

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

Major General Votel: TSE, how are you doing?

WITNESS: I'm doing good, sir.

Major General Votel: Hey, listen I appreciate you all coming up, you and the ~~(b)(1), 1.4a, (b)(2), 1.4b~~ Commander here to come and talk to us. Before we get started, obviously we have talked a couple of times thus far over the last almost week now and again I just want to remind you of all the provisions that are in place here. We are recording this, sworn statements, and I appreciate your truthfulness here as we have had it thus far.

What we are doing right now is kind of investigative process wise, is we are, after we got done and kind of got done with all the interviews over the week and what we kind of have been trying to do in our own minds of course, is from an investigative board standpoint here and although we are not an official board, but trying to kind of run down all the information gaps. You know, what is it that we don't have enough information on? What is that we didn't explore? What are the other new areas that lead to, so the last couple of days that is, I know it might appear a little haphazard to you, where you get a phone call and get on the horn or whatever with you and others but really what we are trying to do is just run down gaps and make sure we've kind of got things.

WITNESS: Yes, sir.

Major General Votel: And today is another session of that. I had a number of - I had about five of them I needed to talk to your ~~(b)(1), 1.4a, (b)(2), 1.4b~~ Commander about. I've got three in particular I want to talk to you about this afternoon. I want to talk a little bit about risk and how the assessment was being made and kind of your personal view on it and then perhaps more importantly how the individual assaulters in the ~~(b)(1), 1.4a, (b)(2), 1.4b~~ kind of viewed the risk that they were accepting, the risk of mission accomplishment and talk a little bit about that.

WITNESS: Yes, sir.

Major General Votel: I want to talk a little bit more, we had a good discussion with the TFSE here on some of the

transition TTPs from combat clearance to hostage rescue or (b)(2)High, (b)(1)1.4a to hostage rescue depending on how you do it maybe some of the hybrid TTP stuff just to make sure we have a good understanding of that.

WITNESS: Yes, sir.

Major General Votel: And then I just want to talk about some (b)(1)1.4a, (b)(2)High business there at the end.

WITNESS: Okay.

Major General Votel: Let's start with the risk assessment piece. And again we are filling in gaps here so I think our questions will be a little more precise today in terms of trying to get at your mindset kind of going into this thing here. And so, I think we have all had a lot of time to think and talk about this already. What is -- how do you articulate the risk that is being accepted by the (b)(1)1.4a, (b)(2)High and the chances of a successful operation being mounted here based on the information you guys have, you know a week ago right now as you are planning. Can I just ask you to talk a little bit about that?

WITNESS: Yes, sir. Well, obviously the location and the target is going to determine how much risk is probably going to be there and Konar itself is a risky area, mountainous and with any kind of helo operations, the only benefit that you would have would be low illum, which we did have zero illum. So, as I look at doing operations if I have a higher illum area I'm more willing to accept a risk in more of an area that's not mountainous so an area that's flatter. Like (b)(2)High, (b)(1)1.4a for example is a nice fairly flat area so in a high illum evening you could accept a higher risk with the illum and the helos because you don't have any constricting terrain that would afford direct fire onto the aircraft and your ISR platforms can see pretty much anything around the open area. Whereas Konar, it is mountainous so any illum there is extremely high risk. Zero illum is definitely a benefit. So, primarily I look to where the target set might be and in this particular case in the Konar, its risky just because it is that location but we had zero illum. We had -- also the amount of contact that had been there previously. What I mean, you know, enemy activity. Of course

there was a lot of, during this process there had already been a lot of conventional forces inserted into the surrounding area so that probably stirred up a little bit of the hornet's nest if there was one per se so, of course that's something you want to take into account is the enemy activity, the altitude of the target itself being at 8000 feet and the terrain, it was less likely to be bustling with a whole bunch of fighters but enemy fighting positions are definitely something else you want to take into account and which was one of the reasons also we flew the lead navigator and the ISR platform for the daylight flight so we could look at terrain, try to identify any enemy fighting positions, obviously get a look at the target itself.

Major General Votel: So, the lead navigator and the helicopters flew ----

WITNESS: No, I'm sorry, sir, I mean the lead RECCE. When I talk about navigator I'm talking about (b)(2)High, (b)(1)1.4a

Major General Votel: Okay. I've got you now.

WITNESS: So, we tried to take all that into consideration. Obviously the ISR feed, what we are seeing on target, activity which really we didn't see much at all. There really was not much activity at all throughout even observing that target. The last definite indicator that she could be there and/or the individual that had her could have been there was at (b)(1)1.4a, (b)(2)High the previous day of the operation. So, from that point on, you know, we had steady eyes on, maintained eyes on and just tried to make an assessment of what kind of activity was there and took all those factors into account. Of course, when you are talking (b)(1)1.4a, (b)(2)High vice air landing, that's another risk involved. The terrorist fields, the trees, all that kind of stuff, they all come into play and you want to try to, if you do execute a fast-rope or anything of that nature, you want to try to get in there and get out as quick as you can so you are not hovering as a target for a prolonged period of time so we tried to expedite that process. So, all those factors come into play and of course the nature of the mission itself. This being a hostage rescue, it was, you know, you are willing to accept a little more risk than you typically would, I would say, just based on the nature of the mission.

I know earlier in the deployment we had the ~~(b)(1)-4a, (b)(2) High~~ the first ~~(b)(1)-4a, (b)(2) High~~ that we went on and we accepted risk higher than normal I would say in order to try to facilitate executing that operation. So, all those factors come into play.

Major General Votel: Okay. Good. Let me just ask a couple and I'm going to ask some questions and I'm going to ask you to kind of give me a, pick a number, okay?

WITNESS: Okay.

Major General Votel: Percent chance that you would have a successful infiltration in the helicopters?

WITNESS: I would say, 60 percent, 60 or 70 percent.

Major General Votel: So, 3 of 5 chances that you are going to get, based on the situation is that you are going to get in there, be able to get off the aircraft and get the aircraft out of there without having any kind of catastrophic problem?

WITNESS: Right. Yes, sir, without taking any fire on the aircraft.

Major General Votel: So, 3.5 in 5. Okay. Percent chance that Ms. Norgrove would be recovered alive assuming the infiltration is successful and you are able to get on the ground?

WITNESS: Knowing she's there?

Major General Votel: Right.

WITNESS: Right. I would say probably around, I would say about the same.

Major General Votel: So, in other words there is a chance that she, based on something, that they might cap her or something else?

WITNESS: Yes, sir. I mean the best - we prefer to do an offset is what we wanted to do and we really looked hard at trying to make that happen. Terrain just wasn't going to allow it. It wouldn't have been feasible. Obviously when you are coming in on the helos and they hear the helos the more likely to react adversely and potentially kill the hostage.

Major General Votel: Okay. No kidding ~~(b)(1)1.4a, (b)(2)High~~ here is the payoff, the potential recovery of Ms. Norgrove on this objective, if she's there, recognize there is a certain percent chance that she's there, worth the risk being accepted to by the force at this point, in your mind?

WITNESS: In my mind, I had voiced a few concerns but based on what information we had and the potential that she could be there I thought we were good to go with it.

Major General Votel: Okay. So the pay off was worth the risk that was being accepted?

WITNESS: Right.

Major General Votel: And when you said you "voiced some concerns" can you - I know there are discussions always ongoing?

WITNESS: Right, and that's primarily, I mean just discussions. You know, the helos, the difficulty of aviation helos getting in there and conducting the ~~(b)(2)High, (b)(1)1.4a~~ the HLZs, the ~~(b)(2)High, (b)(1)1.4a~~ sites, the proximity to the target, all those factors coming into play.

Major General Votel: Okay. And your personal view is there is an adequate, and I understand you guys do a lot of operations and not everything has to or is written down and a lot of it is based on experience, but in your view, an adequate discussion of the risks appropriate to the mission planning is taking place, are you satisfied that you had a chance to have a discourse with the Task Force leadership about the risks that are being accepted here?

WITNESS: Yes, sir, we actually - the ~~(b)(1)1.4a, (b)(2)High~~ Commander and myself talked directly, obviously, on a lot of the risks and, you know, I don't go directly to ~~(b)(1)1.4a, (b)(2)High~~ Commander. He talked to the Task Force Commander. I talked to the TFSE so we talked to our counterparts and discussed the risks.

Major General Votel: My final question for you on the risk piece here, is how does all that translate down to the assaulter level? Did you get the sense that people were, and again, I don't want to say comfortable because no one is ever comfortable ~~(b)(1)1.4a, (b)(2)High~~ into the Konar, I got all that, but what's the ~~(b)(1)1.4a, (b)(2)High~~ on the risk here?

WITNESS: There didn't seem to be any negative buzz at all. They understood what we were going to do. I didn't hear any, and sometimes I will hear, 'well, maybe we shouldn't, you know, we should', I hear that sometimes. I didn't hear that from my guys at all. I did not hear that.

Major General Votel: Okay. Thanks. Brigadier?

Brigadier Nitsch: Just one from me. The General touched on it; I just want to throw up just one question. Are you happy that there is a mechanism within the Task Force for correctly presenting your assessment of risk?

WITNESS: Yes, I'm happy. And when I say "happy" I mean I'm - I wouldn't quantify it with happy but I'm satisfied with the process, you know, TCDR and myself talking, determining what we want to do and that coming up the chain.

Brigadier Nitsch: Given the significance of the issue of risk, do you think it should be more formalized?

WITNESS: I don't necessarily think you have the time for a formal process per se, but there are missions that you based on that you are just going to have to accept a higher risk and that's kind of an understood. Not to say that we would fly, you know, right into, if we see enemy fighting positions and things of that nature but, you know, just the assumption of what could happen is always in the back of your mind.

Brigadier Nitsch: Just one very final question. In your assessment who is the risk owner? Is it your (b)(1)+4a, (b)(2) Commander? Is it Commander, Task Force (b)(1)+4a, (b)(2) High Is it Colonel (b)(3), (b)(6)? Is it General Thomas, or is it somebody above that? Who is the risk owner for the operations that you are sent on?

WITNESS: Ultimately I would say the TF (b)(1)+4a, (b)(2) Commander would be the ultimate.

Brigadier Nitsch: So, in your impression he is the individual who is protecting you?

WITNESS: Yes, sir.

Brigadier Nitsch: By making that risk assessment?

WITNESS: Yes, sir. You know, the TF (b)(1)+4a, (b)(2) High Commander, he voices his concerns and ----

Brigadier Nitsch: It's the Commander (b)(1)+4a, (b)(2) High who's the risk owner in your perspective who is the risk owner for the operations that you're (b)(1)+4a, (b)(2) High undertakes?

WITNESS: Yes, sir.

Brigadier Nitsch: Okay. That's been really clear, thanks.

Major General Votel: UK SME?

UK SME: Yes, General. You are going to get bored with us talking about risk aren't you? In your own words a 60 to 70 percent chance of getting Ms. Norgrove out alive assuming she was there, so, if I can put that in a different terminology so 2 times out of 3 you are going to get her out, two-thirds. To the best of your recollection, what do you think the (b)(1)+4a, (b)(2) High Commander's assessment was of getting Ms. Norgrove out alive where she to be there?

WITNESS: He would probably say about the same, maybe a little less. I'm more of a positive thinking, so I would - I'm more of a pessimist, but he would probably call 50/50.

UK SME: And you had that discussion at the time?

WITNESS: Yeah, right, we both were talking about that. We didn't break it into percentages.

UK SME: Okay. And this is absolutely not supposed to be a, it wasn't supposed to be a trick question, but I'll tell you TCDR describes this area of probability of there was a 1 in 10 chance of getting her out alive if she was there. Which is really significantly more pessimistic than you.

WITNESS: Right.

UK SME: Can you sort of explain why there might have been that difference of opinion between the two of you?

WITNESS: I think that just might have been - his opinion also might have been based on having seen, having been in the area. I'm basing my reflection of not seeing it, having not been inside that area just based on the plan itself. I don't know if that might have, you

know, once we got on the ground that might have swayed his assessment.

UK SME: Okay. That's fine.

Major General Votel: Okay. What I would like to do is move to another topic area here and we'll get off risk here I think. And we've had a very good but very complete discussion of it over the last couple of days. I want to talk about, and we talked a little bit about this the other day in our initial interview on Saturday evening and it is kind of the transition TTP here and you know the Hybrid TTP of - I want to make sure I understand how you guys articulate this. When you refer to "combat clearance" that describes the technique of movement through an objective that you guys do routinely here in Afghanistan?

WITNESS: Yes, sir.

Major General Votel:

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

WITNESS: Yes, sir.

Major General Votel: And by extension by doing the rest of it, you know, protecting the population and accomplishing the mission kind of stuff. That's what that refers to?

WITNESS: Yes, sir.

Major General Votel: In an operation like we are doing here on (b)(1)1.4a, (b)(2)High here where there is a potential that there is a, a good potential, that there is a hostage on site and, you know, there is a chance that she could be in a hazardous situation; what's the indicator on this objective that moves the operators from combat clearance to accept a more high risk movement or TTP more associated with hostage rescue? How do they balance it? How do they make that decision? How do you train them to make that decision?

WITNESS: Well, we train them stateside, you know, doing

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

all, is probably going to dictate your movement. So,

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

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

(b)(1)1.4a, (b)(2)High. Now on a combat clearance you are ----

Major General Votel: So, in other words it is doing the same thing but with speed?

WITNESS: But with speed, right. With speed, more deliberate actions. So, you are still accomplishing those same goals, you are just not running into the room and if you do know where she is or the hostage might be located at, obviously, you try to get to that location first even if you have to cover down and blow past open areas or doors or rooms or buildings, your primary mission is to get to that building where that potential hostage could be located at. So, the hard and difficult part of this is it's not a downtown (b)(1)1.4a, (b)(2)High or some kind of standard structure. It's mountainous, terrorist fields and terrain and different types of building sets so it's not as fluid as that. So, not knowing the exact location wouldn't afford you the ability to do that. She could have been anywhere in there. We were treating the building 11 as the primary target. And of course as soon as the guys on the ground they started getting gunfire and got the gun play there, which started dictating the movement of the force on the ground.

Major General Votel: Okay. So, I know we are not dealing with initial entry guys here, guys who are inexperienced here and I recognize this is the (b)(1)1.4a, (b)(2)High operation in the deployment here so there is a lot of experience and everything else. Is there in the prep of this operation, getting ready to go on (b)(1)1.4a, (b)(2)High, is there a discussion at perhaps your level or lower that you are knowledgeable that has this discussion with the operators going into this mission?

WITNESS: Well, with the team leaders?

Major General Votel: Yeah.

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

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

Major General Votel: Okay. Good. And my last question for you, stake out the responsibilities between you and the (b)(1)1.4a, (b)(2)High Commander during the planning phase here, getting guys ready to go on this operation. What is it, in the hours before, when you are doing the backbriefs that you just talked about, what your principal roles are and then what he's focused on; kind of the expectation between both of you.

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

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

Major General Votel: Okay, good. Thanks. Brigadier?

Brigadier Nitsch: I've got three questions, they are all in the same area. You mentioned that you discussed with the team leaders contingencies on the objectives. Could you just quickly flash around the area to say what you would have - what you recall discussing with them?

WITNESS: Well, it would be just standard stuff that we typically use for contingencies, you know, contact on the ground, suppressing the contact on the ground and things of that nature. We didn't have a contingency if a bird went down because that was going to be a catastrophic event and that probably would have turned into the mission itself.

Brigadier Nitsch: Just delving in on that question just a fraction more, did you think about contingencies related to Ms. Norgrove?

WITNESS: The contingencies for her what we had just basically just had a recovery kit with the (b)(2)Hgh. So we had contingencies as far as her moving, no; but just as far as recovering her, yes. What we saw that night was something I had never seen before. Not that I've been a 100 hostage rescues but I've never seen the hostage takers move her so we didn't discuss that.

Brigadier Nitsch: So the contingencies were related to her recovery and her EXFIL but not whether she would be in a building, whether she might be - what you would do if she was mobile, what you might do if she had left the compound there of 11 and 12; would that be right?

WITNESS: No, sir. I mean, if she was mobile, part of the brief and part of the planning process is specifically target ID and don't put yourself in a position that you have to make a quick decision. Be able to have a split second more to think about what you're doing before and that's kind of the hybrid of the combat clearance. You're still doing a hard look, making that conscious decision, and then reacting accordingly.

Major General Votel: So the contingencies with respect to Ms. Norgrove that you're primarily talking about or if she is immobilized, if she's injured, if we got to do something other than her moving out of there on her own power, those are the kind of things you're talking about?

WITNESS: Correct. And we had the two insert platforms, one to the north and one to the south. I mean, obviously, those were set-up just in case they tried to bolt down to the south, so that was a contingency. If she was mobile and the target itself is such a small target -

Major General Votel: You're trying to isolate it here by -

WITNESS: Right, we're just trying to isolate it.

Brigadier Nitsch: My next question relates to the relationship between the INFIL and the action on the ground. Who was

doing all the thinking about the INFIL? Was that you or was that ~~(b)(1)1.4a, (b)(2)High~~ CDR or was that somebody else?

WITNESS: The insertion itself was myself and the team leaders.

Brigadier Nitsch: Do you feel that you had the balance right between the INFIL and the action on the ground or looking back on it now, was your thinking very heavily dominated by actually just getting there?

WITNESS: You know, sir, I've thought about this quite a bit because of the numbers. As I had stated earlier, we're looking at trying to get onto the target, avoid the hazard to the aircraft by hovering so we want to get out quick so I'm looking at my force. I don't take any of the QRF with me. I just go TF centric,

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

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

keep that equal distribution of force just based on the risk to the location and the target itself.

Brigadier Nitsch: Do you think in the time available given the risk because you only have sort of ~~(b)(1)1.4a, (b)(2)High~~ hours to plan this, given the complexity of the INFIL, do you think you had enough time to thoroughly plan the INFIL and also the action on the objective?

WITNESS: Yes, sir.

Brigadier Nitsch: Okay. That's great. And just one other thing and I apologize for my sort of ignorance and lack of awareness. On the action on the ground, was it your impression that the mission was going to be unlocked by getting to buildings 11 and 12 or was it your impression the mission was going to be unlocked by checking all the buildings as quickly as you could?

WITNESS: When you say "unlocked," do you mean finished?

Brigadier Nitsch: Yeah. Basically. The key, the main effort, the emphasis of the mission. Was your feeling that it

was about 11 and 12 or was your feeling that actually it was about checking the 11 series and the 20 series as quickly as possible, so either a concentrated mission 11 and 12 on there or it's a more, if I can use the word "broader" task to clear this site, not necessarily clear it of enemy but actually locate Ms. Norgrove somewhere?

WITNESS: Yes, sir. It encompassed the whole target. And when I say 11 was the primary, that was just the first building or suspected location she could have been but for us it's clearing that as quick as we can, that whole target.

Major General Votel: You're trying to eliminate possibilities?

WITNESS: Right. So what would happen is members of A team get into 11, ~~(b)(1)1.4a, (b)(2)High~~ she's not here over inner team letting us know hey, she's - we haven't found her. Obviously if they get there, and you hear ~~(b)(1)1.4a, (b)(2)High~~ then you know different.

Brigadier Nitsch: So just to completely nail this because you know I'm in a slightly different world, the focus of the orders that were given to the assaulters was to check the whole site or to clear 11 and 12?

WITNESS: Eleven and twelve was the primary, but you clear the whole site.

Brigadier Nitsch: That's brilliant. Thanks.

UK SME: I didn't get a chance to see you down in ~~(b)(1)1.4a, (b)(2)High~~ I was delayed in transit as the General said and I just wanted to start by saying what I've said to everyone else from the team that I've seen is that I'm full of admiration for the courage and tenacity with which this operation was prosecuted and I really mean that. And I've been really impressed by the professionalism and integrity of all your men throughout this sort of pretty difficult investigation process. I understand how difficult it is for all of you guys. So I just wanted to say that and I wanted you to know that from me.

WITNESS: Yes, sir.

UK SME: I think all I've got is three questions but inevitable there will be some supplementaries. The

first one was you said something really interesting there about the hybrid option which was that the hybrid option has to [REDACTED]

[REDACTED]

WITNESS:

Yes, sir.

UK SME:

So and I have to say you're the first person who's articulated it in that way but I think you're bang on the money and therefore from what I've heard from you

[REDACTED]

[REDACTED] question is to what degree did those - where those sort of - were those [REDACTED] factors of the hybrid option translated to the assaulters? And in particular, can you recall in during the planning and mission prep a clear statement that was given by you or the assault team leaders to the assault force about this split second notion?

WITNESS:

Yes, sir. Specifically, I covered that with the team leaders in the backbrief that we conducted on the planning and then in the actual brief when myself to the whole [REDACTED] I specifically addressed that. "Don't put yourself in a position that you have to react quickly." And basically, "don't be out in the open. Don't be in the middle of the walkway. Be in some kind of cover. Take a look. Don't put yourself out there where you have to make a split second decision based on your lack of ability to protect yourself." I specifically addressed that.

UK SME:

That's really clear. Thank you. The second question is just so that I understand that process. And I know how it works for us and I've got a reasonably good idea how it works for you guys but you've spoken about the division of responsibility between you and the [REDACTED] commander for the development of the plan and I understand that. That's clear. How is that plan then communicated to the assault force?

WITNESS:

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

UK SME:

Okay. So if I kind of paraphrase -

WITNESS:

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

UK SME:

Okay. I'm just trying to visualize this in my mind. So, you know, throughout the planning process as you're honing on the concept of ops, there is constant iterative discussion between yourself and the team leaders which allows them to go to their assault teams and develop the proposed tactical activity on the ground and then you all come together, correct?

WITNESS:

Yes, sir.

UK SME:

And that gives you a chance to layout the plan, get the team leaders to talk through what they're individual teams are going to do.

WITNESS:

Yes, sir.

UK SME:

Am I right so far?

WITNESS:

Yes, sir.

UK SME:

What part does the (b)(1)1.4a, (b)(2)High commander play in that final formalish brief to the (b)(1)1.4a, (b)(2)High?

WITNESS:

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

UK SME:

Yeah. I know said a few words.

WITNESS: Said a few words at the end but that's usually where I'll open it up to the TCDR because up to that point, he has his piece, we have our piece, and it all melds together and if he has any concerns, he addresses them throughout the process. He's not totally isolated from the process so I'll tell him, I'll brief hey this is where we're looking at inserting and he's like yep, okay, yep. We're going to fast-rope here, here, yep. And I'll give him a broad, quick rundown of what we're looking at doing. As far as the details as far as the broad brush, I don't really hit those with him up to that point.

UK SME: And just to link the two questions together, when you said to me earlier that you did say to the whole assault force, you explained to them this notion of the split second, did you do that at that final overview before you went on target?

WITNESS: Yes, sir.

UK SME: You did, okay. My last question which you might think is completely sort of out of left field but I'm just interested in your thought process, did you or anyone else consider - I mean you obviously went to the X, did you actually going right onto the objective? So I mean (b)(2)High, (b)(1)1.4a -

WITNESS: Onto the roof?

UK SME: Onto the roof.

WITNESS: No.

UK SME: Okay.

WITNESS: We didn't consider that and I say that because of the terrain and the trees. Like the two (b)(2)High, (b)(1)1.4a spots we found were the closest two we could get to the objective.

UK SME: So there was not an option to (b)(1)1.4a, (b)(2)High straight onto the (b)(1)1.4a, (b)(2)High physically you just couldn't get -

WITNESS: It's the trees. There was like 150 foot trees. We have (b)(1)1.4a, (b)(2)High, (b)(2)High and the terrain because - and actually for the extract, we were wanting to do a lip landing on the roof of the building but you couldn't even do that because of the trees and the rotor -

UK SME: That's really clear. Thank you.

Major General Votel: Good. Thanks. That's good. I just want to move on to the last area here. I want to take you ahead to Sunday afternoon, (b)(1)1.4a, (b)(2)High here when the full motion video comes out and TF Commander returns to (b)(1)1.4a, (b)(2)High with it and you and the TFSE link up together and you view it together and then there is kind of the revelation that, okay, something else occurred here. What I'm interested in chatting with you about here is what are the conversations that place right after that with - I got it you and the TFSE and then you talk to the team leader. What happens with the (b)(1)1.4a, (b)(2)High after that?

WITNESS: Okay. So after - obviously after that discovery there, emotions were a little high so at that point, The TF Commander and the TFSE went off to the TF (b)(1)1.4a, (b)(2)High JOC to start handling business they needed to start handling and I pulled the (b)(1)1.4a, (b)(2)High together and -

Major General Votel: Just the (b)(1)1.4a, (b)(2)High

WITNESS: Just the (b)(1)1.4a, (b)(2)High and I pulled the (b)(1)1.4a, (b)(2)High together. And at this point, obviously, we had already talked to TM1 and TM3 and TM5 so everybody else was clueless as to what was going on. I pulled them together and explained to them what happened and some of the guys started getting heated and yelling at TM 5. And actually TM1 is like, "oh, oh, oh." I was like, "just settle down." TM1 spoke a little bit. He got upset. And at that point, I was pissed off and I told TM5, I said, "hey, get your stuff, turn in all your controlled equipment and all that kind of stuff." You know, you're not going to be with us anymore at that point because I was upset. At that point, they collected up his stuff and then later on that evening the TFSE came by and I - he was aware of what happened and he was like, "hey, we can't just cut them out. We have to go through the process." And I was, like, "you're right." And he pulled in the team leaders or pulled in the other two team leaders and expressed those concerns to them that we need to just not isolate them and we still have to go through the process but my initial reaction because I was upset. I was real ticked off at the whole process and the fact that they had the opportunity multiple times to let me know what happened and they

never took that opportunity so I took that a little personal. And it's probably why my emotions ran a little high at that time.

Major General Votel: I think it's understandable to be disappointed and to be angry when something happens like that. I really don't have any more questions for you. You've answered my question. I just really have one comment back to you and I think you recognize it already. The TFSE probably pointed it out to you is that you're in the position you're in for a variety of reasons not the least of which is obviously that you are the most qualified and the most experienced and the most competent operator in the (b)(1)-4a, (b)(2)High. You've just kind of taken this through particularly in response to the UK SME's question there is what is recognized by all of us as your very, very clear leading role in directing the (b)(1)-4a, (b)(2)High.

WITNESS: Yes, sir.

Major General Votel: I mean, there's no doubt about it but part of your responsibilities as well are ensuring that when things go bad that we - as you kind of said there that - you referred to it as a process but when people make mistakes whether they are mistakes of the heart or it's a bad tactical decision based on they assess it wrong and they make decisions or in the case where somebody criminally does something that's wrong, that's a mistake, that violates a law, that violates a code of the Uniform of Code of Military Justice, part of your responsibilities are to ensure that those individuals are dealt with fairly and squarely. And that there is an investigation of the facts before we pronounce people being guilty of this or that or whatever, you know, much like we're trying to do here is kind of get to the bottom of all that. I think you recognize that.

WITNESS: Yes, sir.

Major General Votel: But I feel an obligation as a leader just to kind of mention that here that I've got it that there is no doubt a level of disappointment that everybody shares in the (b)(1)-4a, (b)(2)High here with the way this thing turned out. I mean, we are a fraction away from - this is a case of total failure or absolute success and the line between the two of them is very, very small based on

just kind of how things happened here. On the top of the fact - I'll just take you back to the extensive discussion we just had here on risk.

WITNESS: Yes, sir.

Major General Votel: And the amount of risk that is being taken here and one of the comments that will come out of this investigation is that despite the failure, the daring of the assault force here is very creditworthy. The fact that we assessed this, we put ourselves in this position to try to accomplish this mission, we dared greatly here to do this is very creditworthy. But when people do make mistakes, it is the responsibility of the leaders to make sure that we deal with it in a fair manner. We don't prejudge people. We don't take actions that cause us problems later on - could potentially cause us problems later on because we dispense with any level of fairness or process that's very common with our American view on things, American way of life. I will just leave you with that comment.

(b)(3), (b)(6) anything more?

LTC (b)(3), (b)(6): No, sir.

Major General Votel: Anything more?

US SOF SME: No, sir.

Major General Votel: Hey, I really appreciate - anything else you think we ought to explore here? Is there anything possible that we haven't probed you on?

WITNESS: It's pretty in depth but I think we've covered all the bases on this one.

Brigadier Nitsch: This is just the preliminary.

Major General Votel: Frankly, I'm hoping by being very, very thorough here, we don't - this isn't the preliminary, this is it. I will tell you when we talk to General Mattis the other day, he emphasized to us, please be complete, please take the time you need, ask the questions, look at everything, track down your information gaps and so I am trying to take that to heart. And your discussions here have been very, very helpful for us and I will appreciate that. I

will echo what the UK SME said there is that the integrity and the clarity with which you and everybody - all of your (b)(1), (1.4a), (b)(7)(C) members, every one of them that have spoken with us is noteworthy and greatly appreciated. And aside from really aiding our discussion here and from an investigative stand point is very refreshing. I really appreciate that.

WITNESS: Thank you, sir.

Major General Votel: And then on that I'll close on an administrative note and remind you don't talk to anybody about anything we've talked about here unless you clear it with me first and all the other cautions that were previously highlighted to you.

WITNESS: Yes, sir.

Major General Votel: Okay?

WITNESS: Yes, sir.

Major General Votel: Thanks. I appreciate it.

[The witness exited the room.]