norgrove and the condition that we've just talked about here, that this is an operation that is ongoing and you had contacts, so people are still moving around. My question for you, is what actions were taken by you and others there to try to determine what happened with respect to who was shooting, who shot, that type of stuff?

Witness: Well, I went right to my team leader, TM1, and I asked him what happened, went on? He walked me through him coming up around; he actually ended up coming up on top of building ----

Major General Votel: Feel free to draw if you need to.

Witness: Right. Things are a little skewed, 25 actually sits down like this. So, he came up around top of building 23 and he said he had engaged a man and then the other guy came up around the corner and he engaged him and he blew up. That's what he told me. And so, to me, you know, reminiscent of Objective ~~(b)(1), (b)(2) High~~ he said to me, the same thing happened. That's how he explained it to me, the same thing happened. I shot him and he blew up.

Major General Votel: So, the team leader, himself, actually had two different engagements or engaged two of the enemy killed in action?

Witness: Right. And I didn't talk to either one of these two guys based on what he told me and based on what he believed at that time because he had no visual of these individuals down here because he was up on this rooftop. It just happened to coincide with the explosion. That's why he believed that.

Major General Votel: Okay. And what would you, I'm looking at building 23 there, what would you estimate the distance, how wide is this roof here from where the team leader was standing at, I guess would be the northeast corner of

building 23, back over to where (b)(1)1.4a, (b)(2)High and (b)(1)1.4a, (b)(2)High were located on the south side?

Witness: Right. So, he was standing approximately right here in this corner and then the (b)(1)1.4a, (b)(2)High team members were standing in this vicinity right here. Now, granted this is all sloping downhill so this is all dead space, right here between where TM3 and TM5 had their visual was dead space. Obviously you would lose that dead space as you walked up the hill to round this corner. So, TM1 was on that rooftop right back there.

Major General Votel: And, that's what 15 feet across?

Witness: Uh, yes, sir, I would say probably about 15 to 20 feet maybe a little bit longer.

Major General Votel: Okay.

Witness: And it's kind of built into the side of the hill. So you can walk, actually to get on the roof you just walk up this side of the hill to the north and then right up over, you basically walk right behind building 21 ----

Major General Votel: Right, it's built right into the terrain?

Witness: Right. It is built right into the terrain right there.

Major General Votel: Okay, sure, I understand it. I'm going to move along here. Rob, do you have any particular questions?

Brigadier Nitsch: No, sir, no.

Major General Votel: Now, (b)(1)1.4a, (b)(2)High if I'm missing something here that we ought to discuss please don't let me move too quickly here. I think we have a pretty good understanding of what occurred in terms of preparing her and how she was hoisted out of there and then how the (b)(1)1.4a, (b)(2)High ultimately departed the objective and came back to (b)(1)1.4a, (b)(2)High here.

What I'm interested in, kind of, you taking us through now is kind of the process once you got back here in terms of the hot washes, the SSE debriefs, and then ultimately what I'm moving towards is when we start to discover that something else might have happened. So, let me just let you kind of free talk that.

Witness: Yes, sir. So, we arrived (b)(2)High post-mission, had the guys drop their kit and then we still had the strike force from Logar down here because they were on the ready 5 just in case something else might have popped up. So, we had a big hot wash out there by the fire pit out there in our birthing area. We just kind of went through actions on, what happened. Moving into the target we has some (b)(1).4a, (b)(2)High engagements that went on so there were kind of a lot of different points that were brought up for lessons learned. As I do the debrief, I start all the way from, you know, timeline, planning, everything else. I hit all the wickets all the way up to actions on. When I get to actions on, the Team, in this case (b)(1)1.4a, (b)(2)High, team leader was, you know, he had pretty much the essay on what actually happened. So, I turned it over to him, TM1, what do you got? And he just runs through his -

Major General Votel: Is this a recitation, this is more of a, this hotwash is more designed to discuss what happened? I mean is there any critical questioning or anything that goes on?

Witness: No, no critical questioning. This is what happened on target, the debrief of actions on, what happened on target things that, you know, for example, TM2 makes a determination, yeah, I should have went - if I would have went and penetrated a little bit farther up to a particular area, maybe I might have had a better access point or things like that. They can bring stuff to look at, or I went for the (b)(1)1.4a, (b)(2)High and, you know, I found that (b)(2)High next to me was holding me up or whatever. So, you guys can bring points up along those lines but you are not getting into critical, you know, lessons learned for the debrief. It's just to get everybody up to speed because once again, on target the only people who know what's going on, on the target in a particular situation are the people in that immediate vicinity. So, it's really the opportunity for those individuals at that point to express what they saw, what they learned. So, everybody else who was really not a part of that particular experience can get a little bit out of it.

Major General Votel: Okay. Two quick questions on that.

Witness: Yes, sir.

Major General Votel: Again, I recognize you are obviously a very experienced noncommissioned officer, as you go through that process for the hotwash, are you working off a checklist or are you working off of your experience?

Witness: I'm working off of experience, sir.

Major General Votel: Okay. And is it an environment where, at least in your view, that anybody, I recognize everybody is there. The whole (b)(1), (b)(2) High there and then you've got another (b)(1), (b)(2) High from Logar that is there and a whole bunch of other horse holders and everybody else that comes to that kind of thing there, so, is it an environment where people feel confident to stand up and say something, give an observation?

Witness: You know, I think that depends on the individual. You know, myself particular, if I did something that wasn't - I wasn't sure about I would bring up immediately. So, I would think it would lie with the individuals, you know how he feels. I would say if they are not fond of public speaking, then they are probably more likely to keep something to themselves at that point, is how I would look at that.

Major General Votel: The information that comes out of those hotwashes, how does it benefit the (b)(1), (b)(2) High benefit the (b)(1), (b)(2) High? Do lessons learned come out of that or is it just - are we just trying to let, hey, everybody was on the objective, everybody had a point of view, here's what happened overall kind of thing.

Witness: Right. That's the general consensus. That's exactly the kind of result we are looking for. We also do a collective - we will do a collective, we haven't done one for this yet because of everything that's going on with it but we'll do a collective written AAR for any target in particular that is sporty or has a lot of activities on it.

Major General Votel: And then in general, these hotwashes take how long?

Witness: Approximately (b)(1), (b)(2) High.

Major General Votel: Okay. Good. Let me let you continue there. So, you have done the hotwash and now what happens?

Witness: Okay. We completed the hotwash then I release the guys to go to the SSE room and produce their SSE

products, photos, anything that was pulled off target, so on so forth, handsets and ----

Major General Votel: Who goes to that?

Witness: We have the team leaders and the guys who are on the SSE team and the TQ team.

Major General Votel: Do you go to that?

Witness: I do go to that sometimes. I go in and out. Sometimes the guys get mad at me because I go in there and get on them about getting their pictures or something, you know.

Major General Votel: Who is in charge of that session?

Witness: We have all the Intel folks from our shop.

Major General Votel: So, they are driving, they bring them in, drop your stuff here?

Witness: Correct. And they talk them through everything.

(b)(1)1.4a, (b)(2)High

Major General Votel: And up to this point now, so we are now talking, you know (b)(1)1.4a, (b)(2)High after the operation, you are back here. You still have no knowledge of anything peculiar?

Witness: None. Nothing. I mean what TM1 told me and what I saw, I believed exactly what he told me and he didn't know any different and nobody else said anything on target to contradict that or even suggest anything different may have happened. So, I was basing and I based, you know, never really had a thought of anything other than that based on the disposition of the body and his whole, you know, it looked like he had something on him and he blew up. (b)(1)1.4a, (b)(2)High told me he shot him and the guy blew up. It just so happened when he pulled the trigger coincided with the explosion. So, I had, yeah, it was all - as I knew it, it was as he told it to me and as it appeared to

be when I showed up on target. I had no idea or thought process it could be anything other than that.

Major General Votel: Okay.

Witness: So, as we continued on, the SSE products, they did all their stuff. Collected all the information, got the products to the Intel folks there and produced their SSE documentation. At that point I had nobody come up to me say anything different, nothing at all. (b)(1)(1.4a, (b)(2)High you know, I find out after the fact, which I don't know if I can get into, you know, he had guys come up to him and tell him later that evening after the SSE. Hey, so and so, threw ----

Major General Votel: When did you learn that individuals had come up and talked to him about that?

Witness: That was when the TFSE, took me in here, you know, two days later or 42 hours later and brought me in, pulled me out of the chow hall and brought me in here and said we've got a problem. One of the guys threw a frag grenade. I was like, what? He showed me the video. After that we brought in TM1 and said, what's going on here? Did you know anything about this? At first he was like, no I don't, then he's like, I have to tell you, yeah, I did. My guys came to me and told me. That was the first time I had heard about it and I got sick to my damn stomach. It pissed me off. I'm still pissed off about it. But, that was the first time I heard about it when he said that. When we showed him the video, after the TFSE showed me that other perspective that I had no idea it even existed.

Major General Votel: What do you think happened here? I mean, why would an experienced team leader like this not come forward with that information?

Witness: Sir, I have no idea. I think he was scared. I think he was embarrassed that his guys did that and I think - I have no idea why. I don't know. I wish he would have. I have known TM1 for, you know, 10 years. We were in the Task Force long ago before even 9-11 happened and I don't know why. I think he thought he could just keep it quiet and let it go. I just can't do that. It just really sickens my stomach and disappointed me that this, that he held that information. I don't even know how else to explain

it. You know, on target he believed what I believed because that's all he saw and then when he found out he just sat on it and didn't say anything about it. I'm not sure why. The individual who saw TM5 throw the frag didn't say anything to me either even though he did go to his team leader back here but again all this information, like him going to his team leader, the guy who threw the frag go to his team leader. I didn't know any of this until after we watched that video, you know, 42 hours later after the operation was already done and I just got done thanking the British Ambassador or he was thanking us for our efforts and I was just really pissed off that we actually sat there with ~~(b)(1)1.4a, (b)(2)High~~ with a room with 50 people in it and there are three people in there that know different. I'm just sick to my damn stomach.

Major General Votel: The throwing of the grenade, any, I mean, what could have possessed that to have happened?

Witness: You know, sir, I have no idea. We have never ever thrown a grenade on a hostage rescue situation. We never trained to throw grenades on a hostage rescue situation. In this kind of environment, you would have grenades on you. It doesn't mean you are going to use that grenade. We had a possibility of ~~(b)(1)1.4a, (b)(2)High~~ so I knew guys had some extra stuff with them. I have no idea why he threw that. I specifically

~~(b)(1)1.4a, (b)(2)High~~

stated those actions to their team. So, I have no idea why he would do that. I have no idea, unless he felt like he was in dire straits. But as I watched the video, all he has to do is step 3 feet off to the left and he's inside building, you know 22, out of line of fire. That's all he has to do. I don't know why.

Major General Votel: I am going to change just a little bit here. I wonder if you might tell us the type of caliber weapons that your team members had here within ~~(b)(1)1.4a, (b)(2)High~~ Can you kind of characterize, it's important for us to provide information back to those that do the autopsy so that they kind of know what we were using? If you could just talk a little bit about the caliber of weapons and the type of ammunition that they would have been employing?

Witness: Right, they had (b)(1)1.4a, (b)(2)High?

Major General Votel: Standard (b)(1)1.4a, (b)(2)High?

Witness: Well, they either use, we have a combination of (b)(1)1.4a, (b)(2)High
(b)(1)1.4a, (b)(2)High munitions.

Major General Votel: It's what?

Witness: (b)(1)1.4a, (b)(2)High

Major General Votel: In your experience then, (b)(1)1.4a, (b)(2)High
(b)(1)1.4a, (b)(2)High typically?

Witness: It would have to be a clean through shot for that to happen. It would have to totally not hit anything with any kind of hardened structure or any kind of bone or anything like that. It would leave a big hole too.

Major General Votel: What particular side arms are you all carrying?

Witness: (b)(1)1.4a, (b)(2)High

Major General Votel: (b)(1)1.4a, (b)(2)High and then again pretty standard ammunition with it?

Witness: Just standard ammo for that one.

Major General Votel: And then the grenades that would have been carried by these individuals would have been (b)(1)1.4a, (b)(2)High

Witness: Right, regular, straight up, standard (b)(1)1.4a, (b)(2)High
(b)(1)1.4a, (b)(2)High grenades.

Brigadier Nitsch: Could I just ask you two questions?

Witness: Yes, sir.

Brigadier Nitsch: In that 42 hours in the completion of the debrief and the unfortunate declaration of the video, were there

good opportunities in that time for people to come forward? I mean, what occupied the next day? I'm unsighted on the missing day almost.

Witness:

Yes, sir. As I continue from the timeline from post SSE and go on into it, we did our debrief SSE and nothing comes up. As I had stated kind of got us off track a little bit was I found out later about the guys going to their team leader. The following morning I come into the ~~(b)(1), (1.4a), (b)(2) JOC~~ and I want to see the video. I want to see the ISR feed from the explosion because I was four-legging it up the side of the mountain. I wasn't there. I didn't really get to see it. I wanted to see what happened. So I asked our Intel guys let me see the video. And so they showed me a perspective that's total opposite of the video I ended up seeing which I didn't even know existed.

So the perspective I saw was looking from south to north whereas the video that came out that I found out about was perspective from looking more north to south. From that perspective, I watched the video in the JOC and I see three people come out right here on the southern end of building 25. I see three people come out, two people kind of close together, one guy comes out behind. Then I see him pass those two people and go around the corner and he disappears because I can't see anything of that perspective. All I can see is basically looking just like this and it's all dead space in here and I can't see on the other side of the wall. So I see him take off ahead of them. He disappears then I see those two people walking towards the north and they round the corner and then I see a ~~(b)(2)High~~ right there on the corner of building 25, right there on the northern corner of building 25. And then I'm looking and then all of a sudden, you see an explosion. All I see is the flash on the video from the dead space here from that perspective.

At that point, I'm like I want to talk to TM1 so he can talk me through what happened just as a debrief for me, kind of what was going on with the shooters at that time, what happened at that particular moment.

Brigadier Nitsch:

So you spoke to TM1?

Witness: Right, sir.

Brigadier Nitsch: Just to get back to the debrief process, do you ever use the video to help you debrief an instance because it's almost instantly available? Do you ever shape your debrief around video, around any media products?

Witness: Well, sir, typically when we come back from a

(b)(1)1.4a, (b)(2)High

Brigadier Nitsch: I mean it might be I'm just complete out of touch with technology but would it help you in your debriefs if some of the feeds were made available to you?

Witness: Yes, sir. As I said, they don't make them available

(b)(1)1.4a, (b)(2)High

(b)(1)1.4a, (b)(2)High

Brigadier Nitsch: I'm out of my depth now but will it be technically feasible to instantly replay?

Major General Votel: I think there is probably is some opportunity to do it. There's certainly no reason why we couldn't look at it.

Brigadier Nitsch: That's great. Could you just talk us through that missing day almost?

Major General Votel: Let me just clarify here on the record to make sure what you're - I think what you're talking about is what we refer to as the (b)(1)1.4a, (b)(2)High video here that is not necessarily the high resolution video that pops up on Sunday morning that clarifies the grenade throwing and all that stuff but that discussion - so the operation take place Friday into Saturday.

Witness: Do the debrief when we get back.

Major General Votel: You do the hotwash when you get back. They do the SSE stuff.

Witness: Right.

Major General Votel: And so the meeting that you're talking about with TM1 is when they wake up on that Saturday?

Witness: Right.

Major General Votel: It's in the in between day.

Witness: Right. We're getting ready to do the CUB. I go in to start checking my emails and all that stuff and I ask my Intel guy, hey I'd like to (b)(1)1.4a, (b)(2)High

(b)(1)1.4a, (b)(2)High

and the shooters that were over there so they can talk me through what happened.

TM1 happens to be in the JOC at that time so I'm talking around probably 1230z. I show him the video and he's like, yep, yep. And he talks me through - looks like maybe she got pushed down and then I was up here and then I shot the guy and he exploded and I'm still going off what he's telling me because I really can't see other than that. So then I said okay, I want to go over to your team room or your hooch where you live and sit down with TM3 and TM5 and you guys talk me through what happened. So I go over with them and sitting in the room with them and go through the same thing. And I have one guy telling me, yeah, I engaged this. I said, did you ever see her because I knew from the ISR feed when I watched it that that was her that was sitting here at the corner of 25 because I was on the target. I knew that so I asked them specifically did you ever see her at all, anybody, any of you all? And all of them are like, no, we never saw her, never saw her. TM1 stated what he told me on the target, I shot him and he exploded. Still holding the information that he knew and he didn't tell me.

That for sure was an opportunity to really come clean because once they told me that I was like all right I believe you if that's what you're telling me. I had the one fellow that threw the grenade is like I didn't even see her. That was dead space down there. I couldn't even see them. I mean, he was looking me right in the eye and telling me that. I was like, okay, I just want to know what happened, cool, I got it. And as far as I knew, that's the only video we

had. That's all I had to go off of and the word from my team leader.

So after that, that was pretty much the end of that. That day continued on and then I had an email probably around 1730z saying the British Ambassador was coming and these other people. I'm like, all right, cool, I wish we could have got her. So I sent an email out to my team leaders, you know, forward the email to them, hey, we got these people coming tomorrow and they want to come by and thank us. So right there I would think that would be another tickler. Hey, maybe I should say something. I know what happened here, nothing. Of course, I don't all this 'til I'm reflecting back and then nothing the rest of that evening really.

We woke up the following morning. 1200z I'm in the JOC again and getting ready for the visitors to come by around 1230z they were supposed to arrive and they ended up showing around 1250z. We're sitting in there and as I stated earlier, everybody believes like I believe except for the three people that know any different and then that dinner time is when the TFSE come over and pulled me in and that's when my jaw hit the damn floor and I was just beside myself at that point.

Major General Votel: Anything else?

Brigadier Nitsch: On the ammunition, who decides what ammunition you're going to use on a target? Is it up to the operator to decide whether he uses (b)(1)1.4a, (b)(2)High?

Witness: Yes, sir.

Brigadier Nitsch: How does he work that with his magazines then?

Witness: Well you could have - typically in the - going up in the Konar or anywhere in Afghanistan, I'll have one or (b)(1)1.4a, (b)(2)High, something that has a lot more range because not only does a (b)(1)1.4a, (b)(2)High better for close-in but it lacks the range you might need if you remain over a day or something of that nature. You might find yourself out in the daylight. You never know. So guys will usually carry a couple

(b)(1)1.4a, (b)(2)High

Brigadier Nitsch: So the standard practice is to (b)(1)1.4a, (b)(2)High
(b)(1)1.4a, (b)(2)High

Witness: Right. And maybe I'm using the wrong term (b)(1)1.4a, (b)(2)High but it's the bigger impact bullets.

Brigadier Nitsch: The (b)(1)1.4a, (b)(2)High

Witness: The (b)(1)1.4a, (b)(2)High. The (b)(1)1.4a, (b)(2)High ammunition is a real soft tipped bullet that just disperses instantly if it hits anything.

Brigadier Nitsch: (b)(1)1.4a, (b)(2)High

Witness: Yes, sir.

Major General Votel: I really just have one question for you and then I'll go to any clarifying things with the other two here. Is there - in retrospect here obviously since we are in retrospect, is there something, from your perspective, to take away from this or learn or change in the future if you were asked now if you had to make some recommendations, what would they be with respect to the unit and with respect to how we approach these types of missions whether it's transition from -

Witness: (b)(2)High training?

Major General Votel: Yeah, yeah, kind of the transition type. Any thoughts, just kind of an open opportunity to any other thoughts you might have with respect to that or things we ought to be thinking about here in the future?

Witness: We apply a lot of the - except for the big tactical error made by throwing a grenade and sitting on that information that just still sickens my stomach, the actual way we conduct these operations, even a standard target with a (b)(1)1.4a, (b)(2)High is more

(b)(1)1.4a, (b)(2)High

else, I think all that remains the same. It's the individual's confidence and ability to recognize the situation and give themselves the time to think about what they need to do and not so much as react to what they need to do. And I say that specifically for TM5

as I'd mentioned earlier, all he had to do was push into building 22. He wasn't in a fatal funnel of machine gun fire. I think it's more along the cognitive level of just being comfortable which comes with experience and the training we do and everything else, it all comes down to this.

This was the opportunity for us to take everything that we've learned and put it together and execute it. We were there and we were this close and then all it took was one individual to just funnel that whole process. The hours of training we do, all over it, always, hard on the guys all the time. If I was able to plan this over, I wish I had a crystal ball. Would it have made a difference if I was (b)(1).4a, (b)(2)High Maybe. I don't know. Did we know it was going to take 10 minutes plus to get from there to the target, heck no we didn't, all those type things.

Brigadier Nitsch:

Do you think the fact that the hostage was heading towards the operators, do you think that would have made any difference?

Witness:

I think it definitely would have made a difference but as you watch the video - in the ISR platform, you

(b)(1)1.4a, (b)(2)High

have been great to know that they had her outside and they were moving her north. (b)(2)High It just looks like three people come out, one guy darts past, the other two are kind of in close proximity, and at distances maybe 10 meters and before you know it, they are around the corner. So even that relay from the (b)(1)1.4a, (b)(2)High up there observing that process

(b)(1)1.4a, (b)(2)High

happens but I was thinking - but then again, we can't tell who's who. If they could have just threw a maybe brief - briefed a platform, you know, if you see the potential jackpot come out, throw the (b)(2)High (b)(2)High on her. Throw the (b)(2)High on her right away but they can't make that. And then you're relying on them to make that assessment and assumption. And the next thing you know, they throw (b)(2)High on somebody with a gun but they think it was a hostage and now we've briefed to the guys - there's just too many variables for things to go south with that.

Major General Votel: You guys don't carry or don't have any [redacted (b)(2)High] or kind of -

Witness: We do. We didn't have it on this. I had it up in [redacted (b)(2)High]

[redacted (b)(2)High]. At that point, we had a little bit of movement and I relay all the movement I see over so all the guys are aware of all the moving on the target as we're coming in.

Major General Votel: Is there a reason why you don't carry it on the objective? Is it just difficult to -

Witness: [redacted (b)(1)1.4a, (b)(2)High]

Brigadier Nitsch: Do you think there's anything the chain of command could have done to help you? Anything more that we could have done, they system could have done to give you that better chance?

Witness: You, sir, I don't think there was. We had everything we could ask for. As far as the information, it is what it is. We hit a lot of targets and we get a lot of intelligence reports and we go on them all the time. We had everything we could possibly need and out of the ISR watching, that whole additional [redacted (b)(2)High] hours we had because we held off we tried to find an offset. I was looking at the target and watching it. You had no movement and no indicators that there was anything going on. It seemed pretty quiet but it's all in how you perceive that ISR. Is it like that because they're hiding something or is it like that because that's their daily activity? It's what you believe just like when you're watching ISR and I know you know, sir, when you're sitting there, people - I think they're doing this or that and you have your ISR armed chair quarterbacks going on but there was 50/50 chance. We briefed it as she was there, bottom line. I briefed it specifically she was there. We went in that mission looking for her.

US SOF SME: Only for clarification. I know we [redacted (b)(1)1.4a, (b)(2)High]
[redacted (b)(1)1.4a, (b)(2)High]

might look at in the future, do you think that would have helped?

Witness: I think that might could have helped but you're really like - even when I watched the video that shows him throwing and that's really when you see the clear picture and the clarity of that picture is only seen in the aircraft and I had to watch it two, three times to see that looked like a dress - not dress but female skirt that kind of shuffled. If I was watching that in real time, it would have been tough. I couldn't have picked that out. I really had to study it and look at it and see because I was trying to figure out if she was on the left or right or all this stuff looking at it and I don't think that would have been able to be a real time benefit at that point.

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

LTC (b)(3), (b)(6): Just one, sir. You said that you spoke with TM3, TM5, and TM1. You mentioned that TM5 basically looked you in the eye and said I didn't see anything or something like that.

Witness: Right. He didn't see Linda.

LTC (b)(3), (b)(6): What, if anything, did TM3 say?

Witness: He said that he heard TM5 say frag, which, again, he didn't come over COMS with the damn thing because if I would have heard that over COMS, I would have told him hold what you got but he just said it verbally. And at that point, TM3 is telling me that at that point he didn't know in what process he was deploying the frag, did he already have it out, pin pulled, throwing it, is he pulling it out of his pouch? So he got into the door jam of the building 2 area at that point. But once again, I wasn't right there when they were shooting and as I looked at the video, it looked that he had the initial engagement of the one Tango that was down here by building 23 on the southern side and then it was hard to tell if he did any engaging at all. I couldn't really tell at that point when the two rounded the corner coming from the south to the north but I could definitely see TM5 for four rounds that came out and TM1 engaged a couple rounds and then that's when you see him doing his -

pulling his grenade out. You can see it in the video.

Major General Votel: I just want to make sure I'm clear on what I think you just said there. So we're talking about the discussion that took place on the day in between here.

Witness: Right.

Major General Votel: TM3 said something that indicated that TM5 said something about frag?

Witness: Well, no, he didn't say it that day?

Major General Votel: Okay.

Witness: No, no, no, no, no, no, no.

Major General Votel: Okay.

Witness: This is after. He didn't say nothing that day on any of that. Basically, the only one that talked to me when I had those three in there was TM1 who told me what proceeded to happen and then TM5. TM3 was just sitting there.

Major General Votel: That's what I'm looking for.

LTC Hamner: That was it, sir.

Major General Votel: First of all, thanks. I appreciate the time here. I do want to remind that this is an official investigation. It is protected in the sense that this report will be made to General Mattis for his determination as deemed appropriate. 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 a Chaplain or your counsel, if you have one, until the case is closed or unless approved by me, the IG, or the appointing authority who is General Mattis.

If anyone should approach you regarding your testimony or the matters discussed here, you are required to report it to me immediately or to General Mattis. As the investigating office while we are recording this and we will make a - document this, I am prohibited from providing you a copy of that of your statement, your testimony here today. However, you may submit a request in writing for the report or

any part thereof to the appointing authority of 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 will provide the releasable information to you. If this report becomes a basis of an adverse action against you, you or your counsel can request access to the report and it is entirely within the appointing authority's purview to provide you access to the relevant portions of the report to use in your defense.

Again, I don't suspect you of anything. We haven't advised you of your rights. We're going to probably be around for another 36 or 48 hours. We've got a variety of people to talk to yet and gather some more information. If something does come to hear in the post-discussion period that you think would be relevant for our information, I would please invite you to let me know and we'll reconvene and talk about it.

Witness: Yes, sir.

Major General Votel: Before we close here, is there anything else that we did not ask you about that may be important for us to know?

Witness: No, sir. I mean, that covers everything. That's from the time on target to when I first found out and all the opportunities in between that those guys had to come clean.

Major General Votel: We will be meeting with the team leader, the two team members here. We'll talk to ~~(b)(1), (b)(2), (b)(7)(C), (b)(7)(D)~~. We're probably going to talk to the EOD tech to get any impressions he had of what that individual might have had on him and we've got a few others we're talking to. Is there anybody else that you think it might be beneficial for us to talk to besides those that I've mentioned here?

Witness: I think you're right on track with who you need to talk to. I can't think of anybody else ~~(b)(1), (b)(2), (b)(7)(C), (b)(7)(D)~~ because he's the one that initially found Linda because he was doing a sweep of -

Major General Votel: EOD is?

Witness: EOD, right because he was doing the sweep of the bodies because nobody even knew she was - obviously they didn't know she was there and they continued with the clearance until they came across - EOD was doing a sweep, sir.

Major General Votel: All right. Thank you. And then, finally, do you have any questions of us?

Witness: No, sir.

Major General Votel: Thanks. I note that it is 2126z and this interview is concluded.

[The witness departed the room.]