

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

Major General Votel: I'm Major General Votel. I'm normally the Chief of Staff down at US SOCOM. In this capacity here today, I've been appointed by General Mattis to investigate the facts and circumstances surrounding the hostage rescue operation up in Konar about 10 days ago aimed at recovering Ms. Norgrove. And so as I mentioned to you out in the hallway, what we're interested is in bringing you in. I know that you were on this mission and we think you were probably in a position to see some stuff here. We just want to talk with you about that and get some of your assessments and some of your impressions of what you saw and what you might have observed on the objective that will hopefully help fill in some information gaps for us.

This is an official investigation, TM 9, so I've got to go through a couple things with you here for a couple of minutes that are going to sound a little bit administrative and legalistic but I would just ask you to bear with me please and we'll get to the main part of that discussion stuff here.

You're not a suspect. We don't suspect you of doing anything wrong. Don't be concerned as I go through this. During the course of this interview, we are going to ask you to furnish information about yourself. The Privacy Act of 1974 requires that I inform you of that requirement. This statement I'm putting in front of you is a normal Privacy Act Statement that you've probably seen previously. It indicates that I have the authority to ask this information and that this information will be enclosed in the investigation that we ultimately put together. Those who are authorized to view it may, in fact, see some personal information regarding you that may be included in our discussion here. This is a Privacy Act Statement here. I'd just ask you to review it and then if you could print, sign, and date. Today is the 17th.

[The witness did as directed.]

Major General Votel: The testimony that you're giving today is being digitally recorded here. It will be transcribed into a written report that will be part of the overall package here. I would just ask you to answer every question verbally. I've got a little sketch map that kind of shows the building numbering system that you

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used. With you in particular, TM 9, we're going to go to video here and we're going to look at some of the high resolution video and we'll refer to that up there and you may hear me or others interject just information for the record so when we go back and look at the statement, we can kind of know what we're talking about here. Don't let that set you off.

Before we continue, I want to remind you how important it is for you to give truthful testimony. It is a violation of Federal law to knowingly make false statements under oath. And before we do proceed, this is going to be a sworn statement as we transpose it here. So what I would like to do is I would I would like to swear you to an oath. So if I could ask you to please stand and raise your right hand.

[The witness was sworn.]

Major General Votel: Okay. Thanks very much. As I mentioned to you, you are not suspected of any offenses under the Uniform Code of Military Justice, Federal, or local law. Therefore, I'm not advising you of your Article 31 rights and you don't have a right to have legal counsel present. You are required to answer all my questions except those which you think may incriminate you. And at which point, we'll stop.

Unless you have any questions up front here, we'll go ahead and get started.

WIT: Yes, sir.

Major General Votel: What I'd like to start with first TM 9, is if you could very briefly talk about - we're pretty good on the intelligence leading up to the operation here and kind of what the general scheme of maneuver is. I understand you were on (b)(1)1.4a (b)(2)HIGH as you're INFILING into the north, northwest of the objective area. What I'd like you to briefly describe is what the plan was for you as you completed your (b)(1)1.4a (b)(2)HIGH and started to move towards the objective. What was your specific mission?

WIT: The plan was (b)(1)1.4a (b)(2)HIGH Charlie team members, myself and TM 11 to land with Alpha team. There's a trail right through the edge there. We were trying to come up this trail. We knew studying the terrain we could

- all the terraces went to the buildings. There's a trail here. We were trying to get high ground. So TM 9 and TM 11 were going to try to get on top of building 11 and try to take high ground and support the assault force in any way possible, personnel leaving, whatever.

Major General Votel: As you kind of continue to move towards the objective, can you describe what transpires? Did we stay on plan or is there a modification made? Can you talk a little bit about that?

WIT: We really didn't know where the helo could place the (b)(1)1.4a (b)(2)HIGH. As we were lined up, it took quite a while to get the (b)(1)1.4a (b)(2)HIGH settled to where the air crew was comfortable, (b)(2)High. When we (b)(1)1.4a (b)(2)HIGH (b)(1)1.4a (b)(2)HIGH we landed on the terrace. As soon as I (b)(2)High I looked left and right and did not see the trail to the left as we're looking at it. So everybody started moving down the terrace towards the 20 series. We knew we could get high ground from there. As we came up -

Major General Votel: And just for the record, TM 9, is referring to his grid reference document from the objective.

WIT: As we approached 21, I saw TM 1, in front of me. As we climbed, I came in behind him. I believe there were guys going down in front of the 20 series. As we came up above the 20 series, TM 1 broke off to the right, going right to the 22's. I was waiting on TM 11 as I approached up the terrain. It was very steep. There were a lot of goats on top. You couldn't see what was up there so I was waiting for at least one more guy before I proceeded. Slowly kept moving and saw TM 4. I believe he's TM 5 and he approached me -

Brigadier Nitsch: I believe you said TM 5. He's TM 4.

WIT: TM 4, that's correct. He came up to me right there. Let me back up. When TM 1 split to the right, I heard shots. At that time, I'm not positive if TM 1 shot or not but I heard shots. TM 1 came on the radio and said they were armed and there were shots fired. So he was breaking off to the right. As I proceeded up the hill -

Major General Votel: Towards 11 and 12?

WIT: Yes, 11 and 12. TM 4 came up behind me. I looked at him. I was waiting on TM 11. About that time, we heard an explosion to my right. I didn't really know where it was. I knew it was somewhere in the vicinity of 25 but didn't know what was going on, nothing was passed. Myself and TM 4 looked at each other. He broke right and I proceeded up to 11.

Major General Votel: He broke right moving towards TM 1?

WIT: He was moving down in front of building 11 and 12.

Major General Votel: So both of you preceded, TM 4 and yourself, up towards building 11 and 12.

WIT: I proceeded straight up the hill to get on top of 11. TM 4 proceeded right. I kept waiting for TM 11, but I never saw him so I proceeded up. Later on, I found out TM 11 went with TM 4 to clear the bottom of 11 and 12.

Brigadier Nitsch: He went with TM 4 or went with TM 3 and TM 5?

Major General Votel: He went with you - he followed behind you up to -

WIT: Myself and TM 4 split at the top of 22. I proceeded up by myself on 11. I couldn't wait on TM 11 anymore. Later on I found out TM 11 had came up and broke right with TM 4 to help clear because he saw him by himself. I proceeded up and I was the only guy on top of 11.

Major General Votel: What I'd like to do is I'm going to - US SOF SME if I could ask you to run this video here. I think you've probably seen this one, TM 9. This is this high -

WIT: I have not seen this one, sir.

Major General Votel: Well what we'll do is run through this a couple times. We'll run through it fast and then we'll kind of come back and take it in pieces and help understand what happened here. Now this is a little bit more high resolution video of what is occurring. Obviously here's, 21, 22, 23, 25, okay this is where 11 and 12 are up here. As you can see, there's soldiers beginning to come into the picture here. Let's just kind of take you through it here. Again, we lose them but we see an enemy come out, he'll come

back. He throws or discharges something, he's engaged and killed.

WIT: Okay.

Major General Votel: Continue to watch on. You are seeing all the cattle up here and in a moment you will start to see soldiers come up here, almost as you describe here. This building 22, 23. Okay. Here comes an soldier. We presume this to be TM 1, kind of leading the way. A person behind him, potentially you, I think, continuing to move. He moves along to 23. You are moving up to the crown of 22, another soldier coming up behind you. We think that's TM 4.

WIT: Yes, TM 4 is behind me.

Major General Votel: Okay. Stop right there please. To the best of our assessment, I guess what I'm looking for from you, your assessment is as we look across the tops of these buildings going from east to west. On top of 23 is TM 1, the team leader. Right here, just off of the, and again, I know these roofs are built right into the terrain so you walk right off and you are on the hill, right in here, it looks like you are starting to move up what is a trail or something right there. I assess that is you, right there?

WIT: I would believe so. As we keep going up we will see.

Major General Votel: And this is TM 4 and then there is somebody here and then we've got some shooters going on. Again, you heard an engagement and you mentioned that we have already seen one engagement that has taken place even before you got on to the roof here what you are about to witness is a second engagement right here with a military aged male who is coming up the steps here and you can see a soldier poised to shoot. Go ahead please, taking it forward a little bit. He's actually going to engage. You are seeing another engagement, a third engagement. There you are. Stop right there. Okay, so we have now had three engagements down here. Do you recall hearing those?

WIT: I did hear gunshots. I don't know how many because the terrain as you look at it is very steep. Like I said, when TM 1 broke off, I heard shots. As we come up the hill I believe TM 4 was right next to me. TM 4 and that's when you heard the explosion.

Major General Votel: So, what we are thinking then, this is TM 4, and as you continue to move up to gain a position on 11 here, he kind of moves up eventually behind you and then splits off and quick does some clearance in 11 and 12. You mentioned that a couple of people came together here. You didn't come together with anybody. You just moved out.

WIT: I kept moving up. As we watch the feed, there is a little building - this building right here. I don't know if it is here or the next level up, there is a window, I kept stalling waiting for TM 11 because he was supposed to take high ground with me. As we get back and debrief TM 4, who said he was behind me. Around this area somebody should come up next to me and that's when the explosion takes off. Then I proceed up and I go through here by the rock.

Major General Votel: This tape is going to play a little bit longer and you'll see the explosion but then we don't get too much further beyond that. I am certainly not trying to minimize your role up here, that's just not germane to the investigation so I apologize. We won't have a lot right now to show you what you did up here, but let me just play this out. You are going to see a grenade being thrown here, an explosion over here in a moment. Stop right there. Okay, so as you continue to move up, we have what you kind of described, two people who came together, TM 4 and TM 11. The explosion takes place. And you do recall hearing the explosion?

WIT: Yes.

Major General Votel: Did anything characteristic about that for you? I know you are a very experienced NCO, a very experienced soldier, did it sound like anything in particular? Did it sound like a grenade? Did it just sound like an explosion to you?

WIT: Later as I was on the roof, and you know, something came out about a pipe bomb. This did not sound like a grenade to me, okay. I don't know if it was the terrain, the buildings, it just didn't seem like a single grenade. As you said, over the years I have been here I've had grenades tossed very closely, we did (b)(1)1.4a (b)(2)HIGH grenades probably 5 feet from us. It didn't sound like that. As far as I was

concerned it made sense. It sounded like an explosion when it happened. It seemed a lot louder than, you know, a normal grenade.

Major General Votel: Did you observe, I know that you were loosely following the team leader up here as you kind of came across 21, 22 here and then you continued on your mission. Did you observe him at any point, fire or do anything else?

WIT: As I said, as we came up here, he broke right, I heard shots fired. I was not looking at him so I cannot tell you definitely if he shot, but he did come over the radio and said, shots fired, they have guns.

Major General Votel: All right. And then for the remainder of the mission then, did you remain up in the 11 and 12 area then?

WIT: Yes, sir, most of my focus was uphill because it was so steep. I knew I had TM 1 to my right, so he had my flank as we came up; I kept waiting on TM 11. Later I found out he pushed with TM 4. I pushed up through the goats, I found a rock, and you could hear movement up in the hills because of all the goats. I just stayed there protecting the back side.

Major General Votel: Did you ever at any point come down into the, this area here between 23 and building 25 where some of these enemies were killed and where we eventually found Ms. Norgrove? Did you have an occasion to come down there?

WIT: No, sir. The only time I came down is when we were trying to establish the EXFIL.

Major General Votel: Okay. (b)(3)(b)(6)

Brigadier Nitsch: Nothing, sir.

Major General Votel: Okay. Is there anything else that I didn't ask you about there that might be useful to us?

WIT: No, unfortunately my role wasn't - it was just to get high ground.

Major General Votel: I do have one question. TM 11, TM 4, who was planted on you, did he ultimately link up with you upon 11 and 12?

WIT: TM 11 went with TM 4 - as I was on 11, they cleared around to the right. At one point as the clearance was going on I met them on the east side. They thought there was a possible false wall and from the roof there was a crack and I shined my light down there and checked it out. There was nothing there. After that TM 11 came up on the roof with me. As Bravo Team came up, the rest of the RECCE Team came up so you had TM 14 and TM 15 came up and then the next step was EXFIL.

Major General Votel: Did TM 11 give you any indication, do you know what his path was to get up to 11 and 12? Did he pretty much come across the same direction that you did, kind of, what I would describe as a north side of 21, 22, 23 and come up directly or did he come - do you know if he came down around the terrace around the front of those buildings and then came up the draw between 23 and 25? Do you know that?

WIT: After we returned in debriefing, it appears on that video it matches up to what he was telling me. He took the same route. I had TM 4 behind me and then TM 11.

Major General Votel: All right. Anybody have anything? US SOF SME anything for clarification:

US SOF SME: No, sir.

Major General Votel: (b)(3), (b)(6) do you have anything?

LTC (b)(3), (b)(6): No, sir, I mean based on that description - So, based on that description, just looking at the individuals up on 21, 22, and 23, will this be accurate? TM 1, TM 9, TM 4, TM 11, the way you were arranged before you started heading up?

WIT: Yes, sir.

Major General Votel: Okay. Good, very helpful. That's great. Okay. I don't think we have too many questions, let me just give you a little bit of information at the end. TM 9, I just want to remind you this is, in fact, an official investigation. It is protected in the sense that this will be a report that will go to the appointing authority, General Mattis, and he may determine to take some action as a result of it. I am ordering you not to divulge the nature of the

investigation or the questions, answers, or discussions included in this interview with anyone except for the Chaplain or your counsel unless it is approved by me, the Inspector General, or the appointing authority himself. If anyone should approach you regarding your testimony or the matters discussed here, you are required to report it to me immediately. I am prohibited from providing you a copy of the testimony in here that will be transposed as a result of this. You may ask for a copy of that through the Freedom of Information Act Office. They will validate your request and provide the releasable information to you.

If something else comes to your mind here, we will be around for another day or so, that you think might be of use for us or might be something we should consider, I would please advise you to let us know and we'll reconvene and let you do that. Are there any other matters that we haven't covered, here right now, that you think might be important to our investigation?

WIT: No, sir.

Major General Votel: We are talking to a variety of people obviously as I'm sure you are well aware here. You are an example of somebody that we identified as we went through this. We hadn't planned to talk to you but based on what we discovered we wanted you to help us fill in some information gaps and you've done that. Can you think of anybody else that we might want to talk to that we might not already be considering?

WIT: I do not know what TM 4 saw as he came around that other angle. I know him and TM 11; I don't know what they saw.

Major General Votel: He's coming in right in after you, so we are going to talk to him. Do you have any questions for us or anything else?

WIT: No, sir.

Major General Votel: Well, I'm noting that the time is 1656 Zulu and this interview is concluded.

[The witness departed the room.]

